

HOUSE JOURNAL

EIGHTY-NINTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SEVENTY-SEVENTH DAY — THURSDAY, MAY 29, 2025

The house met at 2 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 4012).

Present — Mr. Speaker(C); Alders; Allen; Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Cain; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dutton; Dyson; Fairly; Flores; Frank; Gámez; García, J.; García, L.; García Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Harrison; Hayes; Hefner; Hernandez; Hickland; Hinojosa; Holt; Hopper; Howard; Hull; Hunter; Isaac; Johnson; Jones, J.; Jones, V.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Leo Wilson; Little; Longoria; Lopez, J.; Lopez, R.; Louderback; Lowe; Lozano; Lujan; Luther; Manuel; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Olcott; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Reynolds; Richardson; Rodríguez Ramos; Romero; Rose; Rosenthal; Schatzline; Schofield; Schoolcraft; Shaheen; Shofner; Simmons; Slawson; Smithee; Spiller; Swanson; Talarico; Tepper; Thompson; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Absent, Excused — Harris; Kerwin; Meza; Virdell.

The invocation was offered by Scot Wall, state minister, Capitol Commission, Austin.

The chair recognized Representative Hefner who led the house in the pledges of allegiance to the United States and Texas flags.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for today because of important business:

Harris on motion of Hefner.

Kerwin on motion of Curry.

Meza on motion of Collier.

The following member was granted leave of absence for today because of important business in the district:

Virdell on motion of Harris Davila.

MESSAGES FROM THE SENATE

Messages from the senate were received at this time (see the addendum to the daily journal, Messages from the Senate, Message Nos. 1 and 2).

CAPITOL PHYSICIAN

The chair presented Dr. Georgeanne Freeman of Austin as the "Doctor for the Day."

The house welcomed Dr. Freeman and thanked them for their participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

REGULAR ORDER OF BUSINESS SUSPENDED

On motion of Representative Geren and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

HR 1251 - INTRODUCTION OF GUESTS

The chair recognized Representative Slawson who introduced family members of Ruth Ann Buzzi Perkins.

HR 1413 - INTRODUCTION OF GUESTS

The chair recognized Representative Gerdes who introduced Michael Taaffe and members of his family.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of important business:

Dutton on motion of King.

HR 1394 - ADOPTED (by Schofield)

Representative Schofield moved to suspend all necessary rules to take up and consider at this time **HR 1394**.

The motion prevailed.

The following resolution was laid before the house:

HR 1394, Congratulating the Honorable Bill Callegari and Ann Callegari on their 65th wedding anniversary.

HR 1394 was adopted.

On motion of Representative Craddick, the names of all the members of the house were added to **HR 1394** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Schofield who introduced the Honorable Bill Callegari, Ann Callegari, and members of their family.

**HR 1030 - PREVIOUSLY ADOPTED
(by Turner)**

The chair laid out the following previously adopted resolution:

HR 1030, Honoring Building Future Families on the occasion of National Foster Care Month and National Foster Parent Appreciation Day.

**HR 310 - PREVIOUSLY ADOPTED
(by Howard)**

The chair laid out the following previously adopted resolution:

HR 310, In memory of former state representative James Parker McCollough of Austin.

INTRODUCTION OF GUESTS

The chair recognized Representative Howard who introduced family members of the Honorable James Parker McCollough.

(Geren in the chair)

**HR 1028 - PREVIOUSLY ADOPTED
(by Bhojani, Lujan, Moody, Thompson, and Craddick)**

The chair laid out the following previously adopted resolution:

HR 1028, Recognizing May 21, 2025, as Texas Capitol Staff Appreciation Day.

**HR 1297 - ADOPTED
(by Howard)**

Representative Howard moved to suspend all necessary rules to take up and consider at this time **HR 1297**.

The motion prevailed.

The following resolution was laid before the house:

HR 1297, Recognizing May 2025 as Women's Health Month.

HR 1297 was adopted.

INTRODUCTION OF GUESTS

The chair recognized Representative Howard who introduced Martha F. Zuniga and Sally Perales.

**HR 1298 - ADOPTED
(by Howard)**

Representative Howard moved to suspend all necessary rules to take up and consider at this time **HR 1298**.

The motion prevailed.

(Speaker in the chair)

The following resolution was laid before the house:

HR 1298, Recognizing November 8, 2025, as Premenstrual Dysphoric Disorder Awareness Day.

HR 1298 was adopted.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 3).

REMARKS ORDERED PRINTED

Representative Moody moved to print all remarks on **HR 310**.

The motion prevailed. [The text of the debate was not available at the time of printing.]

HCR 168 - ADOPTED (by Tepper)

The following privileged resolution was laid before the house:

HCR 168

WHEREAS, **HB 126** has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 89th Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to make the following corrections:

(1) In SECTION 1 of the bill, in added Section 51.9246(c-2), Education Code, strike "Subsection (c-3)" and substitute "Subsections (c-3) and (k-1)".

(2) In SECTION 1 of the bill, strike added Section 51.9246(k-1), Education Code, as added by Floor Amendment No. 1 by Creighton, and substitute the following:

(k-1) Unless a prospective student athlete younger than 17 years of age is enrolled at an institution of higher education, an individual, corporate entity, or other organization, including an institution to which this section applies, may not enter into an arrangement relating to the athlete's name, image, or likeness with the athlete or with an individual related to the athlete by consanguinity or affinity.

HCR 168 was adopted by (Record 4013): 131 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Cain; Campos; Canales; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Harrison;

Hayes; Hefner; Hernandez; Hickland; Hinojosa; Holt; Hopper; Howard; Hull; Hunter; Isaac; Johnson; Jones, J.; Jones, V.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leo Wilson; Little; Lopez, J.; Lopez, R.; Louderback; Lowe; Lozano; Lujan; Manuel; Martinez; McLaughlin; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Noble; Olcott; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Reynolds; Richardson; Rodríguez Ramos; Romero; Rose; Rosenthal; Schatzline; Schofield; Schoolcraft; Shaheen; Shofner; Simmons; Slawson; Smithee; Spiller; Swanson; Talarico; Tepper; Thompson; Troxclair; Turner; VanDeaver; Vasut; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Wiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Alders; Allen; Anchía; Capriglione; Fairly; Leach; Longoria; Luther; Martinez Fischer; McQueeney; Morgan; Tinderholt; Toth.

STATEMENTS OF VOTE

When Record No. 4013 was taken, my vote failed to register. I would have voted yes.

Anchía

When Record No. 4013 was taken, I was in the house but away from my desk. I would have voted yes.

Tinderholt

SB 8 - REQUEST OF SENATE GRANTED CONFERENCE COMMITTEE APPOINTED

On motion of Representative Spiller, the house granted the request of the senate for the appointment of a Conference Committee on **SB 8**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 8**: Spiller, chair; K. Bell, Louderback, Romero, and Tepper.

SB 37 - REQUEST OF SENATE GRANTED CONFERENCE COMMITTEE APPOINTED

On motion of Representative Shaheen, the house granted the request of the senate for the appointment of a Conference Committee on **SB 37**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 37**: Shaheen, chair; Howard, Lambert, Paul, and Wilson.

SB 379 - REQUEST OF SENATE GRANTED CONFERENCE COMMITTEE APPOINTED

On motion of Representative Gerdes, the house granted the request of the senate for the appointment of a Conference Committee on **SB 379**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 379**: Gerdes, chair; Fairly, Hull, Manuel, and E. Morales.

**SB 12 - REQUEST OF SENATE GRANTED
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Metcalf, the house granted the request of the senate for the appointment of a Conference Committee on **SB 12**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 12**: Leach, chair; Buckley, Hull, Metcalf, and Tinderholt.

**SB 1566 - REQUEST OF SENATE GRANTED
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Darby, the house granted the request of the senate for the appointment of a Conference Committee on **SB 1566**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 1566**: Darby, chair; Anchía, C. Bell, King, and Smithee.

**SB 2878 - REQUEST OF SENATE GRANTED
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Metcalf, the house granted the request of the senate for the appointment of a Conference Committee on **SB 2878**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 2878**: Leach, chair; Dyson, Johnson, Landgraf, and Moody.

**HB 2067 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

Representative Paul called up with senate amendments for consideration at this time,

HB 2067, A bill to be entitled An Act relating to declination, cancellation, or nonrenewal of insurance policies.

Representative Paul moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 2067**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 2067**: Paul, chair; Barry, Dean, J. González, and Wharton.

**HB 2885 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

Representative Gerdes called up with senate amendments for consideration at this time,

HB 2885, A bill to be entitled An Act relating to allowing the governing bodies of certain political subdivisions to call for a local option election relating to the sale of alcoholic beverages.

Representative Gerdes moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 2885**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 2885**: Gerdes, chair; Harris, Longoria, Phelan, and Walle.

**HB 3595 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

Representative Barry called up with senate amendments for consideration at this time,

HB 3595, A bill to be entitled An Act relating to an emergency preparedness and contingency operations plan, including temperature regulation, for assisted living facility residents during an emergency; providing penalties.

Representative Barry moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 3595**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 3595**: Barry, chair; Ashby, Guerra, King, and Wharton.

**HB 4 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

Representative Buckley called up with senate amendments for consideration at this time,

HB 4, A bill to be entitled An Act 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 accountability.

Representative Buckley moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 4**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 4**: Buckley, chair; Bernal, Ashby, Metcalf, and Landgraf.

HB 5138 - HOUSE REFUSES TO CONCUR IN SENATE AMENDMENTS CONFERENCE COMMITTEE APPOINTED

Representative Shaheen called up with senate amendments for consideration at this time,

HB 5138, A bill to be entitled An Act relating to the duty of the attorney general to prosecute criminal offenses prescribed by the election laws of this state.

Representative Shaheen moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 5138**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 5138**: Shaheen, chair; Bucy, Darby, Geren, and Turner.

HB 5560 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Buckley called up with senate amendments for consideration at this time,

HB 5560, A bill to be entitled An Act relating to penalties in certain suits involving a groundwater conservation district; increasing a penalty.

Representative Buckley moved to concur in the senate amendments to **HB 5560**.

The motion to concur in the senate amendments to **HB 5560** prevailed by (Record 4014): 125 Yeas, 4 Nays, 3 Present, not voting.

Yeas — Alders; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Canales; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Flores; Frank; Gámez; Garcia, L.; Garcia Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Hayes; Hefner; Hernandez; Hickland;

Holt; Hopper; Howard; Hull; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Leo Wilson; Little; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morgan; Muñoz; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Pierson; Plesa; Raymond; Reynolds; Richardson; Rodríguez Ramos; Romero; Rose; Rosenthal; Schatzline; Schofield; Schoolcraft; Shaheen; Shofner; Simmons; Slawson; Smithee; Spiller; Swanson; Talarico; Tepper; Thompson; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Zwiener.

Nays — Cain; Harrison; Lowe; Olcott.

Present, not voting — Mr. Speaker(C); Fairly; Vasut.

Absent, Excused — Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Allen; Anchía; Bonnen; Campos; Capriglione; Garcia, J.; Hinojosa; Jones, V.; Longoria; Manuel; Morales Shaw; Phelan; Wu.

STATEMENTS OF VOTE

When Record No. 4014 was taken, my vote failed to register. I would have voted yes.

Anchía

When Record No. 4014 was taken, my vote failed to register. I would have voted yes.

Hinojosa

When Record No. 4014 was taken, I was in the house but away from my desk. I would have voted yes.

Morales Shaw

When Record No. 4014 was taken, I was excused because of important business in the district. I would have voted yes.

Virdell

Senate Committee Substitute

CSHB 5560, A bill to be entitled An Act relating to penalties in certain suits involving a groundwater conservation district; increasing a penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 36.102, Water Code, is amended by amending Subsection (b) and adding Subsections (b-1) and (f) to read as follows:

(b) Except as provided by Subsection (f), the ~~The~~ board by rule may set reasonable civil penalties, including a range of reasonable civil penalties, that the district may recover from ~~against~~ any person for breach of any rule of the district in an amount not to exceed \$25,000 ~~[\$10,000]~~ per day per violation, and each day of a continuing violation constitutes a separate violation.

(b-1) In determining the amount of a civil penalty under this section, the court shall consider:

(1) the nature, circumstances, extent, duration, and gravity of the violation, with special emphasis on the effect of the violation on:

- (A) groundwater resources;
- (B) another person's right to produce groundwater;
- (C) public health and safety; or
- (D) other water resources or the environment;

(2) with respect to the alleged violator:

(A) the history and extent of previous violations;
(B) the degree of culpability, including whether the violation was attributable to mechanical or electrical failures and whether the violation could have been reasonably anticipated and avoided;

(C) the demonstrated good faith, including actions taken by the alleged violator to rectify the cause of the violation and to compensate the affected person;

(D) whether there was an economic benefit gained as a result of the violation and, if so, the amount of the economic benefit;

(E) the amount necessary to deter future violations; and

(F) if the alleged violator is a person required to adopt a drought contingency plan under Section 11.1272 and overproduction of groundwater is the basis of the alleged violation, whether the person acted in good faith and exercised reasonable diligence in implementing and enforcing the terms of the plan; and

(3) any other matters that justice may require.

(f) In an enforcement action brought by a district against a person, the court may assess a penalty greater than the maximum penalty authorized under Subsection (b) if the court determines that the person gained an economic benefit as a result of the violation that was greater than the maximum penalty under Subsection (b). A penalty assessed under this subsection must be in an amount determined by the court to be necessary and appropriate to outweigh the economic benefit gained by the person as a result of the violation and discourage future violations.

SECTION 2. Subchapter D, Chapter 36, Water Code, is amended by adding Sections 36.1021 and 36.1022 to read as follows:

Sec. 36.1021. DEFERRAL OF PENALTY. (a) A court by order may allow a person to defer the payment of not more than 50 percent of the total amount of the civil penalties awarded by the court to a district for a violation under Section 36.102 on the condition that the person complies with all provisions for corrective action to address the violation.

(b) A court order under Subsection (a) must require the person to spend an amount of money equal to the amount of the civil penalty deferred by the court to mitigate the consequences of a violation of a rule of the district or prevent future violations of a rule of the district.

(c) In determining whether deferral of a civil penalty under this section is appropriate and the amount, if any, to be deferred, the court must consider:

(1) the factors used in determining the amount of the civil penalty under Section 36.102(b-1);

(2) whether the amount of the civil penalty that is not deferred, when combined with the amount of any attorney's fees awarded by the court to the district, will at a minimum cover the costs and expenditures of the district in enforcing its rules against the person so that the district will be made financially whole;

(3) the financial position of the person and the person's ability to reasonably pay the costs associated with the corrective action under the terms of the court order;

(4) any risks to groundwater resources, another person's right to produce groundwater, public health and safety, or other water resources or the environment that would result from a delay in implementing the corrective action because of the person's limited financial resources;

(5) any alternatives reasonably available to the person for the purpose of paying the penalty and any costs associated with taking the corrective action; and

(6) whether requiring the person to pay the civil penalty will affect other essential public health and safety services for which the person is responsible.

(d) If the person seeking deferral of a civil penalty under this section is a wholesale or retail public water system, the corrective action for purposes of Subsection (a) may include capital improvements that benefit the water system in which the violation occurred, including securing additional sources of water supply, addressing system water loss, or otherwise addressing water conservation issues.

(e) The court may require the person to pay the full amount of the civil penalty under Section 36.102 if the court finds that the person is not in compliance with a provision of the court order issued under Subsection (a) of this section.

Sec. 36.1022. RECOVERY OF CIVIL PENALTY BY WATER AND SEWER UTILITY. (a) A court that has assessed a civil penalty against a water and sewer utility, as defined by Section 13.002, under Section 36.102 for violation of a district rule limiting groundwater production may authorize the utility to recover, in any manner that is equitable and just, all or part of the civil penalty from any customers or class of customers responsible for causing the utility to violate the rule.

(b) The court may allow the recovery of the civil penalty only if the court finds that:

(1) the utility acted in good faith and exercised reasonable diligence in implementing and enforcing the terms of the utility's drought contingency plan required by Section 11.1272; and

(2) the customers from whom the civil penalty will be recovered continued to violate the provisions of the drought contingency plan despite the utility's enforcement measures.

(c) The utility may retain a civil penalty recovered under this section unless the court directs the utility to use the money for a specific purpose in the interests of justice.

(d) A civil penalty recovered under this section is not a rate as defined by Section 13.002 and may not be considered revenue of the utility in a rate proceeding under Chapter 13.

SECTION 3. Section 36.102, Water Code, as amended by this Act, and Sections 36.1021 and 36.1022, Water Code, as added by this Act, apply only to a suit involving a groundwater conservation district that is filed on or after the effective date of this Act. A suit filed before the effective date of this Act is subject to the law in effect on the date the suit is filed, and that law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2025.

HB 2 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Buckley called up with senate amendments for consideration at this time,

HB 2, A bill to be entitled An Act relating to public education and public school finance.

Representative Buckley moved to concur in the senate amendments to **HB 2**.

The motion to concur in the senate amendments to **HB 2** prevailed by (Record 4015): 122 Yeas, 13 Nays, 1 Present, not voting.

Yeas — Alders; Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gerdes; Geren; Gervin-Hawkins; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Hayes; Hefner; Hernandez; Hickland; Hinojosa; Holt; Howard; Hull; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leo Wilson; Longoria; Lopez, J.; Lopez, R.; Louderback; Lowe; Lozano; Lujan; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Noble; Olcott; Oliverson; Ordaz; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Plesa; Raymond; Richardson; Rose; Schatzline; Schofield; Shaheen; Shofner; Slawson; Smithee; Spiller; Swanson; Talarico; Tepper; Thompson; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Zwiener.

Nays — Cain; González, J.; Harrison; Hopper; Little; Luther; Morgan; Pierson; Reynolds; Rodríguez Ramos; Rosenthal; Schoolcraft; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Allen; Davis, A.; Gates; Jones, V.; Leach; Manuel; Orr; Romero; Simmons.

STATEMENTS OF VOTE

When Record No. 4015 was taken, I was in the house but away from my desk. I would have voted yes.

A. Davis

When Record No. 4015 was taken, I was in the house but away from my desk. I would have voted yes.

Gates

When Record No. 4015 was taken, I was shown voting no. I intended to vote yes.

J. González

When Record No. 4015 was taken, I was in the house but away from my desk. I would have voted yes.

Leach

When Record No. 4015 was taken, I was shown voting no. I intended to vote yes.

Little

When Record No. 4015 was taken, I was shown voting yes. I intended to vote no.

Money

When Record No. 4015 was taken, I was in the house but away from my desk. I would have voted yes.

Orr

When Record No. 4015 was taken, I was in the house but away from my desk. I would have voted yes.

Simmons

When Record No. 4015 was taken, I was excused because of important business in the district. I would have voted yes.

Virdell

REASON FOR VOTE

Representative Money submitted the following reason for vote to be printed in the journal:

While the senate version of **HB 2** was an improvement in some regards, it does not simplify the funding formula, as I promised in my campaign. I will continue to work toward a simplified school funding formula that prioritizes teachers, local control, and taxpayers.

Representative Pierson submitted the following reason for vote to be printed in the journal:

I coauthored **HB 2** with several colleagues in collaboration with the public schools in my district. The key feature of the house plan was a large increase in the basic allotment, giving HD 33 schools more money and the most freedom to spend those dollars on the individual needs of each district.

Unfortunately, the senate did not uphold this key basic allotment provision in their amendments, lowering it considerably. As the question on their proposal came before the body of the house to concur with the senate's change, I simply could not concur.

I fully stand by my support and vote for **HB 2** as devised by the house. My decision to not concur with the senate amendments was a clear stand of solidarity with my school districts on the original house version of the bill.

I would like to extend my gratitude to Plano ISD leadership for standing strong with me from the very beginning, and Royse City ISD leadership for engaging with me through the process. Your support during the session and consistent contact was invaluable and it was my honor to represent you in Austin.

Senate Committee Substitute

CSHB 2, A bill to be entitled An Act relating to public education and public school finance.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. TEACHER COMPENSATION

SECTION 1.01. Section 21.3521, Education Code, is amended by amending Subsections (a), (c), and (e) and adding Subsections (c-1), (d-1), (d-2), and (d-3) to read as follows:

(a) Subject to Subsection (b), a school district or open-enrollment charter school may designate a classroom teacher as a master, exemplary, ~~[or]~~ recognized, or acknowledged teacher for a five-year period based on the results from single year or multiyear appraisals that comply with Section 21.351 or 21.352.

(c) Notwithstanding performance standards established under Subsection (b) and subject to authorization under Section 21.3523, a classroom teacher that holds a National Board Certification issued by the National Board for Professional Teaching Standards may be designated as nationally board certified ~~[recognized]~~.

(c-1) A classroom teacher's designation under Subsection (c) is valid for a five-year period, regardless of whether the State Board for Educator Certification subsequently revokes authorization for a nationally board certified teacher designation under Section 21.3523.

(d-1) Each school year, the commissioner shall, using criteria developed by the commissioner, designate as enhanced teacher incentive allotment systems school districts and open-enrollment charter schools that implement comprehensive school evaluation and support systems. The criteria developed by the commissioner must require a district or school to:

(1) for principals and assistant principals, implement:

(A) a strategic evaluations system aligned with the district's or school's teacher designation system; and

(B) a compensation system based on performance;

(2) ensure that under the district's or school's teacher designation system substantially all classroom teachers, regardless of the grade level or subject area to which the teacher is assigned, are eligible to earn a designation under Subsection (a);

(3) implement for all classroom teachers a compensation plan based on performance that:

(A) uses a salary schedule that differentiates among classroom teachers based on staff appraisals; and

(B) does not include across-the-board salary increases for classroom teachers except for periodic changes to the district's or school's salary schedule to adjust for significant inflation; and

(4) implement a locally designed plan to place highly effective teachers at high needs campuses and in accordance with Section 28.0062(a)(3).

(d-2) The commissioner may designate a school district or open-enrollment charter school as an enhanced teacher incentive allotment system under Subsection (d-1) only if the district or school has implemented a local optional teacher designation system under this section.

(d-3) The commissioner may remove a school district's or open-enrollment charter school's designation under Subsection (d-1) if the commissioner determines the district or school no longer meets the criteria for the designation.

(e) The agency shall develop and provide technical assistance for school districts and open-enrollment charter schools that request assistance in implementing a local optional teacher designation system, including:

(1) providing assistance in prioritizing high needs campuses;

(2) providing examples or models of local optional teacher designation systems to reduce the time required for a district or school to implement a teacher designation system;

(3) providing examples or models of local optional teacher designation systems that implement a teacher designation system for teachers of special populations, including special education and bilingual education;

(4) establishing partnerships between districts and schools that request assistance and districts and schools that have implemented a teacher designation system;

(5) applying the performance and validity standards established by the commissioner under Subsection (b);

(6) providing centralized support for the analysis of the results of assessment instruments administered to district students; and

(7) facilitating effective communication on and promotion of local optional teacher designation systems.

SECTION 1.02. Subchapter H, Chapter 21, Education Code, is amended by adding Sections 21.3522 and 21.3523 to read as follows:

Sec. 21.3522. LOCAL OPTIONAL TEACHER DESIGNATION SYSTEM GRANT PROGRAM. (a) From funds appropriated or otherwise available for the purpose, the agency shall establish and administer a grant program to provide money and technical assistance to:

(1) expand implementation of local optional teacher designation systems under Section 21.3521; and

(2) increase the number of classroom teachers eligible for a designation under that section.

(b) A grant awarded under this section must:

(1) meet the needs of individual school districts; and

(2) enable regional leadership capacity.

(c) The commissioner may adopt rules as necessary to implement this section.

Sec. 21.3523. REVIEW AND AUTHORIZATION OF NATIONALLY BOARD CERTIFIED TEACHER DESIGNATION. (a) The State Board for Educator Certification may periodically review National Board Certifications issued by the National Board for Professional Teaching Standards to determine whether to reauthorize or revoke authorization for the nationally board certified teacher designation under Section 21.3521(c). If the board revokes authorization, the board may at any time conduct a review under this subsection to determine whether to reauthorize the nationally board certified teacher designation.

(b) A review under Subsection (a) must evaluate whether the components and assessments required for a National Board Certification align and comply with state law, including whether:

(1) earning a National Board Certification would interfere with the certificate holder's ability to provide:

(A) instruction in the essential knowledge and skills without using common core state standards, as defined by Section 28.002;

(B) phonics instruction in accordance with Section 28.0062 and without using three-cueing, as prohibited by Subsection (a-1) of that section; or

(C) instruction in accordance with:

(i) the instructional requirements and prohibitions under Section 28.0022; or

(ii) any other applicable state law; and

(2) the components and assessments align with the criteria adopted by the State Board of Education under Section 31.022 for the approval of instructional materials.

(c) Not later than December 31, 2026, the State Board for Educator Certification shall conduct an initial review under Subsection (a) of National Board Certifications issued by the National Board for Professional Teaching Standards and reauthorize or revoke the nationally board certified teacher designation under Section 21.3521(c). If the board fails to reauthorize the designation by that date, the authorization for the designation is revoked. This subsection expires September 1, 2027.

SECTION 1.03. Subchapter I, Chapter 21, Education Code, is amended by adding Section 21.417 to read as follows:

Sec. 21.417. RESOURCES, INCLUDING LIABILITY INSURANCE, FOR CLASSROOM TEACHERS. (a) From funds appropriated or otherwise available for the purpose, the agency shall contract with a third party to provide the following services for a classroom teacher employed under a probationary, continuing, or term contract:

(1) assistance in understanding the teacher's rights, duties, and benefits;
and

(2) liability insurance to protect a teacher against liability to a third party based on conduct that the teacher allegedly engaged in during the course of the teacher's duties.

(b) A school district may not interfere with a classroom teacher's access to services provided under this section.

(c) A contract entered into by the agency to provide services under Subsection (a) must prohibit the entity with which the agency contracts from using funds received under the contract to engage in:

(1) conduct that a state agency using appropriated money is prohibited from engaging in under Chapter 556, Government Code; and

(2) political activities or advocate for issues regarding public schools, including for boards of trustees of school districts or school districts.

(d) This section may not be interpreted to interfere with a classroom teacher's or other school district employee's exercise of a right protected by the First Amendment to the United States Constitution.

SECTION 1.04. The heading to Section 22.001, Education Code, is amended to read as follows:

Sec. 22.001. SALARY DEDUCTIONS FOR PROFESSIONAL OR OTHER DUES.

SECTION 1.05. Sections 22.001(a) and (b), Education Code, are amended to read as follows:

(a) A school district employee is entitled to have an amount deducted from the employee's salary for membership fees or dues to a professional organization or an entity providing services to classroom teachers under Section 21.417. The employee must:

(1) file with the district a signed written request identifying the organization or entity ~~[and specifying the number of pay periods per year the deductions are to be made];~~ and

(2) inform the district of the total amount of the fees and dues for each year or have the organization or entity notify the district of the amount.

(b) The district shall deduct the total amount of the fees or dues for a year in equal amounts per pay period ~~[for the number of periods specified by the employee]~~. The district shall notify the employee not later than the 45th day after the district receives a request under Subsection (a) of the number of pay periods annually from which the district will deduct the fees or dues. The deductions shall be made until the employee requests in writing that the deductions be discontinued.

SECTION 1.06. Section 48.112, Education Code, is amended by amending Subsections (c), (d), and (i) and adding Subsection (g-1) to read as follows:

(c) For each classroom teacher with a teacher designation under Section 21.3521 employed by a school district, the school district is entitled to an allotment equal to the following applicable base amount increased by the high needs and rural factor as determined under Subsection (d):

(1) \$12,000, or an increased amount not to exceed \$36,000 [~~\$32,000~~] as determined under Subsection (d), for each master teacher;

(2) \$9,000 [~~\$6,000~~], or an increased amount not to exceed \$25,000 [~~\$18,000~~] as determined under Subsection (d), for each exemplary teacher; ~~and~~

(3) \$5,000 [~~\$3,000~~], or an increased amount not to exceed \$15,000 [~~\$9,000~~] as determined under Subsection (d), for each recognized teacher; and

(4) \$3,000, or an increased amount not to exceed \$9,000 as determined under Subsection (d), for each:

(A) acknowledged teacher; or

(B) nationally board certified teacher.

(d) The high needs and rural factor is determined by multiplying the following applicable amounts by the average of the point value assigned to each student at a district campus under Subsection (e):

(1) \$6,000 [~~\$5,000~~] for each master teacher;

(2) \$4,000 [~~\$3,000~~] for each exemplary teacher; ~~and~~

(3) \$2,500 [~~\$1,500~~] for each recognized teacher; and

(4) \$1,500 for each:

(A) acknowledged teacher; or

(B) nationally board certified teacher.

(g-1) For a district that is designated as an enhanced teacher incentive allotment system under Section 21.3521(d-1), the commissioner shall increase the amount to which the district is entitled under this section by multiplying that amount by 1.1.

(i) A district shall annually certify that:

(1) funds received under this section were used as follows:

(A) at least 90 percent of each allotment received under Subsection (c) was used for the compensation of teachers employed at the campus at which the teacher for whom the district received the allotment is employed; ~~and~~

(B) for a district whose allotment was increased under Subsection (g-1), the amount by which the allotment was increased under that subsection was used to meet the criteria to maintain a designation as an enhanced teacher incentive allotment system under Section 21.3521(d-1); and

(C) any other funds received under this section were used for costs associated with implementing Section 21.3521, including efforts to support teachers in obtaining designations; and

(2) the district prioritized high needs campuses in the district in using funds received under this section.

SECTION 1.07. Subchapter D, Chapter 48, Education Code, is amended by adding Section 48.158 to read as follows:

Sec. 48.158. TEACHER RETENTION ALLOTMENT. (a) In this section, "classroom teacher" has the meaning assigned by Section 5.001, except that the term also includes:

(1) a person who is not required to hold a certificate issued under Subchapter B, Chapter 21, who otherwise meets the definition of a classroom teacher under Section 5.001; and

(2) a person, including a person described by Subdivision (1), employed by an entity with which a school district has entered into a contract who otherwise meets the definition of a classroom teacher under Section 5.001.

(b) A school district is entitled to an annual allotment for each classroom teacher who is employed by or contracts with the district for which the allotment is provided as follows:

(1) if the district has 5,000 or fewer students enrolled for the school year:

(A) \$5,000 for each classroom teacher who has at least three but less than five years of teaching experience; and

(B) \$10,000 for each classroom teacher who has five or more years of teaching experience; and

(2) if the district has more than 5,000 students enrolled for the school year:

(A) \$2,500 for each classroom teacher who has at least three but less than five years of teaching experience; and

(B) \$5,500 for each classroom teacher who has five or more years of teaching experience.

(b-1) Instead of the allotment under Subsection (b)(2), a school district described by that subdivision is entitled to funding under Subsection (b)(1) if the school district received an allotment under Subsection (b)(1) in a previous school year.

(c) For the 2025-2026 school year, a school district shall use money received under Subsection (b) to:

(1) increase the salary provided to each classroom teacher for which the district is entitled to funding under Subsection (b) for that year over the salary the teacher received or would have received if the teacher was employed by or contracted with the district in the 2024-2025 school year by at least the amount received per classroom teacher under Subsection (b); or

(2) if the school district is applying to be designated as an enhanced teacher incentive allotment system, increase the salaries of classroom teachers for that year based on performance.

(d) Except as provided by Subsection (e), for the 2026-2027 and each subsequent school year, a school district shall use money received under Subsection (b) to maintain the salary increases for classroom teachers provided under Subsection (c). Any additional funding generated for a school district under this section may only be used for the compensation of classroom teachers who are employed by or contract with the district and who have three or more years of experience.

(e) A school district that has been designated as an enhanced teacher incentive allotment system for the applicable school year may use money received under Subsection (b) to provide salaries to classroom teachers in accordance with the district's compensation plan.

(f) A school district that increases classroom teacher compensation in the 2025-2026 school year to comply with Subsection (c), as added by H.B. 2, 89th Legislature, Regular Session, 2025, is providing compensation for services rendered independently of an existing employment contract applicable to that school year and is not in violation of Section 53, Article III, Texas Constitution. This subsection expires September 1, 2027.

SECTION 1.08. Section 48.257, Education Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) If for any school year a school district receives an adjustment under Subsection (b) and, after that adjustment, is no longer subject to Subsection (a), the district is entitled to additional state aid for that school year in an amount equal to the lesser of:

(1) the difference, if the difference is greater than zero, between:

(A) the amount to which the district is entitled under Subchapters B, C, and D less the district's distribution from the available school fund for that school year; and

(B) the district's tier one maintenance and operations tax collections for that school year; or

(2) the district's allotment under Section 48.158 for that school year.

SECTION 1.09. Sections 48.051(c), (c-1), (c-2), and (d), Education Code, are repealed.

SECTION 1.10. Not later than September 1, 2026, a school district or open-enrollment charter school shall redesignate a teacher who holds a recognized teacher designation under Section 21.3521(c), Education Code, on the basis of the teacher's national board certification, before the effective date of this article, to reflect the teacher's nationally board certified designation under Section 21.3521(c), Education Code, as amended by this article. A redesignation under this section is effective beginning September 1, 2026.

SECTION 1.11. (a) Except as provided by Subsections (b) and (c) of this section, this article takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this article takes effect September 1, 2025.

(b) Sections 48.158 and 48.257(b-1), Education Code, as added by this article, take effect September 1, 2025.

(c) Section 48.112, Education Code, as amended by this article, takes effect September 1, 2026.

ARTICLE 2. EDUCATOR PREPARATION AND TEACHER RIGHTS

SECTION 2.01. Section 12A.004(a), Education Code, is amended to read as follows:

(a) A local innovation plan may not provide for the exemption of a district designated as a district of innovation from the following provisions of this title:

(1) a state or federal requirement applicable to an open-enrollment charter school operating under Subchapter D, Chapter 12;

(2) Subchapters A, C, D, and E, Chapter 11, except that a district may be exempt from Sections 11.1511(b)(5) and (14) and Section 11.162;

(3) the employment of uncertified classroom teachers under Section 21.0032;

(4) parental notification requirements under Section 21.057;

(5) state curriculum and graduation requirements adopted under Chapter 28; and

(6) ~~(4)~~ academic and financial accountability and sanctions under Chapters 39 and 39A.

SECTION 2.02. Section 19.007(g), Education Code, is amended to read as follows:

(g) In addition to other amounts received by the district under this section, the district is entitled to:

(1) state aid in the amount necessary to fund the salary increases required by Section 19.009(d-2); and

(2) the preparing and retaining educators through partnership program allotment under Section 48.157.

SECTION 2.03. Section 21.001, Education Code, is amended by adding Subdivision (3-b) to read as follows:

(3-b) "Teacher of record" means a person employed by a school district who teaches the majority of the instructional day in an academic instructional setting and is responsible for evaluating student achievement and assigning grades.

SECTION 2.04. Subchapter A, Chapter 21, Education Code, is amended by adding Sections 21.0032 and 21.0033 to read as follows:

Sec. 21.0032. EMPLOYMENT OF UNCERTIFIED CLASSROOM TEACHERS. (a) A school district may not employ as a teacher of record for a course in the foundation curriculum under Section 28.002 a person who does not hold an appropriate certificate or permit required by the State Board for Educator Certification under Subchapter B.

(a-1) Notwithstanding Subsection (a), on the receipt and approval of a plan submitted by a school district to the commissioner that provides a reasonable timeline and strategy to comply with that subsection before the beginning of the 2029-2030 school year, the commissioner may allow the district to delay implementation of the requirement of that subsection. This subsection expires September 1, 2030.

(a-2) Notwithstanding Subsection (a) and Section 12A.004, a school district that has adopted a local innovation plan under Chapter 12A for the 2026-2027 school year that exempts the district from the applicable teacher certification requirements under Section 21.003 may employ as a teacher of record for a course other than a reading language arts or mathematics course in a grade level above grade five a person who does not hold an appropriate certificate or permit required by the State Board for Educator Certification under Subchapter B. This subsection expires September 1, 2027.

(b) This section does not preclude a school district from:

(1) receiving a waiver under Section 7.056; or

(2) issuing a school district teaching permit under Section 21.055.

Sec. 21.0033. TEACHER CERTIFICATION INCENTIVE. (a) From money appropriated or otherwise available for the purpose, the agency shall provide to each school district a one-time payment of \$1,000 for each classroom teacher employed by the district who:

(1) was hired for the 2022-2023 or 2023-2024 school year as a first-year teacher;

(2) was uncertified on January 1, 2025;

(3) earned a standard certificate under Subchapter B by the end of the 2026-2027 school year; and

(4) was continuously employed by the district since the school year described by Subdivision (1).

(b) This section expires September 1, 2028.

SECTION 2.05. Section 21.041, Education Code, is amended by adding Subsection (e) to read as follows:

(e) A rule proposed by the board under this section relating to educator preparation is not subject to Section 2001.0045, Government Code.

SECTION 2.06. Subchapter B, Chapter 21, Education Code, is amended by adding Section 21.0412 to read as follows:

Sec. 21.0412. TYPES OF TEACHING CERTIFICATES. (a) In proposing rules specifying the types of teaching certificates to be issued under this subchapter, the board shall provide for a candidate to be issued:

(1) a standard certificate if the candidate satisfies:

(A) all traditional teacher preparation requirements under Section 21.04421; or

(B) the applicable alternative teacher preparation requirements under Section 21.04423;

(2) an enhanced standard certificate if the candidate satisfies all requirements of the teacher residency preparation route established under Section 21.04422;

(3) an intern with preservice experience certificate, which expires one year after issuance unless modified by the board, if the candidate has yet to satisfy all requirements for certification for a preservice alternative teacher preparation route established under Section 21.04423(1) but has completed a sufficient number of preservice practice hours to serve as a teacher of record; and

(4) an intern certificate, which expires two years after issuance unless modified by the board, if the candidate has yet to satisfy all requirements for certification for an alternative teacher preparation route established under Section 21.04423(2) but has met all board requirements to serve as a teacher of record.

(b) Rules proposed under Subsection (a)(2) may not require a candidate to pass a pedagogy examination unless the examination tests subject-specific content appropriate for the grade level and subject area for which the candidate seeks certification.

(c) A candidate for a certification described by Subsection (a) must meet all other requirements imposed under this subchapter or board rule applicable to the candidate's certification.

(d) This section does not prohibit the board from proposing rules that provide for certifications other than the certifications described by Subsection (a), including specialized certifications and other types and classes of certifications.

SECTION 2.07. Section 21.044, Education Code, is amended by adding Subsections (i) and (j) to read as follows:

(i) An educator preparation program participating in a Preparing and Retaining Educators through Partnership Preservice Program under Subchapter R shall:

(1) incorporate the applicable instructional materials and training developed under Section 21.067, as determined by the board;

(2) if applicable for the grade and subject area for which a teacher candidate enrolled in the educator preparation program is seeking certification, incorporate the literacy achievement academies and mathematics achievement academies established under Sections 21.4552 and 21.4553; and

(3) ensure that instruction and training described by Subdivisions (1) and (2) are delivered by a person with appropriate training who has successfully completed a certification related to that training offered by the agency.

(j) For purposes of Subsection (i)(2), the board by rule shall designate the components of a literacy achievement academy or mathematics achievement academy under Section 21.4552 or 21.4553, as applicable, that may be completed after receiving an intern with preservice experience certificate under Section 21.0412.

SECTION 2.08. Subchapter B, Chapter 21, Education Code, is amended by adding Sections 21.04421, 21.04422, and 21.04423 to read as follows:

Sec. 21.04421. TRADITIONAL TEACHER PREPARATION. (a) In proposing rules under this subchapter regarding training requirements for a candidate seeking certification through a traditional teacher preparation route in which a candidate may concurrently receive an undergraduate or master's degree and a certification to teach a subject area at a particular grade level, the board shall require the candidate to complete substantial preservice practice in a prekindergarten through grade 12 classroom.

(b) The rules proposed under Subsection (a) must require training to be provided synchronously. The board may approve components of the training to be delivered asynchronously on application by an educator preparation program.

Sec. 21.04422. TEACHER RESIDENCY PREPARATION. (a) The board shall propose rules under this subchapter to create a teacher residency preparation route.

(b) In proposing rules for a teacher residency preparation route under this section, the board must require that the program:

(1) use research-based best practices for recruiting and admitting candidates into the program;

(2) integrate course work, classroom practice, formal observation, and feedback;

(3) require a candidate to receive preservice practice in a prekindergarten through grade 12 classroom for at least one full school year;

(4) use multiple assessments to measure a candidate's progress; and

(5) provide training synchronously, unless the educator preparation program applies to and receives approval from the board for an exception allowing the program to provide training asynchronously.

Sec. 21.04423. ALTERNATIVE TEACHER PREPARATION. In proposing rules under this subchapter regarding training requirements for a candidate who has previously earned a degree and is seeking certification through an alternative teacher preparation route, the board shall establish:

(1) a preservice alternative teacher preparation route that:

(A) requires the candidate to complete substantial preservice practice in a prekindergarten through grade 12 classroom, which may include time spent serving as a paraprofessional; and

(B) provides training synchronously, unless the educator preparation program applies to and receives approval from the board for an exception allowing the program to provide training asynchronously; and

(2) an alternative teacher preparation route that allows for flexibility in how a candidate may demonstrate proficiency for certification.

SECTION 2.09. Section 21.0443, Education Code, is amended to read as follows:

Sec. 21.0443. EDUCATOR PREPARATION PROGRAM APPROVAL AND RENEWAL. (a) The board shall propose rules to establish standards to govern the approval or renewal of approval of:

(1) educator preparation programs; ~~and~~

(2) the teacher preparation routes established under Sections 21.04421, 21.04422, and 21.04423; and

(3) certification fields authorized to be offered by an educator preparation program.

(a-1) The board may review an educator preparation program's curriculum:

(1) before the approval or renewal of approval of the program; and

(2) at any time after the approval or renewal of the approval of the program to ensure the program remains eligible for approval by demonstrating that any changes to curriculum requirements proposed by the board since the most recent review have been incorporated into the curriculum.

(b) To be eligible for approval or renewal of approval, an educator preparation program must:

(1) incorporate proactive instructional planning techniques throughout coursework ~~course work~~ and across content areas using a framework that:

(A) provides flexibility in the ways:

(i) information is presented;

(ii) students respond or demonstrate knowledge and skills; and

(iii) students are engaged;

(B) reduces barriers in instruction;

(C) provides appropriate accommodations, supports, and challenges; and

(D) maintains high achievement expectations for all students, including students with disabilities and students of limited English proficiency;

(2) integrate inclusive practices for all students, including students with disabilities, and evidence-based instruction and intervention strategies throughout coursework [~~course work~~], clinical experience, and student teaching;

(3) ensure that the program complies in the same manner as if the program were a school district with:

(A) the prohibitions and requirements under Sections 28.0022(a)(1)-(4) regarding program instructional personnel and coursework;

(B) the prohibitions under Section 28.0022(c) regarding the acceptance of private funds; and

(C) the prohibitions under Section 28.0022(d) regarding the punishment of students;

(4) if applicable, meet the requirements of Section 21.044(i);

(5) adequately prepare candidates for educator certification; and

(6) [~~+~~] meet the standards and requirements of the board.

(b-1) Nothing in Subsection (b)(3) may be construed as limiting instruction in the essential knowledge and skills adopted under Subchapter A, Chapter 28.

(b-2) Subsection (b)(3) applies only to coursework offered by an educator preparation program for purposes of preparing a candidate to meet educator preparation and certification requirements. Subsection (b)(3) does not apply to other coursework offered by an entity providing an educator preparation program that is not included in the educator preparation program's requirements.

(c) The board shall require that each educator preparation program be reviewed for renewal of approval at least every five years. The board may require each educator preparation program to be reviewed for renewal of approval at least annually. The board shall adopt an evaluation process to be used in reviewing an educator preparation program for renewal of approval.

(d) In adopting the evaluation process under Subsection (c), the board shall consider including:

(1) quality indicators that reflect effective program practices; and

(2) measures that provide for the observation of program practices to ensure program quality.

SECTION 2.10. Subchapter B, Chapter 21, Education Code, is amended by adding Section 21.0456 to read as follows:

Sec. 21.0456. NOTICE OF ACTION AGAINST INSTITUTION OF HIGHER EDUCATION. The board shall notify the governing board and the president or other chief executive officer of an institution of higher education, as defined by Section 61.003, and the Texas Higher Education Coordinating Board if the board:

(1) sanctions the institution;

(2) changes the accreditation status of an educator preparation program at the institution; or

(3) approves or authorizes a new educator preparation program at the institution.

SECTION 2.11. Section 21.049, Education Code, is amended to read as follows:

Sec. 21.049. ALTERNATIVE EDUCATOR PREPARATION PROGRAMS ~~[CERTIFICATION]~~. (a) To provide a continuing additional source of qualified educators, the board shall propose rules providing that ~~that~~ ~~for~~ educator certification programs may be provided by an institution of higher education or another entity ~~[as an alternative to traditional educator preparation programs]~~. The rules may not provide that a person may be certified under this section only if there is a demonstrated shortage of educators in a school district or subject area.

(b) The board may not require a person employed as a teacher in an alternative education program under Section 37.008 or a juvenile justice alternative education program under Section 37.011 for at least three years to complete an alternative educator preparation ~~[certification]~~ program adopted under this section before taking the appropriate certification examination.

SECTION 2.12. Sections 21.055(a), (b), and (c), Education Code, are amended to read as follows:

(a) As provided by this section, a school district may issue a school district teaching permit and employ as a teacher of record a person who does not hold a teaching certificate issued by the board on approval by the district's board of trustees.

(b) To be eligible for a school district teaching permit under this section, a person must:

(1) hold a baccalaureate degree; or

(2) have served at or been employed by the district as a paraprofessional for not less than 180 days during the preceding calendar year and be:

(A) currently enrolled in a postsecondary program that could lead to a baccalaureate degree; and

(B) on track to earn a baccalaureate degree and receive a probationary certificate not later than the third anniversary of the date the person receives a school district teaching permit under this section.

(c) Promptly after employing a person described by Subsection (b)(1) under this section, a school district shall send to the commissioner a written statement identifying the person, the person's qualifications as a teacher, and the subject or class the person will teach. The person may teach the subject or class pending action by the commissioner.

SECTION 2.13. Section 21.057, Education Code, is amended by adding Subsection (f) to read as follows:

(f) If the agency has developed a model notice for purposes of this section, the superintendent must use that model to provide the notice required under this section.

SECTION 2.14. Subchapter B, Chapter 21, Education Code, is amended by adding Section 21.067 to read as follows:

Sec. 21.067. EDUCATOR PREPARATION MATERIALS AND TRAINING. (a) The commissioner shall develop and make available:

(1) instructional materials for use in educator preparation programs under this subchapter; and

(2) training for faculty responsible for preparing educator candidates.

(b) The materials and training developed under Subsection (a) must:

- (1) be research-based;
- (2) support the development of proficiency in the knowledge and skills specified by rules proposed under Section 21.044(a)(1); and
- (3) allow for an educator candidate to demonstrate the candidate's proficiency, including proficiency in the knowledge and skills described by Subdivision (2).

SECTION 2.15. Section 21.402, Education Code, is amended by adding Subsections (f-1), (f-2), (f-3), and (f-4) to read as follows:

(f-1) A school district must pay to a classroom teacher with zero years of experience who holds a certificate under Section 21.0412(a)(1), (2), or (3) a minimum salary that is greater than the minimum salary paid to a classroom teacher with zero years of experience who does not hold a certificate under Section 21.0412(a)(1), (2), or (3).

(f-2) The board of trustees of a school district may adopt minimum salaries to satisfy the requirements of Subsection (f-1) as follows:

(1) for a classroom teacher who holds a standard certificate or intern with preservice experience certificate under Section 21.0412(a)(1) or (3), \$3,000; and

(2) for a classroom teacher who holds an enhanced standard certificate under Section 21.0412(a)(2), \$6,000.

(f-3) Subsection (f-1) does not apply to a stipend or other form of compensation not included in a classroom teacher's minimum salary under this section.

(f-4) A school district may not adopt a salary schedule that differentiates classroom teacher salaries based solely on a teacher's certification pathway for teachers who have five or more years of teaching experience.

SECTION 2.16. Section 21.4552(f), Education Code, is amended to read as follows:

(f) From money appropriated or otherwise available for the purpose, including an allotment under Section 48.108, a school district shall provide to an educator preparation program for each teacher enrolled in the educator preparation program who holds an intern with preservice experience certificate under Section 21.0412(a)(3) and completes a literacy achievement academy under this section while employed by the district a one-time payment of \$1,000 or another amount set by the agency [This section expires September 1, 2027].

SECTION 2.17. Section 21.4553(f), Education Code, is amended to read as follows:

(f) From money appropriated or otherwise available for the purpose, including an allotment under Section 48.108, a school district shall provide to an educator preparation program for each teacher enrolled in the educator preparation program who holds an intern with preservice experience certificate under Section 21.0412(a)(3) and completes a mathematics achievement academy under this section while employed by the district a one-time payment of \$500 or another amount set by the agency [This section expires September 1, 2027].

SECTION 2.18. Chapter 21, Education Code, is amended by adding Subchapter R to read as follows:

SUBCHAPTER R. PREPARING AND RETAINING EDUCATORS THROUGH PARTNERSHIP PROGRAMS

Sec. 21.901. DEFINITIONS. In this subchapter:

(1) "Alternative partnership preservice program" means the Preparing and Retaining Educators through Partnership Alternative Preservice Program established under Section 21.905.

(2) "Board" means the State Board for Educator Certification.

(3) "Cooperating teacher" means a classroom teacher who:

(A) has at least three full school years of teaching experience with a superior record of assisting students in achieving improvement in student performance;

(B) is employed as a teacher of record by a school district or open-enrollment charter school participating in a partnership preservice program or grow your own partnership program under this subchapter and paired with one or more teacher candidates, students, or employees who are participating in a program under this subchapter; and

(C) provides coaching in the teacher's classroom to one or more teacher candidates, students, or employees participating in a program under this subchapter.

(4) "Grow your own partnership program" means the Preparing and Retaining Educators through Partnership Grow Your Own Partnership Program established under Section 21.906.

(5) "Mentor teacher" means a mentor teacher as described by Section 21.458.

(6) "Partnership preservice program" means a Preparing and Retaining Educators through Partnership Preservice Program established under Section 21.902.

(7) "Residency partnership preservice program" means the Preparing and Retaining Educators through Partnership Residency Preservice Program established under Section 21.904.

(8) "Teacher candidate" means a person enrolled in an educator preparation program participating in a partnership preservice program.

(9) "Traditional partnership preservice program" means the Preparing and Retaining Educators through Partnership Traditional Preservice Program established under Section 21.903.

Sec. 21.902. PREPARING AND RETAINING EDUCATORS THROUGH PARTNERSHIP PRESERVICE PROGRAMS. (a) The commissioner shall establish Preparing and Retaining Educators through Partnership Preservice Programs to enable qualified educator preparation programs, as determined by the commissioner, to form partnerships with school districts and open-enrollment charter schools to provide preservice practice opportunities in a prekindergarten through grade 12 classroom for teacher candidates at the district or school through the traditional partnership preservice program, the residency partnership preservice program, or the alternative partnership preservice program.

(b) A partnership preservice program must be designed to:

(1) allow teacher candidates to receive field-based experience working with cooperating teachers in prekindergarten through grade 12 classrooms; and

(2) gradually increase the amount of time a teacher candidate spends engaging in instructional responsibilities, including observation, co-teaching, and lead-teaching responsibilities.

(c) A school district or open-enrollment charter school participating in a partnership preservice program shall:

(1) enter into a written agreement with an approved educator preparation program to:

(A) provide a teacher candidate with clinical teaching opportunities at the district or school in the subject area and grade level for which the candidate seeks certification; and

(B) pair the teacher candidate with a cooperating teacher who has successfully completed a training program for cooperating teachers that, if required by the agency, must be established or adopted by the agency;

(2) use money received under Section 48.157 only to implement the partnership preservice program;

(3) ensure that a teacher candidate is mentored by a mentor teacher who has completed mentorship training under Section 21.907 for the candidate's first two years as a teacher of record after completing a partnership preservice program; and

(4) provide any information required by the agency regarding the district's or school's implementation of a partnership preservice program.

(d) A school district or open-enrollment charter school may only pair a teacher candidate with a cooperating teacher who agrees to participate in that role in a partnership preservice program at the district or school.

(e) A teacher candidate participating in a partnership preservice program may not serve:

(1) as a teacher of record; or

(2) except as provided by Subsection (f), in a position in which the student or employee has the primary or sole responsibility of providing instruction or supervision to students.

(f) A teacher candidate participating in a partnership preservice program may serve in a position described by Subsection (e)(2) for the limited purpose of gaining experience in the position. The teacher candidate's amount of time serving in that position may not exceed the amount of time during which the teacher of record for the students has the primary or sole responsibility of providing instruction or supervision to those students.

(g) To be qualified to participate in a partnership preservice program, an educator preparation program must meet the requirements under Section 21.044(i).

Sec. 21.903. PREPARING AND RETAINING EDUCATORS THROUGH PARTNERSHIP TRADITIONAL PRESERVICE PROGRAM. (a) The commissioner shall establish the Preparing and Retaining Educators through Partnership Traditional Preservice Program as a partnership preservice program

to enable qualified educator preparation programs, as determined by the commissioner, that meet the traditional teacher preparation requirements under Section 21.04421 to form partnerships with school districts or open-enrollment charter schools to help prepare candidates for a standard certificate.

(b) The program must be designed to:

(1) meet the requirements of a partnership preservice program under Section 21.902; and

(2) allow a teacher candidate to satisfy the traditional teacher preparation requirements under Section 21.04421.

(c) A school district or open-enrollment charter school participating in the traditional partnership preservice program shall use money received under Section 48.157(b)(1) to provide compensation to:

(1) teacher candidates for preservice practice hours at the district or school in an amount of at least \$3,000 for salary; and

(2) cooperating teachers who are paired with teacher candidates at the district or school in an amount of at least \$1,000.

(d) In addition to the amount provided by Subsection (c)(1), a school district or open-enrollment charter school shall provide compensation to teacher candidates in any amount above the amount provided by that subdivision for salary using money received under Section 48.157 or from any other available source.

Sec. 21.904. PREPARING AND RETAINING EDUCATORS THROUGH PARTNERSHIP RESIDENCY PRESERVICE PROGRAM. (a) The commissioner shall establish the Preparing and Retaining Educators through Partnership Residency Preservice Program as a partnership preservice program to enable qualified educator preparation programs, as determined by the commissioner, that meet the teacher residency preparation requirements under Section 21.04422 to form partnerships with school districts or open-enrollment charter schools to help prepare candidates for an enhanced standard certificate.

(b) The program must be designed to:

(1) meet the requirements of a partnership preservice program under Section 21.902; and

(2) allow a teacher candidate to satisfy the teacher residency preparation requirements under Section 21.04422.

(c) A school district or open-enrollment charter school participating in the residency partnership preservice program shall use money received under Section 48.157(b)(2) to provide compensation to:

(1) teacher candidates for preservice practice hours at the district or school in an amount of at least \$10,000 for salary; and

(2) cooperating teachers who are paired with teacher candidates at the district or school in an amount of at least \$2,000.

(d) In addition to the amount provided by Subsection (c)(1), a school district or open-enrollment charter school shall provide compensation to teacher candidates in an amount of at least \$10,000 for salary using money received under Section 48.157 or from any other available source.

(e) An educator preparation program is not required to incorporate the instruction described by Section 21.044(i) to be eligible to participate in a residency partnership preservice program until the date on which rules proposed by the State Board for Educator Certification to implement that subsection take effect. This subsection expires September 1, 2028.

Sec. 21.905. PREPARING AND RETAINING EDUCATORS THROUGH PARTNERSHIP ALTERNATIVE PRESERVICE PROGRAM. (a) The commissioner shall establish the Preparing and Retaining Educators through Partnership Alternative Preservice Program as a partnership preservice program to enable qualified educator preparation programs, as determined by the commissioner, that meet the preservice alternative teacher preparation requirements under Section 21.04423 to form partnerships with school districts or open-enrollment charter schools to help prepare candidates for an intern with preservice experience certificate or standard certificate.

(b) The program must be designed to:

(1) meet the requirements of a partnership preservice program under Section 21.902; and

(2) allow a teacher candidate to satisfy the preservice alternative teacher preparation requirements under Section 21.04423(1).

(c) A school district or open-enrollment charter school participating in the alternative partnership preservice program shall use money received under Section 48.157(b)(3) to provide compensation to:

(1) teacher candidates for preservice practice hours at the district or school in an amount of at least \$3,000 for salary; and

(2) cooperating teachers who are paired with teacher candidates at the district or school in an amount of at least \$1,000.

(d) In addition to the amount provided by Subsection (c)(1), a school district or open-enrollment charter school shall provide compensation to teacher candidates in any amount above the amount provided by that subdivision for salary using money received under Section 48.157 or from any other available source.

Sec. 21.906. PREPARING AND RETAINING EDUCATORS THROUGH PARTNERSHIP GROW YOUR OWN PARTNERSHIP PROGRAM. (a) The commissioner shall establish the Preparing and Retaining Educators through Partnership Grow Your Own Partnership Program to enable qualified institutions of higher education and educator preparation programs, as determined by the commissioner, to form partnerships with school districts or open-enrollment charter schools to establish innovative staffing pipelines to ensure the availability of high-quality classroom teachers to benefit future district or school students.

(b) The grow your own partnership program must be designed to form partnerships that support:

(1) high school students in completing career and technical education courses that help prepare the students to become classroom teachers; or

(2) district or school employees who do not hold a teaching certificate in completing a bachelor's degree to enable the person to become a classroom teacher while employed by the district or school.

(c) A school district or open-enrollment charter school may participate in a grow your own partnership program only if the district or school has been approved to participate in a partnership preservice program.

(d) A school district or open-enrollment charter school participating in the grow your own partnership program shall:

(1) for a partnership described by Subsection (b)(1), provide:

(A) authentic opportunities, which may be paid or unpaid, for students to practice teaching under the supervision of one or more cooperating teachers; and

(B) guidance and other transition supports as a student begins an undergraduate degree program that offers a route to teacher preparation;

(2) for a partnership described by Subsection (b)(2), provide for a district or school employee:

(A) scheduled release time to support the completion of a bachelor's degree;

(B) authentic opportunities to practice teaching under the supervision of one or more cooperating teachers;

(C) on-the-job training aligned with the standards for educator certification established by the board;

(D) a job assignment that includes instructional support for students enrolled in the district or school; and

(E) guidance and other transition supports as the employee begins a program to satisfy the teacher preparation requirements under Section 21.04421, 21.04422, or 21.04423;

(3) enter into a written agreement with an institution of higher education or educator preparation program;

(4) require an employee participating in a partnership described by Subsection (b)(2) to, as a condition for participation, earn a bachelor's degree and enroll in an educator preparation program within three years of beginning participation in the partnership; and

(5) provide any information required by the agency regarding the district's or school's implementation of the grow your own partnership program.

(e) A school district or open-enrollment charter school may use money received under Section 48.157 to implement the grow your own partnership program and pay tuition and fees for students or employees participating in the program.

(f) A school district or open-enrollment charter school may only pair a student or employee participating in the program with a cooperating teacher who agrees to participate in that role in a grow your own partnership program at the district or school.

(g) A student or employee participating in the program may not serve:

(1) as a teacher of record; or

(2) except as provided by Subsection (h), in a position in which the student or employee has the primary or sole responsibility of providing instruction or supervision to students.

(h) A student or employee participating in the program may serve in a position described by Subsection (g)(2) for the limited purpose of gaining experience in the position. The student's or employee's amount of time serving in that position may not exceed the amount of time during which the teacher of record for the students has the primary or sole responsibility of providing instruction or supervision to those students.

Sec. 21.907. PREPARING AND RETAINING EDUCATORS THROUGH PARTNERSHIP MENTORSHIP PROGRAM. (a) The commissioner shall establish a preparing and retaining educators through partnership mentorship program through which participating school districts or open-enrollment charter schools implement a mentoring program that meets the requirements of Section 21.458 for classroom teachers who have less than two years of teaching experience.

(b) A school district or open-enrollment charter school participating in the program must require a classroom teacher who serves as a mentor teacher to annually complete a training program for mentor teachers established or adopted by the agency.

(c) A school district or open-enrollment charter school shall use money received under Section 48.157(b)(5) to provide stipends for mentor teachers in an amount of at least \$1,000.

(d) If any money remains after providing a stipend to mentor teachers in accordance with Subsection (c), the district may use that money to provide:

(1) scheduled release time for mentor teachers and classroom teachers being mentored to meet and engage in mentoring activities; and

(2) support for mentor teachers through mentor training and strategic staffing training.

Sec. 21.908. AGENCY SUPPORT. The agency shall provide technical assistance, planning, and support to school districts, open-enrollment charter schools, and educator preparation programs, which must include:

(1) providing model forms and agreements a district, school, or educator preparation program may use to comply with the requirements of this subchapter;

(2) support for district and school strategic staffing and compensation models to incentivize participation in a partnership program under this subchapter;

(3) support for district, school, and educator preparation program partners in implementing strong partnership practices, including through participation in the grow your own partnership program, and providing high-quality mentorship as required under this subchapter; and

(4) support for educator preparation programs in implementing the partnership programs under this subchapter.

Sec. 21.909. PROGRAM STANDARDS AND PERFORMANCE GOALS.

(a) The commissioner shall adopt rules establishing:

(1) standards for partnership programs established under this subchapter, including eligibility criteria for educator preparation programs and institutions of higher education to participate in the partnership programs; and

(2) performance goals for partnership programs established under this subchapter.

(b) The commissioner shall periodically review the performance of each partnership program established under this subchapter to ensure the program meets the standards and performance goals established under Subsection (a).

(c) If, in reviewing a partnership program under Subsection (b), the commissioner determines that the program has failed to meet a performance goal established under Subsection (a), the commissioner shall prohibit the entity that failed to meet the performance goal from participating in a partnership program under this subchapter for a period not to exceed five years.

Sec. 21.910. AUTHORITY TO ACCEPT CERTAIN MONEY. The commissioner may solicit and accept gifts, grants, and donations from public and private entities to use for the purposes of this subchapter.

Sec. 21.911. RULES. The commissioner shall adopt rules as necessary to implement this subchapter.

SECTION 2.19. Subchapter D, Chapter 48, Education Code, is amended by adding Section 48.157 to read as follows:

Sec. 48.157. PREPARING AND RETAINING EDUCATORS THROUGH PARTNERSHIP PROGRAM ALLOTMENT. (a) In this section, "teacher candidate" has the meaning assigned by Section 21.901.

(b) Subject to Subsections (f) and (g), a school district is entitled to an annual allotment equal to each of the following applicable amounts:

(1) for each teacher candidate completing preservice practice hours at the district under Section 21.903, the sum of:

(A) \$10,000; and

(B) the high needs and rural factor, as determined under Subsection (c), multiplied by \$2,000;

(2) for each teacher candidate completing preservice practice hours at the district under Section 21.904, the sum of:

(A) \$24,000; and

(B) the high needs and rural factor, as determined under Subsection (c), multiplied by \$3,000;

(3) for each teacher candidate completing preservice practice hours at the district under Section 21.905, the sum of:

(A) \$10,000; and

(B) the high needs and rural factor, as determined under Subsection (c), multiplied by \$2,000;

(4) for each district employee participating in a partnership described by Section 21.906(b)(2), the sum of:

(A) \$8,000; and

(B) the high needs and rural factor, as determined under Subsection (c), multiplied by \$1,000; and

(5) for each classroom teacher being mentored under the preparing and retaining educators through partnership mentorship program established under Section 21.907, \$3,000.

(c) The high needs and rural factor is the lesser of:

(1) the average of the point value assigned to each student at a district campus under Sections 48.112(e) and (f); or

(2) 4.0.

(d) In addition to the funding under Subsection (b), a district is entitled to an additional \$2,000 for each teacher candidate described by Subsection (b)(1), (2), or (3) who is a candidate for certification in bilingual education or special education.

(e) The Texas School for the Deaf and the Texas School for the Blind and Visually Impaired are entitled to an allotment under this section. If the commissioner determines that assigning point values under Subsection (c) to students enrolled in the Texas School for the Deaf or the Texas School for the Blind and Visually Impaired is impractical, the commissioner may use the average point value assigned for those students' home districts for purposes of calculating the high needs and rural factor.

(f) Unless a greater number of individuals is provided for by appropriation for that school year, a school district may receive an allotment for a school year for not more than:

(1) except as provided by Subsection (g), 40 individuals under each of Subsections (b)(2), (4), and (5); and

(2) a total of 80 individuals under Subsections (b)(1) and (3).

(g) If more than 40 individuals are eligible to receive an allotment under Subsection (b)(2) for a school district, the district is entitled to an allotment under Subsection (b)(1) for those individuals, subject to the limitation under Subsection (f)(2).

(h) For purposes of offsetting tuition, fees, and administrative costs, using money to which a school district is otherwise entitled under Subsection (b), the commissioner shall provide to a teacher candidate's educator preparation program each of the following applicable amounts and reduce the district's allotment under that subsection accordingly:

(1) \$5,000 for each teacher candidate who completed a partnership preservice program under Section 21.903 who obtains a standard certificate and has completed one year of employment with the district;

(2) \$10,000 for each teacher candidate who completed a partnership preservice program under Section 21.904 who obtains an enhanced standard certificate and has completed one year of employment with the district; and

(3) \$2,500 for each teacher candidate participating in the alternative partnership preservice program under Section 21.905 who holds an intern with preservice experience certificate, and an additional \$2,500 for each teacher candidate who completes the alternative partnership preservice program and obtains a standard certificate under Section 21.0412.

(i) An institution of higher education that operates an educator preparation program that receives money under Subsection (h) must spend not less than 85 percent of the money received on the educator preparation program for which the money was received.

(j) The agency shall only provide:

(1) an initial payment of \$4,000 of the money the school district is entitled to receive under Subsection (b)(1) for a teacher candidate until the teacher candidate successfully completes the requirements of a partnership preservice program under Section 21.903 by the deadline established by the agency;

(2) an initial payment of \$12,000 of the money the school district is entitled to receive under Subsection (b)(2) for a teacher candidate until the teacher candidate successfully completes the requirements of a partnership preservice program under Section 21.904 by the deadline established by the agency;

(3) an initial payment of \$4,000 of the money the school district is entitled to receive under Subsection (b)(3) for a teacher candidate until the teacher candidate successfully completes the requirements of an alternative partnership preservice program under Section 21.905 by the deadline established by the agency and issuance of an intern with preservice experience certificate; and

(4) 50 percent of the money the school district is entitled to receive under Subsection (b)(4) for a district employee on the employee's successful completion of a bachelor's degree by the deadline established by the agency.

SECTION 2.20. Subchapter G, Chapter 48, Education Code, is amended by adding Section 48.310 to read as follows:

Sec. 48.310. ALLOTMENT FOR COMPLETION OF TEACHER LITERACY OR MATHEMATICS ACHIEVEMENT ACADEMIES. An educator preparation program participating in a Preparing and Retaining Educators through Partnership Preservice Program under Section 21.902, 21.903, 21.904, or 21.905 is entitled to an annual allotment for each teacher candidate who completes a literacy achievement academy or mathematics achievement academy under Section 21.4552 or 21.4553 approved by the agency for the purpose in the amount of:

(1) \$1,000, or a greater amount set by appropriation for that school year, for the completion of a literacy achievement academy; or

(2) \$500, or a greater amount set by appropriation for that school year, for the completion of a mathematics achievement academy.

SECTION 2.21. (a) The following provisions of the Education Code are repealed:

(1) Section 21.051(a);

(2) Subchapter Q, Chapter 21; and

(3) Section 48.114.

(b) Section 825.4092(f), Government Code, is repealed.

SECTION 2.22. Section 12A.004(a), Education Code, as amended by this article, applies to each local innovation plan adopted under Chapter 12A, Education Code, regardless of whether the plan was adopted before, on, or after the effective date of this article. A local innovation plan adopted or renewed before the effective date of this article must comply with Section 12A.004(a), Education Code, as amended by this article, not later than September 1, 2026.

SECTION 2.23. (a) Except as otherwise provided by Subsection (b) of this section, this article applies beginning with the 2025-2026 school year.

(b) Section 21.0032, Education Code, as added by this article, and Section 21.402, Education Code, as amended by this article, apply beginning with the 2026-2027 school year.

SECTION 2.24. (a) Sections 48.157 and 48.310, Education Code, as added by this article, take effect September 1, 2025.

(b) Except as provided by Subsection (a) of this section, this article takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this article takes effect September 1, 2025.

ARTICLE 3. RIGHTS OF PUBLIC SCHOOL EDUCATORS

SECTION 3.01. Section 11.1513, Education Code, is amended by amending Subsections (d) and (e) and adding Subsection (l) to read as follows:

(d) The employment policy must provide that not later than the fifth ~~[+10th]~~ school day before the date on which a district fills a vacant position for which a certificate or license is required as provided by Section 21.003, other than a position that affects the safety and security of students as determined by the board of trustees, the district must provide to each current district employee:

(1) notice of the position by posting the position on:

(A) a bulletin board at:

(i) a place convenient to the public in the district's central administrative office; and

(ii) the central administrative office of each campus in the district during any time the office is open; or

(B) the district's Internet website, if the district has a website; and

(2) a reasonable opportunity to apply for the position.

(e) If, during the school year, the district must fill a vacant position held by a teacher, as defined by Section 21.201, in less than five ~~[+10]~~ school days, the district:

(1) must provide notice of the position in the manner described by Subsection (d)(1) as soon as possible after the vacancy occurs;

(2) is not required to provide the notice for five ~~[+10]~~ school days before filling the position; and

(3) is not required to comply with Subsection (d)(2).

(l) The employment policy must provide that for purposes of determining the amount of a reduction in the salary of a classroom teacher, full-time counselor, or full-time librarian for unpaid leave, the employee's daily rate of pay is computed by dividing the employee's annual salary by the number of days the employee is expected to work for that school year.

SECTION 3.02. Subchapter B, Chapter 21, Education Code, is amended by adding Sections 21.0411 and 21.04893 to read as follows:

Sec. 21.0411. WAIVER OR PAYMENT OF CERTAIN EXAMINATION AND CERTIFICATION FEES. (a) Notwithstanding a rule adopted under Section 21.041(c), the board shall, for a person applying for a certification in special education, bilingual education, or another area specified by the General Appropriations Act, waive:

(1) a certification examination fee imposed by the board for the first administration of the examination to the person; and

(2) a fee associated with the application for certification by the person.

(b) The board shall pay to a vendor that administers a certification examination described by Subsection (a) a fee assessed by that vendor for the examination of a person applying for a certification described by Subsection (a) for the first administration of the examination to the person.

Sec. 21.04893. BILINGUAL TARGET LANGUAGE PROFICIENCY TEST. The board shall propose rules to allow a person seeking certification under this subchapter who fails to perform satisfactorily on the Bilingual Target Language Proficiency Test to:

(1) retake only the sections of the test that include the domains on which the person failed to perform satisfactorily; and

(2) during a retake of the test described by Subdivision (1), demonstrate the person's language proficiency through the completion of fewer components, including eliminating a component that requires the preparation of a lesson plan for a person who fails to perform satisfactorily on a domain requiring completion of that component.

SECTION 3.03. Section 21.105, Education Code, is amended by amending Subsection (c) and adding Subsection (g) to read as follows:

(c) Subject to Subsections (e), ~~and~~ (f), and (g), on written complaint by the employing district, the State Board for Educator Certification may impose sanctions against a teacher employed under a probationary contract who:

(1) resigns;

(2) fails without good cause to comply with Subsection (a) or (b); and

(3) fails to perform the contract.

(g) The State Board for Educator Certification may not impose a sanction under Subsection (c) against a teacher who relinquishes a position under a probationary contract and leaves the employment of the district after the 45th day before the first day of instruction for the upcoming school year in violation of Subsection (a) and without the consent of the board of trustees under Subsection (b) if the teacher's failure to comply with Subsection (a) was due to:

(1) a serious illness or health condition of the teacher or a close family member of the teacher;

(2) the teacher's relocation because the teacher's spouse or a partner who resides with the teacher changes employers or location of employment;

(3) a significant change in the needs of the teacher's family in a manner that requires the teacher to:

(A) relocate; or

(B) forgo employment during a period of required employment under the teacher's contract; or

(4) the teacher's reasonable belief that the teacher had written permission from the school district's administration to resign.

SECTION 3.04. Section 21.160, Education Code, is amended by amending Subsection (c) and adding Subsection (g) to read as follows:

(c) Subject to Subsections (e), ~~and~~ (f), and (g), on written complaint by the employing district, the State Board for Educator Certification may impose sanctions against a teacher who is employed under a continuing contract that obligates the district to employ the person for the following school year and who:

- (1) resigns;
- (2) fails without good cause to comply with Subsection (a) or (b); and
- (3) fails to perform the contract.

(g) The State Board for Educator Certification may not impose a sanction under Subsection (c) against a teacher who relinquishes a position under a continuing contract and leaves the employment of the district after the 45th day before the first day of instruction of the upcoming school year in violation of Subsection (a) and without the consent of the board of trustees under Subsection (b) if the teacher's failure to comply with Subsection (a) was due to:

(1) a serious illness or health condition of the teacher or a close family member of the teacher;

(2) the teacher's relocation because the teacher's spouse or a partner who resides with the teacher changes employers or location of employment;

(3) a significant change in the needs of the teacher's family in a manner that requires the teacher to:

(A) relocate; or

(B) forgo employment during a period of required employment under the teacher's contract; or

(4) the teacher's reasonable belief that the teacher had written permission from the school district's administration to resign.

SECTION 3.05. Section 21.210, Education Code, is amended by amending Subsection (c) and adding Subsection (g) to read as follows:

(c) Subject to Subsections (e), ~~and~~ (f), and (g), on written complaint by the employing district, the State Board for Educator Certification may impose sanctions against a teacher who is employed under a term contract that obligates the district to employ the person for the following school year and who:

- (1) resigns;
- (2) fails without good cause to comply with Subsection (a) or (b); and
- (3) fails to perform the contract.

(g) The State Board for Educator Certification may not impose a sanction under Subsection (c) against a teacher who relinquishes a position under a term contract and leaves the employment of the district after the 45th day before the first day of instruction of the upcoming school year in violation of Subsection (a) and without the consent of the board of trustees under Subsection (b) if the teacher's failure to comply with Subsection (a) was due to:

(1) a serious illness or health condition of the teacher or a close family member of the teacher;

(2) the teacher's relocation because the teacher's spouse or a partner who resides with the teacher changes employers or location of employment;

(3) a significant change in the needs of the teacher's family in a manner that requires the teacher to:

(A) relocate; or

(B) forgo employment during a period of required employment under the teacher's contract; or

(4) the teacher's reasonable belief that the teacher had written permission from the school district's administration to resign.

SECTION 3.06. Section 21.257, Education Code, is amended by amending Subsection (a) and adding Subsection (f) to read as follows:

(a) Except as provided by Subsection (f), not ~~[Not]~~ later than the 60th day after the date on which the commissioner receives a teacher's written request for a hearing, the hearing examiner shall complete the hearing and make a written recommendation that:

(1) includes proposed findings of fact and conclusions of law; and

(2) may include a proposal for granting relief.

(f) The hearing examiner may dismiss a hearing before completing the hearing or making a written recommendation if:

(1) the teacher requests the dismissal;

(2) the school district withdraws the proposed decision that is the basis of the hearing; or

(3) the teacher and school district request the dismissal after reaching a settlement regarding the proposed decision that is the basis of the hearing.

SECTION 3.07. Subchapter I, Chapter 21, Education Code, is amended by adding Sections 21.416 and 21.418 to read as follows:

Sec. 21.416. EMPLOYED RETIREE TEACHER REIMBURSEMENT GRANT PROGRAM. (a) From money appropriated or otherwise available, the commissioner shall establish and administer a grant program to award money to reimburse a school district, an open-enrollment charter school, the Windham School District, the Texas School for the Deaf, or the Texas School for the Blind and Visually Impaired that hires a teacher who retired before September 1, 2024, for the increased contributions to the Teacher Retirement System associated with hiring the retired teacher.

(b) In appropriating money for grants awarded under this section, the legislature may provide for, modify, or limit amounts appropriated for that purpose in the General Appropriations Act, including by:

(1) providing, notwithstanding Subsection (a), a date or date range other than September 1, 2024, before which a teacher must have retired for a school district, an open-enrollment charter school, the Windham School District, the Texas School for the Deaf, or the Texas School for the Blind and Visually Impaired that hires the teacher to be eligible; or

(2) limiting eligibility to a district or school described by Subdivision (1) that hires a retired teacher:

(A) who holds a certain certification;

(B) to teach a certain subject or grade;

(C) in a certain geographical area; or

(D) to provide instruction to certain students, including to students with disabilities.

(c) The commissioner shall proportionally reduce the amount of money awarded to school districts, open-enrollment charter schools, the Windham School District, the Texas School for the Deaf, and the Texas School for the Blind and Visually Impaired under this section if the number of grant applications by eligible districts or schools exceeds the number of grants the commissioner could award with the money appropriated or otherwise available for the purpose.

(d) A school district, an open-enrollment charter school, the Windham School District, the Texas School for the Deaf, or the Texas School for the Blind and Visually Impaired may use money received under this section to make required payments under Section 825.4092, Government Code.

Sec. 21.418. ELECTION BY TEACHER TO USE UNPAID LEAVE. The board of trustees of a school district shall adopt a policy that provides a classroom teacher employed by the district the option to elect not to take the teacher's paid personal leave concurrently with unpaid leave the teacher is entitled to take under the Family and Medical Leave Act of 1993 (29 U.S.C. Section 2601 et seq.) for an absence due to pregnancy or the birth or adoption of a child.

SECTION 3.08. Subchapter J, Chapter 21, Education Code, is amended by adding Sections 21.466, 21.467, and 21.468 to read as follows:

Sec. 21.466. TEACHER QUALITY ASSISTANCE. (a) From money appropriated or otherwise available for the purpose, the agency shall develop training for and provide technical assistance to school districts and open-enrollment charter schools regarding:

(1) strategic compensation, staffing, and scheduling efforts that improve professional growth, teacher leadership opportunities, and staff retention;

(2) programs that encourage high school students or other members of the community in the area served by the district to become teachers, including available teacher apprenticeship programs; and

(3) programs or strategies that school leaders may use to establish clear and attainable behavior expectations while proactively supporting students.

(b) From money appropriated or otherwise available, the agency shall provide grants to school districts and open-enrollment charter schools to implement initiatives developed under this section.

Sec. 21.467. TEACHER TIME STUDY. (a) From money appropriated or otherwise available for the purpose, the agency shall develop and maintain a technical assistance program to support school districts and open-enrollment charter schools in:

(1) studying how the district's or school's staff and student schedules, required noninstructional duties for classroom teachers, and professional development requirements for educators are affecting the amount of time classroom teachers work each week;

(2) refining the schedules for students or staff as necessary to ensure teachers have sufficient time during normal work hours to fulfill all job duties, including addressing the needs of students; and

(3) studying how to reduce and streamline the tasks and duties a teacher is required to perform.

(b) The agency shall periodically make findings and recommendations for best practices publicly available using information from participating school districts and open-enrollment charter schools.

Sec. 21.468. TEACHER POSITION INFORMATION. The agency shall collect data from school districts and open-enrollment charter schools to address teacher retention and recruitment, including the classifications, grade levels, subject areas, duration, and other relevant information regarding vacant teaching positions at districts and schools. The data may be collected through the Public Education Information Management System (PEIMS) or another electronic reporting mechanism specified by the agency.

SECTION 3.09. Section 26.011, Education Code, is amended by adding Subsection (c) to read as follows:

(c) A grievance procedure adopted under Subsection (a) must require that, for a complaint filed against a teacher or other employee, the school district provide:

(1) notice of the complaint to the teacher or employee against whom the complaint was filed; and

(2) sufficient opportunity for the teacher or employee against whom the complaint was filed to submit a written response to the complaint to be included in the record.

SECTION 3.10. Section 37.002, Education Code, is amended by amending Subsections (b), (c), and (d) and adding Subsections (b-2), (b-3), (c-1), (c-2), (e-1), (e-2), and (f) to read as follows:

(b) A teacher may remove from class a student who:

(1) repeatedly interferes ~~[who has been documented by the teacher to repeatedly interfere]~~ with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn; ~~[or]~~

(2) demonstrates ~~[whose]~~ behavior that is unruly, disruptive, or abusive toward the teacher, another adult, or another student; or

(3) engages in conduct that constitutes bullying, as defined by Section 37.0832 ~~[determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn].~~

(b-2) A teacher, campus behavior coordinator, or other appropriate administrator shall notify a parent or person standing in parental relation to a student of the removal of a student under this section.

(b-3) Subject to Sections 28.0022(a)(2) and (d), a teacher may remove a student from class under Subsection (b) of this section based on a single incident of behavior described by Subsection (b)(1), (2), or (3).

(c) If a teacher removes a student from class under Subsection (b), the principal may place the student into another appropriate classroom, into in-school suspension, or into a disciplinary alternative education program as provided by Section 37.008. The principal may not return the student to that teacher's class without the teacher's written consent unless the committee established under Section 37.003 determines that such placement is the best or only alternative available and, not later than the third class day after the day on which the student was removed from class, a conference in which the teacher has been provided an opportunity to participate has been held in accordance with Section 37.009(a). The principal may not return the student to that teacher's class unless the teacher provides written consent for the student's return or a return to class plan has been prepared for that student. The principal may only designate an employee of the school whose primary duties do not include classroom instruction to create a return to class plan. The terms of the removal may prohibit the student from attending or participating in school-sponsored or school-related activity.

(c-1) A return to class plan required under Subsection (c) must be created before or at the conference described by that subsection. A plan created before the conference must be discussed at the conference.

(c-2) The commissioner shall adopt a model return to class plan for use by a school district in creating a return to class plan for a student under Subsection (c).

(d) A teacher shall remove from class and send to the principal for placement in a disciplinary alternative education program or for expulsion, as appropriate, a student who engages in conduct described under Section 37.006 or 37.007. The student may not be returned to that teacher's class without the teacher's written consent unless the committee established under Section 37.003 determines that such placement is the best or only alternative available and a conference in which the teacher has been provided an opportunity to participate has been held in accordance with Section 37.009(a). If the teacher removed the student from class because the student has engaged in the elements of any offense listed in Section 37.006(a)(2)(B) or Section 37.007(a)(2)(A) or (b)(2)(C) against the teacher, the student may not be returned to the teacher's class without the teacher's written consent. The teacher may not be coerced to consent.

(e-1) A student may appeal the student's removal from class under this section to:

(1) the school's placement review committee established under Section 37.003; or

(2) the safe and supportive school team established under Section 37.115, in accordance with a district policy providing for such an appeal to be made to the team.

(e-2) The principal, campus behavior coordinator, or other appropriate administrator shall, at the conference required under Section 37.009(a), notify a student who has been removed from class under this section and the parent of or person standing in parental relation to the student of the student's right to appeal under Subsection (e-1).

(f) Section 37.004 applies to the removal or placement under this section of a student with a disability who receives special education services.

SECTION 3.11. Section 37.115(c), Education Code, as amended by Chapters 896 (H.B. 3) and 948 (S.B. 1720), Acts of the 88th Legislature, Regular Session, 2023, is reenacted and amended to read as follows:

(c) The board of trustees of each school district shall establish a threat assessment and safe and supportive school team to serve at each campus of the district and shall adopt policies and procedures for the teams. The team is responsible for developing and implementing the safe and supportive school program under Subsection (b) at the district campus served by the team. The policies and procedures adopted under this section must:

(1) be consistent with the model policies and procedures developed by the Texas School Safety Center;

(2) require each team to complete training provided by the Texas School Safety Center or a regional education service center regarding evidence-based threat assessment programs;

(3) require each team established under this section to report the information required under Subsection (k) regarding the team's activities to the agency; ~~and~~

(4) provide for:

(A) a district employee who reports a potential threat to a team to elect for the employee's identity to be confidential and not subject to disclosure under Chapter 552, Government Code, except as necessary for the team, the district, or law enforcement to investigate the potential threat; and

(B) the district to maintain a record of the identity of a district employee who elects for the employee's identity to be confidential under Paragraph (A);

(5) ~~(4)~~ require each district campus to establish a clear procedure for a student to report concerning behavior exhibited by another student for assessment by the team or other appropriate school employee; and

(6) require that, as soon as safe and practicable after an administrator or team for a district campus receives information regarding a threat made against that campus, including through social media, the administrator or team immediately provide to each member of the teaching staff, including teacher's aides, who may be directly affected by the threat notice that includes:

(A) a statement of the existence of the threat;

(B) the nature of the threat; and

(C) any other pertinent details to ensure student and staff safety.

SECTION 3.12. Section 21.257(f), Education Code, as added by this article, applies only to a hearing before a hearing examiner commenced on or after the effective date of this article.

SECTION 3.13. Sections 11.1513(d) and (e), Education Code, as amended by this article, and Section 21.418, Education Code, as added by this article, apply beginning with the 2025-2026 school year.

SECTION 3.14. To the extent of any conflict between the changes made to the Education Code by this article and the changes made to the Education Code by another Act of the 89th Legislature, Regular Session, 2025, the changes made by this article prevail.

SECTION 3.15. This article takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this article takes effect September 1, 2025.

ARTICLE 4. SPECIAL EDUCATION

SECTION 4.01. Section 7.021(b)(10), Education Code, is amended to read as follows:

(10) The agency shall carry out duties assigned under Section 30.002 concerning children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[with visual impairments]~~.

SECTION 4.02. Section 7.055(b)(25), Education Code, is amended to read as follows:

(25) The commissioner shall develop a system to distribute to school districts or regional education service centers a special supplemental allowance for students with visual impairments as required under Section 30.0021 ~~[30.002]~~.

SECTION 4.03. Section 8.051(d), Education Code, is amended to read as follows:

(d) Each regional education service center shall maintain core services for purchase by school districts and campuses. The core services are:

(1) training and assistance in:

(A) teaching each subject area assessed under Section 39.023; and

(B) providing instruction in personal financial literacy as required under Section 28.0021;

(2) training and assistance in providing each program that qualifies for a funding allotment under Section 48.102, 48.1021, 48.103, 48.104, 48.105, or 48.109;

(3) assistance specifically designed for a school district or campus assigned an unacceptable performance rating under Section 39.054;

(4) training and assistance to teachers, administrators, members of district boards of trustees, and members of site-based decision-making committees;

(5) assistance specifically designed for a school district that is considered out of compliance with state or federal special education requirements, based on the agency's most recent compliance review of the district's special education programs; and

(6) assistance in complying with state laws and rules.

SECTION 4.04. Sections 28.025(c-7) and (c-8), Education Code, are amended to read as follows:

(c-7) Subject to Subsection (c-8), a student who is enrolled in a special education program under Subchapter A, Chapter 29, may earn the distinguished level of achievement under Subsection (b-15) or an endorsement on the student's transcript under Subsection (c-1) by:

(1) successfully completing, with or without modification of the curriculum:

(A) the curriculum requirements identified by the State Board of Education under Subsection (a); ~~[and]~~

(B) for the distinguished level of achievement, the additional curriculum requirements prescribed under Subsection (b-15); and

(C) for an endorsement, the additional [endorsement] curriculum requirements prescribed by the State Board of Education under Subsection (c-2); and

(2) successfully completing all curriculum requirements for the distinguished level of achievement or that endorsement adopted by the State Board of Education:

(A) without modification of the curriculum; or

(B) with modification of the curriculum, provided that the curriculum, as modified, is sufficiently rigorous as determined by the student's admission, review, and dismissal committee and documented in the student's individualized education program.

(c-8) For purposes of Subsection (c-7), the admission, review, and dismissal committee of a student in a special education program under Subchapter A, Chapter 29, shall determine whether the student is required to achieve satisfactory performance on an end-of-course assessment instrument to earn the distinguished level of achievement or an endorsement on the student's transcript.

SECTION 4.05. Section 29.001, Education Code, is amended to read as follows:

Sec. 29.001. IMPLEMENTATION OF SPECIAL EDUCATION LAW [STATEWIDE PLAN]. (a) As the state education agency responsible for carrying out the purposes of Part B, Individuals with Disabilities Education Act (20 U.S.C. Section 1411 et seq.), the [The] agency shall develop, and revise [modify] as necessary, a comprehensive system to ensure statewide and local compliance [design, consistent] with federal and state law related to special education[, for the delivery of services to children with disabilities in this state that includes rules for the administration and funding of the special education program so that a free appropriate public education is available to all of those children between the ages of three and 21].

(b) The comprehensive system must [statewide design shall] include the provision of services primarily through school districts and shared services arrangements, supplemented by regional education service centers.

(c) The comprehensive system must focus on maximizing student outcomes and include [agency shall also develop and implement a statewide plan with programmatic content that includes procedures designed to]:

(1) rulemaking, technical assistance, guidance documents, monitoring protocols, data elements necessary for statewide reporting, and other resources as necessary to implement and ensure compliance with federal and state law related to special education [ensure state compliance with requirements for supplemental federal funding for all state-administered programs involving the delivery of instructional or related services to students with disabilities];

(2) the facilitation of [facilitate] interagency coordination when other state agencies are involved in the delivery of instructional or related services to students with disabilities;

(3) ~~the pursuit of [periodically assess statewide personnel needs in all areas of specialization related to special education and pursue] strategies to meet statewide special education and related services personnel [those] needs [through a consortium of representatives from regional education service centers, local education agencies, and institutions of higher education and through other available alternatives];~~

(4) ensuring [ensure] that regional education service centers throughout the state maintain a regional support function, which may include procedures for service centers to assist school districts in identifying existing public or private educational or related services in each region, cooperatively developing programs for students with disabilities, providing to or obtaining for school districts special equipment, delivering services, and facilitating [direct service delivery and a component designed to facilitate] the placement of students with disabilities who cannot be appropriately served in their resident districts;

(5) [allow the agency to] effectively monitoring [monitor] and periodically conducting [conduct] site visits of all school districts to ensure that rules adopted under this subchapter [section] are applied in a consistent and uniform manner, to ensure that districts are complying with those rules, and to ensure that annual statistical reports filed by the districts and not otherwise available through the Public Education Information Management System under Sections 48.008 and 48.009 are accurate and complete; and

(6) the provision of training and technical assistance to ensure that:

(A) appropriately trained personnel are involved in the diagnostic and evaluative procedures operating in all districts and that those personnel routinely serve on district multidisciplinary evaluation teams and admissions, review, and dismissal committees;

(B) [7] ensure that an individualized education program for each student with a disability is properly developed, implemented, and maintained in the least restrictive environment that is appropriate to meet the student's educational needs;

(C) appropriately trained personnel are available to students with disabilities who have significant behavioral support needs, including by making behavioral support training available to each paraprofessional or teacher placed in a classroom or other setting that is intended to provide specialized behavioral supports to a student with a disability, as needed or at regular intervals as provided in the student's individualized education program;

(D) [8] ensure that, when appropriate, each student with a disability is provided an opportunity to participate in career and technology and physical education classes~~[, in addition to participating in regular or special classes];~~

(E) [9] ensure that each student with a disability is provided necessary related services;

(F) school districts have an opportunity to request technical assistance from the agency or a regional education service center in establishing classroom environments conducive to learning for students with disabilities,

including environments for students whose data indicate behavior that significantly impedes the student's own learning and the learning of other students;

(G) ~~[(10) ensure that]~~ an individual assigned to act as a surrogate parent for a child with a disability, as provided by 20 U.S.C. Section 1415(b), is required to:

(i) ~~[(A)]~~ complete a training program that complies with minimum standards established by agency rule;

(ii) ~~[(B)]~~ visit the child and the child's school;

(iii) ~~[(C)]~~ consult with persons involved in the child's education, including teachers, caseworkers, court-appointed volunteers, guardians ad litem, attorneys ad litem, foster parents, and caretakers;

(iv) ~~[(D)]~~ review the child's educational records;

(v) ~~[(E)]~~ attend meetings of the child's admission, review, and dismissal committee;

(vi) ~~[(F)]~~ exercise independent judgment in pursuing the child's interests; and

(vii) ~~[(G)]~~ exercise the child's due process rights under applicable state and federal law; and

(H) ~~[(11) ensure that]~~ each district develops a process to be used by a teacher who instructs a student with a disability in a general education ~~[regular]~~ classroom setting:

(i) ~~[(A)]~~ to request a review of the student's individualized education program;

(ii) ~~[(B)]~~ to provide input in the development of the student's individualized education program;

(iii) ~~[(C)]~~ that provides for a timely district response to the teacher's request; and

(iv) ~~[(D)]~~ that provides for notification to the student's parent or legal guardian of that response.

SECTION 4.06. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.0012 to read as follows:

Sec. 29.0012. ANNUAL MEETING ON SPECIAL EDUCATION. (a) At least once each year, the board of trustees of a school district or the governing body of an open-enrollment charter school shall include during a public meeting a discussion of the performance of students receiving special education services at the district or school.

(b) The agency by rule shall adopt a set of performance indicators for measuring and evaluating the quality of learning and achievement for students receiving special education services at the school district or open-enrollment charter school to be considered at a meeting held under this section. The indicators must include performance on the college, career, or military readiness outcomes described by Section 48.110.

SECTION 4.07. Section 29.003, Education Code, is amended to read as follows:

Sec. 29.003. ELIGIBILITY CRITERIA. (a) The agency shall develop specific eligibility criteria based on the general classifications established by this section and in accordance with federal law ~~[with reference to contemporary diagnostic or evaluative terminologies and techniques]~~. Eligible students with disabilities shall enjoy the right to a free appropriate public education, which may include instruction in the general education ~~[regular]~~ classroom, instruction through special teaching, or instruction through contracts approved under this subchapter. Instruction shall be supplemented by the provision of related services when appropriate.

(b) A student is eligible to participate in a school district's special education program ~~[if the student]~~:

(1) from birth through ~~[is not more than]~~ 21 years of age if the student ~~[and]~~ has a visual ~~[or auditory]~~ impairment, is deaf or hard of hearing, or is deaf-blind and that disability prevents the student from being adequately or safely educated in public school without the provision of special education services; ~~[or]~~

(2) from three years of age through nine years of age if the student is experiencing developmental delays as described by 20 U.S.C. Section 1401(3)(B) and defined by commissioner rule; or

(3) from 3 years of age through ~~[is at least three but not more than]~~ 21 years of age if the student ~~[and]~~ has one or more of the ~~[following]~~ disabilities described by 20 U.S.C. Section 1401(3)(A) and that disability prevents the student from being adequately or safely educated in public school without the provision of special education services~~;~~

~~[(A) physical disability;~~

~~[(B) intellectual or developmental disability;~~

~~[(C) emotional disturbance;~~

~~[(D) learning disability;~~

~~[(E) autism;~~

~~[(F) speech disability; or~~

~~[(G) traumatic brain injury].~~

SECTION 4.08. Sections 29.005(a), (d), and (e), Education Code, are amended to read as follows:

(a) Before a child is enrolled in a special education program of a school district, the district shall establish a committee composed of the persons required under 20 U.S.C. Section 1414(d) to develop the child's individualized education program. If a committee is required to include a general ~~[regular]~~ education teacher, the ~~[regular education]~~ teacher included must, to the extent practicable, be a teacher who is responsible for implementing a portion of the child's individualized education program.

(d) If the primary language of the child's parent is a language other than ~~[is unable to speak]~~ English, the district shall:

(1) provide the parent with a written or audiotaped copy of the child's individualized education program translated into Spanish if Spanish is the parent's primary ~~[native]~~ language; or

(2) if the parent's primary ~~[native]~~ language is a language other than Spanish, make a good faith effort to provide the parent with a written or audiotaped copy of the child's individualized education program translated into the parent's primary ~~[native]~~ language.

(e) The commissioner by rule may require a school district to include in the individualized education program of a student with autism ~~[or another pervasive developmental disorder]~~ any information or requirement determined necessary to ensure the student receives a free appropriate public education as required under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.).

SECTION 4.09. Section 29.0051, Education Code, is amended by adding Subsection (d) to read as follows:

(d) From federal money appropriated or otherwise available for the purpose, the commissioner may develop or procure the model form developed under Subsection (a) in a digital format. If the commissioner develops or procures the model form in a digital format, the commissioner shall adopt rules regarding school district use of the form in that format.

SECTION 4.10. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.0056 to read as follows:

Sec. 29.0056. INFORMATION REGARDING STATE SUPPORTED LIVING CENTERS. (a) In this section, "state supported living center" has the meaning assigned by Section 531.002, Health and Safety Code.

(b) The Health and Human Services Commission, in collaboration with the agency and stakeholders who represent the full continuum of educational residential placement options, shall develop and provide to the agency materials regarding educational residential placement options for children who may qualify for placement in a state supported living center. The agency shall make the materials developed under this subsection available to school districts.

(c) At a meeting of a child's admission, review, and dismissal committee at which residential placement is discussed, the school district shall provide to the child's parent the materials developed under Subsection (b).

SECTION 4.11. Sections 29.006(a) and (c), Education Code, are amended to read as follows:

(a) The governor shall appoint a continuing advisory committee consistent with ~~[, composed of 17 members, under]~~ 20 U.S.C. Section 1412(a)(21). At least one member appointed under this subsection must be a director of special education programs for a school district.

(c) Members of the committee are appointed for staggered terms of four years with the terms of half of the ~~[eight or nine]~~ members or, for an odd number of members, half of the members rounded down or half of the members rounded up expiring on February 1 of each odd-numbered year.

SECTION 4.12. Section 29.008, Education Code, is amended to read as follows:

Sec. 29.008. CONTRACTS FOR SERVICES; RESIDENTIAL AND DAY PLACEMENT PROGRAMS. (a) The commissioner shall set minimum standards for and develop and update as necessary a list of approved public or private facilities, institutions, agencies, or businesses inside or outside of this

state that a ~~[A]~~ school district, shared services arrangement unit, or regional education service center may contract with ~~[a public or private facility, institution, or agency inside or outside of this state]~~ for the provision of services to students with disabilities in a residential or day placement program.

~~(a-1) [Each contract for residential placement must be approved by the commissioner.]~~ The commissioner may approve a facility, institution, agency, or business under Subsection (a) [residential placement contract] only after at least a programmatic evaluation of personnel qualifications, costs, adequacy of physical plant and equipment, and curriculum content. ~~[The commissioner may approve either the whole or a part of a facility or program.]~~

(a-2) Each contract described by this section must be approved by the commissioner. A school district, shared services arrangement unit, or regional education service center seeking to place a student in a residential or day placement program that is not on the list developed under Subsection (a) must submit to the commissioner an application for approval in accordance with Subsections (a) and (a-1).

(b) Except as provided by Subsection (c), costs of an approved contract for residential placement may be paid from a combination of federal, state, and local funds. The local share of the total contract cost for each student is that portion of the local tax effort that exceeds the district's local fund assignment under Section 48.256, divided by the average daily attendance in the district. If the contract involves a private facility, the state share of the total contract cost is that amount remaining after subtracting the local share. If the contract involves a public facility, the state share is that amount remaining after subtracting the local share from the portion of the contract that involves the costs of instructional and related services. For purposes of this subsection, "local tax effort" means the total amount of money generated by taxes imposed for debt service and maintenance and operation less any amounts paid into a tax increment fund under Chapter 311, Tax Code. This subsection expires September 1, 2027.

(c) When a student, including one for whom the state is managing conservator, is placed primarily for care or treatment reasons in a private ~~[residential]~~ facility that operates its own private education program, none of the costs may be paid from public education funds. If a ~~[residential]~~ placement primarily for care or treatment reasons involves a private ~~[residential]~~ facility in which the education program is provided by the school district, the portion of the costs that includes appropriate education services, as determined by the school district's admission, review, and dismissal committee, shall be paid from state and federal education funds.

(d) A district that contracts for the provision of education services rather than providing the services itself shall oversee the implementation of the student's individualized education program and shall annually reevaluate the appropriateness of the arrangement. The reevaluation must include standards and expectations that must be met to reintegrate the student to the general education setting. An approved facility, institution, ~~[or]~~ agency, or business with whom the district contracts shall periodically report to the district and the agency on the

services the student has received or will receive in accordance with the contract as well as diagnostic or other evaluative information that the district or agency requires in order to fulfill its obligations under this subchapter.

(e) The commissioner shall adopt rules for residential and day placement of students receiving special education services.

SECTION 4.13. The heading to Section 29.009, Education Code, is amended to read as follows:

Sec. 29.009. PUBLIC NOTICE CONCERNING EARLY CHILDHOOD SPECIAL EDUCATION ~~[PRESCHOOL]~~ PROGRAMS ~~[FOR STUDENTS WITH DISABILITIES]~~.

SECTION 4.14. Section 29.010, Education Code, is amended to read as follows:

Sec. 29.010. GENERAL SUPERVISION AND COMPLIANCE. (a) The agency shall develop ~~[adopt]~~ and implement a comprehensive system for monitoring school district compliance with federal and state laws relating to special education. The monitoring system must include a comprehensive cyclical process and a targeted risk-based process ~~[provide for ongoing analysis of district special education data and of complaints filed with the agency concerning special education services and for inspections of school districts at district facilities]~~. The agency shall establish criteria and instruments for use in determining district compliance under this section ~~[use the information obtained through analysis of district data and from the complaints management system to determine the appropriate schedule for and extent of the inspection]~~.

(a-1) As part of the monitoring system, the agency may require a school district to obtain specialized technical assistance for a documented noncompliance issue or if data indicates that technical assistance is needed, such as an incident involving injury to staff or students by a student receiving special education services or data indicating an excessive number of restraints are used on students receiving special education services.

(b) As part of the monitoring process ~~[To complete the inspection]~~, the agency must obtain information from parents and teachers of students in special education programs in the district.

(c) The agency shall develop and implement a system of interventions and sanctions for school districts the agency identifies as being in noncompliance with ~~[whose most recent monitoring visit shows a failure to comply with major requirements of]~~ the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.), federal regulations, state statutes, or agency requirements necessary to carry out federal law or regulations or state law relating to special education.

(d) The agency shall establish a system of progressive sanctions and enforcement provisions to apply to ~~[For]~~ districts that remain in noncompliance for more than one year~~[, the first stage of sanctions shall begin with annual or more frequent monitoring visits]~~. The [Subsequent] sanctions must ~~[may]~~ range in severity and may include ~~[up to]~~ the withholding of funds. If funds are

withheld, the agency may use the funds, or direct the funds to be used, to provide, through alternative arrangements, services to students and staff members in the district from which the funds are withheld.

(e) The agency's complaint management division shall develop a system for expedited investigation and resolution of complaints concerning a district's failure to provide special education or related services to a student eligible to participate in the district's special education program.

~~[(f) This section does not create an obligation for or impose a requirement on a school district or open enrollment charter school that is not also created or imposed under another state law or a federal law.]~~

SECTION 4.15. Section 29.012(d), Education Code, is amended to read as follows:

(d) The Texas Education Agency, the Health and Human Services Commission, the Department of Family and Protective Services, and the Texas Juvenile Justice Department by a cooperative effort shall develop and ~~[by rule]~~ adopt a memorandum of understanding. The memorandum must:

(1) establish the respective responsibilities of school districts and of residential facilities for the provision of a free, appropriate public education, as required by the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) and its subsequent amendments, including each requirement for children with disabilities who reside in those facilities;

(2) coordinate regulatory and planning functions of the parties to the memorandum;

(3) establish criteria for determining when a public school will provide educational services;

(4) provide for appropriate educational space when education services will be provided at the residential facility;

(5) establish measures designed to ensure the safety of students and teachers; and

(6) provide for binding arbitration consistent with Chapter 2009, Government Code, and Section 154.027, Civil Practice and Remedies Code.

SECTION 4.16. Section 29.013, Education Code, is amended to read as follows:

Sec. 29.013. NONEDUCATIONAL COMMUNITY-BASED SUPPORT SERVICES GRANTS FOR CERTAIN STUDENTS WITH DISABILITIES. (a) The commissioner ~~[agency]~~ shall adopt rules establishing ~~[establish]~~ procedures and criteria for the allocation of grants ~~[funds appropriated]~~ under this section to students who are eligible under Subsection (b) and the students' families ~~[school districts]~~ for the provision of noneducational community-based support services ~~[to certain students with disabilities and their families so that those students may receive an appropriate free public education in the least restrictive environment].~~

(b) A grant ~~[The funds]~~ may be awarded under this section ~~[used]~~ only to a student with a disability ~~[for eligible students with disabilities]~~ who is ~~[would remain or would have to be]~~ placed by the student's admission, review, and dismissal committee in:

(1) a residential program approved under Section 29.008; or

(2) a day placement program and is at risk of being placed in a residential program approved under Section 29.008 ~~[facilities primarily for educational reasons without the provision of noneducational community based support services].~~

(c) The support services may not be related to the provision of a free appropriate public education to the student and may include in-home family support, behavioral and other disability-related supports for the student's family, respite care, and case management for the student's family ~~[families with a student who otherwise would have been placed by a district in a private residential facility].~~

(d) A school district shall:

(1) notify the parent of a student described by Subsection (b) of the availability of grants under this section; and

(2) designate a campus or district staff member to assist families of students described by Subsection (b) in accessing grants under this section.

(e) On request by the parent of a student described by Subsection (b), the commissioner shall create an account for the student to access a grant under this section through which the parent may request payment for approved support services.

(f) In adopting rules under this section, the commissioner shall adopt rules and guidelines detailing the process to access grant money and the amount of each grant, including a process for a parent to apply for an increase in the grant amount.

(g) The provision of services under this section does not supersede or limit the responsibility of a school district or other agencies to provide or pay for costs ~~[of noneducational community based support services] to enable any student with disabilities to receive a free appropriate public education in the least restrictive environment. [Specifically, services provided under this section may not be used for a student with disabilities who is currently placed or who needs to be placed in a residential facility primarily for noneducational reasons.]~~

(h) The commissioner may designate a regional education service center to administer grants under this section.

SECTION 4.17. Sections 29.014(c) and (d), Education Code, are amended to read as follows:

(c) Notwithstanding any other provision of this code, a student whose appropriate education program is a general ~~[regular]~~ education program may receive services and be counted for attendance purposes for the number of hours per week appropriate for the student's condition if the student:

(1) is temporarily classified as eligible for participation in a special education program because of the student's confinement in a hospital; and

(2) the student's education is provided by a district to which this section applies.

(d) The basic allotment for a student enrolled in a district to which this section applies is adjusted by the tier of intensity of service defined in accordance with ~~[weight for a homebound student under]~~ Section 48.102 and designated by commissioner rule for use under this section [48.102(a)].

SECTION 4.18. Section 29.0162(b), Education Code, is amended to read as follows:

(b) The commissioner by rule shall adopt additional qualifications and requirements for a representative for purposes of Subsection (a)(2). The rules must:

(1) prohibit an individual from being a representative under Subsection (a)(2) opposing a school district if:

(A) the individual has prior employment experience with the district; and

(B) the district raises an objection to the individual serving as a representative;

(2) include requirements that the representative have knowledge of:

(A) all special education dispute resolution options available to parents, including due process and due process rules, hearings, and procedure; and

(B) federal and state special education laws;

(3) require, if the representative receives monetary compensation from a person for representation in an impartial due process hearing, that the representative agree to abide by a voluntary code of ethics and professional conduct during the period of representation; and

(4) require, if the representative receives monetary compensation from a person for representation in an impartial due process hearing, that the representative enter into a written agreement for representation with the person who is the subject of the special education due process hearing that includes a process for resolving any disputes between the representative and the person.

SECTION 4.19. Section 29.018(b), Education Code, is amended to read as follows:

(b) A school district is eligible to apply for a grant under this section if:

(1) the district does not receive sufficient funds, including state funds provided under Sections [Section] 48.102 and 48.1021 and federal funds, for a student with disabilities to pay for the special education services provided to the student; or

(2) the district does not receive sufficient funds, including state funds provided under Sections [Section] 48.102 and 48.1021 and federal funds, for all students with disabilities in the district to pay for the special education services provided to the students.

SECTION 4.20. The heading to Section 29.020, Education Code, is amended to read as follows:

Sec. 29.020. STATE-ADMINISTERED INDIVIDUALIZED EDUCATION PROGRAM FACILITATION [PROJECT].

SECTION 4.21. Sections 29.020(a) and (c), Education Code, are amended to read as follows:

(a) The agency shall develop rules in accordance with this section applicable to state-administered [the administration of a state] individualized education program facilitation [project]. The program shall include the provision of an independent individualized education program facilitator as a dispute

resolution method that may be used to avoid a potential dispute between a school district and a parent of a student with a disability or to facilitate an admission, review, and dismissal committee meeting with parties who are in a dispute about decisions relating to the provision of a free appropriate public education to a student with a disability. Facilitation ~~[implemented under the project]~~ must comply with rules developed under this subsection.

(c) If the commissioner determines that adequate funding is available, the commissioner may authorize the use of federal funds to implement ~~[the]~~ individualized education program facilitation ~~[project]~~ in accordance with this section.

SECTION 4.22. Sections 29.022(a), (a-1), (b), (c), (c-1), (d), (f), (h), (k), (l), (q), (s), and (t), Education Code, are amended to read as follows:

(a) In order to promote student safety, on receipt of a written request authorized under Subsection (a-1), a school district or open-enrollment charter school shall provide equipment, including a video camera, to the school or schools in the district or the charter school campus or campuses specified in the request. A school or campus that receives equipment as provided by this subsection shall place, operate, and maintain one or more video cameras in special education ~~[self-contained]~~ classrooms and other special education settings ~~[in which a majority of the students in regular attendance are provided special education and related services and are assigned to one or more self-contained classrooms or other special education settings for at least 50 percent of the instructional day],~~ provided that:

(1) a school or campus that receives equipment as a result of the request by a parent or staff member is required to place equipment only in classrooms or settings in which the parent's child is in regular attendance or to which the staff member is assigned, as applicable; and

(2) a school or campus that receives equipment as a result of the request by a board of trustees, governing body, principal, or assistant principal is required to place equipment only in classrooms or settings identified by the requestor, if the requestor limits the request to specific classrooms or settings subject to this subsection.

(a-1) For purposes of Subsection (a):

(1) a parent of a child who receives special education services in one or more special education ~~[self-contained]~~ classrooms or other special education settings may request in writing that equipment be provided to the school or campus at which the child receives those services;

(2) a board of trustees or governing body may request in writing that equipment be provided to one or more specified schools or campuses at which one or more children receive special education services in special education ~~[self-contained]~~ classrooms or other special education settings;

(3) the principal or assistant principal of a school or campus at which one or more children receive special education services in special education ~~[self-contained]~~ classrooms or other special education settings may request in writing that equipment be provided to the principal's or assistant principal's school or campus; and

(4) a staff member assigned to work with one or more children receiving special education services in special education ~~[self-contained]~~ classrooms or other special education settings may request in writing that equipment be provided to the school or campus at which the staff member works.

(b) A school or campus that places a video camera in a special education classroom or other special education setting in accordance with Subsection (a) shall operate and maintain the video camera in the classroom or setting, as long as the classroom or setting continues to satisfy the requirements under Subsection (a), for the remainder of the school year in which the school or campus received the request, unless the requestor withdraws the request in writing. If for any reason a school or campus will discontinue operation of a video camera during a school year, not later than the fifth school day before the date the operation of the video camera will be discontinued, the school or campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue unless requested by a person eligible to make a request under Subsection (a-1). Not later than the 10th school day before the end of each school year, the school or campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue during the following school year unless a person eligible to make a request for the next school year under Subsection (a-1) submits a new request.

(c) Except as provided by Subsection (c-1), video cameras placed under this section must be capable of:

(1) covering all areas of the special education classroom or other special education setting, including a room attached to the classroom or setting used for time-out; and

(2) recording audio from all areas of the special education classroom or other special education setting, including a room attached to the classroom or setting used for time-out.

(c-1) The inside of a bathroom or any area in the special education classroom or other special education setting in which a student's clothes are changed may not be visually monitored, except for incidental coverage of a minor portion of a bathroom or changing area because of the layout of the classroom or setting.

(d) Before a school or campus activates a video camera in a special education classroom or other special education setting under this section, the school or campus shall provide written notice of the placement to all school or campus staff and to the parents of each student attending class or engaging in school activities in the classroom or setting.

(f) A school district or open-enrollment charter school may solicit and accept gifts, grants, and donations from any person for use in placing video cameras in special education classrooms or other special education settings under this section.

(h) A school district or open-enrollment charter school may not:

(1) allow regular or continual monitoring of video recorded under this section; or

(2) use video recorded under this section for teacher evaluation or for any other purpose other than the promotion of safety of students receiving special education services in a special education ~~[self-contained]~~ classroom or other special education setting.

(k) The commissioner may adopt rules to implement and administer this section, including rules regarding the special education classrooms and other special education settings to which this section applies.

(l) A school district or open-enrollment charter school policy relating to the placement, operation, or maintenance of video cameras under this section must:

(1) include information on how a person may appeal an action by the district or school that the person believes to be in violation of this section or a policy adopted in accordance with this section, including the appeals process under Section 7.057;

(2) require that the district or school provide a response to a request made under this section not later than the seventh school business day after receipt of the request by the person to whom it must be submitted under Subsection (a-3) that authorizes the request or states the reason for denying the request;

(3) except as provided by Subdivision (5), require that a school or a campus begin operation of a video camera in compliance with this section not later than the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the request is authorized unless the agency grants an extension of time;

(4) permit the parent of a student whose admission, review, and dismissal committee has determined that the student's placement for the following school year will be in a special education classroom or other special education setting in which a video camera may be placed under this section to make a request for the video camera by the later of:

(A) the date on which the current school year ends; or

(B) the 10th school business day after the date of the placement determination by the admission, review, and dismissal committee; and

(5) if a request is made by a parent in compliance with Subdivision (4), unless the agency grants an extension of time, require that a school or campus begin operation of a video camera in compliance with this section not later than the later of:

(A) the 10th school day of the fall semester; or

(B) the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the date the request is made.

(q) The agency shall collect through the Public Education Information Management System (PEIMS) data relating to requests made under this section and actions taken by a school district or open-enrollment charter school in response to a request, including the number of requests made, authorized, and denied.

(s) This section applies to the placement, operation, and maintenance of a video camera in a special education ~~[self-contained]~~ classroom or other special education setting during the regular school year and extended school year services.

(t) A video camera placed under this section is not required to be in operation for the time during which students are not present in the special education classroom or other special education setting.

SECTION 4.23. Sections 29.022(u)(3) and (4), Education Code, are amended to read as follows:

(3) "Special education classroom or other special education setting" means a classroom or setting primarily used for delivering special education services to students who spend on average less than 50 percent of an instructional day in a general education classroom or setting ~~["Self-contained classroom" does not include a classroom that is a resource room instructional arrangement under Section 48.102].~~

(4) "Staff member" means a teacher, related service provider, paraprofessional, counselor, or educational aide assigned to work in a special education ~~[self-contained]~~ classroom or other special education setting.

SECTION 4.24. Subchapter A, Chapter 29, Education Code, is amended by adding Sections 29.024 and 29.026 to read as follows:

Sec. 29.024. GRANT PROGRAM PROVIDING TRAINING IN DYSLEXIA FOR TEACHERS AND STAFF. (a) From money appropriated or otherwise available for the purpose, the commissioner shall establish a program to award grants each school year to school districts and open-enrollment charter schools to increase local capacity to appropriately serve students with dyslexia.

(b) A school district, including a school district acting through a district charter issued under Subchapter C, Chapter 12, or an open-enrollment charter school, including a charter school that primarily serves students with disabilities, as provided under Section 12.1014, is eligible to apply for a grant under this section if the district or school submits to the commissioner a proposal on the use of grant funds that:

(1) incorporates evidence-based and research-based design; and

(2) increases local capacity to appropriately serve students with dyslexia by providing:

(A) high-quality training to classroom teachers and administrators in meeting the needs of students with dyslexia; or

(B) training to intervention staff resulting in appropriate credentialing related to dyslexia, with priority for training staff to earn the credentials necessary to become a licensed dyslexia therapist or certified academic language therapist.

(c) The commissioner shall create an external panel of stakeholders, including parents of students with disabilities, to provide assistance in the selection of applications for the award of grants under this section.

(d) A grant awarded to a school district or open-enrollment charter school under this section is in addition to the Foundation School Program money that the district or charter school is otherwise entitled to receive. A grant awarded under this section may not come out of Foundation School Program money.

(e) The commissioner and any grant recipient selected under this section may accept gifts, grants, and donations from any public or private source, person, or group to implement and administer the grant. The commissioner and any grant recipient selected under this section may not require any financial contribution from parents to implement and administer the grant.

(f) A regional education service center may administer grants awarded under this section.

Sec. 29.026. RULES. The commissioner may adopt rules as necessary to implement this subchapter.

SECTION 4.25. The heading to Subchapter A-1, Chapter 29, Education Code, is amended to read as follows:

SUBCHAPTER A-1. PARENT-DIRECTED ~~[SUPPLEMENTAL SPECIAL EDUCATION]~~ SERVICES FOR STUDENTS RECEIVING SPECIAL EDUCATION SERVICES ~~[PROGRAM]~~

SECTION 4.26. Sections 29.041(2) and (3), Education Code, are amended to read as follows:

(2) "Supplemental ~~[special education]~~ instructional materials" includes textbooks, computer hardware or software, other technological devices, and other materials suitable for addressing an educational need of a student receiving special education services under Subchapter A.

(3) "Supplemental ~~[special education]~~ services" means an additive service that provides an educational benefit to a student receiving special education services under Subchapter A, including:

(A) occupational therapy, physical therapy, and speech therapy;
and

(B) private tutoring and other supplemental private instruction or programs.

SECTION 4.27. Section 29.042, Education Code, is amended by amending Subsections (a) and (c) and adding Subsection (e) to read as follows:

(a) The agency by rule shall establish and administer a ~~parent-directed [supplemental special education services and instructional materials]~~ program for students receiving special education services through which a parent may direct supplemental services and supplemental instructional materials for the parent's student ~~[students]~~ who ~~meets [meet]~~ the eligibility requirements for participation in the program. Subject to Subsection (c) and Section 48.306(f), the agency shall provide each student approved as provided by this subchapter a grant in the amount provided under Section 48.306 ~~[of not more than \$1,500]~~ to purchase supplemental ~~[special education]~~ services and supplemental ~~[special education]~~ instructional materials. If the agency receives more acceptable applications for a grant for a school year than available funding for that school year, the agency shall award grants in the order in which the applications were received and place remaining students on a waitlist for the subsequent school year.

(c) A student may receive one grant under this subchapter unless the legislature appropriates money for an additional grant in the General Appropriations Act ~~[The commissioner shall set aside an amount set by appropriation for each state fiscal year to fund the program under this section. For each state fiscal year, the total amount provided for student grants under Subsection (a) may not exceed the amount set aside by the commissioner under this subsection].~~

(e) The agency shall maintain an online user-friendly application system for parents to apply for a grant described by Subsection (a).

SECTION 4.28. Section 29.045, Education Code, is amended to read as follows:

Sec. 29.045. APPROVAL OF APPLICATION; ASSIGNMENT OF ACCOUNT. ~~The [Subject to available funding the]~~ agency shall approve each student who meets the program eligibility criteria established under Section 29.044 and assign to the student an account maintained under Section 29.042(b). The account may only be used by the student's parent to purchase supplemental ~~[special education]~~ services or supplemental ~~[special education]~~ instructional materials for the student, subject to Sections 29.046 and 29.047.

SECTION 4.29. Sections 29.046(a) and (b), Education Code, are amended to read as follows:

(a) Money in an account assigned to a student under Section 29.045 may be used only for supplemental ~~[special education]~~ services and supplemental ~~[special education]~~ instructional materials.

(b) Supplemental ~~[special education]~~ services must be provided by an agency-approved provider.

SECTION 4.30. Sections 29.047(a), (c), (d), and (e), Education Code, are amended to read as follows:

(a) The agency shall establish criteria necessary for agency approval for each category of provider of a professional service that is a supplemental ~~[special education]~~ service, as identified by the agency.

(c) The agency shall provide a procedure for providers of supplemental ~~[special education]~~ services to apply to the agency to become an agency-approved provider.

(d) The agency may establish criteria for agency approval of vendors for each category of supplemental ~~[special education]~~ instructional materials identified by the agency.

(e) If the agency establishes criteria for agency approval for a vendor of a category of supplemental ~~[special education]~~ instructional materials, the agency shall provide a procedure for vendors of that category to apply to the agency to become an agency-approved vendor.

SECTION 4.31. Subchapter A-1, Chapter 29, Education Code, is amended by adding Section 29.0475 to read as follows:

Sec. 29.0475. PROGRAM PARTICIPANT, PROVIDER, AND VENDOR AUTONOMY. (a) A provider of supplemental services or vendor of supplemental instructional materials that receives money distributed under the program is not a recipient of federal financial assistance on the basis of receiving that money.

(b) A rule adopted or action taken related to the program by an individual, governmental entity, court of law, or program administrator may not:

(1) consider the actions of a provider of supplemental services, vendor of supplemental instructional materials, or program participant to be the actions of an agent of state government;

(2) limit:

(A) a provider of supplemental services' ability to determine the methods used to educate the provider's students or to exercise the provider's religious or institutional values; or

(B) a program participant's ability to determine the participant's educational content or to exercise the participant's religious values;

(3) obligate a provider of supplemental services or program participant to act contrary to the provider's or participant's religious or institutional values, as applicable;

(4) impose any regulation on a provider of supplemental services, vendor of supplemental instructional materials, or program participant beyond those regulations necessary to enforce the requirements of the program; or

(5) require as a condition of receiving money distributed under the program:

(A) a provider of supplemental services to modify the provider's creed, practices, admissions policies, curriculum, performance standards, employment policies, or assessments; or

(B) a program participant to modify the participant's creed, practices, curriculum, performance standards, or assessments.

(c) In a proceeding challenging a rule adopted by a state agency or officer under this subchapter, the agency or officer has the burden of proof to establish by clear and convincing evidence that the rule:

(1) is necessary to implement or enforce the program as provided by this subchapter;

(2) does not violate this section;

(3) does not impose an undue burden on a program participant or a provider of supplemental services or vendor of supplemental instructional materials that participates or applies to participate in the program; and

(4) is the least restrictive means of accomplishing the purpose of the program while recognizing the independence of a provider of supplemental services to meet the educational needs of students in accordance with the provider's religious or institutional values.

SECTION 4.32. Section 29.048, Education Code, is amended to read as follows:

Sec. 29.048. ADMISSION, REVIEW, AND DISMISSAL COMMITTEE DUTIES. (a) A student's admission, review, and dismissal committee shall develop a student's individualized education program under Section 29.005, in compliance with the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.), without consideration of any supplemental [~~special education~~] services or supplemental instructional materials that may be provided under the program under this subchapter.

(b) Unless the district first verifies that an account has been assigned to the student under Section 29.045, the [~~The~~] admission, review, and dismissal committee of a student approved for participation in the program shall provide to the student's parent at an admission, review, and dismissal committee meeting for the student:

(1) information regarding the types of supplemental [~~special education~~] services or supplemental instructional materials available under the program and provided by agency-approved providers for which an account maintained under Section 29.042(b) for the student may be used; and

(2) instructions regarding accessing an account described by Subdivision (1).

SECTION 4.33. Subchapter A-1, Chapter 29, Education Code, is amended by adding Section 29.0485 to read as follows:

Sec. 29.0485. DETERMINATION OF COMMISSIONER FINAL. Notwithstanding Section 7.057, a determination of the commissioner under this subchapter is final and may not be appealed.

SECTION 4.34. Section 29.049, Education Code, is amended to read as follows:

Sec. 29.049. RULES. The commissioner shall adopt rules as necessary to administer the supplemental [~~special education~~] services and supplemental instructional materials program under this subchapter.

SECTION 4.35. Section 29.301(1), Education Code, is amended to read as follows:

(1) "Admission, review, and dismissal committee" means the committee required by [~~State Board of Education rules to develop the individualized education program required by~~] the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) for any student needing special education.

SECTION 4.36. Sections 29.304(a) and (c), Education Code, are amended to read as follows:

(a) A student who is deaf or hard of hearing must have an education in which teachers, psychologists, speech language pathologists [~~therapists~~], progress assessors, administrators, and others involved in education understand the unique nature of deafness and the hard-of-hearing condition. A teacher of students who are deaf or hard of hearing either must be proficient in appropriate language modes or use an interpreter certified in appropriate language modes if certification is available.

(c) General ~~[Regular]~~ and special education personnel who work with students who are deaf or hard of hearing must be adequately prepared to provide educational instruction and services to those students.

SECTION 4.37. Section 29.310, Education Code, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

(c) The procedures and materials for the assessment and placement of a student who is deaf or hard of hearing shall be in the student's preferred mode of communication. All other procedures and materials used with any student who is deaf or hard of hearing and who is an emergent bilingual student as defined by Section 29.052 ~~[has limited English proficiency]~~ shall be in the student's preferred mode of communication.

(d) In recognizing the need for development of language and communication abilities in students who are deaf or hard of hearing but also calling for the use of methods of communication that will meet the needs of each individual student, each student who is deaf or hard of hearing must be thoroughly assessed to ascertain the student's potential for communicating through a variety of means.

SECTION 4.38. Section 29.313, Education Code, is amended to read as follows:

Sec. 29.313. EVALUATION OF DEAF AND HARD OF HEARING SERVICES ~~[PROGRAMS]~~. (a) Each school district must provide continuous evaluation of the effectiveness of the district's services ~~[programs of the district]~~ for students who are deaf or hard of hearing. The ~~[If practicable,]~~ evaluations shall follow program excellence indicators established by the agency.

(b) Each school district shall submit the evaluations under this section to the agency on a schedule set by the agency.

SECTION 4.39. Section 29.314, Education Code, is amended to read as follows:

Sec. 29.314. TRANSITION INTO GENERAL EDUCATION ~~[REGULAR]~~ CLASS. In addition to satisfying requirements of the admission, review, and dismissal committee and to satisfying requirements under state and federal law for vocational training, each school district shall develop and implement a transition plan for the transition of a student who is deaf or hard of hearing into a general education ~~[regular]~~ class ~~[program]~~ if the student is to be transferred from a special class or center or nonpublic, nonsectarian school into a general education ~~[regular]~~ class in a public school for any part of the school day. The transition plan must provide for activities:

(1) to integrate the student into the general ~~[regular]~~ education program and specify the nature of each activity and the time spent on the activity each day; and

(2) to support the transition of the student from the special education program into the general ~~[regular]~~ education program.

SECTION 4.40. Section 29.315, Education Code, is amended to read as follows:

Sec. 29.315. TEXAS SCHOOL FOR THE DEAF MEMORANDUM OF UNDERSTANDING. The Texas Education Agency and the Texas School for the Deaf shall develop~~[- agree to, and by commissioner rule adopt no later than September 1, 1998,]~~ a memorandum of understanding to establish:

(1) the method for developing and reevaluating a set of indicators of the quality of learning at the Texas School for the Deaf;

(2) the process for the agency to conduct and report on an annual evaluation of the school's performance on the indicators;

(3) the requirements for the school's board to publish, discuss, and disseminate an annual report describing the educational performance of the school; and

~~(4) [the process for the agency to assign an accreditation status to the school, to reevaluate the status on an annual basis, and, if necessary, to conduct monitoring reviews; and~~

~~[(5)]~~ the type of information the school shall be required to provide through the Public Education Information Management System (PEIMS).

SECTION 4.41. Section 29.316, Education Code, is amended to read as follows:

Sec. 29.316. LANGUAGE ACQUISITION. (a) In this section, "language":

~~[(1) "Center" means the Educational Resource Center on Deafness at the Texas School for the Deaf.~~

~~[(2) "Division" means the Division for Early Childhood Intervention Services of the Health and Human Services Commission.~~

~~[(3) "Language"]~~ acquisition" includes expressive and receptive language acquisition and literacy development in English, American Sign Language, or both, or, if applicable, in another language primarily used by a child's parent or guardian, and is separate from any modality used to communicate in the applicable language or languages.

(b) Each school district ~~[The commissioner and the executive commissioner of the Health and Human Services Commission jointly]~~ shall ensure that the language acquisition of each child eight years of age or younger who is deaf or hard of hearing is regularly assessed using a tool or assessment approved by the commissioner ~~[determined to be valid and reliable as provided by Subsection (d)].~~

(c) On a schedule determined by the commissioner, each school district shall report to the commissioner through the Public Education Information Management System (PEIMS) or another method set by commissioner rule the assessment data collected under Subsection (b) ~~[Not later than August 31 of each year, the agency, the division, and the center jointly shall prepare and post on the agency's, the division's, and the center's respective Internet websites a report on the language acquisition of children eight years of age or younger who are deaf or hard of hearing. The report must:~~

~~[(1) include:~~

~~[(A) existing data reported in compliance with federal law regarding children with disabilities; and~~

~~[(B) information relating to the language acquisition of children who are deaf or hard of hearing and also have other disabilities;~~

~~[(2) state for each child:~~

~~[(A) the instructional arrangement used with the child, as described by Section 48.102, including the time the child spends in a mainstream instructional arrangement;~~

~~[(B) the specific language acquisition services provided to the child, including:~~

~~[(i) the time spent providing those services; and~~

~~[(ii) a description of any hearing amplification used in the delivery of those services, including:~~

~~[(a) the type of hearing amplification used;~~

~~[(b) the period of time in which the child has had access to the hearing amplification; and~~

~~[(c) the average amount of time the child uses the hearing amplification each day;~~

~~[(C) the tools or assessments used to assess the child's language acquisition and the results obtained;~~

~~[(D) the preferred unique communication mode used by the child at home; and~~

~~[(E) the child's age, race, and gender, the age at which the child was identified as being deaf or hard of hearing, and any other relevant demographic information the commissioner determines to likely be correlated with or have an impact on the child's language acquisition;~~

~~[(3) compare progress in English literacy made by children who are deaf or hard of hearing to progress in that subject made by children of the same age who are not deaf or hard of hearing, by appropriate age range; and~~

~~[(4) be redacted as necessary to comply with state and federal law regarding the confidentiality of student medical or educational information].~~

~~(d) The commissioner[; the executive commissioner of the Health and Human Services Commission, and the center] shall adopt rules establishing the assessment data required to be reported under Subsection (c) [enter into a memorandum of understanding regarding:~~

~~[(1) the identification of experts in deaf education; and~~

~~[(2) the determination, in consultation with those experts, of the tools and assessments that are valid and reliable, in both content and administration, for use in assessing the language acquisition of children eight years of age or younger who are deaf or hard of hearing].~~

(e) The commissioner shall annually post on the agency's Internet website a report on the language acquisition of children eight years of age or younger who are deaf or hard of hearing using the assessment data reported under Subsection (c) [agency shall use existing collected data and data collected and transferred from the Department of State Health Services and the Health and Human Services Commission, as agreed upon in the memorandum of understanding, for the report under this section].

(f) The commissioner shall use the assessment data reported under Subsection (c) in determining whether to award a grant under Section 29.018 or in seeking federal money available for projects aimed at improving outcomes for students with disabilities ~~[and the executive commissioner of the Health and Human Services Commission jointly shall adopt rules as necessary to implement this section, including rules for:~~

~~[(1) assigning each child eight years of age or younger who is deaf or hard of hearing a unique identification number for purposes of the report required under Subsection (c) and to enable the tracking of the child's language acquisition, and factors affecting the child's language acquisition, over time; and~~

~~[(2) implementing this section in a manner that complies with federal law regarding confidentiality of student medical or educational information, including the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.) and the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g), and any state law relating to the privacy of student information].~~

SECTION 4.42. The heading to Section 30.002, Education Code, is amended to read as follows:

Sec. 30.002. STATE PLAN [EDUCATION] FOR CHILDREN WITH VISUAL IMPAIRMENTS, WHO ARE DEAF OR HARD OF HEARING, OR WHO ARE DEAF-BLIND.

SECTION 4.43. Sections 30.002(a), (b), (c), and (e), Education Code, are amended to read as follows:

(a) The agency shall develop and administer a comprehensive statewide plan for the education of children ~~[with visual impairments]~~ who are under 22 ~~[24]~~ years of age and who have visual impairments, are deaf or hard of hearing, or are deaf-blind that will ensure that the children have an opportunity for achievement equal to the opportunities afforded their peers who do not have visual impairments, are not deaf or hard of hearing, or are not deaf-blind ~~[with normal vision].~~

(b) The agency shall:

(1) develop standards and guidelines for all special education and related services for children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[with visual impairments]~~ that it is authorized to provide or support under this code and federal law;

(2) supervise regional education service centers and other entities in assisting school districts in serving children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[with visual impairments]~~ more effectively; and

(3) [develop and administer special education services for students with both serious visual and auditory impairments;

~~[(4) evaluate special education services provided for children with visual impairments by school districts and approve or disapprove state funding of those services; and~~

~~[(5)]~~ maintain an effective liaison between special education programs provided for children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[with visual impairments]~~ by school districts and related initiatives of the Health and Human Services Commission, ~~[the Department of State Health Services Mental Health and Substance Abuse Division,]~~ the Texas Workforce Commission, and other related programs, agencies, or facilities as appropriate.

(c) The comprehensive statewide plan for the education of children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[with visual impairments]~~ must:

(1) adequately provide for comprehensive diagnosis and evaluation of each school-age child who has a visual impairment, is deaf or hard of hearing, or is deaf-blind and adequately outline the expectations of a school district for such a child under three years of age ~~[with a serious visual impairment];~~

(2) include the procedures, format, and content of the individualized education program for each child who has a visual impairment, is deaf or hard of hearing, or is deaf-blind ~~[with a visual impairment];~~

(3) emphasize providing educational services to children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[with visual impairments]~~ in their home communities whenever possible;

(4) include information regarding the establishment of regional day school programs for the deaf under Subchapter D and the parameters of those programs ~~[methods to ensure that children with visual impairments receiving special education services in school districts receive, before being placed in a classroom setting or within a reasonable time after placement:~~

~~[(A) evaluation of the impairment; and~~

~~[(B) instruction in an expanded core curriculum, which is required for students with visual impairments to succeed in classroom settings and to derive lasting, practical benefits from the education provided by school districts, including instruction in:~~

~~[(i) compensatory skills, such as braille and concept development, and other skills needed to access the rest of the curriculum;~~

~~[(ii) orientation and mobility;~~

~~[(iii) social interaction skills;~~

~~[(iv) career planning;~~

~~[(v) assistive technology, including optical devices;~~

~~[(vi) independent living skills;~~

~~[(vii) recreation and leisure enjoyment;~~

~~[(viii) self determination; and~~

~~[(ix) sensory efficiency];~~

(5) provide for flexibility on the part of school districts to meet the unique ~~[special]~~ needs of children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[with visual impairments]~~ through:

(A) specialty staff and resources provided by the district;

(B) contractual arrangements with other qualified public or private agencies;

(C) supportive assistance from regional education service centers or adjacent school districts;

(D) short-term or long-term services through the Texas School for the Blind and Visually Impaired, the Texas School for the Deaf, regional day school programs for the deaf, or related facilities or programs; or

(E) other instructional and service arrangements approved by the agency;

(6) ~~[include a statewide admission, review, and dismissal process;~~

~~[(7)] provide for effective interaction between the [visually impaired child's] classroom setting of the child who has a visual impairment, is deaf or hard of hearing, or is deaf-blind and the child's home environment, including providing for parental training and counseling either by school district staff or by representatives of other organizations directly involved in the development and implementation of the individualized education program for the child;~~

~~(7) describe recommended and required professional development activities based on the special education and related services provided by school district staff to children who have visual impairments, are deaf or hard of hearing, or are deaf-blind [(8) require the continuing education and professional development of school district staff providing special education services to children with visual impairments];~~

~~(8) [(9)] provide for adequate monitoring and precise evaluation of special education services provided to children who have visual impairments, are deaf or hard of hearing, or are deaf-blind [with visual impairments] through school districts; and~~

~~(9) [(10)] require that school districts providing special education services to children who have visual impairments, are deaf or hard of hearing, or are deaf-blind [with visual impairments] develop procedures for assuring that staff assigned to work with the children have prompt and effective access directly to resources available through:~~

~~(A) cooperating agencies in the area;~~

~~(B) the Texas School for the Blind and Visually Impaired;~~

~~(C) the Texas School for the Deaf;~~

~~(D) the statewide outreach center at the Texas School for the Deaf;~~

~~(E) the Central Media Depository for specialized instructional materials and aids made specifically for use by students with visual impairments;~~

~~(F) [(D)] sheltered workshops participating in the state program of purchases of blind-made goods and services; and~~

~~(G) [(E)] related sources; and~~

~~(10) assist in the coordination of educational programs with other public and private agencies, including:~~

~~(A) agencies operating early childhood intervention programs;~~

~~(B) preschools;~~

~~(C) agencies operating child development programs;~~

~~(D) private nonsectarian schools;~~

~~(E) agencies operating regional occupational centers and programs;~~

and

(F) as appropriate, postsecondary and adult programs for persons who are deaf or hard of hearing.

(e) Each eligible ~~[blind or visually impaired]~~ student who has a visual impairment, is deaf or hard of hearing, or is deaf-blind is entitled to receive educational programs according to an individualized education program that:

(1) is developed in accordance with federal and state requirements for providing special education services;

(2) is developed by a committee composed as required by federal law;

(3) reflects that the student has been provided a detailed explanation of the various service resources available to the student in the community and throughout the state;

(4) provides a detailed description of the arrangements made to provide the student with the evaluation and instruction required under this subchapter and Subchapter A, Chapter 29 ~~[Subsection (e)(4)]~~; and

(5) sets forth the plans and arrangements made for contacts with and continuing services to the student beyond regular school hours to ensure the student learns the skills and receives the instruction required under this subchapter and Subchapter A, Chapter 29 ~~[Subsection (e)(4)(B)]~~.

SECTION 4.44. Subchapter A, Chapter 30, Education Code, is amended by adding Section 30.0021 to read as follows:

Sec. 30.0021. REQUIREMENTS FOR CHILDREN WITH VISUAL IMPAIRMENTS. (a) Each child with a visual impairment must receive instruction in an expanded core curriculum required for children with visual impairments to succeed in classroom settings and to derive lasting, practical benefits from education in a school district, including instruction in:

(1) compensatory skills, such as braille and concept development, and other skills necessary to access the rest of the curriculum;

(2) orientation and mobility;

(3) social interaction skills;

(4) career education;

(5) assistive technology, including optical devices;

(6) independent living skills;

(7) recreation and leisure enjoyment;

(8) self-determination; and

(9) sensory efficiency.

(b) To determine a child's eligibility for a school district's special education program under Subchapter A, Chapter 29, on the basis of a visual impairment, the full individual and initial evaluation of the child under Section 29.004 and any reevaluation of the child must, in accordance with commissioner rule:

(1) include an orientation and mobility evaluation conducted:

(A) by a person who is appropriately certified as an orientation and mobility specialist, as determined by commissioner rule; and

(B) in a variety of lighting conditions and settings, including in the child's home, school, and community and in settings unfamiliar to the child; and

(2) provide for a person who is appropriately certified as an orientation and mobility specialist, as determined by commissioner rule, to participate, as part of a multidisciplinary team, in evaluating the data on which the determination of the child's eligibility is based.

(c) In developing an individualized education program under Section 29.005 for a child with a visual impairment, proficiency in reading and writing must be a significant indicator of the child's satisfactory educational progress. The individualized education program must include instruction in braille and the use of braille unless the child's admission, review, and dismissal committee documents a determination, based on an evaluation of the child's appropriate literacy media and literacy skills and the child's current and future instructional needs, that braille is not an appropriate literacy medium for the child.

(d) Braille instruction:

(1) may be used in combination with other special education services appropriate to the educational needs of a child with a visual impairment; and

(2) must be provided by a teacher certified to teach children with visual impairments under Subchapter B, Chapter 21.

(e) A school district shall provide to each person assisting in the development of an individualized education program for a child with a visual impairment information describing the benefits of braille instruction.

(f) To facilitate implementation of this section, the commissioner shall develop a system to distribute from the foundation school fund to school districts or regional education service centers a special supplemental allowance for each student with a visual impairment. The supplemental allowance may be spent only for special education services uniquely required by the nature of the child's disabilities and may not be used in lieu of educational funds otherwise available under this code or through state or local appropriations.

SECTION 4.45. Section 30.003, Education Code, is amended by amending Subsections (b), (d), (f-1), and (g) and adding Subsection (b-1) to read as follows:

(b) If the student is admitted to the school for a full-time program for the equivalent of two long semesters, the district's share of the cost is an amount equal to the dollar amount of maintenance and debt service taxes imposed by the district for that year, subject to Subsection (b-1), divided by the district's average daily attendance for the preceding year.

(b-1) The commissioner shall reduce the amount of maintenance taxes imposed by the district that are obligated to be paid under Subsection (b) for a year by the amount, if any, by which the district is required to reduce the district's local revenue level under Section 48.257 for that year.

(d) Each school district and state institution shall provide to the commissioner the necessary information to determine the district's share under this section. The information must be reported to the commissioner on or before a date set by commissioner rule [of the State Board of Education]. After determining the amount of a district's share for all students for which the district is responsible, the commissioner shall deduct that amount from the payments of foundation school funds payable to the district. Each deduction shall be in the same percentage of the total amount of the district's share as the percentage of the

total foundation school fund entitlement being paid to the district at the time of the deduction, except that the amount of any deduction may be modified to make necessary adjustments or to correct errors. The commissioner shall provide for remitting the amount deducted to the appropriate school at the same time at which the remaining funds are distributed to the district. If a district does not receive foundation school funds or if a district's foundation school entitlement is less than the amount of the district's share under this section, the commissioner shall direct the district to remit payment to the commissioner, and the commissioner shall remit the district's share to the appropriate school.

(f-1) The commissioner shall determine the total amount that the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf would have received from school districts in accordance with this section if the following provisions had not reduced the districts' share of the cost of providing education services:

- (1) H.B. No. 1, Acts of the 79th Legislature, 3rd Called Session, 2006;
- (2) Subsection (b-1) of this section;
- (3) Section 45.0032;
- (4) ~~(3)~~ Section 48.255; and
- (5) ~~(4)~~ Section 48.2551.

(g) The commissioner ~~[State Board of Education]~~ may adopt rules as necessary to implement this section.

SECTION 4.46. Section 30.004(b), Education Code, is amended to read as follows:

(b) The commissioner ~~[State Board of Education]~~ shall adopt rules prescribing the form and content of information required by Subsection (a).

SECTION 4.47. Section 30.005, Education Code, is amended to read as follows:

Sec. 30.005. TEXAS SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED MEMORANDUM OF UNDERSTANDING. The Texas Education Agency and the Texas School for the Blind and Visually Impaired shall develop~~;~~ ~~agree to, and by commissioner rule adopt~~ a memorandum of understanding to establish:

- (1) the method for developing and reevaluating a set of indicators of the quality of learning at the Texas School for the Blind and Visually Impaired;
- (2) the process for the agency to conduct and report on an annual evaluation of the school's performance on the indicators;
- (3) the requirements for the school's board to publish, discuss, and disseminate an annual report describing the educational performance of the school; and

- ~~(4) [the process for the agency to:~~
 - ~~(A) assign an accreditation status to the school;~~
 - ~~(B) reevaluate the status on an annual basis; and~~
 - ~~(C) if necessary, conduct monitoring reviews; and~~

~~(5)~~ the type of information the school shall be required to provide through the Public Education Information Management System (PEIMS).

SECTION 4.48. Section 30.021(e), Education Code, is amended to read as follows:

(e) The school shall cooperate with public and private agencies and organizations serving students and other persons with visual impairments in the planning, development, and implementation of effective educational and rehabilitative service delivery systems associated with educating students with visual impairments. To maximize and make efficient use of state facilities, funding, and resources, the services provided in this area may include conducting a cooperative program with other agencies to serve students who have graduated from high school by completing all academic requirements applicable to students in general ~~regular~~ education, excluding satisfactory performance under Section 39.025, who are younger than 22 years of age on September 1 of the school year and who have identified needs related to vocational training, independent living skills, orientation and mobility, social and leisure skills, compensatory skills, or remedial academic skills.

SECTION 4.49. Section 30.081, Education Code, is amended to read as follows:

Sec. 30.081. LEGISLATIVE INTENT CONCERNING REGIONAL DAY SCHOOLS FOR THE DEAF. The legislature, by this subchapter, intends to continue a process of providing on a statewide basis a suitable education to deaf or hard of hearing students who are under 22 ~~24~~ years of age and assuring that those students have the opportunity to become independent citizens.

SECTION 4.50. Section 30.083, Education Code, is amended to read as follows:

Sec. 30.083. STATEWIDE PLAN. ~~[(a)]~~ The director of services shall develop and administer a comprehensive statewide plan for educational services for students who are deaf or hard of hearing and receive special education and related services through a regional day school program for the deaf ~~including continuing diagnosis and evaluation, counseling, and teaching~~. The plan shall be included as part of the comprehensive statewide plan under Section 30.002 ~~[designed to accomplish the following objectives:~~

~~[(1) providing assistance and counseling to parents of students who are deaf or hard of hearing in regional day school programs for the deaf and admitting to the programs students who have a hearing loss that interferes with the processing of linguistic information;~~

~~[(2) enabling students who are deaf or hard of hearing to reside with their parents or guardians and be provided an appropriate education in their home school districts or in regional day school programs for the deaf;~~

~~[(3) enabling students who are deaf or hard of hearing who are unable to attend schools at their place of residence and whose parents or guardians live too far from facilities of regional day school programs for the deaf for daily commuting to be accommodated in foster homes or other residential school facilities provided for by the agency so that those children may attend a regional day school program for the deaf;~~

~~[(4) enrolling in the Texas School for the Deaf those students who are deaf or hard of hearing whose needs can best be met in that school and designating the Texas School for the Deaf as the statewide educational resource for students who are deaf or hard of hearing;~~

~~[(5) encouraging students in regional day school programs for the deaf to attend general education classes on a part time, full time, or trial basis; and~~

~~[(6) recognizing the need for development of language and communications abilities in students who are deaf or hard of hearing, but also calling for the use of methods of communication that will meet the needs of each individual student, with each student assessed thoroughly so as to ascertain the student's potential for communications through a variety of means, including through oral or aural means, fingerspelling, or sign language].~~

~~[(b) The director of services may establish separate programs to accommodate diverse communication methodologies.]~~

SECTION 4.51. Section 37.146(a), Education Code, is amended to read as follows:

(a) A complaint alleging the commission of a school offense must, in addition to the requirements imposed by Article 45A.101, Code of Criminal Procedure:

(1) be sworn to by a person who has personal knowledge of the underlying facts giving rise to probable cause to believe that an offense has been committed; and

(2) be accompanied by a statement from a school employee stating:

(A) whether the child is eligible for or receives special education services under Subchapter A, Chapter 29; and

(B) the graduated sanctions, if required under Section 37.144, that were imposed on the child before the complaint was filed.

SECTION 4.52. Section 38.003(c-1), Education Code, is amended to read as follows:

(c-1) The agency by rule shall develop procedures designed to allow the agency to:

(1) effectively audit and monitor and periodically conduct site visits of all school districts to ensure that districts are complying with this section, including the program approved by the State Board of Education under this section;

(2) identify any problems school districts experience in complying with this section, including the program approved by the State Board of Education under this section;

(3) develop reasonable and appropriate remedial strategies to address school district noncompliance and ensure the purposes of this section are accomplished, which may include the publication of a recommended evidence-based dyslexia program list; ~~and~~

(4) solicit input from parents of students enrolled in a school district during the auditing and monitoring of the district under Subdivision (1) regarding the district's implementation of the program approved by the State Board of Education under this section; and

(5) engage in general supervision activities, including activities under the comprehensive system for monitoring described by Section 29.010, to ensure school district compliance with the program approved by the State Board of Education under this section and Part B, Individuals with Disabilities Education Act (20 U.S.C. Section 1411 et seq.).

SECTION 4.53. Section 48.009(b), Education Code, is amended to read as follows:

(b) The commissioner by rule shall require each school district and open-enrollment charter school to report through the Public Education Information Management System information regarding:

(1) the number of students enrolled in the district or school who are identified as having dyslexia;

(2) the availability of school counselors, including the number of full-time equivalent school counselors, at each campus;

(3) the availability of expanded learning opportunities as described by Section 33.252 at each campus;

(4) the total number of students, other than students described by Subdivision (5), enrolled in the district or school with whom the district or school, as applicable, used intervention strategies, as that term is defined by Section 26.004, at any time during the year for which the report is made;

(5) the total number of students enrolled in the district or school to whom the district or school provided aids, accommodations, or services under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), at any time during the year for which the report is made;

(6) disaggregated by campus and grade, the number of:

(A) children who are required to attend school under Section 25.085, are not exempted under Section 25.086, and fail to attend school without excuse for 10 or more days or parts of days within a six-month period in the same school year;

(B) students for whom the district initiates a truancy prevention measure under Section 25.0915(a-4); and

(C) parents of students against whom an attendance officer or other appropriate school official has filed a complaint under Section 25.093; ~~and~~

(7) the number of students who are enrolled in a high school equivalency program, a dropout recovery school, or an adult education program provided under a high school diploma and industry certification charter school program provided by the district or school and who:

(A) are at least 18 years of age and under 26 years of age;

(B) have not previously been reported to the agency as dropouts;

and

(C) enroll in the program at the district or school after not attending school for a period of at least nine months; and

(8) students enrolled in a special education program under Subchapter A, Chapter 29, as necessary for the agency to adequately perform general supervision activities and determine funding under Sections 48.102 and 48.1021.

SECTION 4.54. Section 48.102, Education Code, is amended to read as follows:

Sec. 48.102. SPECIAL EDUCATION. (a) For each student in average daily attendance in a special education program under Subchapter A, Chapter 29, ~~[in a mainstream instructional arrangement,]~~ a school district is entitled to an annual allotment equal to the basic allotment, or, if applicable, the sum of the basic allotment and the allotment under Section 48.101 to which the district is entitled, multiplied by a weight in an amount set by the legislature in the General Appropriations Act for the highest tier of intensity of service for which the student qualifies [4.15].

(a-1) Notwithstanding Subsection (a), for the 2026-2027 school year, the amount of an allotment under this section shall be determined in accordance with Section 48.1022. This subsection expires September 1, 2027. [For each full time equivalent student in average daily attendance in a special education program under Subchapter A, Chapter 29, in an instructional arrangement other than a mainstream instructional arrangement, a district is entitled to an annual allotment equal to the basic allotment, or, if applicable, the sum of the basic allotment and the allotment under Section 48.101 to which the district is entitled, multiplied by a weight determined according to instructional arrangement as follows:

<u>[Homebound</u>	<u>5.0</u>
<u>[Hospital class</u>	<u>3.0</u>
<u>[Speech therapy</u>	<u>5.0</u>
<u>[Resource room</u>	<u>3.0</u>
<u>[Self contained, mild and moderate, regular campus</u>	<u>3.0</u>
<u>[Self contained, severe, regular campus</u>	<u>3.0</u>
<u>[Off home campus</u>	<u>2.7</u>
<u>[Nonpublic day school</u>	<u>1.7</u>
<u>[Vocational adjustment class</u>	<u>2.3]</u>

(b) The commissioner by rule shall define eight tiers of intensity of service for use in determining funding under this section. The commissioner must include one tier specifically addressing students receiving special education services in residential placement and one tier for students receiving only speech therapy [A special instructional arrangement for students with disabilities residing in care and treatment facilities, other than state schools, whose parents or guardians do not reside in the district providing education services shall be established by commissioner rule. The funding weight for this arrangement shall be 4.0 for those students who receive their education service on a local school district campus. A special instructional arrangement for students with disabilities residing in state schools shall be established by commissioner rule with a funding weight of 2.8].

(c) In defining the tiers of intensity of service under Subsection (b), the commissioner shall consider:

- (1) the type, frequency, and nature of services provided to a student;
- (2) the required certifications, licensures, or other qualifications for personnel serving the student;

(3) any identified or curriculum-required provider-to-student ratios for the student to receive the appropriate services; and

(4) any equipment or technology required for the services [~~For funding purposes, the number of contact hours credited per day for each student in the off home campus instructional arrangement may not exceed the contact hours credited per day for the multidistrict class instructional arrangement in the 1992-1993 school year.~~].

~~(d) [For funding purposes the contact hours credited per day for each student in the resource room; self contained, mild and moderate; and self contained, severe, instructional arrangements may not exceed the average of the statewide total contact hours credited per day for those three instructional arrangements in the 1992-1993 school year.~~

~~[(e) The commissioner by rule shall prescribe the qualifications an instructional arrangement must meet in order to be funded as a particular instructional arrangement under this section. In prescribing the qualifications that a mainstream instructional arrangement must meet, the commissioner shall establish requirements that students with disabilities and their teachers receive the direct, indirect, and support services that are necessary to enrich the regular classroom and enable student success.~~

~~[(f) In this section, "full time equivalent student" means 30 hours of contact a week between a special education student and special education program personnel.~~

~~[(g) The commissioner shall adopt rules and procedures governing contracts for residential placement of special education students. The legislature shall provide by appropriation for the state's share of the costs of those placements.~~

~~[(h) At least 55 percent of the funds allocated under this section must be used in the special education program under Subchapter A, Chapter 29.~~

(c) [(+)] The agency shall ensure [~~encourage~~] the placement of students in special education programs, including students in residential placement [~~instructional arrangements~~], in the least restrictive environment appropriate for their educational needs.

(f) [(+)] A school district that provides an extended year program required by federal law for special education students who may regress is entitled to receive funds in an amount equal to [~~75 percent, or a lesser percentage determined by the commissioner, of~~] the basic allotment, or, if applicable, the sum of the basic allotment and the allotment under Section 48.101 to which the district is entitled for each [~~full time equivalent~~] student in average daily attendance, multiplied by the amount designated for the highest tier of intensity of service for which the student qualifies [~~student's instructional arrangement~~] under this section, for each day the program is provided divided by the number of days in the minimum school year. [~~The total amount of state funding for extended year services under this section may not exceed \$10 million per year.~~] A school district may use funds received under this section only in providing an extended year program.

(g) ~~((k))~~ From the total amount of funds appropriated for special education under this section, the commissioner shall withhold an amount specified in the General Appropriations Act, and distribute that amount to school districts for programs under Section 29.014. The program established under that section is required only in school districts in which the program is financed by funds distributed under this subsection and any other funds available for the program. After deducting the amount withheld under this subsection from the total amount appropriated for special education, the commissioner shall reduce each district's allotment proportionately and shall allocate funds to each district accordingly.

(h) Not later than December 1 of each even-numbered year, the commissioner shall submit to the Legislative Budget Board, for purposes of the allotment under this section, proposed weights for the tiers of intensity of service for the next state fiscal biennium.

SECTION 4.55. Subchapter C, Chapter 48, Education Code, is amended by adding Sections 48.1021 and 48.1022 to read as follows:

Sec. 48.1021. SPECIAL EDUCATION SERVICE GROUP ALLOTMENT.

(a) For each student in a special education program under Subchapter A, Chapter 29, a school district is entitled to an allotment in an amount set by the legislature in the General Appropriations Act for the service group for which the student receives services.

(a-1) Notwithstanding Subsection (a), for the 2026-2027 school year, the amount of an allotment under this section shall be determined in accordance with Section 48.1022. This subsection expires September 1, 2027.

(b) The commissioner by rule shall establish at least four service groups for use in determining funding under this section. In establishing the groups, the commissioner must consider:

(1) the type, frequency, and nature of services provided to a student;

(2) the required certifications, licensures, or other qualifications for personnel serving the student;

(3) any identified or curriculum-required provider-to-student ratios for the student to receive the appropriate services; and

(4) any equipment or technology required for the services.

(c) At least 55 percent of the funds allocated under this section must be used for a special education program under Subchapter A, Chapter 29.

(d) Not later than December 1 of each even-numbered year, the commissioner shall submit to the Legislative Budget Board, for purposes of the allotment under this section, proposed amounts of funding for the service groups for the next state fiscal biennium.

Sec. 48.1022. SPECIAL EDUCATION TRANSITION FUNDING. (a) For the 2026-2027 school year, the commissioner may adjust weights or amounts provided under Section 48.102 or 48.1021 as necessary to ensure compliance with requirements regarding maintenance of state financial support under 20 U.S.C. Section 1412(a)(18) and maintenance of local financial support under applicable federal law.

(b) For the 2026-2027 school year, the commissioner shall determine the formulas through which school districts receive funding under Sections 48.102 and 48.1021. In determining the formulas, the commissioner shall ensure the estimated statewide amount provided by the sum of the allotments under Sections 48.102 and 48.1021 for the 2026-2027 school year is approximately \$350 million greater than the amount that would have been provided under the allotment under Section 48.102, as that section existed on September 1, 2025, for that school year, calculating both amounts using the basic allotment in effect for the 2026-2027 school year.

(c) Each school district and open-enrollment charter school shall report to the agency information necessary to implement this section.

(d) The agency shall provide technical assistance to school districts and open-enrollment charter schools to ensure a successful transition in funding formulas for special education.

(e) This section expires September 1, 2028.

SECTION 4.56. Sections 48.103(b), (c), and (d), Education Code, are amended to read as follows:

(b) A school district is entitled to an allotment under Subsection (a) only for a student who:

(1) is receiving:

(A) instruction, services, or accommodations for dyslexia or a related disorder in accordance with[+]

[(A)] an individualized education program developed for the student under Section 29.005; or

(B) accommodations for dyslexia or a related disorder in accordance with a plan developed for the student under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794); or

(2) ~~is receiving instruction that:~~

~~[(A) meets applicable dyslexia program criteria established by the State Board of Education; and~~

~~[(B) is provided by a person with specific training in providing that instruction; or~~

[(3)] is permitted, on the basis of having dyslexia or a related disorder, to use modifications in the classroom or accommodations in the administration of assessment instruments under Section 39.023 without a program or plan described by Subdivision (1).

(c) A school district may receive funding for a student under each provision of this section, ~~and~~ Section 48.102, and Section 48.1021 for which ~~[(#)] the student qualifies~~ [satisfies the requirements of both sections].

(d) A school district may use ~~[an amount not to exceed 20 percent of]~~ the allotment provided for a qualifying student under this section to contract with a private provider to provide supplemental academic services to the student that are recommended under the student's program or plan described by Subsection (b). A student may not be excused from school to receive supplemental academic services provided under this subsection.

SECTION 4.57. Section 48.110(d), Education Code, is amended to read as follows:

(d) For each annual graduate in a cohort described by Subsection (b) who demonstrates college, career, or military readiness as described by Subsection (f) in excess of the minimum number of students determined for the applicable district cohort under Subsection (c), a school district is entitled to an annual outcomes bonus of:

- (1) if the annual graduate is educationally disadvantaged, \$5,000;
- (2) if the annual graduate is not educationally disadvantaged, \$3,000;

and

(3) if the annual graduate is enrolled in a special education program under Subchapter A, Chapter 29, \$4,000 [~~\$2,000~~], regardless of whether the annual graduate is educationally disadvantaged.

SECTION 4.58. Section 48.151(g), Education Code, is amended to read as follows:

(g) A school district or county that provides special transportation services for eligible special education students is entitled to a state allocation at a [~~paid on a previous year's cost per mile basis. The~~] rate per mile equal to the sum of the rate per mile set under Subsection (c) and \$0.13, or a greater amount provided [~~allowable shall be set~~] by appropriation [~~based on data gathered from the first year of each preceding biennium~~]. Districts may use a portion of their support allocation to pay transportation costs, if necessary. The commissioner may grant an amount set by appropriation for private transportation to reimburse parents or their agents for transporting eligible special education students. The mileage allowed shall be computed along the shortest public road from the student's home to school and back, morning and afternoon. The need for this type of transportation shall be determined on an individual basis and shall be approved only in extreme hardship cases.

SECTION 4.59. Subchapter D, Chapter 48, Education Code, is amended by adding Section 48.159 to read as follows:

Sec. 48.159. SPECIAL EDUCATION FULL INDIVIDUAL AND INITIAL EVALUATION. (a) For each child for whom a school district conducts a full individual and initial evaluation under Section 29.004 or 20 U.S.C. Section 1414(a)(1), the district is entitled to an allotment of \$1,000 or a greater amount provided by appropriation.

(b) Notwithstanding Subsection (a), for the 2025-2026 and 2026-2027 school years, the amount of an allotment under that subsection is \$3,000 for each child not enrolled or seeking enrollment in a public school for whom the district conducts a full individual and initial evaluation as described by that subsection. The total amount that may be used to provide allotments under this subsection may not exceed \$67 million for a school year. If the total amount of allotments to which districts are entitled under this subsection for a school year exceeds the amount permitted under this subsection, the commissioner shall proportionately reduce each district's allotment under this subsection. This subsection expires September 1, 2027.

SECTION 4.60. Section 48.265(a), Education Code, is amended to read as follows:

(a) ~~If [Notwithstanding any other provision of law, if]~~ the commissioner determines that the amount appropriated for the purposes of the Foundation School Program exceeds the amount to which school districts are entitled under this chapter, ~~the commissioner may provide [by rule shall establish a grant program through which excess funds are awarded as]~~ grants using the excess money for the purchase of video equipment, or for the reimbursement of costs for previously purchased video equipment, used for monitoring special education classrooms or other special education settings required under Section 29.022.

SECTION 4.61. Section 48.279(e), Education Code, is amended to read as follows:

(e) After the commissioner has replaced any withheld federal funds as provided by Subsection (d), the commissioner shall distribute the remaining amount, if any, of funds described by Subsection (a) to proportionately increase funding for the special education allotment under Section 48.102 and the special education service group allotment under Section 48.1021.

SECTION 4.62. Subchapter G, Chapter 48, Education Code, is amended by adding Sections 48.304, 48.306, and 48.315 to read as follows:

Sec. 48.304. DAY PLACEMENT PROGRAM OR COOPERATIVE FUNDING. (a) For each qualifying day placement program or cooperative that a regional education service center, school district, or open-enrollment charter school establishes, the program or cooperative is entitled to an allotment of:

(1) \$250,000 for the first year of the program's or cooperative's operation; and

(2) the sum of:

(A) \$100,000 for each year of the program's or cooperative's operation after the first year; and

(B) \$150,000 if at least three students are enrolled in the program or cooperative for a year described by Paragraph (A).

(b) A day placement program or cooperative qualifies for purposes of Subsection (a) if:

(1) the program or cooperative complies with commissioner rules adopted for purposes of this section under Section 48.004;

(2) the program or cooperative offers services to students who are enrolled at any school district or open-enrollment charter school in the county in which the program or cooperative is offered, unless the commissioner by rule waives or modifies the requirement under this subdivision for the program or cooperative to serve all students in a county; and

(3) the agency has designated the program or cooperative for service in the county in which the program or cooperative is offered and determined that, at the time of designation, the program or cooperative increases the availability of day placement services in the county.

(c) The agency may not designate more than one day placement program or cooperative for service per county each year.

(d) The agency may designate a regional education service center to implement and administer this section.

(e) Notwithstanding any other provision of this section, the agency may not provide an allotment under this section to more than 20 day placement programs or cooperatives for a year.

Sec. 48.306. PARENT-DIRECTED SERVICES FOR STUDENTS RECEIVING SPECIAL EDUCATION SERVICES GRANT. (a) Subject to Subsection (f), a student to whom the agency awards a grant under Subchapter A-1, Chapter 29, is entitled to receive an amount of \$1,500 or a greater amount provided by appropriation.

(b) The legislature shall include in the appropriations for the Foundation School Program state aid sufficient for the agency to award grants under Subchapter A-1, Chapter 29, in the amount provided by this section.

(c) A student may receive one grant under Subchapter A-1, Chapter 29, unless the legislature appropriates money for an additional grant in the General Appropriations Act.

(d) A regional education service center designated to administer the program under Subchapter A-1, Chapter 29, for a school year is entitled to an amount equal to four percent of each grant awarded under that subchapter for that school year.

(e) Notwithstanding Section 7.057, a determination of the commissioner under this section is final and may not be appealed.

(f) The total amount provided under this section may not exceed \$80 million per school year.

(g) Notwithstanding Subsection (f), the total amount provided under this section for the 2025-2026 school year may not exceed \$150 million. This subsection expires September 1, 2026.

Sec. 48.315. FUNDING FOR REGIONAL DAY SCHOOL PROGRAMS FOR THE DEAF. (a) The program administrator or fiscal agent of a regional day school program for the deaf is entitled to receive for each school year an allotment of \$6,925, or a greater amount provided by appropriation, for each student receiving services from the program.

(b) Notwithstanding Subsection (a), the agency shall adjust the amount of an allotment under that subsection for a school year to ensure the total amount of allotments provided under that subsection is at least \$35 million for that school year.

SECTION 4.63. The following provisions of the Education Code are repealed:

- (1) Section 7.055(b)(24);
- (2) Sections 7.102(c)(18), (19), (20), (21), and (22);
- (3) Section 29.002;
- (4) Section 29.0041(c);
- (5) Section 29.005(f);
- (6) Section 29.0161;
- (7) Sections 29.308, 29.309, 29.311, 30.001, and 30.0015;
- (8) Sections 30.002(c-1), (c-2), (f), (f-1), and (g);

- (9) Section 30.084;
- (10) Section 30.087(b); and
- (11) Section 38.003(d).

SECTION 4.64. The commissioner of education shall award a grant under Subchapter A-1, Chapter 29, Education Code, as amended by this article, for the 2025-2026 school year to each eligible applicant who applied but was not accepted for the 2024-2025 school year.

SECTION 4.65. To the extent of any conflict between the changes made to the Education Code by this article and the changes made to the Education Code by another Act of the 89th Legislature, Regular Session, 2025, the changes made by this article prevail.

SECTION 4.66. Sections 8.051(d), 29.008, 29.014(c) and (d), and 29.018(b), Education Code, as amended by this article, apply beginning with the 2026-2027 school year.

SECTION 4.67. (a) Except as provided by Subsection (b) or (c) of this section, this article takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this article takes effect September 1, 2025.

(b) Except as provided by Subsection (c) of this section, the amendments made by this article to Chapter 48, Education Code, take effect September 1, 2025.

(c) Sections 48.009(b), 48.102, 48.103(b), (c), and (d), and 48.279(e), Education Code, as amended by this article, and Sections 48.1021 and 48.1022, Education Code, as added by this article, take effect September 1, 2026.

ARTICLE 5. MEASURES TO SUPPORT EARLY CHILDHOOD EDUCATION

SECTION 5.01. Section 12.104(b), Education Code, is amended to read as follows:

- (b) An open-enrollment charter school is subject to:
 - (1) a provision of this title establishing a criminal offense;
 - (2) the provisions in Chapter 554, Government Code; and
 - (3) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:
 - (A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the agency [commissioner];
 - (B) criminal history records under Subchapter C, Chapter 22;
 - (C) reading and mathematics instruments and reading interventions [accelerated reading instruction programs] under Sections [Section] 28.006, 28.0063, and 28.0064;
 - (D) accelerated instruction under Section 28.0211;
 - (E) high school graduation requirements under Section 28.025;
 - (F) special education programs under Subchapter A, Chapter 29;
 - (G) bilingual education under Subchapter B, Chapter 29;

(H) prekindergarten programs under Subchapter E or E-1, Chapter 29, except class size limits for prekindergarten classes imposed under Section 25.112, which do not apply;

(I) extracurricular activities under Section 33.081;

(J) discipline management practices or behavior management techniques under Section 37.0021;

(K) health and safety under Chapter 38;

(L) the provisions of Subchapter A, Chapter 39;

(M) public school accountability and special investigations under Subchapters A, B, C, D, F, G, and J, Chapter 39, and Chapter 39A;

(N) the requirement under Section 21.006 to report an educator's misconduct;

(O) intensive programs of instruction under Section 28.0213;

(P) the right of a school employee to report a crime, as provided by Section 37.148;

(Q) bullying prevention policies and procedures under Section 37.0832;

(R) the right of a school under Section 37.0052 to place a student who has engaged in certain bullying behavior in a disciplinary alternative education program or to expel the student;

(S) the right under Section 37.0151 to report to local law enforcement certain conduct constituting assault or harassment;

(T) a parent's right to information regarding the provision of assistance for learning difficulties to the parent's child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

(U) establishment of residency under Section 25.001;

(V) school safety requirements under Sections 37.0814, 37.108, 37.1081, 37.1082, 37.1083, 37.1084, 37.1085, 37.1086, 37.109, 37.113, 37.114, 37.1141, 37.115, 37.207, and 37.2071 and Subchapter J, Chapter 37;

(W) the early childhood literacy and mathematics proficiency plans under Section 11.185;

(X) the college, career, and military readiness plans under Section 11.186; and

(Y) parental options to retain a student under Section 28.02124.

SECTION 5.02. The heading to Section 21.4552, Education Code, is amended to read as follows:

Sec. 21.4552. TEACHER LITERACY ACHIEVEMENT AND READING INTERVENTION ACADEMIES.

SECTION 5.03. Section 21.4552, Education Code, is amended by amending Subsections (b) and (d) and adding Subsections (d-1), (g), (h), and (i) to read as follows:

(b) A literacy achievement academy developed under this section:

(1) for teachers who provide reading instruction to students at the kindergarten or first, second, or third grade level:

(A) must include training in:

(i) effective and systematic instructional practices in reading, including phonemic awareness, phonics, fluency, vocabulary, and comprehension; and

(ii) the use of empirically validated instructional methods that are appropriate for struggling readers; and

(B) may include training in effective instructional practices in writing;

(2) for teachers who provide reading instruction to students at the fourth or fifth grade level:

(A) must include effective instructional practices that promote student development of reading comprehension and inferential and critical thinking;

(B) must provide training in the use of empirically validated instructional methods that are appropriate for struggling readers; and

(C) may include material on writing instruction;

(3) for teachers who provide reading instruction to students at the sixth, seventh, or eighth grade level, must include training in:

(A) strategies to be implemented in English language arts and other subject areas for multisyllable word reading, vocabulary development, and comprehension of expository and narrative text;

(B) an adaptation framework that enables teachers to respond to differing student strengths and needs, including adaptations for students of limited English proficiency or students receiving special education services under Subchapter A, Chapter 29;

(C) collaborative strategies to increase active student involvement and motivation to read; and

(D) other areas identified by the commissioner as essential components of reading instruction; and

(4) ~~for teachers who provide reading instruction to students at the seventh or eighth grade level, must include training in:~~

~~[(A) administration of the reading instrument required by Section 28.006(e 1); and~~

~~[(B) interpretation of the results of the reading instrument required by Section 28.006(e 1) and strategies, based on scientific research regarding effective reading instruction, for long term intensive intervention to target identified student needs in word recognition, vocabulary, fluency, and comprehension; and~~

~~[(5)]~~ for teachers who provide instruction in mathematics, science, or social studies to students at the sixth, seventh, or eighth grade level, must include training in:

(A) strategies for incorporating reading instruction into the curriculum for the subject area taught by the teacher; and

(B) other areas identified by the commissioner.

(d) Except as provided by Subsection (d-1), from funds provided under Section 48.108 or other available [From] funds [appropriated for that purpose], a classroom teacher who provides instruction to students in kindergarten through

third grade and completes [attends] a literacy achievement academy is entitled to receive a stipend from the school district in the amount determined by the commissioner. From funds appropriated for that purpose, a district may provide a stipend to a classroom teacher who provides instruction to students in a grade level above third grade. A stipend received under this subsection is not considered in determining whether a school district is paying the classroom teacher the minimum monthly salary under Section 21.402.

(d-1) A school district is not required to provide a stipend under Subsection (d) to a classroom teacher if the teacher:

(1) attends the literacy achievement academy as part of an educator preparation program in which the teacher is enrolled;

(2) attends the literacy achievement academy on a day or during hours of service included in the term of the teacher's contract; or

(3) is not directed or approved by the school district at which the teacher is employed to attend the literacy achievement academy.

(g) The agency shall develop a method for evaluating a literacy achievement academy to determine the effectiveness of the academy, including whether the academy improves teaching practices and student literacy proficiency. A school district or open-enrollment charter school shall provide any information requested by the agency for purposes of evaluating literacy achievement academies under this subsection.

(h) In addition to the literacy achievement academies developed under Subsection (a), the commissioner shall develop and make available reading intervention academies for teachers or other professionals who provide reading interventions to students who require targeted instruction in foundational reading skills.

(i) The commissioner may establish an advisory board to assist the agency in fulfilling the agency's duties under this section. A recommendation of the advisory board shall be made available to the public. Chapter 2110, Government Code, does not apply to an advisory board established under this subsection.

SECTION 5.04. The heading to Section 21.4553, Education Code, is amended to read as follows:

Sec. 21.4553. TEACHER MATHEMATICS ACHIEVEMENT AND INTERVENTIONIST ACADEMIES.

SECTION 5.05. Section 21.4553, Education Code, is amended by amending Subsection (d) and adding Subsections (d-1), (g), (h), and (i) to read as follows:

(d) Except as provided by Subsection (d-1), from funds provided under Section 48.108 or other available [From] funds [appropriated for that purpose], a classroom teacher who completes [attends] a mathematics achievement academy is entitled to receive a stipend from the school district in the amount determined by the commissioner. A stipend received under this subsection is not considered in determining whether a district is paying the classroom teacher the minimum monthly salary under Section 21.402.

(d-1) A school district is not required to provide a stipend under Subsection (d) to a classroom teacher if the teacher:

(1) attends the mathematics achievement academy as part of an educator preparation program in which the teacher is enrolled;

(2) attends the mathematics achievement academy on a day or during hours of service included in the term of the teacher's contract; or

(3) is not directed or approved by the school district at which the teacher is employed to attend the mathematics achievement academy.

(g) The agency shall develop a method for evaluating a mathematics achievement academy to determine the effectiveness of the academy, including whether the academy improves teaching practices and student math proficiency. A school district or open-enrollment charter school shall provide any information requested by the agency for purposes of evaluating mathematics achievement academies under this subsection.

(h) In addition to the mathematics achievement academies developed under Subsection (a), the commissioner shall develop and make available mathematics interventionist academies for a teacher or other professional who provides mathematics interventions to students who require targeted instruction in foundational mathematics skills.

(i) The commissioner may establish an advisory board to assist the agency in fulfilling the agency's duties under this section. A recommendation of the advisory board shall be made available to the public. Chapter 2110, Government Code, does not apply to an advisory board established under this subsection.

SECTION 5.06. Subchapter C, Chapter 25, Education Code, is amended by adding Section 25.0816 to read as follows:

Sec. 25.0816. ADDITIONAL DAYS SCHOOL YEAR PLANNING GRANT PROGRAM. (a) From money appropriated or otherwise available for the purpose, the agency shall establish and administer a grant program to provide funding and technical assistance to school districts and open-enrollment charter schools to plan the school year and adjust operations as necessary to qualify for the incentive funding under Section 48.0051.

(b) In awarding grants under the program, the agency shall prioritize school districts and open-enrollment charter schools that seek to maximize incentive funding under Section 48.0051.

(c) The agency may solicit and accept gifts, grants, and donations for purposes of this section.

SECTION 5.07. Section 25.085(d), Education Code, is amended to read as follows:

(d) Unless specifically exempted by Section 25.086, a student enrolled in a school district must attend:

(1) an extended-year program for which the student is eligible that is provided by the district for students identified as likely not to be promoted to the next grade level or tutorial classes required by the district under Section 29.084;

(2) a reading intervention program ~~[an accelerated reading instruction program]~~ to which the student is assigned under Section 28.0064 ~~[28.006(e)]~~;

(3) an accelerated instruction program to which the student is assigned under Section 28.0211;

(4) a basic skills program to which the student is assigned under Section 29.086; or

(5) a summer program provided under Section 37.008(l) or Section 37.021.

SECTION 5.08. The heading to Section 28.006, Education Code, is amended to read as follows:

Sec. 28.006. KINDERGARTEN READING READINESS [DIAGNOSIS].

SECTION 5.09. Section 28.006, Education Code, is amended by amending Subsections (a), (b), (b-1), (c-2), (c-3), (d), (f), and (h) and adding Subsection (n) to read as follows:

(a) The commissioner shall develop recommendations for school districts for:

(1) administering reading instruments to measure students' foundational literacy skills in ~~[diagnose student]~~ reading development and comprehension;

(2) training educators in administering the reading instruments; and

(3) applying the results of the reading instruments to the instructional program.

(b) The commissioner shall adopt a ~~[list of]~~ reading instrument ~~[instruments]~~ that a school district shall ~~[may]~~ use at the beginning of the school year to measure a kindergarten student's foundational literacy skills in ~~[diagnose student]~~ reading development and comprehension. A reading instrument adopted under this subsection may include other developmental skills as part of ~~[For use in diagnosing the reading development and comprehension of kindergarten students, the commissioner shall adopt]~~ a multidimensional assessment tool ~~[that includes a reading instrument and tests at least three developmental skills, including literacy. A multidimensional assessment tool administered as provided by this subsection is considered to be a reading instrument for purposes of this section. A district level committee established under Subchapter F, Chapter 11, may adopt a list of reading instruments for use in the district in a grade level other than kindergarten in addition to the reading instruments on the commissioner's list].~~ A ~~[Each]~~ reading instrument adopted by the commissioner ~~[or a district level committee]~~ must be based on scientific research concerning foundational literacy skills in reading ~~[skills]~~ development and ~~[reading]~~ comprehension and ~~[A list of reading instruments adopted under this subsection must]~~ provide for measuring ~~[diagnosing]~~ the foundational literacy skills in reading development and comprehension of students, including students participating in a program under Subchapter B, Chapter 29.

(b-1) The commissioner may approve not more than two ~~[an]~~ alternative reading instruments ~~[instrument]~~ for use in measuring ~~[diagnosing]~~ the foundational literacy skills in reading development and comprehension of kindergarten students that complies with the requirements under Subsection (b).

(c-2) Not later than the 60th day after the beginning of the school year, each ~~[Each]~~ school district shall administer at the kindergarten level a reading instrument adopted by the commissioner under Subsection (b) or approved by the

commissioner under Subsection (b-1). The district shall administer the reading instrument in accordance with the commissioner's recommendations under Subsection (a)(1) and policies developed by commissioner rule.

(c-3) The commissioner by rule shall determine the performance on a ~~[the]~~ reading instrument adopted or approved under this section ~~[Subsection (b)]~~ that indicates kindergarten readiness. Each reading instrument adopted or approved under this section must provide for the ability to compare the performance that indicates kindergarten readiness on that instrument with the performance that indicates kindergarten readiness on other instruments adopted or approved under this section.

(d) The superintendent of each school district shall:

(1) report to the commissioner and the board of trustees of the district at a public meeting of the board the results of a ~~[the]~~ reading instrument administered to students under this section ~~[instruments];~~

(2) not later than the earlier of the 20th school day or the 30th ~~[60th]~~ calendar day after the date on which the results of a reading instrument are available, ~~[was administered]~~ report, in writing or electronically, to a student's parent or guardian the student's results on the instrument; and

(3) using the school readiness certification system provided to the school district in accordance with Section 29.161(e), report electronically each student's raw score on the reading instrument to the agency for use in the school readiness certification system.

(f) The agency shall ensure ~~[at least one]~~ reading instruments adopted or approved [instrument for each grade level for which a reading instrument is required to be administered] under this section are ~~[is]~~ available to school districts at no cost.

(h) The school district shall make a good faith effort to ensure that the report ~~[notice]~~ required under Subsection (d)(2) ~~[this section]~~ is provided either in person or electronically ~~[by regular mail]~~ and that the report ~~[notice]~~ is clear and easy to understand and is written in English and in the parent or guardian's native language.

(n) Nothing in this section may be construed to circumvent or supplant federal or state law regarding a student who participates in a special education program under Subchapter A, Chapter 29, or a student who is suspected to have a disability and who may be eligible to participate in a special education program under that subchapter.

SECTION 5.10. Subchapter A, Chapter 28, Education Code, is amended by adding Sections 28.0063, 28.0064, 28.0065, and 28.0071 to read as follows:

Sec. 28.0063. EARLY LITERACY AND NUMERACY INSTRUMENTS.

(a) The commissioner shall adopt a list of reading and mathematics instruments approved or developed by the commissioner for use by school districts in kindergarten through grade three to measure students' foundational literacy skills in reading development and comprehension and foundational numeracy skills in mathematics.

(b) A reading or mathematics instrument adopted under Subsection (a) must:

- (1) be based on scientific research concerning, as applicable:
 - (A) foundational literacy skills in reading development and comprehension; or
 - (B) foundational numeracy skills in mathematics;
 - (2) be capable of being administered at the beginning, middle, and end of the school year;
 - (3) be designed to assess the performance of students in, as applicable:
 - (A) the foundational literacy skills components of the essential knowledge and skills adopted under Section 28.002 for language arts; or
 - (B) the foundational numeracy skills components of the essential knowledge and skills adopted under Section 28.002 for mathematics;
 - (4) be capable of monitoring student progress in a manner that allows school district staff to identify specific foundational literacy or numeracy skills in need of targeted instruction;
 - (5) assess whether a student's skills identified as in need of targeted instruction indicate that the student is at risk, as determined by the agency, of not achieving satisfactory performance on the third grade reading or mathematics assessment administered under Section 39.023;
 - (6) for a reading instrument for students in kindergarten and first grade, include the applicable elements and criteria to serve as the required screenings for dyslexia and related disorders under Section 38.003; and
 - (7) for a reading instrument, allow a school district to generate a report regarding a student's reading progress, including progress from previous administrations of the same instrument, that is clear and easy to understand that may be distributed to the student's parent in English, Spanish, or, to the extent practicable, any other language spoken by the parent.
- (c) The commissioner shall:
 - (1) update the list of reading and mathematics instruments adopted under Subsection (a) not less than once every four years;
 - (2) ensure the list adopted under Subsection (a) includes multiple reading and mathematics instruments;
 - (3) develop a process by which a school district may submit an instrument to the commissioner for approval; and
 - (4) make publicly available the criteria for the evaluation and approval of an instrument submitted to the commissioner.
- (d) The instruments adopted or approved under this section shall be administered as follows:
 - (1) for kindergarten, at the middle and end of the school year;
 - (2) for first and second grade, at the beginning, middle, and end of the school year; and
 - (3) for third grade, at the beginning and middle of the school year.
- (e) The commissioner shall align and determine comparability of the instruments administered under this section with the following instruments:
 - (1) an instrument adopted or approved under Section 28.006 that is administered to a kindergarten student at the beginning of the school year; and

(2) a third grade assessment instrument adopted or developed under Section 39.023 that is administered at the end of the school year for a third grade student.

(f) If the commissioner determines that an interim assessment instrument adopted under Section 39.023(o) provides the same intended outcomes as an instrument adopted or approved under this section, the commissioner may substitute that interim assessment instrument for an instrument adopted or approved under this section.

(g) A school district shall administer to students in kindergarten through third grade a reading instrument and a mathematics instrument adopted under Subsection (a) in accordance with requirements and recommendations established by the commissioner under this section, including requirements or recommendations related to:

(1) administering the instruments;

(2) training staff on the instruments; and

(3) applying the results of the instruments to the district's instructional program.

(h) The superintendent of each school district shall:

(1) report to the commissioner and the board of trustees of the district at a public meeting of the board the results of a reading or mathematics instrument administered to students under this section; and

(2) not later than the earlier of the 20th school day or the 30th calendar day after the date on which the results of a reading or mathematics instrument are available, report, in writing or electronically, to a student's parent or guardian:

(A) the student's results on the instrument;

(B) for a reading instrument, the report described by Subsection

(b)(7); and

(C) if the student is determined to be at risk for dyslexia or a related disorder based on the results of the reading instrument, information regarding that determination.

(i) The agency shall establish a list of reading and mathematics instruments adopted under Subsection (a) for which the agency has negotiated a price. A school district is not required to use a method provided by Section 44.031 to purchase an instrument on the list established under this subsection.

(j) A student's parent or guardian may submit a written request to the administrator of the campus at which the student is enrolled to opt the student out of the administration of a reading or mathematics instrument required under this section. A school district may not encourage or direct a parent or guardian to submit a written request under this subsection.

(k) The commissioner shall adopt rules as necessary to implement this section.

(l) Section 2001.0045, Government Code, does not apply to a rule adopted under this section.

(m) A school district may comply with the requirements of Subsection (g) by administering a reading or mathematics instrument selected by the board of trustees of the school district that meets the requirements of Subsection (b) until the commissioner adopts the list of reading and mathematics instruments under Subsection (a). This subsection expires September 1, 2029.

Sec. 28.0064. EARLY LITERACY INTERVENTION FOR CERTAIN STUDENTS. (a) If a student's results on two consecutive reading instruments administered under Section 28.0063 indicate that the student is at risk, as determined by the agency, of not achieving satisfactory performance in foundational literacy, a school district shall, as soon as practicable following the receipt of the student's results, provide reading interventions to the student.

(b) Reading interventions provided under Subsection (a) must:

(1) include targeted instruction in the foundational literacy skills identified as areas in need of targeted instruction by the reading instrument administered under Section 28.0063;

(2) ensure that the student receives the interventions during a period and at a frequency sufficient to address the areas described by Subdivision (1);

(3) include effective instructional materials designed for reading intervention;

(4) be provided by a person:

(A) with training in reading interventions and in the applicable instructional materials described by Subdivision (3); and

(B) under the oversight of the school district;

(5) to the extent possible, be provided by one person for the entirety of the student's reading intervention period; and

(6) meet any additional requirements adopted by the commissioner.

(c) A school district shall continue providing reading intervention to a student under this section until the earlier of the date on which:

(1) the student is no longer determined to be at risk, as determined by the agency, of not achieving satisfactory performance in foundational literacy on a reading instrument administered under Section 28.0063; or

(2) the student begins the fourth grade.

(d) In providing reading interventions under this section, a school district may not remove a student, except under circumstances for which a student enrolled in the same grade level who is not receiving reading interventions would be removed, from:

(1) instruction in the foundation curriculum and enrichment curriculum adopted under Section 28.002 for the grade level in which the student is enrolled;
or

(2) recess or other physical activity that is available to other students enrolled in the same grade level.

(e) The agency shall approve one or more products that use an automated, computerized, or other augmented method for providing reading interventions. The agency may approve a product under this subsection only if evidence indicates that the product is effective at promoting mastery of foundational literacy skills.

(f) Subject to appropriation, the agency shall ensure that at least one product approved under Subsection (e) is available to school districts at no or reduced cost.

(g) A student's parent or guardian may submit a written request to the administrator of the campus at which the student is enrolled to opt the student out of all or part of the reading intervention requirements under Subsection (b). A school district may not encourage or direct a parent or guardian to submit a written request under this subsection that would allow the district to not provide reading interventions to the student.

(h) A school district must provide to the parent or guardian of a student receiving reading interventions under this section the notice required under Section 26.0081(d).

(i) Nothing in this section may be construed to prevent or discourage reading interventions for a student whose results on a reading instrument administered under Section 28.0063 indicate that the student is at risk, as determined by the agency, of not achieving satisfactory performance in foundational literacy.

(j) Nothing in this section may be construed to circumvent or supplant federal or state law regarding a student who participates in a special education program under Subchapter A, Chapter 29, or a student who is suspected to have a disability and who may be eligible to participate in a special education program under that subchapter.

(k) The commissioner shall adopt rules as necessary to implement this section, including rules that define appropriate standards for implementing reading interventions that meet the requirements of Subsection (b).

(l) Section 2001.0045, Government Code, does not apply to a rule adopted under this section.

(m) A school district is not required to comply with the requirements of this section until the commissioner adopts a list of reading and mathematics instruments under Section 28.0063 and designates the first school year that districts must comply with this section. This subsection expires September 1, 2029.

Sec. 28.0065. ADAPTIVE VOCABULARY PILOT PROGRAM. (a) The agency shall develop and implement an adaptive vocabulary assessment pilot program to assess vocabulary development in students in kindergarten through third grade.

(b) The agency may develop an assessment under the pilot program to assess students in grades other than grades described by Subsection (a).

(c) Nothing in this section may be construed to circumvent or supplant federal or state law regarding a student who participates in a special education program under Subchapter A, Chapter 29, or a student who is suspected to have a disability and who may be eligible to participate in a special education program under that subchapter.

(d) The commissioner may adopt rules as necessary to implement this section.

Sec. 28.0071. MATHEMATICS TRAINING FOR KINDERGARTEN THROUGH EIGHTH GRADE. (a) Each school district and open-enrollment charter school shall ensure that:

(1) not later than the 2030-2031 school year, each classroom teacher that provides instruction in mathematics to students in kindergarten through eighth grade and each principal, assistant principal, mathematics instructional coach, and mathematics interventionist at a campus with one of those grade levels has attended a teacher mathematics achievement academy developed under Section 21.4553; and

(2) each classroom teacher and principal initially employed in a grade level or at a campus described by Subdivision (1) for the 2030-2031 school year or a subsequent school year has attended a teacher mathematics achievement academy developed under Section 21.4553 by the end of the teacher's or principal's first year of placement in that grade level or campus.

(b) The agency shall provide assistance to school districts and open-enrollment charter schools in complying with the requirements under this section.

(c) The agency shall:

(1) monitor the implementation of this section; and

(2) periodically report to the legislature on the implementation of this section and the effectiveness of this section in improving educational outcomes.

(d) The commissioner may adopt rules to implement this section.

SECTION 5.11. Subchapter B, Chapter 28, Education Code, is amended by adding Section 28.02111 to read as follows:

Sec. 28.02111. FIRST THROUGH THIRD GRADE SUPPLEMENTARY SUPPORTS. (a) The commissioner shall establish and administer a program designed to help improve student proficiency in reading by providing a grant in an amount provided under Section 48.317 through which the student's parent may purchase tutoring services from agency-approved providers to:

(1) a student at or below the third grade level who, beginning in the first grade, is required to be provided reading interventions under Section 28.0064; and

(2) a student who is required to be provided accelerated instruction under Section 28.0211(a-1) based on the student's third grade performance.

(b) The agency shall approve as a provider of tutoring services under this section a classroom teacher employed by a school district or open-enrollment charter school who:

(1) holds a current teacher designation under Section 21.3521; and

(2) submits the teacher's name to the agency to offer tutoring services designed to help improve student proficiency in reading.

(c) The agency shall:

(1) maintain a system of online accounts under which each student described by Subsection (a) is assigned an account for the student's parent to access the grant described by Subsection (a); and

(2) implement the program in a manner that ensures:

(A) ease of use for parents of students who are eligible for a grant under this section;

(B) fidelity of spending; and

(C) a parent of a student awarded a grant under this section is provided a period of one year from the date on which the grant is awarded to obtain services for which grant money may be used.

(d) A student may not receive more than one grant under Subsection (a)(1) and one grant under Subsection (a)(2) unless the legislature provides for additional grants by appropriation.

(e) The agency may reserve from the total amount of money available for purposes of the program an amount, not to exceed five percent of the total amount, to cover the agency's cost of administering the program.

(f) A school district or open-enrollment charter school in which a student who receives a grant under this section is enrolled remains subject to the requirements to provide reading interventions under Section 28.0064 and accelerated instruction under Section 28.0211, as applicable.

(g) A school district or open-enrollment charter school shall provide to the parent of a student described by Subsection (a) notice of the student's eligibility for a grant under this section, in a form and manner established by the agency.

(h) A decision by the commissioner regarding the program under this section is final and may not be appealed.

(i) The commissioner shall adopt rules as necessary to implement this section.

SECTION 5.12. Section 29.0031, Education Code, is amended by adding Subsection (e) to read as follows:

(e) A school district shall notify the parent of a student identified with dyslexia or a related disorder of the Talking Book Program administered by the Texas State Library and Archives Commission and other available audio book services.

SECTION 5.13. Section 29.153, Education Code, is amended by amending Subsections (b) and (g) and adding Subsections (g-1), (h), and (i) to read as follows:

(b) A child is eligible for enrollment in a prekindergarten class under this section if the child is at least three years of age and:

(1) is unable to speak and comprehend the English language;

(2) is educationally disadvantaged;

(3) is homeless, regardless of the residence of the child, of either parent of the child, or of the child's guardian or other person having lawful control of the child;

(4) is the child of an active duty member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who is ordered to active duty by proper authority;

(5) is the child of a member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who was injured or killed while serving on active duty;

(6) is or ever has been in:

(A) the conservatorship of the Department of Family and Protective Services following an adversary hearing held as provided by Section 262.201, Family Code; or

(B) foster care in another state or territory, if the child resides in this state; ~~or~~

(7) is the child of a person eligible for the Star of Texas Award as:

(A) a peace officer under Section 3106.002, Government Code;

(B) a firefighter under Section 3106.003, Government Code; or

(C) an emergency medical first responder under Section 3106.004, Government Code; or

(8) is the child of a person employed as a classroom teacher at a public primary or secondary school in the school district that offers a prekindergarten class under this section.

(g) Before a school district or open-enrollment charter school may construct, repurpose, or lease a classroom facility, or issue bonds for the construction or repurposing of a classroom facility, to provide the prekindergarten classes required under this section, the district or school must:

(1) solicit and consider proposals for partnerships to provide those classes with community-based child-care providers who:

(A) ~~(1)~~ are a Texas Rising Star Program provider with a three-star certification or higher;

(B) ~~(2)~~ are nationally accredited;

(C) ~~(3)~~ are a Head Start program provider;

(D) ~~(4)~~ are a Texas School Ready! participant; or

(E) ~~(5)~~ meet the requirements under Section 29.1532; and

(2) have received an official determination from a prekindergarten partnership intermediary designated under Subsection (g-1) that the providers from which the district or school has considered proposals under Subdivision (1) are unable to serve the students for whom the district or school plans to provide prekindergarten classes in the classroom facility to be constructed, repurposed, or leased.

(g-1) The commissioner shall designate at least four appropriate entities as prekindergarten partnership intermediaries to develop partnerships between school districts and open-enrollment charter schools and private prekindergarten providers. The agency shall develop guidelines for use by the prekindergarten partnership intermediaries regarding successful prekindergarten partnerships between school districts and open-enrollment charter schools and private prekindergarten providers.

(h) Notwithstanding any other law, a facility or location at which prekindergarten classes are provided by a school district or open-enrollment charter school in partnership with a private entity under this section:

(1) must comply with any municipal ordinance applicable to the operation of a private prekindergarten program; and

(2) may not be required to comply with any municipal ordinance applicable to the operation of a prekindergarten program by a school district or open-enrollment charter school.

(i) A partnership entered into between a school district or open-enrollment charter school and a private provider for a prekindergarten class under this section must provide for the provider to receive funding for each district or school student enrolled in the class in an amount that is not less than 85 percent of the amount of funding that the district or school receives for the student. Notwithstanding Section 7.056(e)(3)(I), the commissioner may waive the requirement under this subsection on request by a school district or open-enrollment charter school in accordance with Section 7.056.

SECTION 5.14. Section 29.1531, Education Code, is amended by amending Subsections (a) and (b) and adding Subsections (c) and (d) to read as follows:

(a) Except as provided by Subsection (c), a [A] school district may offer on a tuition basis or use district funds to provide:

(1) an additional half-day of prekindergarten classes to children who are eligible for classes under Section 29.153 and are under four years of age; and

(2) half-day and full-day prekindergarten classes to children not eligible for classes under Section 29.153.

(b) A district that offers a prekindergarten program on a tuition basis[:

[~~(4)~~] may not adopt a tuition rate for the program that is higher than necessary to cover the added costs of providing the program, including any costs associated with collecting, reporting, and analyzing data under Section 29.1532(c)[~~;~~and

[~~(2) must submit the proposed tuition rate to the commissioner for approval~~].

(c) A school district may offer a prekindergarten program on a tuition basis only if the district has received an official determination from a prekindergarten partnership intermediary designated under Section 29.153(g-1) that no private prekindergarten providers that meet the qualifications of Section 29.153(g)(1)(A), (B), (C), or (D) are available to serve the students for whom the district plans to charge tuition.

(d) The commissioner may adopt rules under this section, including rules establishing the manner in which a prekindergarten partnership intermediary may determine whether a private prekindergarten provider is available.

SECTION 5.15. Section 29.1543, Education Code, is amended to read as follows:

Sec. 29.1543. EARLY EDUCATION REPORTS. The agency shall produce and make available to the public on the agency's Internet website annual district and campus-level reports containing information from the previous school year on early education in school districts and open-enrollment charter schools. A report under this section must contain:

(1) the information required by Section 29.1532(c) to be reported through the Public Education Information Management System (PEIMS);

(2) a description of the [~~diagnostic~~] reading instruments administered in accordance with Section 28.006(c-2) [~~28.006(c) or (c-2)~~];

(3) the number of students who were administered a ~~[diagnostic]~~ reading instrument administered in accordance with Section 28.006(c-2) ~~[28.006(c) or (c-2)]~~;

(4) the number of students whose scores from a ~~[diagnostic]~~ reading instrument administered in accordance with Section 28.006(c-2) ~~[28.006(c) or (c-2)]~~ indicate kindergarten readiness in reading ~~[proficiency]~~;

(5) the number of kindergarten students who were enrolled in a prekindergarten program, including a program offered through a partnership under Section 29.153, in the previous school years [year] in the same district or school as the district or school in which the student attends kindergarten;

(6) the number and percentage of students who perform satisfactorily on the third grade reading or mathematics assessment instrument administered under Section 39.023, disaggregated by whether the student was eligible for free prekindergarten under Section 29.153;

(7) the number of students described by Subdivision (6) who attended kindergarten in the district, disaggregated by:

(A) whether the student met the kindergarten readiness standard on a ~~[the]~~ reading instrument adopted under Section 28.006;

(B) whether the student attended prekindergarten in the district, including a program offered through a partnership under Section 29.153; and

(C) the type of prekindergarten the student attended, if applicable; and

(8) the information described by Subdivisions (6) and (7) disaggregated by whether the student is educationally disadvantaged.

SECTION 5.16. Section 29.161(c), Education Code, is amended to read as follows:

(c) The system must:

(1) be reflective of research in the field of early childhood care and education;

(2) be well-grounded in the cognitive, social, and emotional development of young children;

(3) apply a common set of criteria to each program provider seeking certification, regardless of the type of program or source of program funding; and

(4) be capable of fulfilling the reporting and notice requirements of Section [Sections] 28.006(d) [and (g)].

SECTION 5.17. Section 29.167, Education Code, is amended by amending Subsections (b-1) and (b-3) and adding Subsection (b-4) to read as follows:

(b-1) Notwithstanding Subsection (b), each teacher for a prekindergarten class provided by an entity with which a school district contracts to provide a prekindergarten program must:

(1) be certified under Subchapter B, Chapter 21, to teach prekindergarten or supervised by a person who meets the requirements under Subsection (b); [and]

(2) have one of the following qualifications:

(A) at least two years' experience of teaching in a nationally accredited child care program or a Texas Rising Star Program and:

(i) a Child Development Associate (CDA) credential or another early childhood education credential approved by the agency; or

(ii) certification offered through a training center accredited by Association Montessori Internationale or through the Montessori Accreditation Council for Teacher Education; or

(B) a qualification described by Subsection (b)(2)(A), (D), (E), or (F); and

(3) when appropriate, be appropriately certified or be supervised by a person who is appropriately certified to provide effective instruction to emergent bilingual students, as defined by Section 29.052, enrolled in the prekindergarten program.

(b-3) Subsections (b-1), ~~[and]~~ (b-2), and (b-4) and this subsection expire September 1, 2029.

(b-4) Subsections (b-1) and (b-2) apply to any prekindergarten class provided by an entity with which a school district contracts to provide a prekindergarten program under Section 29.153.

SECTION 5.18. Sections 29.934(b) and (d), Education Code, are amended to read as follows:

(b) To apply to be designated as a resource campus under this section, the campus must have received an overall performance rating under Section 39.054 of D or F, or an overall performance rating under Section 39.054(a-4)(1) or 39.0546 of "Not Rated," for three ~~[four]~~ years over a 10-year period of time.

(d) To be designated as a resource campus, the campus must:

(1) implement a targeted improvement plan as described by Chapter 39A and establish a school community partnership team;

(2) adopt an accelerated campus excellence turnaround plan as provided by Section 39A.105(b) ~~[except that a classroom teacher who satisfies the requirements for demonstrated instructional effectiveness under Section 39A.105(b)(3) must also hold a current designation assigned under Section 21.3521];~~

(3) be in a school district that has adopted an approved local optional teacher designation system under Section 21.3521;

(4) satisfy certain staff criteria by:

(A) requiring a principal or teacher employed at the campus before the designation to apply for a position to continue at the campus;

(B) for a subject in the foundation curriculum under Section 28.002(a)(1):

(i) employing only teachers who have at least two ~~[three]~~ years of teaching experience; and

(ii) ensuring that at least 50 percent of teachers hold a current designation assigned under Section 21.3521;

(C) employing at least one school counselor for every 300 students; and

(D) employing at least one appropriately licensed professional to assist with the social and emotional needs of students and staff, who must be a:

(i) family and community liaison;

- (ii) clinical social worker;
- (iii) specialist in school psychology; or
- (iv) professional counselor;
- (5) implement a positive behavior program as provided by Section 37.0013;
- (6) implement a family engagement plan as described by Section 29.168;
- (7) develop and implement a plan to use high quality instructional materials;
- (8) if the campus is an elementary or middle school campus, operate the campus for a school year that qualifies for funding under Section 48.0051; and
- (9) annually submit to the commissioner data and information required by the commissioner to assess fidelity of implementation.

SECTION 5.19. Effective September 1, 2028, Section 29.934, Education Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) To apply to be designated as a resource campus under this section, the campus must have received an overall performance rating under Section 39.054 of D or F, or an overall performance rating under Section 39.054(a-4)(1) of "Not Rated," for three ~~four~~ years over a 10-year period of time.

(b-1) Notwithstanding Subsection (b), a campus may apply to be designated as a resource campus under this section if the campus received an overall performance rating under Section 39.054 of D or F, or an overall performance rating under Section 39.054(a-4)(1) or former Section 39.0546 of "Not Rated," for three years over a 10-year period of time. This subsection expires September 1, 2033.

SECTION 5.20. Section 31.0752, Education Code, is amended to read as follows:

Sec. 31.0752. OPEN EDUCATION RESOURCE INSTRUCTIONAL MATERIAL SUPPORT PROGRAM. (a) The agency shall develop and maintain a program to assist school districts and open-enrollment charter schools in adopting and using open education resource instructional material made available under this subchapter, including by assisting districts and schools to:

- (1) maintain the instructional flexibility of classroom teachers to address the needs of each student; and
- (2) schedule instructional periods in a manner that allows classroom teachers sufficient time to effectively prepare and present instructional material within the teacher's normal work day.

(b) The agency shall engage in efforts to meet the demand from school districts and open-enrollment charter schools that request assistance under this section for the 2024-2025 or 2025-2026 school year. A school district or open-enrollment charter school may apply assistance received under this subsection to offset the payment of costs related to implementing open education

resource instructional material, regardless of whether the district or school incurred the cost before receiving the assistance. This subsection expires September 1, 2027.

SECTION 5.21. Subchapter B-1, Chapter 31, Education Code, is amended by adding Section 31.0754 to read as follows:

Sec. 31.0754. COMMUNICATION REGARDING HIGH QUALITY INSTRUCTIONAL MATERIALS. (a) Notwithstanding Chapter 2113, Government Code, the commissioner may enter into contracts or agreements and engage in efforts to communicate information to parents, classroom teachers, school districts, and open-enrollment charter schools regarding the educational value, particularly the impact on reading and math achievement, of open education resource instructional materials made available under this subchapter, including activities to promote, market, and advertise the content included in and how to use those materials.

(b) The commissioner may use appropriated funds or funds appropriated for the development of open education resource instructional materials under this subchapter to pay for activities authorized under this section.

SECTION 5.22. Section 38.003, Education Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) The State Board of Education shall identify the necessary criteria and elements that provide for universal screening [Students enrolling in public schools in this state shall be screened or tested, as appropriate,] for dyslexia and related disorders for students [at appropriate times in accordance with a program approved by the State Board of Education. The program must include screening at the end of the school year of each student] in kindergarten and [each student in the] first grade.

(a-1) The criteria and elements identified under Subsection (a) must be included in the reading instruments adopted or approved under Section 28.0063 and administered in accordance with the timelines established under that section.

SECTION 5.23. Section 39.333, Education Code, is amended to read as follows:

Sec. 39.333. REGIONAL AND DISTRICT LEVEL REPORT. As part of the comprehensive biennial report under Section 39.332, the agency shall submit a regional and district level report covering the preceding two school years and containing:

(1) a summary of school district compliance with the student/teacher ratios and class-size limitations prescribed by Sections 25.111 and 25.112, including:

(A) the number of campuses and classes at each campus granted an exception from Section 25.112; and

(B) for each campus granted an exception from Section 25.112, a statement of whether the campus has been awarded a distinction designation under Subchapter G or has been identified as an unacceptable campus under Chapter 39A;

(2) a summary of the exemptions and waivers granted to campuses and school districts under Section 7.056 or 39.232 and a review of the effectiveness of each campus or district following deregulation;

(3) an evaluation of the performance of the system of regional education service centers based on the indicators adopted under Section 8.101 and client satisfaction with services provided under Subchapter B, Chapter 8; and

(4) ~~[an evaluation of accelerated instruction programs offered under Section 28.006, including an assessment of the quality of such programs and the performance of students enrolled in such programs; and~~

~~[(5)]~~ the number of classes at each campus that are currently being taught by individuals who are not certified in the content areas of their respective classes.

SECTION 5.24. Section 48.0051, Education Code, is amended by amending Subsections (a), (b), and (d) and adding Subsection (b-1) to read as follows:

(a) ~~The [Subject to Subsection (a-1), the]~~ commissioner shall adjust the average daily attendance of a school district or open-enrollment charter school under Section 48.005 in the manner provided by Subsection (b) if the district or school:

(1) provides the minimum number of minutes of operational and instructional time required under Section 25.081 and commissioner rules adopted under that section over at least 175 ~~[180]~~ days of instruction; and

(2) offers an additional 30 days of half-day instruction for students enrolled in prekindergarten through eighth ~~[fifth]~~ grade.

(b) Subject to Subsection (b-1), for [For] a school district or open-enrollment charter school described by Subsection (a), the commissioner shall increase the average daily attendance of the district or school under Section 48.005 by the amount that results from the quotient of the sum of attendance by students described by Subsection (a)(2) for each of the 30 additional instructional days of half-day instruction that are provided divided by 175 ~~[180]~~.

(b-1) For a school district or open-enrollment charter school described by Subsection (a) that provides at least 200 full days of instruction to students described by Subsection (a)(2), the commissioner shall increase the amount computed for the district or school under Subsection (b) by 50 percent.

(d) This section does not prohibit a school district from providing the minimum number of minutes of operational and instructional time required under Section 25.081 and commissioner rules adopted under that section over fewer than 175 ~~[180]~~ days of instruction.

SECTION 5.25. Subchapter A, Chapter 48, Education Code, is amended by adding Section 48.0052 to read as follows:

Sec. 48.0052. INCENTIVE FOR ADDITIONAL INSTRUCTIONAL DAYS FOR READING INTERVENTIONS. (a) The commissioner shall adjust the average daily attendance of a school district or open-enrollment charter school under Section 48.005 in the manner provided by Subsection (b) if the district or school:

(1) does not qualify for funding under Section 48.0051;

(2) provides the minimum number of minutes of operational and instructional time required under Section 25.081 and commissioner rules adopted under that section; and

(3) offers up to an additional 30 days of half-day instruction consisting of reading interventions described by Section 28.0064 for students who are required to be provided reading interventions under that section.

(b) For a school district or open-enrollment charter school described by Subsection (a), the commissioner shall increase the average daily attendance of the district or school under Section 48.005 by 50 percent of the amount that results from the quotient of the sum of attendance by students described by Subsection (a)(3) for each of the additional instructional days of half-day instruction that are provided divided by 175.

(c) The agency shall assist school districts and open-enrollment charter schools in qualifying for the incentive under this section.

(d) The commissioner shall adopt rules necessary for the implementation of this section.

SECTION 5.26. Section 48.108, Education Code, is amended by amending Subsections (a), (b), and (c) and adding Subsection (a-1) to read as follows:

(a) For each student in average daily attendance in kindergarten through third grade, a school district is entitled to an annual allotment equal to the basic allotment multiplied by 0.01.

(a-1) In addition to the allotment under Subsection (a), a school district is entitled to an annual allotment equal to the basic allotment multiplied by 0.1 for each student in average daily attendance in kindergarten through third grade who [0.1 if the student] is:

(1) educationally disadvantaged; or

(2) an emergent bilingual student, as defined by Section 29.052, and is in a bilingual education or special language program under Subchapter B, Chapter 29.

(b) Funds allocated under this section must be used to fund:

(1) the attendance of teachers employed by the district at teacher literacy achievement academies under Section 21.4552 or teacher mathematics achievement academies under Section 21.4553;

(2) prekindergarten programs under Subchapters E and E-1, Chapter 29; and

(3) programs and services designed to improve student performance in reading and mathematics in prekindergarten through third grade, including programs and services designed to assist the district in achieving the goals set in the district's early childhood literacy and mathematics proficiency plans adopted under Section 11.185.

(c) A school district is entitled to an allotment under each subdivision of Subsection (a-1) [a-1] for which a student qualifies.

SECTION 5.27. Subchapter C, Chapter 48, Education Code, is amended by adding Sections 48.1081 and 48.122 to read as follows:

Sec. 48.1081. DISTRIBUTION OF CERTAIN EARLY EDUCATION ALLOTMENT MONEY FOR PURPOSES OF FULL-DAY PREKINDERGARTEN. (a) This section applies only to money to which a school district is entitled under Section 48.108(a-1).

(b) Notwithstanding any other provision of this chapter, from the total amount of money to which school districts are entitled under Section 48.108(a-1), the agency shall, instead of providing money to which this section applies to school districts in accordance with Section 48.108(a-1), distribute that money as follows:

(1) provide to each school district that operates a full-day program under Section 29.153(c), funding under this chapter based on one-half of the average daily attendance calculated under Section 48.005 for each student in that program; and

(2) if any amount remains after distributing money under Subdivision (1), provide to each school district an amount that is proportional to the district's entitlement under Section 48.108(a-1).

Sec. 48.122. EARLY LITERACY INTERVENTION ALLOTMENT. (a) Except as provided by Subsections (b) and (c), for each enrolled student receiving reading interventions under Section 28.0064, a school district is entitled to an annual allotment of \$250, or a greater amount provided by appropriation.

(b) A school district may not receive funding under this section for a student for which the district receives an allotment under Section 48.103.

(c) A school district may receive funding under this section for not more than 10 percent of students enrolled in the district in kindergarten through third grade.

SECTION 5.28. Subchapter G, Chapter 48, Education Code, is amended by adding Section 48.317 to read as follows:

Sec. 48.317. THIRD GRADE SUPPLEMENTARY SUPPORTS GRANT; FUNDING ADJUSTMENT. (a) A student to whom the agency provides a grant under Section 28.02111 is entitled to receive an amount of \$400 for each grant for which the student is eligible under that section, or a greater amount provided by appropriation.

(b) A student may receive only one grant under Section 28.02111(a)(1) and one grant under Section 28.02111(a)(2) unless the legislature provides for additional grants by appropriation.

(c) Subject to Subsection (d), beginning with the 2030-2031 school year, the agency shall reduce the school district's entitlement under this chapter each school year by the total amount of grant money received by a student under Subsection (a) for each student who:

(1) fails to perform satisfactorily on the third grade reading assessment instrument administered under Section 39.023(a);

(2) received and used a grant under Section 28.02111; and

(3) was enrolled in the district from kindergarten through third grade.

(d) For a student described by Subsection (c) who is eligible to participate in a school district's special education program under Section 29.003, the agency shall reduce the district's entitlement in accordance with Subsection (c) by one-half of the amount determined for the student under that subsection.

(e) Notwithstanding Section 7.057, a determination by the commissioner under this section is final and may not be appealed.

SECTION 5.29. The following provisions of the Education Code are repealed:

- (1) Section 7.058;
- (2) Sections 28.006(c), (c-1), (g), (g-1), (g-2), (i), (j), and (k); and
- (3) Section 28.007.

SECTION 5.30. To the extent of any conflict between the changes made to the Education Code by this article and the changes made to the Education Code by another Act of the 89th Legislature, Regular Session, 2025, the changes made by this article prevail.

SECTION 5.31. (a) Except as provided by Subsection (b) of this section, Sections 12.104, 21.4552, 21.4553, 25.085, 28.006, 29.153, 29.1543, 29.167, 29.934, and 39.333, Education Code, as amended by this article, and Sections 28.0063, 28.0064, 28.0065, and 28.02111, Education Code, as added by this article, apply beginning with the 2025-2026 school year.

(b) Sections 29.153(g) and 29.1531, Education Code, as amended by this article, apply beginning with the 2027-2028 school year.

SECTION 5.32. (a) Sections 48.0051 and 48.108, Education Code, as amended by this article, and Sections 48.0052, 48.1081, 48.122, and 48.317, Education Code, as added by this article, take effect September 1, 2025.

(b) Except as provided by Subsection (a) of this section or as otherwise provided by this article, this article takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this article takes effect September 1, 2025.

ARTICLE 6. COLLEGE, CAREER, AND MILITARY READINESS

SECTION 6.01. Section 4.002, Education Code, is amended to read as follows:

Sec. 4.002. PUBLIC EDUCATION ACADEMIC GOALS. To serve as a foundation for a well-balanced and appropriate education:

GOAL 1: The students in the public education system will demonstrate exemplary performance in the reading and writing of the English language.

GOAL 2: The students in the public education system will demonstrate exemplary performance in the understanding of mathematics.

GOAL 3: The students in the public education system will demonstrate exemplary performance in the understanding of science.

GOAL 4: The students in the public education system will demonstrate exemplary performance in the understanding of social studies.

GOAL 5: The students who graduate high school in the public education system will have the skills and credentials necessary to immediately enter this state's workforce.

GOAL 6: The students who graduate high school in the public education system and who elect to pursue postsecondary education will be ready for postsecondary coursework without the need for remediation.

SECTION 6.02. Subchapter B, Chapter 7, Education Code, is amended by adding Sections 7.0405 and 7.043 to read as follows:

Sec. 7.0405. POSTING OF POSTSECONDARY OUTCOMES. (a) Subject to Subsection (b), the agency shall post on the agency's Internet website the following de-identified data, disaggregated by school district or open-enrollment charter school, high school campus, and annual cohort for the 10 most recent annual cohorts:

(1) for students who graduate from high school:

(A) the number and percentage of students who enroll in, enroll in remedial postsecondary coursework as part of, persist for at least one year in, or complete a postsecondary degree, certificate, or other credentialing program, disaggregated by program and postsecondary educational institution; and

(B) employment status, occupation, industry, wage, and county of employment and residence, as reported under Section 204.0025, Labor Code; and

(2) for students who did not graduate from high school:

(A) the highest grade level completed;

(B) the number of uncompleted credits required for the student to graduate;

(C) employment status, occupation, industry, wage, and county of employment and residence, as reported under Section 204.0025, Labor Code; and

(D) whether the student has earned a high school equivalency certificate.

(b) The agency shall post the data required under Subsection (a) in a manner that complies with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g) and may, if necessary to comply with that act, create a private portal for school district board of trustees or open-enrollment charter school governing body members, school administrators, and school counselors at a high school to access data for the member's, administrator's, or counselor's school district or open-enrollment charter school.

(c) The agency shall ensure the data posted under Subsection (a) is made available to:

(1) school district board of trustees and open-enrollment charter school governing body members and superintendents to assist in adopting college, career, and military readiness plans under Section 11.186; and

(2) school counselors at a high school to assist the counselors in performing the duties under Section 33.007.

Sec. 7.043. STATEWIDE GOAL FOR CAREER READINESS. (a) Using the data posted under Section 7.0405(a), the agency shall create a quantifiable statewide goal for public school students to achieve career readiness, including by attaining a workforce-aligned credential while in high school.

(b) The agency shall update the goal created under Subsection (a) at least once every five years.

SECTION 6.03. Section 11.186, Education Code, is amended by amending Subsections (b) and (c) and adding Subsections (d), (e), and (f) to read as follows:

(b) Each plan adopted under Subsection (a) must:

(1) identify annual goals for students in each group evaluated under the closing the gaps domain under Section 39.053(c)(3);

(2) include an annual goal ~~[goals]~~ for aggregate student growth on each college, career, and military readiness indicator ~~[indicators]~~ evaluated under the student achievement domain under Section 39.053(c)(1);

(3) include specific annual goals for student completion of postsecondary credentials, including industry-based credentials, level one or level two certificates as defined by the agency, and associate degrees, while enrolled in high school;

(4) include annual goals for the outcomes of the district's annual graduates at one, three, and five years after graduation from high school, including goals for:

(A) the rate of enrollment at a postsecondary educational institution;

(B) the percentage of graduates who enroll at a postsecondary educational institution and do not require remedial postsecondary coursework;

(C) the rate of persistence at a postsecondary educational institution in each of the first two years of enrollment;

(D) the rate of completion of a postsecondary degree, certificate, or other credentialing program; and

(E) wages earned;

(5) assign at least one district-level administrator or employee of the regional education service center for the district's region to:

(A) coordinate implementation of the plan; and

(B) submit an annual report to the board of trustees, the agency, and the Legislative Budget Board on the district's performance and progress toward the goals set under the plan; and

(6) ~~[(4)]~~ be reviewed and approved by majority vote annually by the board of trustees at a public meeting.

(c) In identifying and including goals in each plan adopted under Subsection (a) as provided by Subsection (b), the board of trustees shall use longitudinal student outcomes data posted under Section 7.0405(a) and any other resources available to the board.

(d) A school district shall post the annual report described by Subsection (b)(5)(B) ~~[(b)(3)(B)]~~ on the district's Internet website and on the Internet website, if any, of each campus in the district not later than two weeks before the date of the public meeting at which the report is reviewed and approved as required by Subsection (b)(6). The district shall update the annual report on each Internet website if any modifications are made to the report by the board of trustees.

(e) The commissioner by rule shall establish a deadline for the submission of the annual reports described by Subsection (b)(5)(B). The agency shall compile and make publicly accessible on the agency's Internet website the annual reports.

(f) The agency may evaluate the goals identified or included in an annual report described by Subsection (b)(5)(B) to determine whether those goals align with state secondary, postsecondary, and workforce goals.

SECTION 6.04. Section 28.0095, Education Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) Notwithstanding Subsection (c)(1)(A), a student otherwise described by Subsection (c) is eligible to enroll at no cost in a dual credit course under the program if the student has graduated from high school but is:

(1) enrolled in a school district or open-enrollment charter school at a campus designated as a P-TECH school under Section 29.556 or in a school district participating in a partnership under Section 29.912; and

(2) completing a course of study offered through an articulation agreement or memorandum of understanding with an institution of higher education and the district or school described by Subdivision (1), as applicable, under the Pathways in Technology Early College High School (P-TECH) program under Subchapter N, Chapter 29, or the Rural Pathway Excellence Partnership (R-PEP) program under Section 29.912.

SECTION 6.05. Section 29.182(b), Education Code, is amended to read as follows:

(b) The state plan must include procedures designed to ensure that:

(1) all secondary and postsecondary students have the opportunity to participate in career and technology education programs;

(2) the state complies with requirements for supplemental federal career and technology education funding;

(3) career and technology education is established as a part of the total education system of this state and constitutes an option for student learning that provides a rigorous course of study consistent with the required curriculum under Section 28.002 and under which a student may receive specific education in a career and technology program that:

(A) incorporates competencies leading to academic and technical skill attainment;

(B) leads to:

(i) an industry-recognized license, credential, or certificate; or

(ii) at the postsecondary level, an associate or baccalaureate degree;

(C) includes opportunities for students to earn college credit for coursework; and

(D) includes, as an integral part of the program, participation by students and teachers in activities of career and technical student organizations supported by the agency and the State Board of Education; ~~and~~

(4) a school district provides, to the greatest extent possible, to a student participating in a career and technology education program opportunities to enroll in dual credit courses designed to lead to a degree, license, or certification as part of the program; and

(5) a course of study offered under a Junior Reserve Officers' Training Corps program established under 10 U.S.C. Section 2031 is considered a career and technology education program.

SECTION 6.06. Sections 29.190(a-1), (b), and (c), Education Code, are amended to read as follows:

(a-1) A student may not receive more than two subsidies [~~one subsidy~~] under this section.

(b) A teacher is entitled to a subsidy under this section if the teacher passes a certification examination related to career and technology education [~~cybersecurity~~].

(c) On approval by the commissioner, the agency shall pay each school district an amount equal to the cost paid by the district for a certification examination under this section, including any costs paid for associated fingerprinting or criminal history record information review. To obtain reimbursement for a subsidy paid under this section, a district must:

(1) pay the costs described by this subsection [~~fee for the examination~~]; and

(2) submit to the commissioner a written application on a form prescribed by the commissioner stating the amount of the costs [~~fee~~] paid under Subdivision (1) [~~for the certification examination~~].

SECTION 6.07. Subchapter Z, Chapter 29, Education Code, is amended by adding Section 29.9016 to read as follows:

Sec. 29.9016. MILITARY PATHWAY GRANT PROGRAM. (a) The agency shall establish a grant program to provide money to school districts to implement a program under which the district:

(1) establishes a Junior Reserve Officers' Training Corps program under 10 U.S.C. Section 2031 for students enrolled in high school in the district;

(2) annually administers the Armed Services Vocational Aptitude Battery test to each student participating in the program described by Subdivision (1); and

(3) provides college and career counseling at least once per year to each student administered the Armed Services Vocational Aptitude Battery test under Subdivision (2) based on the results of the test.

(b) The amount of each grant awarded under the grant program is \$50,000.

(c) The total amount of grants awarded under the grant program for a school year may not exceed \$2 million.

SECTION 6.08. Section 29.912, Education Code, is amended by adding Subsection (c-1) and amending Subsection (j) to read as follows:

(c-1) A school district that has participated in the program may continue to participate in the program regardless of the number of students in average daily attendance in the district for the current school year.

(j) The commissioner shall make grants available for use by a coordinating entity for a two-year period to assist with costs associated with the planning, development, establishment, or expansion, as applicable, of partnerships under the program using [a portion of state funds allocated under Section 48.118 as well as] money appropriated for that purpose, federal funds, and any other funds

available. The commissioner may award a grant only to a coordinating entity that has entered into a performance agreement approved under Subsection (i) or, if in the planning stage, has entered into a memorandum of understanding to enter into a performance agreement, unless the source of funds does not permit a grant to the coordinating entity, in which case the grant shall be made to a participating school district acting as fiscal agent. Eligible use of grant funds shall include planning, development, establishment, or expansion of partnerships under the program. The commissioner may use not more than 15 percent of the money allocated for the grants to cover the cost of administering grants awarded under the program and to provide technical assistance and support to partnerships under the program. The total amount of grants awarded under this subsection for a school year may not exceed \$5 million.

SECTION 6.09. Section 33.007, Education Code, is amended by amending Subsection (b) and adding Subsection (d) to read as follows:

(b) During the first school year a student is enrolled in a high school or at the high school level in an open-enrollment charter school, and again during each year of a student's enrollment in high school or at the high school level, a school counselor shall provide information about postsecondary education to the student and the student's parent or guardian. The information must include information regarding:

(1) the importance of postsecondary education, including career readiness and workforce training opportunities;

(2) the advantages of earning an endorsement and a performance acknowledgment and completing the distinguished level of achievement under the foundation high school program under Section 28.025;

(3) the disadvantages of taking courses to prepare for a high school equivalency examination relative to the benefits of taking courses leading to a high school diploma;

(4) financial aid eligibility;

(5) instruction on how to apply for federal financial aid;

(6) the center for financial aid information established under Section 61.0776;

(7) the automatic admission of certain students to general academic teaching institutions as provided by Section 51.803;

(8) the eligibility and academic performance requirements for the TEXAS Grant as provided by Subchapter M, Chapter 56;

(9) the availability of programs in the district under which a student may earn college credit, including advanced placement programs, dual credit programs, joint high school and college credit programs, and international baccalaureate programs;

(10) the availability of education and training vouchers and tuition and fee waivers to attend an institution of higher education as provided by Section 54.366 for a student who is or was previously in the conservatorship of the Department of Family and Protective Services; ~~and~~

(11) the availability of college credit awarded by institutions of higher education to veterans and military servicemembers for military experience, education, and training obtained during military service as described by the informational materials developed under Section 302.0031(h), Labor Code;

(12) opportunities to complete career training and obtain a postsecondary credential while enrolled in high school, whether at the student's campus, another campus in the school district or open-enrollment charter school, or an educational institution that partners with the district or school, including information regarding program costs, program completion rates, and the average wages of students who complete the program; and

(13) the outcomes of graduates from the campus and school district or open-enrollment charter school in which the student is enrolled, including completion rates and average wages based on postsecondary pathways available to those graduates at the campus, district, or school using data posted under Section 7.0405(a).

(d) The agency shall make available to school counselors an annual online training regarding statewide trends identified in the data posted under Section 7.0405(a). The training must include information to assist school counselors in identifying the postsecondary outcomes for students at the counselor's campus and school district or open-enrollment charter school for purposes of performing the counselor's duties under this section.

SECTION 6.10. The heading to Section 39.0261, Education Code, is amended to read as follows:

Sec. 39.0261. COLLEGE PREPARATION AND CAREER READINESS ASSESSMENTS.

SECTION 6.11. Section 39.0261(a), Education Code, is amended to read as follows:

(a) In addition to the assessment instruments otherwise authorized or required by this subchapter:

(1) each school year and at state cost, a school district may administer to students in the spring of the eighth grade an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument for the purpose of diagnosing the academic strengths and deficiencies of students before entrance into high school;

(2) each school year and at state cost, a school district may administer to students in the 10th grade an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument for the purpose of measuring a student's progress toward readiness for college and the workplace; and

(3) high school students in the spring of the 11th grade or during the 12th grade may select and take once, at state cost:

(A) one of the valid, reliable, and nationally norm-referenced assessment instruments used by colleges and universities as part of their undergraduate admissions processes; ~~or~~

(B) the assessment instrument designated by the Texas Higher Education Coordinating Board under Section 51.334; or

(C) a nationally recognized career readiness assessment instrument that measures foundational workforce skills approved by commissioner rule.

SECTION 6.12. Section 39.053, Education Code, is amended by amending Subsections (a), (c), and (f) and adding Subsections (c-4), (f-1), (f-2), (f-3), and (f-4) to read as follows:

(a) The commissioner shall adopt a set of indicators of the quality of learning and achievement, including the indicators under Subsection (c). The commissioner periodically shall review the indicators for the consideration of appropriate revisions and may, if the commissioner determines an indicator otherwise required under this subchapter is not valid or reliable, exclude the indicator from the set of indicators adopted under this section.

(c) School districts and campuses must be evaluated based on three domains of indicators of achievement adopted under this section that include:

(1) in the student achievement domain, indicators of student achievement that must include:

(A) for evaluating the performance of districts and campuses generally:

(i) an indicator that accounts for the results of assessment instruments required under Sections 39.023(a), (c), and (l), as applicable for the district and campus, including the results of assessment instruments required for graduation retaken by a student, aggregated across grade levels by subject area, including:

(a) for the performance standard determined by the commissioner under Section 39.0241(a), the percentage of students who performed satisfactorily on the assessment instruments, aggregated across grade levels by subject area; and

(b) for the college readiness performance standard as determined under Section 39.0241, the percentage of students who performed satisfactorily on the assessment instruments, aggregated across grade levels by subject area; and

(ii) an indicator that accounts for the results of assessment instruments required under Section 39.023(b), as applicable for the district and campus, including the percentage of students who performed satisfactorily on the assessment instruments, as determined by the performance standard adopted by the agency, aggregated across grade levels by subject area; and

(B) for evaluating the performance of high school campuses and districts that include high school campuses, indicators that account for:

(i) students who satisfy the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board under Section 51.334 on an assessment instrument in reading or mathematics designated by the coordinating board under that section;

(ii) students who satisfy relevant performance standards on advanced placement tests or similar assessments;

(iii) students who earn dual course credits in the dual credit courses;

(iv) students who demonstrate military readiness:

(a) through verified enlistment ~~[enlist]~~ in the armed forces of the United States or the Texas National Guard; or

(b) by achieving a passing score set by the commissioner on the Armed Services Vocational Aptitude Battery Test and successfully completing a Junior Reserve Officers' Training Corps program established under 10 U.S.C. Section 2031;

(v) students who earn industry certifications;

(vi) students admitted into postsecondary industry certification programs that require as a prerequisite for entrance successful performance at the secondary level;

(vii) students whose successful completion of a course or courses under Section 28.014 indicates the student's preparation to enroll and succeed, without remediation, in an entry-level general education course for a baccalaureate degree or associate degree;

(viii) students who successfully met standards on a composite of indicators that through research indicates the student's preparation to enroll and succeed, without remediation, in an entry-level general education course for a baccalaureate degree or associate degree;

(ix) high school graduation rates, computed in accordance with standards and definitions adopted in compliance with the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.) subject to the exclusions provided by Subsections (g), (g-1), (g-2), (g-3), and (g-4);

(x) students who successfully completed an OnRamps dual enrollment course;

(xi) students who successfully completed a practicum or internship approved by the State Board of Education;

(xii) students who are awarded an associate degree; and

(xiii) students who successfully completed a program of study in career and technical education;

(2) in the school progress domain, indicators for effectiveness in promoting student learning, which must include:

(A) for assessment instruments, including assessment instruments under Subdivisions (1)(A)(i) and (ii), the percentage of students who met the standard for improvement, as determined by the commissioner; and

(B) for evaluating relative performance, the performance of districts and campuses compared to similar districts or campuses; and

(3) in the closing the gaps domain, the use of disaggregated data to demonstrate the differentials among students from different racial and ethnic groups and [7] socioeconomic backgrounds~~[, and other factors, including:~~

~~[(A) students formerly receiving special education services;~~

~~[(B) students continuously enrolled; and~~

~~[(C) students who are mobile].~~

(c-4) The agency shall study the college, career, and military readiness indicators adopted under Subsection (c) to determine the correlation of each indicator with postsecondary success, including the correlation of industry certifications with wages and available jobs. The value assigned to each indicator must be:

(1) based on the strength of the indicator's correlation with successful outcomes; and

(2) updated in accordance with Subsection (f-1).

(f) Annually, the commissioner shall define and may modify the state standards ~~[standard for the current school year]~~ for each ~~[achievement]~~ indicator adopted under this subchapter in ~~[section. In]~~ consultation with educators, parents, and business and industry representatives, as necessary. The ~~[, the]~~ commissioner shall increase the rigor by which the commissioner determines the overall performance ratings under Section 39.054(a) ~~[establish and modify standards]~~ to continuously improve student performance to, not later than the 15th year after the date the commissioner modifies the performance standards under Subsection (f-1), achieve the goals of:

(1) eliminating achievement gaps based on race, ethnicity, and socioeconomic status; and

(2) ensuring ~~[to ensure]~~ this state ranks nationally ~~[is a national leader]~~ in the top five states in preparing students for postsecondary success and on the National Assessment of Educational Progress or its successor assessment.

(f-1) Beginning with the indicators adopted for the 2027-2028 school year and as required to meet the goals under Subsection (f), the commissioner shall increase the scores needed to achieve performance standards on indicators adopted under this subchapter only every fifth school year unless an indicator adopted under Subsection (c) requires adjustment before that school year to ensure consistency of performance standards.

(f-2) To the extent practicable, for each of the two school years preceding a school year the commissioner increases a score under Subsection (f-1), the commissioner shall report, in a manner that can be reviewed by school administrators, the overall performance of school districts and campuses under that increased score.

(f-3) In reporting the performance of school districts and campuses on indicators adopted under this subchapter for a school year in which the score needed to achieve performance standards on one or more of those indicators was increased under Subsection (f-1), the commissioner shall include in the report an informational report on the performance of districts and campuses during the preceding school year under the increased score.

(f-4) Notwithstanding Subsection (f), the commissioner may define state standards for an indicator adopted under this subchapter for multiple school years provided that the commissioner annually affirms that those standards are applicable to the current school year. The commissioner is not required to adopt the affirmation described by this subsection by rule.

SECTION 6.13. Subchapter C, Chapter 39, Education Code, is amended by adding Section 39.0531 to read as follows:

Sec. 39.0531. INDUSTRY CERTIFICATION LIST. (a) The agency shall maintain a list of industry certifications that are eligible for purposes of Section 39.053(c)(1)(B)(v). In developing the list, the agency shall consider the inventory of industry-recognized certifications developed under Section 312.003, Labor Code. The certifications must:

(1) be aligned to a program of study that, according to labor market data, prepares students for high-wage, high-skill, in-demand occupations;

(2) allow students to demonstrate mastery of the skills required for occupations within an approved program of study; and

(3) be obtained through an assessment of the knowledge and skills provided by or determined by an independent, third-party certifying entity using predetermined standards for knowledge, skills, and competencies.

(b) The agency shall review the eligibility of industry certifications under Subsection (a), including whether the programs of study for those certifications still meet the requirements under that subsection:

(1) in consultation with the advisory council established under Chapter 312, Labor Code; and

(2) to the extent practicable, concurrently with the modification of performance standards under Section 39.053(f-1).

(c) If, after reviewing an industry certification under Subsection (b), the agency determines the certification is no longer eligible for purposes of Section 39.053(c)(1)(B)(v) and should be removed from the list maintained under Subsection (a), the agency shall, to the extent practicable, post on the agency's Internet website information regarding the removal of the certification not later than two years before the date the agency intends to remove the certification from the list.

(d) During the three years following an agency's determination under Subsection (c) that an industry certification is no longer eligible for purposes of Section 39.053(c)(1)(B)(v), a school district may receive the benefit of achievement indicators based on that industry certification for purposes of Section 39.053(c) only for a cohort of students who:

(1) were participating in the program of study aligned with that certification during the school year the agency determines the certification is no longer eligible; and

(2) earn the certification within the three-year period.

SECTION 6.14. Section 45.105(c), Education Code, is amended to read as follows:

(c) Local school funds from district taxes, tuition fees of students not entitled to a free education, other local sources, and state funds not designated for a specific purpose may be used for the purposes listed for state and county available funds and for purchasing appliances and supplies, paying insurance premiums, paying janitors and other employees, buying school sites, buying, building, repairing, and renting school buildings, including acquiring school buildings and sites by leasing through annual payments with an ultimate option to purchase, providing advising support as described by Section 48.0035(1), and educating students as described by Section 48.0035(2), and, except as provided

by Subsection (c-1), for other purposes necessary in the conduct of the public schools determined by the board of trustees. The accounts and vouchers for county districts must be approved by the county superintendent. If the state available school fund in any municipality or district is sufficient to maintain the schools in any year for at least eight months and leave a surplus, the surplus may be spent for the purposes listed in this subsection.

SECTION 6.15. Subchapter A, Chapter 48, Education Code, is amended by adding Section 48.0035 to read as follows:

Sec. 48.0035. USE OF FUNDING FOR CERTAIN PURPOSES. A school district may use funding to which the district is entitled under this chapter to:

(1) provide district graduates, during the first two years after high school graduation, advising support toward the successful completion of a certificate or degree program at a public institution of higher education or a postsecondary vocational training program; and

(2) educate a student who has graduated from high school but is enrolled in the district in a program through which the student may earn dual credit, including the Pathways in Technology Early College High School (P-TECH) program under Subchapter N, Chapter 29, and the Rural Pathway Excellence Partnership (R-PEP) program under Section 29.912.

SECTION 6.16. Section 48.106, Education Code, is amended by amending Subsection (a-1) and adding Subsections (a-2) and (a-3) to read as follows:

(a-1) In addition to the amounts under Subsection (a), for each student in average daily attendance enrolled in a campus designated as a P-TECH school under Section 29.556, a district is entitled to \$150 ~~for each of the following in which the student is enrolled:~~

~~[(1) a campus designated as a P-TECH school under Section 29.556; or~~

~~[(2) a campus that is a member of the New Tech Network and that focuses on project based learning and work based education].~~

(a-2) A district is entitled to funding under Subsection (a-1) for a student who has graduated from high school but is enrolled in the district in a program offered under Subchapter N, Chapter 29, through which the student may earn dual credit. The district is not entitled to any other funding under this chapter for a student described by this subsection.

(a-3) Notwithstanding Subsection (a), the total amount that may be used to provide allotments under Subsection (a) for courses described by Subsection (b)(1)(A)(ii) for a school year may not exceed \$20 million. If the total amount of allotments to which school districts are entitled under Subsection (a) for those courses for a school year exceeds the amount permitted under this subsection, the commissioner shall proportionately reduce each district's allotment under Subsection (a).

SECTION 6.17. Sections 48.106(b)(1) and (1-a), Education Code, are amended to read as follows:

(1) "Approved career and technology education program":

(A) means:

(i) a sequence of career and technology education courses, including technology applications courses, authorized by the State Board of Education; and

(ii) courses offered under a Junior Reserve Officers' Training Corps program established under 10 U.S.C. Section 2031; and

(B) includes only courses that qualify for high school credit.

(1-a) "Approved program of study" means a course sequence that:

(A) provides students with the knowledge and skills necessary for success in the students' chosen careers, including the military; and

(B) is approved by the agency for purposes of the Strengthening Career and Technical Education for the 21st Century Act (Pub. L. No. 115-224).

SECTION 6.18. Section 48.118, Education Code, is amended by adding Subsection (a-3) and amending Subsection (f) to read as follows:

(a-3) Notwithstanding Subsection (a), a school district described by Section 29.912(c-1) may receive funding under this section for up to 110 percent of the number of students who qualified under Subsection (a) for the school year immediately preceding the school year in which the district's enrollment first reached 1,600 or more.

(f) The total amount of state funding for allotments and outcomes bonuses under this section may not exceed \$20 ~~[\$5]~~ million per year. If the total amount of allotments and outcomes bonuses to which school districts are entitled under this section exceeds the amount permitted under this subsection, the agency shall allocate state funding to districts under this section in the following order:

~~(1) [allotments under Subsection (a) for which school districts participating in partnerships prioritized under Section 29.912(h) are eligible;~~

~~(2)]~~ allotments under Subsection (a) for which school districts that entered into a memorandum of understanding or letter of commitment regarding a multidistrict pathway partnership, as defined by commissioner rule, before May 1, 2023, are eligible;

~~(2) [(3)]~~ allotments under Subsection (a) for which school districts that have entered into a performance agreement under Section 29.912 with a coordinating entity that is an institution of higher education, as defined by Section 61.003, are eligible;

~~(3) [(4)]~~ allotments under Subsection (a) for which school districts with the highest percentage of students who are educationally disadvantaged, in descending order, are eligible; and

~~(4) [(5)]~~ outcomes bonuses under Subsection (c) for which school districts with the highest percentage of students who are educationally disadvantaged, in descending order, are eligible.

SECTION 6.19. Section 48.152(a)(2), Education Code, is amended to read as follows:

(2) "New instructional facility" includes:

(A) a newly constructed instructional facility;

(B) a repurposed instructional facility; ~~and~~

(C) a leased facility operating for the first time as an instructional facility with a minimum lease term of not less than 10 years; and

(D) a renovated portion of an instructional facility to be used for the first time to provide high-cost and undersubscribed career and technology education programs, as determined by the commissioner.

SECTION 6.20. Section 48.152(f), Education Code, is amended to read as follows:

(f) The amount appropriated for allotments under this section may not exceed \$150 [~~\$100~~] million in a school year. If the total amount of allotments to which districts are entitled under this section for a school year exceeds the amount appropriated under this subsection, the commissioner:

(1) shall reduce each district's allotment under this section in the manner provided by Section 48.266(f); and

(2) for new instructional facilities described by Subsection (a)(2)(D), may remove a career and technology education program from the list of programs that qualify under that subsection.

SECTION 6.21. The heading to Section 48.155, Education Code, is amended to read as follows:

Sec. 48.155. COLLEGE PREPARATION AND CAREER READINESS ASSESSMENT REIMBURSEMENT.

SECTION 6.22. Section 48.156, Education Code, is amended to read as follows:

Sec. 48.156. CERTIFICATION EXAMINATION REIMBURSEMENT. (a) A school district is entitled to reimbursement for the amount of a subsidy paid by the district for not more than two [a student's] certification examinations per student [examination] under Section 29.190(a), including costs paid for associated fingerprinting or criminal history record information review, as provided by Section 29.190(c).

(b) Notwithstanding Subsection (a), the total amount that may be used for reimbursement under that subsection for a school year may not exceed \$15 million, of which not more than \$500,000 may be used to reimburse the costs of fingerprinting or criminal history record information review. If the total amount to which school districts are entitled under Subsection (a) exceeds the amount permitted under this subsection, the commissioner shall proportionately reduce each school district's entitlement under this section.

SECTION 6.23. (a) This section takes effect only if S.B. 1786, 89th Legislature, Regular Session, 2025, becomes law.

(b) Section 204.0025, Labor Code, is amended to read as follows:

Sec. 204.0025. ADDITIONAL WORKFORCE DATA REPORTING. The commission shall [It is the intent of the legislature that the commission, subject to the availability of federal funding or other resources for the purpose,] work with employers to enhance the reporting of employment and earnings data by employers to the commission as part of an employer's routine wage filings under this subtitle or commission rule and consistent with federal law and regulations. The enhanced wage filings must include information related to wage, industry, occupational field, full-time and part-time status, county of primary employment,

remote work status, [occupation] and other important employment information necessary to conduct the assessment required under Section 302.0205 [that would improve the state's labor market information].

SECTION 6.24. (a) This section takes effect only if S.B. 1786, 89th Legislature, Regular Session, 2025, does not become law.

(b) Section 204.0025, Labor Code, is amended to read as follows:

Sec. 204.0025. ADDITIONAL WORKFORCE DATA REPORTING. The commission shall [It is the intent of the legislature that the commission, subject to the availability of federal funding or other resources for the purpose,] work with employers to enhance the reporting of employment and earnings data by employers to the commission as part of an employer's routine wage filings under this subtitle or commission rule and consistent with federal law and regulations. The enhanced wage filings must include information related to wage, industry, occupational field, full-time and part-time status, county of primary employment, remote work status, [occupation] and other important employment information that would improve the state's labor market information.

SECTION 6.25. The heading to Section 312.003, Labor Code, is amended to read as follows:

Sec. 312.003. INVENTORY OF CERTIFICATIONS ~~[CREDENTIALS AND CERTIFICATES]~~.

SECTION 6.26. Sections 312.003(a), (b), (c), and (d), Labor Code, are amended to read as follows:

(a) The advisory council shall develop an inventory of industry-recognized certifications ~~[credentials and certificates]~~ that may be earned by a public high school student through a career and technology education program and that:

- (1) are aligned to state and regional workforce needs; ~~[and]~~
- (2) serve as an entry point to middle- and high-wage jobs; and
- (3) meet the requirements of Section 39.0531(a), Education Code.

(b) The inventory must include for each certification ~~[credential or certificate]~~:

- (1) the associated career cluster;
- (2) the awarding entity;
- (3) the level of education required and any additional requirements for the certification ~~[credential or certificate]~~;
- (4) any fees for obtaining the certification ~~[credential or certificate]~~;

and

- (5) the average wage or salary for jobs that require or prefer the certification ~~[credential or certificate]~~.

(c) In developing the inventory, the advisory council may consult with local workforce boards, the Texas Workforce Investment Council, the Texas Economic Development and Tourism Office, the Texas Education Agency, and the Texas Higher Education Coordinating Board.

(d) The advisory council shall establish a process for developing the inventory, including the criteria for the inclusion of a certification ~~[credential or certificate]~~ in the inventory.

SECTION 6.27. Section 29.912(h), Education Code, is repealed.

SECTION 6.28. The Texas Education Agency shall first update the statewide goal for career readiness created under Section 7.043(a), Education Code, as added by this article, in accordance with Subsection (b) of that section not later than the 2028-2029 school year.

SECTION 6.29. Sections 28.0095(c-1) and 29.9016, Education Code, as added by this article, and Sections 29.190, 29.912, 33.007(b), and 39.0261(a), Education Code, as amended by this article, apply beginning with the 2025-2026 school year.

SECTION 6.30. To the extent of any conflict between the changes made to the Education Code by this article and the changes made to the Education Code by another Act of the 89th Legislature, Regular Session, 2025, the changes made by this article prevail.

SECTION 6.31. The changes in law made by Section 39.053, Education Code, as amended by this article, and Section 39.0531, Education Code, as added by this article, apply to accountability ratings beginning with the 2027-2028 school year.

SECTION 6.32. (a) Except as provided by Subsection (b) of this section and as otherwise provided by this article, this article takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this article takes effect September 1, 2025.

(b) The amendments by this article to Chapter 48, Education Code, take effect September 1, 2025.

ARTICLE 7. CHANGES RELATED TO PUBLIC EDUCATION AND PUBLIC SCHOOL FINANCE

SECTION 7.01. Subchapter C, Chapter 7, Education Code, is amended by adding Section 7.0611 to read as follows:

Sec. 7.0611. FACILITY USAGE REPORT. (a) In this section, "instructional facility" has the meaning assigned by Section 46.001.

(b) The agency by rule shall require each school district to annually report the following information in the form and manner prescribed by the agency:

(1) the square footage of each school district facility and the acreage of land on which each facility sits;

(2) the total student capacity for each instructional facility on a district campus;

(3) for each campus in the school district:

(A) the enrollment capacity of the campus and of each grade level offered at the campus; and

(B) the number of students currently enrolled at the campus and in each grade level offered at the campus;

(4) whether a school district facility is used by one or more campuses and the campus identifier of each campus that uses the facility;

(5) what each school district facility is used for, including:

(A) an instructional facility;

(B) a career and technology center;

- (C) an administrative building;
- (D) a food service facility;
- (E) a transportation facility; and
- (F) vacant land; and

(6) whether each school district facility is leased or owned.

(c) From the information submitted under Subsection (b), the agency shall produce and make available to the public on the agency's Internet website an annual report on school district land and facilities. The agency may combine the report required under this section with any other required report to avoid multiplicity of reports.

(d) If the agency determines information provided under Subsection (b) would create a security risk, such information is considered confidential for purposes of Chapter 552, Government Code, and may not be disclosed in the annual report under Subsection (c).

(e) The commissioner may adopt rules as necessary to implement this section. In adopting rules for determining the student capacity of a school district or district campus, the commissioner may consider the staffing, student-teacher ratio, and facility capacity of the district or campus.

SECTION 7.02. Section 12.106, Education Code, is amended by amending Subsections (a), (a-2), (d), (e), and (f) and adding Subsections (e-1), (e-2), and (f-1) to read as follows:

(a) A charter holder is entitled to receive for the open-enrollment charter school funding under Chapter 48 equal to the amount of funding per student in weighted average daily attendance to which the charter holder would be entitled for the school under that chapter if the school were a school district without a tier one local share for purposes of Section 48.266, excluding:

(1) the adjustment under Section 48.052;

(2) [7] the funding under Sections 48.101 and [48.110,] 48.111; [5-and 48.112,] and

(3) enrichment funding under Section 48.202(a) [5-to which the charter holder would be entitled for the school under Chapter 48 if the school were a school district without a tier one local share for purposes of Section 48.266].

(a-2) In addition to the funding provided by Subsection (a), a charter holder is entitled to receive for the open-enrollment charter school an allotment per student in average daily attendance in an amount equal to the difference between:

(1) the product of:

(A) the quotient of:

(i) the total amount of funding provided to eligible school districts under Section 48.101(b) or (c); and

(ii) the total number of students in average daily attendance in school districts that receive an allotment under Section 48.101(b) or (c); and

(B) the sum of one and the quotient of:

(i) the total number of students in average daily attendance in school districts that receive an allotment under Section 48.101(b) or (c); and

(ii) the total number of students in average daily attendance in school districts statewide; and

(2) \$300 [~~\$125~~].

(d) Subject to Subsections ~~[Subsection]~~ (e) and (e-2), in addition to other amounts provided by this section, a charter holder is entitled to receive, for the open-enrollment charter school, an annual allotment [funding] per student in average daily attendance [in an amount] equal to [the guaranteed level of state and local funds per student per cent of tax effort under Section 46.032(a) multiplied by] the lesser of:

(1) the state average interest and sinking fund tax rate imposed by school districts for the current year multiplied by the guaranteed level of state and local funds per student per cent of tax effort under Section 46.032(a); or

(2) the maximum amount of the basic allotment provided under Section 48.051 for the applicable school year multiplied by 0.07 [a rate that would result in a total amount to which charter schools are entitled under this subsection for the current year equal to \$60 million].

(e) Subject to Subsection (e-1), a ~~[A]~~ charter holder is not entitled to receive funding under Subsection (d) for an open-enrollment charter school [only] if the school has been assigned:

(1) an unacceptable [most recent overall] performance rating [assigned to the open enrollment charter school] under Subchapter C, Chapter 39, for the two preceding school years;

(2) a financial accountability performance rating under Subchapter D, Chapter 39, indicating a financial performance lower than satisfactory for the two preceding school years; or

(3) any combination of the ratings described by Subdivisions (1) and (2) for the two preceding school years [reflects at least acceptable performance].

(e-1) Subsection (e) ~~[This subsection]~~ does not apply to a charter holder:

(1) during the first two years of the applicable open-enrollment charter school's operation; or

(2) that operates a school program located at a day treatment facility, residential treatment facility, psychiatric hospital, or medical hospital.

(e-2) A charter holder is entitled to receive funding under Subsection (d) for an open-enrollment charter school only if the governing body of the school annually certifies in writing to the agency that none of the following derives any financial benefit from a real estate transaction with the school:

(1) an administrator, officer, or employee of the school;

(2) a member of the governing body of the school or its charter holder;

or

(3) a person related within the third degree by consanguinity or second degree by affinity, as determined under Chapter 573, Government Code, to a person described by Subdivision (1) or (2).

(f) Funds received by a charter holder under Subsection (d):

(1) notwithstanding any other law, may not be used to pay a salary, bonus, stipend, or any other form of compensation to a school superintendent or administrator serving as educational leader and chief executive officer of the school; and

(2) may only be used:

(A) [(+)] to lease an instructional facility;

(B) [(2)] to pay property taxes imposed on an instructional facility;

(C) [(3)] to pay debt service on bonds issued for a purpose for which a school district is authorized to issue bonds under Section 45.001(a)(1) or to pay for a purchase for which a school district is authorized to issue bonds under that section [to finance an instructional facility]; or

(D) [(4)] for any other purpose related to the purchase, lease, sale, acquisition, or maintenance of an instructional facility.

(f-1) The governing body of an open-enrollment charter school must comply with Chapter 551, Government Code, when considering the issuance of bonds.

SECTION 7.03. Section 29.054, Education Code, is amended by adding Subsection (e) to read as follows:

(e) Notwithstanding Section 29.066(c), the agency may require, for purposes of implementing Section 48.105, a school district that is granted an exception under this section to:

(1) include in the district's Public Education Information Management System (PEIMS) report additional information specified by the agency and relating to the alternative language education methods used by the district; and

(2) classify the alternative language education methods used by the district under the Public Education Information Management System (PEIMS) report as specified by the agency.

SECTION 7.04. Subchapter Z, Chapter 29, Education Code, is amended by adding Section 29.940 to read as follows:

Sec. 29.940. FEDERAL GRANT ADMINISTRATION. For a federal grant program under which the agency oversees and administers services to nonpublic schools, the agency shall follow federal disposition rules and procedures to dispose of equipment or supplies that are unused or no longer needed and were previously allocated to nonpublic schools participating in the grant program.

SECTION 7.05. Subchapter A, Chapter 48, Education Code, is amended by adding Section 48.011 to read as follows:

Sec. 48.011. COMMISSIONER AUTHORITY TO RESOLVE UNINTENDED CONSEQUENCES. (a) Subject to Subsection (b), the commissioner may, as necessary to implement changes made by the legislature to public school finance, including under this chapter or Chapter 45, 46, or 49, and school district ad valorem taxes:

(1) adjust a school district's entitlement if the funding formulas used to determine the district's entitlement result in an unanticipated loss, gain, or other result for a school district; and

(2) modify dates relating to the adoption of a school district's maintenance and operations tax rate and, if applicable, an election required for the district to adopt that tax rate.

(b) Before making an adjustment under Subsection (a), the commissioner shall notify and must receive approval from the Legislative Budget Board and the office of the governor.

(c) If the commissioner makes an adjustment under Subsection (a), the commissioner must provide to the legislature an explanation regarding the changes necessary to resolve the unintended consequences.

(d) This section expires September 1, 2027.

SECTION 7.06. Subchapter A, Chapter 48, Education Code, is amended by adding Section 48.014 to read as follows:

Sec. 48.014. NOTICE FOR SCHOOL DISTRICTS REGARDING RECOURSE FOR INVALID PROPERTY VALUES. (a) This section applies only to a school district located in an appraisal district in which the comptroller has certified the preliminary findings of the school district property value study under Section 403.302(g), Government Code, and determined that a school district located in the appraisal district has an invalid local value, regardless of whether the district meets the definition of an eligible school district under Section 403.3011, Government Code.

(b) For each school district to which this section applies and as soon as practicable after the comptroller has certified the preliminary findings of the school district property value study under Section 403.302(g), Government Code, the commissioner shall provide notice to the board of trustees of the district that includes information regarding the impact or possible impact of a final certification of an invalid local value on the district's finances, including:

(1) an estimate of the effect on the district's finances; and

(2) any right of recourse available to the district.

(c) Each school district shall annually report to the agency contact information for the members of the district's board of trustees for purposes of receiving the notice under this section.

(d) The commissioner shall coordinate with the comptroller to provide copies of the notice under this section to the board of directors of each applicable appraisal district.

SECTION 7.07. Section 48.051(a), Education Code, is amended to read as follows:

(a) For each student in average daily attendance, not including the time students spend each day in career and technology education programs or in special education programs in a setting [an instructional arrangement] other than a general education setting [mainstream or career and technology education programs], for which an additional allotment is made under Subchapter C, a school district is entitled to an allotment equal to the lesser of the amounts that result from the following formulas:

(1) $A = \$6,160 + \text{GYIA}$; or [the amount that results from the following formula:]

(2) $A = (\$6,160 + \text{GYIA}) \times \text{TR/MCR}$

where:

"A" is the allotment to which a district is entitled;

"GYIA" is the guaranteed yield increment adjustment determined under Section 48.2561;

"TR" is the district's tier one maintenance and operations tax rate, as provided by Section 45.0032; and

"MCR" is the district's maximum compressed tax rate, as determined under Section 48.2551.

SECTION 7.08. Section 48.101, Education Code, is amended to read as follows:

Sec. 48.101. SMALL AND MID-SIZED DISTRICT ALLOTMENT. (a) Small and mid-sized districts are entitled to an annual allotment in accordance with this section. In this section:

(1) "AA" is the district's annual allotment per student in average daily attendance;

(2) "ADA" is the number of students in average daily attendance for which the district is entitled to an allotment under Section 48.051, other than students in average daily attendance who do not reside in the district and are enrolled in a full-time virtual program; and

(3) "BA" is the basic allotment determined under Section 48.051.

(b) A school district that has fewer than 1,600 students in average daily attendance is entitled to an annual allotment for each student in average daily attendance based on the following formula:

$$AA = ((1,600 - ADA) \times .00046 \text{ } [\text{.0004}]) \times BA$$

(c) A school district that offers a kindergarten through grade 12 program and has less than 5,000 students in average daily attendance is entitled to an annual allotment for each student in average daily attendance based on the formula, of the following formulas, that results in the greatest annual allotment:

(1) the formula in Subsection (b), if the district is eligible for that formula; or

$$(2) AA = ((5,000 - ADA) \times .00003 \text{ } [\text{.000025}]) \times BA.$$

(d) Instead of the allotment under Subsection (b) or (c)(1), a school district that has fewer than 300 students in average daily attendance and is the only school district located in and operating in a county is entitled to an annual allotment for each student in average daily attendance based on the following formula:

$$AA = ((1,600 - ADA) \times .0005 \text{ } [\text{.00047}]) \times BA$$

SECTION 7.09. Section 48.105, Education Code, is amended by adding Subsections (a-1) and (a-2) and amending Subsection (b) to read as follows:

(a-1) The agency shall review school districts that offer alternative language education methods approved by the agency under Section 29.054(d) and approve districts to receive the allotment under Subsection (a-2) for that biennium in a manner that provides not more than \$10 million total under the allotment to school districts in each biennium. In approving school districts to receive the allotment under this subsection, the agency shall, to the extent possible, approve eligible school districts from a cross-section of this state.

(a-2) For each student in average daily attendance in an alternative language education method approved by the agency under Section 29.054(d), and offered by a school district approved to receive the allotment under Subsection (a-1), the district is entitled to an annual allotment equal to the basic allotment multiplied by:

(1) 0.15 for an emergent bilingual student, as defined by Section 29.052, if the student is in an alternative language education method using a dual language immersion/one-way or two-way program model; and

(2) 0.05 for a student not described by Subdivision (1), if the student is in an alternative language education method using a dual language immersion/one-way or two-way program model.

(b) At least 55 percent of the funds allocated under this section must be used in providing bilingual education or special language programs under Subchapter B, Chapter 29. A district's bilingual education or special language allocation may be used only for program and student evaluation, instructional materials and equipment, staff development, supplemental staff expenses, teacher salaries ~~[salary supplements for teachers]~~, incremental costs associated with providing smaller class sizes, and other supplies required for quality instruction.

SECTION 7.10. Section 48.115(a), Education Code, is amended to read as follows:

(a) Except as provided by Subsection (a-1), a school district is entitled to an annual allotment equal to the sum of the following amounts or a greater amount provided by appropriation:

(1) \$20 ~~[\$10]~~ for each student in average daily attendance, plus \$1 for each student in average daily attendance per every \$50 by which the district's maximum basic allotment under Section 48.051 exceeds \$6,160, prorated as necessary; and

(2) \$34,000 ~~[\$15,000]~~ per campus.

SECTION 7.11. Section 48.202, Education Code, is amended by amending Subsection (a-1) and adding Subsection (e-2) to read as follows:

(a-1) For purposes of Subsection (a), the dollar amount guaranteed level of state and local funds per weighted student per cent of tax effort ("GL") for a school district is:

(1) ~~[the greater of the amount of district tax revenue per weighted student per cent of tax effort available to a school district at the 96th percentile of wealth per weighted student or]~~ the amount that results from multiplying the maximum amount of the basic allotment provided under Section 48.051 for the applicable school year [6,160, or the greater amount provided under Section 48.051(b), if applicable,] by 0.02084 ~~[0.016]~~, for the first eight cents by which the district's maintenance and operations tax rate exceeds the district's tier one tax rate; and

(2) ~~[subject to Subsection (f),]~~ the amount that results from multiplying the maximum amount of the basic allotment provided under Section 48.051 for the applicable school year [\$6,160, or the greater amount provided under Section 48.051(b), if applicable,] by 0.008, for the district's maintenance and operations tax effort that exceeds the amount of tax effort described by Subdivision (1).

(e-2) For purposes of this section, the total amount of maintenance and operations taxes collected by a school district not required to reduce its local revenue level under Section 48.257 includes the amount of tax revenue received from a county-wide equalization tax.

SECTION 7.12. Subchapter F, Chapter 48, Education Code, is amended by adding Section 48.2561 to read as follows:

Sec. 48.2561. GUARANTEED YIELD INCREMENT ADJUSTMENT. (a) Not later than October 1 of each even-numbered year, for the subsequent state fiscal biennium, the agency shall determine the amount of the guaranteed yield increment adjustment for each state fiscal year of the biennium. The amount of the guaranteed yield increment adjustment is the difference between:

(1) the estimated cost to the state of maintaining the guaranteed level of state and local funds per weighted student per cent of tax effort under Section 48.202(a-1)(1) at the 96th percentile of wealth per weighted student for each year of the biennium; and

(2) the state cost of maintaining the guaranteed level of state and local funds per weighted student per cent of tax effort at the amount provided by Section 48.202(a-1)(1).

(b) Notwithstanding Subsection (a), the amount of the guaranteed yield increment adjustment for each state fiscal year of the state fiscal biennium beginning September 1, 2025, is \$55. This subsection expires September 1, 2027.

SECTION 7.13. Section 48.266, Education Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) Except as provided by this subsection and subject to Subsection (b-1), the commissioner shall base the determinations under Subsection (a) on the estimates provided to the legislature under Section 48.269, or, if the General Appropriations Act provides estimates for that purpose, on the estimates provided under that Act, for each school district for each school year. The commissioner shall reduce the entitlement of each district that has a final taxable value of property for the second year of a state fiscal biennium that is higher than the estimate under Section 48.269 or the General Appropriations Act, as applicable. A reduction under this subsection may not reduce the district's entitlement below the amount to which it is entitled at its actual taxable value of property.

(b-1) Periodically throughout the school year, the commissioner shall adjust the determinations made under Subsection (a) to reflect current school year estimates of a district's enrollment and average daily attendance, based on attendance reporting for each six-week interval.

SECTION 7.14. Section 48.283, Education Code, is amended to read as follows:

Sec. 48.283. ADDITIONAL STATE AID FOR CERTAIN DISTRICTS IMPACTED BY COMPRESSION. A school district that received an adjustment under Section 48.257(b) as that subsection existed on September 1, 2024, for the 2022-2023 school year is entitled to additional state aid ~~[for each school year]~~ in an amount equal to ~~[the amount of that adjustment for the 2022-2023 school year less]~~ the difference, if the difference is greater than zero, between:

(1) ~~[the amount to which the district is entitled under this chapter for the current school year; and~~

[~~(2)~~] the amount of state and local revenue that would have been available to [~~which~~] the district [~~would be entitled~~] under this chapter and Chapter 49 for the current school year if the district's maximum compressed tax rate had not been reduced under Section 48.2555, as added by S.B. 2, Acts of the 88th Legislature, 2nd Called Session, 2023; and

(2) the amount of state and local revenue available to the district under this chapter and Chapter 49 for the current school year.

SECTION 7.15. Subchapter F, Chapter 48, Education Code, is amended by adding Section 48.284 to read as follows:

Sec. 48.284. ADDITIONAL STATE AID FOR REGIONAL INSURANCE COST DIFFERENTIALS. (a) In this section, "catastrophe area" and "first tier coastal county" have the meanings assigned by Section 2210.003, Insurance Code.

(b) This section applies to a school district or open-enrollment charter school that has the following property located in a first tier coastal county or an area designated in 2024 as a catastrophe area:

(1) the central administrative office of the district or school; and

(2) a majority of campuses of the district or school.

(c) A school district or open-enrollment charter school to which this section applies is entitled to additional state aid for each student in adjusted average daily attendance in an amount equal to one-third of the difference between, for the 2023-2024 school year, or a different school year specified by appropriation:

(1) the total amount paid for property and casualty insurance by districts and schools in the county or catastrophe area described by Subsection (b) in which the district's or school's property is located divided by the total number of students in average daily attendance for all districts and schools in the county or catastrophe area; and

(2) the total amount paid for property and casualty insurance by districts and schools in the state divided by the total number of students in average daily attendance in the state.

(d) For purposes of Subsection (c), the average daily attendance of a school district that qualifies for, or an open-enrollment charter school that if the school were a school district would qualify for, an allotment under Section 48.101 is the district's or school's average daily attendance multiplied by the sum of one and:

(1) for a school district, the district's annual allotment per student in average daily attendance under that section divided by the basic allotment; or

(2) for an open-enrollment charter school, the school's allotment determined per student in average daily attendance under Section 12.106(a-2) divided by the basic allotment.

SECTION 7.16. Section 26.08(n), Tax Code, is amended to read as follows:

(n) For purposes of this section, the voter-approval tax rate of a school district is the sum of the following:

(1) the rate per \$100 of taxable value that is equal to the district's maximum compressed tax rate, as determined under Section 48.2551, Education Code, for the current year;

(2) the greater of:

(A) the district's enrichment tax rate for the preceding tax year [~~less any amount by which the district is required to reduce the district's enrichment tax rate under Section 48.202(f), Education Code, in the current tax year~~]; or

(B) the rate of \$0.05 per \$100 of taxable value; and

(3) the district's current debt rate.

SECTION 7.17. The following provisions of the Education Code are repealed:

(1) Sections 48.104(j-1), (k), (l), (m), (n), and (o); and

(2) Section 48.202(f).

SECTION 7.18. To the extent of any conflict between the changes made to the Education Code by this article and the changes made to the Education Code by another Act of the 89th Legislature, Regular Session, 2025, the changes made by this article prevail.

SECTION 7.19. This article takes effect September 1, 2025.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **CSHB 2** (89R 31606) as follows:

(1) In the recital to SECTION 1.07 of the bill, adding Section 48.158 (page 10, line 1), strike "Section 48.158" and substitute "Sections 48.158 and 48.1581".

(2) In added Section 48.158(b)(1)(A), Education Code (page 10, line 17), strike "\$5,000" and substitute "\$4,000".

(3) In added Section 48.158(b)(1)(B), Education Code (page 10, line 19), strike "\$10,000" and substitute "\$8,000".

(4) In added Section 48.158(b)(2)(B), Education Code (page 10, line 25), strike "\$5,500" and substitute "\$5,000".

(5) In SECTION 1.07 of the bill, immediately following added Section 48.158, Education Code (page 12, between lines 8 and 9), insert the following:

Sec. 48.1581. SUPPORT STAFF RETENTION ALLOTMENT. (a) In this section, "non-administrative staff":

(1) includes a full-time or part-time employee who is not eligible for a salary increase under Section 48.158, including:

(A) a teacher not eligible for a salary increase under Section 48.158;

(B) a school counselor;

(C) a librarian;

(D) a school nurse;

(E) a teacher's assistant;

(F) a member of the custodial staff;

(G) a member of the food services staff;

(H) a bus driver;

(I) an administrative assistant; and

(J) other support staff; and

(2) does not include:

(A) a superintendent of a school district or other administrator serving as educational leader and chief executive officer;

(B) an assistant superintendent or a person in an equivalent role;

(C) a principal or assistant principal; and

(D) an employee in a centralized supervisory role.

(b) For purposes of this section, a school district's adjusted average attendance is the quotient of:

(1) the sum of the basic allotment under Section 48.051 and, if applicable, the allotment under Section 48.101; and

(2) the basic allotment.

(c) A school district is entitled to an annual allotment of \$45 for each student in adjusted average attendance.

(d) For the 2025-2026 school year, a school district shall use money received under Subsection (c) to increase the salaries provided to non-administrative staff.

(e) For the 2026-2027 and each subsequent school year, a school district shall use money received under Subsection (c) to maintain the salary increases provided under Subsection (d). Any additional money the district receives under this section may only be used for the compensation of non-administrative staff.

(f) A school district that increases non-administrative staff compensation in the 2025-2026 school year to comply with Subsection (d), as added by **HB 2**, Acts of the 89th Legislature, Regular Session, 2025, is providing compensation for services rendered independently of an existing employment contract applicable to that school year and is not in violation of Section 53, Article III, Texas Constitution. This subsection expires September 1, 2027.

(6) In SECTION 1.11(b) of the bill (page 13, lines 15 and 16), strike "and 48.257(b-1), Education Code, as added by this article" and substitute ", 48.1581, and 48.257(b-1), Education Code, as added by this article, and Section 822.201(b), Government Code, as amended by this article".

(7) In SECTION 1.11(c) of the bill (page 13, lines 17 and 18), strike "Section 48.112, Education Code, as amended by this article, takes" and substitute "Sections 48.112(c) and (d), Education Code, as amended by this article, take".

(8) Add the following appropriately numbered SECTION to ARTICLE 1 of the bill:

SECTION 1.____. Section 822.201(b), Government Code, is amended to read as follows:

(b) "Salary and wages" as used in Subsection (a) means:

(1) normal periodic payments of money for service the right to which accrues on a regular basis in proportion to the service performed;

(2) amounts by which the member's salary is reduced under a salary reduction agreement authorized by Chapter 610;

(3) amounts that would otherwise qualify as salary and wages under Subdivision (1) but are not received directly by the member pursuant to a good faith, voluntary written salary reduction agreement in order to finance payments to a deferred compensation or tax sheltered annuity program specifically authorized by state law or to finance benefit options under a cafeteria plan qualifying under Section 125 of the Internal Revenue Code of 1986, if:

(A) the program or benefit options are made available to all employees of the employer; and

(B) the benefit options in the cafeteria plan are limited to one or more options that provide deferred compensation, group health and disability insurance, group term life insurance, dependent care assistance programs, or group legal services plans;

(4) performance pay awarded to an employee by a school district as part of a total compensation plan approved by the board of trustees of the district and meeting the requirements of Subsection (e);

(5) the benefit replacement pay a person earns under Subchapter H, Chapter 659, except as provided by Subsection (c);

(6) stipends paid to teachers in accordance with former Section 21.410, 21.411, 21.412, or 21.413, Education Code;

(7) amounts by which the member's salary is reduced or that are deducted from the member's salary as authorized by Subchapter J, Chapter 659;

(8) a merit salary increase made under Section 51.962, Education Code;

(9) amounts received under the relevant parts of the educator excellence awards program under Subchapter O, Chapter 21, Education Code, or a mentoring program under Section 21.458, Education Code, that authorize compensation for service;

(10) salary amounts designated as health care supplementation by an employee under Subchapter D, Chapter 22, Education Code;

(11) to the extent required by Sections 3401(h) and 414(u)(12), Internal Revenue Code of 1986, differential wage payments received by an individual from an employer on or after January 1, 2009, while the individual is performing qualified military service as defined by Section 414(u), Internal Revenue Code of 1986; and

(12) increased compensation paid to an employee ~~[a teacher]~~ by an employer ~~[a school district]~~ using funds received by the employer ~~[district]~~ under:

(A) the teacher incentive allotment under Section 48.112, Education Code;

(B) the teacher retention allotment under Section 48.158, Education Code; or

(C) the support staff retention allotment under Section 48.1581, Education Code.

(9) Strike SECTION 2.10 of the bill, adding Section 21.0456, Education Code (page 23, lines 16 through 27).

(10) In SECTION 2.18 of the bill, strike added Section 21.908, Education Code (page 39, lines 6 through 22), and substitute the following:

Sec. 21.908. EDUCATOR PREPARATION PROGRAM SUPPORT. The agency shall develop and maintain a program to assist educator preparation programs in implementing this subchapter.

(11) Strike SECTION 2.21 of the bill (page 45, lines 7 through 12), and substitute the following appropriately numbered SECTION:

SECTION 2.____. (a) The following provisions of the Education Code are repealed:

- (1) Section 21.051(a); and
- (2) Subchapter Q, Chapter 21.

(b) Effective September 1, 2026, Section 48.114, Education Code, is repealed.

(c) Section 825.4092(f), Government Code, is repealed.

(12) In SECTION 2.24(a) of the bill (page 46, line 1), strike "2025" and substitute "2026".

(13) In SECTION 2.24(b) of the bill (page 46, line 2), between "section" and the comma, insert "and as otherwise provided by this Act,".

(14) In the recital to SECTION 3.07 of the bill, adding Sections 21.416 and 21.418, Education Code (page 53, line 3), strike "Sections 21.416 and 21.418" and substitute "Section 21.418".

(15) In SECTION 3.07 of the bill, strike added Section 21.416, Education Code (page 53, line 4, through page 54, line 15).

(16) In the recital to SECTION 3.08 of the bill, adding Sections 21.466, 21.467, and 21.468, Education Code (page 54, line 24), strike "Sections 21.466, 21.467, and 21.468" and substitute "Sections 21.466 and 21.468".

(17) In added Section 21.466(a)(1), Education Code (page 55, line 5), strike "opportunities, and staff retention", and substitute "and mentorship opportunities, and staff retention, including by identifying opportunities to reduce noninstructional duties for teachers".

(18) In added Section 21.466(a)(2), Education Code (page 55, line 9), between "programs" and the underlined semicolon, insert ", including by developing partnerships with educator preparation programs".

(19) In SECTION 3.08 of the bill, strike added Section 21.467, Education Code (page 55, line 17, through page 56, line 7).

(20) In SECTION 4.12 of the bill, in amended Section 29.008(c), Education Code (page 75, line 16), strike "state" and substitute "local, state,".

(21) In the recital to SECTION 4.24 of the bill, amending Subchapter A, Chapter 29, Education Code (page 90, line 16), strike "Sections 29.024 and" and substitute "Section".

(22) In SECTION 4.24 of the bill, strike added Section 29.024, Education Code (page 90, line 17, through page 92, line 4).

(23) In the recital to SECTION 4.27 of the bill, amending Section 29.042, Education Code (page 93, line 1), strike "Subsection (e)" and substitute "Subsections (e) and (f)".

(24) In SECTION 4.27 of the bill, amending Section 29.042, Education Code, as follows:

(A) In Subsection (a) (page 93, lines 9 and 10), strike "and Section 48.306(f)".

(B) In Subsection (a) (page 93, lines 11 and 12), strike "in the amount provided under Section 48.306 [of not more than \$1,500]" and substitute "of not more than \$1,500".

(C) In Subsection (a) (page 93, lines 16 and 17), strike "award grants in the order in which the applications were received and".

(D) Immediately following added Subsection (e) (page 94, between lines 2 and 3), insert the following:

(f) A regional education service center designated to administer the program under this subchapter for a school year is entitled to receive not more than four percent of the amount appropriated for purposes of making grants under this subchapter for that school year for the costs of administering the program.

(25) In SECTION 4.28 of the bill, in amended Section 29.045, Education Code (page 94, line 6), strike "The [Subject to available funding the]" and substitute "Subject to available funding the".

(26) In SECTION 4.55 of the bill, in added Section 48.1022(b), Education Code (page 129, line 15), strike "\$350" and substitute "\$250".

(27) In SECTION 4.59 of the bill, adding Section 48.159, Education Code, as follows:

(A) In added Subsection (a) (page 132, line 16), strike "(a)".

(B) Strike added Subsection (b) (page 132, line 20, through page 133, line 4).

(28) In the recital to SECTION 4.62 of the bill, amending Subchapter G, Chapter 48, Education Code (page 133, line 26), strike ", 48.306,".

(29) In SECTION 4.62 of the bill, strike added Section 48.306, Education Code (page 135, line 10, through page 136, line 5).

(30) In SECTION 5.15 of the bill, in amended Section 29.1543, Education Code, as follows:

(A) Between "REPORTS." and "The" (page 166, line 16), insert "(a)".

(B) In Subdivision (7)(C) (page 167, line 27), strike "and" and substitute "[and]".

(C) In Subdivision (8) (page 168, line 3), strike "disadvantaged." and substitute the following:
disadvantaged; and

(9) the number of students identified as having a vision disorder or other vision problem requiring vision care under the screening program described by Section 36.004, Health and Safety Code, disaggregated by:

(A) grade level;

(B) gender;

(C) race;

(D) ethnicity;

(E) the student's status as educationally disadvantaged;

(F) the number of times the student was previously identified as having a vision disorder or other vision problem;

(G) the identified vision disorder or problem; and

(H) the type of screening equipment used for the screening.

(b) Subject to appropriation or from money otherwise available for the purpose, the agency shall, in compliance with all applicable federal and state student privacy laws, acquire and maintain a third-party data management system to facilitate the reporting of information under this section.

(31) In SECTION 5.21 of the bill, strike added Section 31.0754, Education Code (page 173, lines 1 through 14), and substitute the following:

Sec. 31.0754. COMMUNICATION REGARDING OPEN EDUCATION RESOURCE INSTRUCTIONAL MATERIALS. Notwithstanding Chapter 2113, Government Code, the commissioner may enter into contracts or agreements and engage in efforts to communicate information regarding the development and availability of open education resource instructional materials made available under this subchapter, including activities to promote, market, and advertise the content included in and how to use those materials.

(32) In SECTION 5.31(a) of the bill, providing transition language for ARTICLE 5 (page 181, lines 10 and 11), strike "28.0065, and 28.02111" and substitute "and 28.0065".

(33) In SECTION 5.31 of the bill, providing transition language for ARTICLE 5 (page 181, between lines 12 and 13), insert the following appropriately lettered subsection and reletter subsequent subsections of the section accordingly:

(_) Section 28.02111, Education Code, as added by this article, applies beginning with the 2026-2027 school year.

(34) In SECTION 5.32(a) of the bill, providing transition language for ARTICLE 5 (page 181, line 18), strike "48.122, and 48.317" and substitute "and 48.122".

(35) In SECTION 5.32 of the bill, providing transition language for ARTICLE 5 (page 181, between lines 19 and 20), insert the following appropriately lettered subsections and reletter subsequent subsections of the section accordingly:

(_) Section 48.317, Education Code, as added by this article, takes effect September 1, 2026.

(_) Section 29.1543(b), Education Code, as added by this article, takes effect September 1, 2027.

(36) In SECTION 6.02 of the bill, in added Section 7.0405, Education Code, as follows:

(A) In Subsection (a)(2) (page 183, lines 17 and 18), strike Paragraph (B) and reletter subsequent paragraphs of that subdivision accordingly.

(B) In Subsection (a)(2)(C) (page 183, line 19), between "(C)" and "employment", insert "for each cohort for which data is available,".

(C) Immediately following Subsection (a) (page 183, between lines 23 and 24), insert the following appropriately lettered subsection and reletter subsequent subsections accordingly:

(_) The agency is required to provide data regarding students who graduate from high school and enroll in remedial postsecondary coursework as part of a postsecondary degree, certificate, or other credentialing program under Subsection (a)(1)(A) only to the extent that data is available.

(37) In SECTION 6.03 of the bill, in amended Section 11.186(b)(3), Education Code (page 185, lines 6 and 7), strike "as defined by the agency" and substitute "aligned with the long-range master plan for higher education established under Section 61.051 and the performance tier funding for public junior colleges for credentials of value under Section 130A.101".

(38) Strike SECTION 6.07 of the bill, adding Section 29.9016, Education Code (page 189, line 17, through page 190, line 8).

(39) In SECTION 6.09 of the bill, in amended Section 33.007(b)(1), Education Code (page 191, line 21), strike "career readiness and workforce training opportunities" and substitute the following:

⋮

(A) career readiness and workforce training opportunities; and

(B) a link to the My Texas Future Internet website and information regarding how to create a profile on that website

(40) In SECTION 6.09 of the bill, in added Section 33.007(b)(12), Education Code (page 193), strike lines 5 and 6 and substitute the following:

⋮

(A) information regarding program costs, program completion rates, and the average wages of students who complete the program; and

(B) the availability of information regarding those opportunities on the My Texas Future Internet website; and

(41) In SECTION 6.09 of the bill, in added Section 33.007(b)(13), Education Code (page 193, line 12), between "7.0405(a)" and the period, insert "or available on the My Texas Future Internet website".

(42) In SECTION 6.09 of the bill, in added Section 33.007(d), Education Code (page 193, line 13), between "agency" and "shall", insert "or the Texas Higher Education Coordinating Board".

(43) In SECTION 6.09 of the bill, in added Section 33.007(d), Education Code (page 193, line 15), between "7.0405(a)" and the underlined period, insert "or available on the My Texas Future Internet website".

(44) In SECTION 6.09 of the bill, in added Section 33.007(d), Education Code (page 193, at the end of line 19), insert "The agency or the coordinating board may make the training available through the Texas OnCourse Internet website.".

(45) In the recital to SECTION 6.16 of the bill, amending Section 48.106, Education Code (page 203, line 23), strike "Subsections (a-2) and (a-3)" and substitute "Subsection (a-2)".

(46) In SECTION 6.16 of the bill, amending Section 48.106, Education Code, strike amended Subsection (a-1) (page 203, line 25 through page 204, line 7) and substitute the following:

(a-1) In addition to the amounts under Subsection (a), [~~for each student in average daily attendance,~~] a district is entitled to \$150 [~~\$50~~] for each [~~of the following in which the~~] student in average daily attendance who [~~is enrolled~~]:

(1) is enrolled in a campus designated as a P-TECH school under Section 29.556; or

(2) completes a course of study offered under the Pathways in Technology Early College High School (P-TECH) program under Subchapter N, Chapter 29, or the Rural Pathway Excellence Partnership (R-PEP) program under Section 29.912, regardless of whether the student is enrolled in the district that provides the course of study ~~[a campus that is a member of the New Tech Network and that focuses on project based learning and work based education]~~.

(47) In SECTION 6.16 of the bill, strike added Section 48.106(a-3), Education Code (page 204, lines 14 through 21).

(48) In SECTION 6.22 of the bill, in amended Section 48.156(b), Education Code (page 208, line 11), strike "\$15" and substitute "\$20".

(49) In SECTION 6.29 of the bill, providing transition language for ARTICLE 6 (page 211, line 11), strike "Sections 28.0095(c-1) and 29.9016" and substitute "Section 28.0095(c-1)".

(50) Add the following appropriately numbered SECTIONS to ARTICLE 6 of the bill and renumber subsequent SECTIONS of the article accordingly:

SECTION 6. _____. Subchapter Z, Chapter 29, Education Code, is amended by adding Section 29.9017 to read as follows:

Sec. 29.9017. NOTICE REGARDING MILITARY-RELATED TRAINING PROGRAMS. (a) As part of the high school registration process and annually, a school district or open-enrollment charter school shall notify the parent or guardian of each student enrolled in a Junior Reserve Officers' Training Corps program established under 10 U.S.C. Section 2031 regarding any early registration or scholarship program available to students in military-related training programs.

(b) The notice required under Subsection (a) must provide the student's parent or guardian with the option to share the student's data with one or more public institutions of higher education for the purpose of learning about any opportunity to participate in an early registration or scholarship program described by Subsection (a), including:

(1) the student's directory contact information;

(2) the student's education records; or

(3) any other information prescribed by Texas Higher Education Coordinating Board rule that would allow the student to learn about an opportunity to participate in military-related training programs at public institutions of higher education, including financial aid or scholarship programs.

SECTION 6. _____. Section 48.003(a), Education Code, is amended to read as follows:

(a) A student is entitled to the benefits of the Foundation School Program if, on September 1 of the school year, the student:

(1) is 5 years of age or older and under 21 years of age and:

(A) has not graduated from high school; or

(B) has graduated from high school but is:

(i) enrolled in a school district at a campus designated as a P-TECH school under Section 29.556 or in a school district participating in a partnership under Section 29.912; and

(ii) completing a course of study offered through an articulation agreement or memorandum of understanding with an institution of higher education, as defined by Section 61.003, and the district described by Subparagraph (i), as applicable, under the Pathways in Technology Early College High School (P-TECH) program under Subchapter N, Chapter 29, and the Rural Pathway Excellence Partnership (R-PEP) program under Section 29.912, regardless of whether the student is enrolled in the district providing the course of study;

(2) ~~[-or]~~ is at least 21 years of age and under 26 years of age and has been admitted by a school district to complete the requirements for a high school diploma; or

(3) ~~(2)~~ is at least 18 years of age and under 50 years of age and is enrolled in an adult education program provided under the adult high school charter school program under Subchapter G, Chapter 12.

(51) In SECTION 7.02 of the bill, in amended Section 12.106(d), Education Code (page 215, line 20), strike "0.07" and substitute "0.06".

(52) Strike SECTION 7.10 of the bill, amending Section 48.115(a), Education Code (page 223, lines 18 through 27), and substitute the following appropriately numbered SECTION:

SECTION 7. _____. Section 48.115, Education Code, is transferred to Subchapter D, Chapter 48, Education Code, redesignated as Section 48.160, Education Code, and amended to read as follows:

Sec. 48.160 ~~[48.115]~~. SCHOOL SAFETY ALLOTMENT. (a) Except as provided by Subsection (a-1), a school district is entitled to an annual allotment equal to the sum of the following amounts or a greater amount provided by appropriation:

(1) \$20 ~~[\$10]~~ for each student in average daily attendance, plus \$1 for each student in average daily attendance per every \$50 by which the district's maximum basic allotment under Section 48.051 exceeds \$6,160, prorated as necessary; and

(2) \$33,540 ~~[\$15,000]~~ per campus.

(a-1) A school district campus that provides only virtual instruction or utilizes only facilities not subject to the district's control is not included for purposes of determining a school district's allotment under Subsection (a).

(b) Funds allocated under this section must be used to improve school safety and security, including costs associated with:

(1) securing school facilities in accordance with the requirements of Section 37.351, including:

(A) improvements to school infrastructure;

(B) the use or installation of perimeter security fencing conducive to a public school learning environment or physical barriers, which may not include razor wire;

(C) exterior door and window safety and security upgrades, including exterior door numbering and locking systems and security film that provides resistance to a forced entry; and

(D) the purchase and maintenance of:

(i) security cameras and, if the district has already installed security cameras, other security equipment, including video surveillance as provided by Section 29.022; and

(ii) technology, including communications systems or devices, such as silent panic alert devices, two-way radios, or wireless Internet booster equipment, that facilitates communication and information sharing between students, school personnel, and first responders in an emergency;

(2) providing security for the district, including:

(A) employing school district peace officers, private security officers, and school marshals; and

(B) collaborating with local law enforcement agencies, such as entering into a memorandum of understanding for the assignment of school resource officers to schools in the district;

(3) school safety and security measures, including:

(A) active shooter and emergency response training;

(B) prevention and treatment programs relating to addressing adverse childhood experiences; and

(C) the prevention, identification, and management of emergencies and threats, using evidence-based, effective prevention practices and including:

(i) providing licensed counselors, social workers, chaplains, and individuals trained in restorative discipline and restorative justice practices;

(ii) providing mental health personnel and support, including chaplains;

(iii) providing behavioral health services, including services provided by chaplains;

(iv) establishing threat reporting systems; and

(v) developing and implementing programs focused on restorative justice practices, culturally relevant instruction, and providing mental health support, including support provided by chaplains;

(4) providing programs related to suicide prevention, intervention, and postvention, including programs provided by chaplains; and

(5) employing a school safety director and other personnel to manage and monitor school safety initiatives and the implementation of school safety requirements for the district.

(b-1) The agency may designate certain technologies that a school district, in using funds allocated under this section, may purchase only from a vendor approved by the agency.

(b-2) If the agency, in coordination with the Texas School Safety Center, determines that entering into a statewide contract with a vendor for the provision of a technology designated under Subsection (b-1) would result in cost savings to school districts, the agency may, after receiving approval from the Legislative Budget Board and office of the governor, enter into a contract with a vendor to provide the technology to each district that uses funds allocated under this section to purchase that technology.

(c) A school district may use funds allocated under this section for equipment or software that is used for a school safety and security purpose and an instructional purpose, provided that the instructional use does not compromise the safety and security purpose of the equipment or software.

(c-1) The agency, or if designated by the agency, the Texas School Safety Center, shall establish and publish a directory of approved vendors of school safety technology and equipment a school district may select from when using funds allocated under this section. If a school district uses funds allocated under this section to purchase technology or equipment from a vendor that is not included in the directory, the district must solicit bids from at least three vendors before completing the purchase.

(d) The commissioner shall annually publish a report regarding funds allocated under this section including the programs, personnel, and resources purchased by districts using funds under this section and other purposes for which the funds were used.

(e) Notwithstanding any other law, a school district may use funds allocated under this section to provide training to a person authorized by the district to carry a firearm on a district campus.

(53) In SECTION 7.15 of the bill, in added Section 48.284(c), Education Code (page 227, line 24), strike "one-third" and substitute "80 percent".

(54) Add the following appropriately numbered SECTIONS to ARTICLE 7 of the bill:

SECTION 7.____. Section 28.0211, Education Code, is amended by adding Subsections (a-15) and (a-16) to read as follows:

(a-15) The agency shall approve high-impact tutoring providers for purposes of providing accelerated or supplemental instruction under this section. In approving a provider, the agency shall consider the requirements under Subsection (a-4).

(a-16) In contracting with a high-impact tutoring provider approved by the agency under Subsection (a-15), a school district may use an outcomes-based contract. The agency may approve an instrument necessary to collect, manage, and analyze student outcomes at scale for those providers.

SECTION 7.____. Section 37.0021(d), Education Code, is amended to read as follows:

(d) Subject to Subsection (j), the commissioner by rule shall adopt procedures for the use of restraint and time-out by a school district employee or volunteer or an independent contractor of a district in the case of a student with a disability receiving special education services under Subchapter A, Chapter 29. A procedure adopted under this subsection must:

(1) be consistent with:

(A) professionally accepted practices and standards of student discipline and techniques for behavior management; and

(B) relevant health and safety standards;

(2) establish crisis prevention and intervention training requirements for school district personnel, including:

(A) standards for determining which personnel, including support staff and law enforcement, should receive the training and the amount of training each of those individuals should receive, prioritizing the amount of training and training that includes physical interventions based on the individual's risk of being involved in a student-involved crisis situation;

(B) recommendations for the minimum frequency of crisis prevention and intervention training as included in the continuing education and training clearinghouse published under Section 21.4514; and

(C) provisions allowing for any training required under this subsection to be combined with or substituted for other related required training if a majority of the content in the related training addresses content in the training required under this subsection, including:

(i) trauma-informed care training required under Section 38.036; and

(ii) training on strategies for establishing and maintaining positive relationships among students, including conflict resolution, required under Section 21.451(d)(3)(B) [~~identify any discipline management practice or behavior management technique that requires a district employee or volunteer or an independent contractor of a district to be trained before using that practice or technique~~]; and

(3) require a school district to:

(A) provide written notification to the student's parent or person standing in parental relation to the student for each use of restraint that includes:

(i) the name of the student;

(ii) the name of the district employee or volunteer or independent contractor of the district who administered the restraint;

(iii) the date of the restraint;

(iv) the time that the restraint started and ended;

(v) the location of the restraint;

(vi) the nature of the restraint;

(vii) a description of the activity in which the student was engaged immediately preceding the use of the restraint;

(viii) the behavior of the student that prompted the restraint;

(ix) any efforts made to de-escalate the situation and any alternatives to restraint that were attempted;

(x) if the student has a behavior improvement plan or a behavioral intervention plan, whether the plan may need to be revised as a result of the behavior that led to the restraint; and

(xi) if the student does not have a behavior improvement plan or a behavioral intervention plan, information on the procedure for the student's parent or person standing in parental relation to the student to request an admission, review, and dismissal committee meeting to discuss the possibility of conducting a functional behavioral assessment of the student and developing a plan for the student;

(B) include in a student's special education eligibility school records:

(i) a copy of the written notification provided to the student's parent or person standing in parental relation to the student under Paragraph (A);

(ii) information on the method by which the written notification was sent to the parent or person; and

(iii) the contact information for the parent or person to whom the district sent the notification; and

(C) if the student has a behavior improvement plan or behavioral intervention plan, document each use of time-out prompted by a behavior of the student specified in the student's plan, including a description of the behavior that prompted the time-out.

SECTION 7.____. Section 37.108(b-1), Education Code, is amended to read as follows:

(b-1) In a school district's safety and security audit required under Subsection (b), the district must certify that the district used the funds provided to the district through the school safety allotment under Section 48.160 [~~48.115~~] only for the purposes provided by that section.

SECTION 7.____. Section 37.117(c), Education Code, as added by Chapter 1 (**SB 838**), Acts of the 88th Legislature, Regular Session, 2023, is amended to read as follows:

(c) To comply with this section, a school district or open-enrollment charter school may:

(1) use funds provided to the district or school through the school safety allotment under Section 48.160 [~~48.115~~] or other available funds; and

(2) use the district's or school's customary procurement process.

SECTION 7.____. Section 37.354(a), Education Code, is amended to read as follows:

(a) The commissioner may authorize a school district to use money provided to the district for the purpose of improving school safety and security, including the school safety allotment under Section 48.160 [~~48.115~~] or any other funding or grant money available to the district for that purpose, to comply with the requirements of this subchapter.

SECTION 7.____. Subchapter D, Chapter 48, Education Code, is amended by adding Section 48.161 to read as follows:

Sec. 48.161. ALLOTMENT FOR BASIC COSTS. (a) A school district is entitled to an annual allotment of \$106 for each student enrolled in the district.

(b) Money allocated under this section may be used only to pay costs associated with:

(1) transportation;

(2) hiring retired teachers;

(3) providing health insurance and employee benefits and paying for payroll taxes;

(4) contributions and other costs under Subchapter E, Chapter 825, Government Code; and

(5) utilities.

(55) Renumber all SECTIONS of the bill accordingly.

Senate Amendment No. 2 (Senate Floor Amendment No. 2)

Amend Floor Amendment No. 1 by Creighton (89R32754) to **CSHB 2** on page 22, lines 20-21, as follows:

- (1) On page 22, line 20 strike "and"
- (2) On page 22, line 21 between "utilities" and the underlined period, insert the following:
; and
(6) property and casualty insurance

Senate Amendment No. 3 (Senate Floor Amendment No. 3)

Amend **CSHB 2** (89R 31606) in SECTION 5.10 of the bill, in added Section 28.0071, Education Code, as follows:

- (1) In the section heading (page 158, line 25), strike "EIGHTH" and substitute "THIRD".
- (2) In Subsection (a)(1) (page 159, line 2), strike "eighth" and substitute "third".

Senate Amendment No. 4 (Senate Floor Amendment No. 4)

Amend **CSHB 2** (89R 31606) as follows:

- (1) In SECTION 6.03 of the bill, in amended Section 11.186(b), Education Code (page 185), strike lines 4 through 22 and substitute the following:
 - (3) assign at least one district-level administrator
- (2) In SECTION 6.03 of the bill, in amended Section 11.186(b), Education Code (page 186, line 3), strike "(6) [(4)]" and substitute "(4)".
- (3) In SECTION 6.03 of the bill, in added Section 11.186(d), Education Code (page 186, line 10), strike "(b)(5)(B) [(b)(3)(B)]" and substitute "(b)(3)(B)".
- (4) In SECTION 6.03 of the bill, in added Section 11.186(d), Education Code (page 186, line 14), strike "(b)(6)" and substitute "(b)(4)".
- (5) In SECTION 6.03 of the bill, in added Section 11.186(e), Education Code (page 186, line 19), strike "(b)(5)(B)" and substitute "(b)(3)(B)".
- (6) In SECTION 6.03 of the bill, in added Section 11.186(f), Education Code (page 186, line 22), strike "(b)(5)(B)" and substitute "(b)(3)(B)".
- (7) Strike SECTIONS 6.12 and 6.13 of the bill, amending Section 39.053, Education Code, and adding Section 39.0531, Education Code (page 194, line 25 through page 202, line 12).
- (8) In SECTION 6.26 of the bill, in amended Section 312.003(a), Labor Code (page 210), strike lines 8 through 12 and substitute the following:
 and
 - (2) serve as an entry point to middle- and high-wage jobs.
- (9) Strike SECTIONS 6.30 and 6.31 of the bill, adding transition language (page 211, lines 15 through 22).
- (10) Renumber SECTIONS of the article accordingly.

Senate Amendment No. 5 (Senate Floor Amendment No. 1 - Third Reading)

Amend **HB 2** on third reading as follows:

(1) In the recital to the section of the bill amending Section 48.106, Education Code, strike "Section 48.106, Education Code, is amended by amending Subsection (a-1) and adding Subsection (a-2)" and substitute "Section 48.106(a-1), Education Code, is amended".

(2) In the section of the bill amending Section 48.106, Education Code, strike added Subsection (a-2).

(3) In the section of the bill adding Section 48.1581, Education Code, strike Subsections (b)(1) and (2) and substitute the following:

(1) the sum of the district's allotments under Subchapter B and, if applicable, the allotment under Section 48.101 for the applicable school year; and

(2) the basic allotment for the applicable school year.

Senate Amendment No. 6 (Senate Floor Amendment No. 2 - Third Reading)

Amend **HB 2** on third reading as follows:

(1) In Article 7 of the bill insert the following in the appropriate place and renumber accordingly:

SECTION _____. Subchapter F, Chapter 48, is amended by adding Section 48.285 to read as follows:

Sec. 48.285. ADDITIONAL STATE AID TO ENSURE FUNDING OF RETENTION ALLOTMENTS. (a) For the 2025-2026 and 2026-2027 school years, a school district is entitled to additional state aid each year equal to the amount, if the amount is greater than zero, that the district was entitled to under Section 48.158 and 48.1581 less the amount that results from subtracting the amount of funding the district was entitled to under this chapter and Chapter 49 as those chapters existed on September 1, 2024 from the funding the district is entitled to under this chapter and Chapter 49 for the current year.

(b) This section expires September 1, 2028.

(2) In the section of the bill adding Section 48.1581, Education Code, add the following subsection to Section 48.1581:

(b-1) In determining adjusted average daily attendance under this section the agency shall exclude students who do not reside in the district and are enrolled in a full-time virtual program.

HB 24 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Orr called up with senate amendments for consideration at this time,

HB 24, A bill to be entitled An Act relating to procedures for changes to a zoning regulation or district boundary.

Representative Orr moved to concur in the senate amendments to **HB 24**.

The motion to concur in the senate amendments to **HB 24** prevailed by (Record 4016): 104 Yeas, 30 Nays, 1 Present, not voting.

Yeas — Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Button; Cain; Campos; Canales; Capriglione; Cole; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.;

Dean; DeAyala; Dorazio; Dyson; Fairly; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Hernandez; Hickland; Howard; Hull; Hunter; Isaac; King; Kitzman; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Martinez; Martinez Fischer; McLaughlin; Meyer; Money; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Noble; Oliverson; Ordaz; Orr; Paul; Perez, M.; Perez, V.; Phelan; Raymond; Reynolds; Rosenthal; Schofield; Shofner; Simmons; Smithee; Spiller; Swanson; Talarico; Tepper; Turner; VanDeaver; Vasut; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Nays — Alders; Bumgarner; Collier; Flores; González, J.; Harrison; Hinojosa; Holt; Hopper; Jones, J.; LaHood; Leo Wilson; Lowe; Luther; McQueeney; Morgan; Olcott; Patterson; Pierson; Plesa; Rodríguez Ramos; Romero; Schatzline; Schoolcraft; Shaheen; Slawson; Thompson; Tinderholt; Toth; Troxclair.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Allen; Hayes; Hefner; Johnson; Jones, V.; Little; Manuel; Metcalf; Richardson; Rose.

STATEMENTS OF VOTE

When Record No. 4016 was taken, I was shown voting yes. I intended to vote no.

Garcia Hernandez

When Record No. 4016 was taken, I was in the house but away from my desk. I would have voted yes.

Metcalf

When Record No. 4016 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

When Record No. 4016 was taken, I was excused because of important business in the district. I would have voted no.

Virdell

Senate Committee Substitute

CSHB 24, A bill to be entitled An Act relating to procedures for changes to a zoning regulation or district boundary.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 211, Local Government Code, is amended by adding Section 211.0011 to read as follows:

Sec. 211.0011. DEFINITION. In this subchapter, "proposed comprehensive zoning change" means a municipal proposal to:

(1) change an existing zoning regulation that:

(A) will have the effect of allowing more residential development than the previous regulation; and

(B) will apply uniformly to each parcel in one or more zoning districts;

(2) adopt a new zoning code or zoning map that will apply to the entire municipality; or

(3) adopt a zoning overlay district that:

(A) will have the effect of allowing more residential development than allowed without the overlay; and

(B) will include an area along a major roadway, highway, or transit corridor.

SECTION 2. Section 211.006(a), Local Government Code, is amended to read as follows:

(a) The governing body of a municipality wishing to exercise the authority relating to zoning regulations and zoning district boundaries shall establish procedures for adopting and enforcing the regulations and boundaries. A regulation or boundary is not effective until after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard. Before the 15th day before the date of the hearing, notice of the time and place of the hearing must be:

(1) published in an official newspaper or a newspaper of general circulation in the municipality; and

(2) if the municipality maintains an Internet website, published on the municipality's Internet website.

SECTION 3. Subchapter A, Chapter 211, Local Government Code, is amended by adding Section 211.0061 to read as follows:

Sec. 211.0061. PROTEST PROCEDURES FOR CERTAIN PROPOSED CHANGES. (a) This section applies only to a proposed change to a zoning regulation or district boundary that is not a proposed comprehensive zoning change.

(b) A protest of a proposed change to a zoning regulation or district boundary must be written and signed by the owners of:

(1) at least 20 percent of the area of the lots or land covered by the proposed change;

(2) except as provided by Subdivision (3), at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area; or

(3) at least 60 percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area if the proposed change has the effect of allowing more residential development than the existing zoning regulation or district boundary and does not have the effect of allowing additional commercial or industrial uses unless the additional use is limited to the first floor of any residential development and does not exceed 35 percent of the overall development.

(d) If a proposed change to a regulation or district boundary is protested in accordance with Subsection (b), the proposed change must receive, in order to take effect, the affirmative vote of at least:

(1) three-fourths of all members of the governing body for a protest described by Subsection (b)(1) or (2); or

(2) a majority of all members of the governing body for a protest described by Subsection (b)(3).

SECTION 4. Section 211.006(e), Local Government Code, is transferred to Section 211.0061, Local Government Code, as added by this Act, redesignated as Section 211.0061(c), Local Government Code, and amended to read as follows:

(c) [~~(e)~~] In computing the percentage of land area under Subsection (b):

(1) [~~(e)~~] the area of streets and alleys shall be included; and

(2) the land area is not calculated individually for each tract of land subject to a proposed change in a zoning regulation or district boundary but in the aggregate for all tracts of land subject to the change.

SECTION 5. Subchapter A, Chapter 211, Local Government Code, is amended by adding Sections 211.0063 and 211.0065 to read as follows:

Sec. 211.0063. NOTICE FOR PROPOSED COMPREHENSIVE ZONING CHANGES. The notices described by Section 211.006(a) or 211.007(d), as applicable, and Section 211.006(a-1) are the only notices required for a proposed comprehensive zoning change.

Sec. 211.0065. PRESUMPTION OF VALIDITY FOR CERTAIN CHANGES TO ZONING REGULATIONS OR DISTRICT BOUNDARIES. A change to a zoning regulation or district boundary that has the effect of allowing more residential development than the previous regulation is conclusively presumed valid and to have occurred in accordance with all applicable statutes and ordinances if an action to annul or invalidate the change has not been filed before the 60th day after the effective date of the change.

SECTION 6. Subchapter A, Chapter 211, Local Government Code, is amended by adding Section 211.0073 to read as follows:

Sec. 211.0073. NOTICE SIGN REQUIREMENT FOR CERTAIN ZONING CHANGES IN HOME-RULE MUNICIPALITIES. (a) Not later than the 10th day before the date the zoning commission of a home-rule municipality holds a hearing on a proposed change in zoning classification that does not apply to the whole municipality and until the date of a final determination on the proposed change by the governing body of the municipality, the zoning commission shall post a notice sign in accordance with this section on:

(1) the property affected by the change; or

(2) a public right-of-way for a change initiated by the municipality that affects multiple properties.

(b) The notice sign must be at least 24 inches long by 48 inches wide.

(c) The zoning commission may elect to provide, maintain, and pay for a notice sign under this section or require an applicant for a change in zoning classification to provide, maintain, and pay for the sign.

(d) Notice requirements prescribed under this section are in addition to notice required by Section 211.007.

SECTION 7. Sections 211.006(d) and (f), Local Government Code, are repealed.

SECTION 8. The changes in law made by this Act apply only to a proposal to change a municipal zoning regulation or district boundary made on or after the effective date of this Act.

SECTION 9. This Act takes effect September 1, 2025.

HB 3233 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Gerdes called up with senate amendments for consideration at this time,

HB 3233, A bill to be entitled An Act relating to patient data maintained by pharmacy benefit managers.

Representative Gerdes moved to concur in the senate amendments to **HB 3233**.

The motion to concur in the senate amendments to **HB 3233** prevailed by (Record 4017): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alders; Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Cain; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; García, J.; García, L.; García Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Harrison; Hefner; Hernandez; Hickland; Hinojosa; Holt; Hopper; Howard; Hull; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Leo Wilson; Little; Longoria; Lopez, J.; Lopez, R.; Louderback; Lowe; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morgan; Muñoz; Noble; Olcott; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Reynolds; Richardson; Rodríguez Ramos; Romero; Rose; Rosenthal; Schatzline; Schoolcraft; Shaheen; Shofner; Simmons; Slawson; Smithee; Spiller; Swanson; Talarico; Tepper; Thompson; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Allen; Bhojani; Hayes; Jones, V.; Manuel; Morales Shaw; Schofield.

STATEMENT OF VOTE

When Record No. 4017 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

Senate Committee Substitute

CSHB 3233, A bill to be entitled An Act relating to patient data maintained by pharmacy benefit managers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 4151, Insurance Code, is amended by adding Section 4151.1531 to read as follows:

Sec. 4151.1531. SECURITY OF PATIENT DATA. A pharmacy benefit manager may not store or process patient data for a resident of this state in a location outside of the United States or its territories.

SECTION 2. Section 4151.1531, Insurance Code, as added by this Act, applies only to a contract entered into or renewed on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2025.

HB 1397 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS

Representative Gerdes called up with senate amendments for consideration at this time,

HB 1397, A bill to be entitled An Act relating to the care, custody, and display of the letter known as the victory or death letter, the Texas Constitution, and the Texas Declaration of Independence.

Representative Gerdes moved to concur in the senate amendments to **HB 1397**.

The motion to concur in the senate amendments to **HB 1397** prevailed by (Record 4018): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alders; Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Cain; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; García, J.; García, L.; García Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Harrison; Hayes; Hefner; Hernandez; Hickland; Hinojosa; Holt; Hopper; Howard; Hull; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Leo Wilson; Little; Longoria; Lopez, J.; Lopez, R.; Louderback; Lowe; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Olcott; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Reynolds; Richardson; Rodríguez Ramos; Romero; Rose; Rosenthal; Schatzline; Schofield; Schoolcraft; Shaheen; Shofner; Simmons; Slawson; Smithee; Spiller; Swanson; Talarico; Tepper; Thompson; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Allen; Jones, V.; Manuel.

STATEMENT OF VOTE

When Record No. 4018 was taken, I was excused because of important business in the district. I would have voted yes.

Virdell

Senate Committee Substitute

CSHB 1397, A bill to be entitled An Act relating to the care, custody, and display of the letter known as the victory or death letter, the Texas Constitution, and the Texas Declaration of Independence.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter L, Chapter 441, Government Code, is amended by adding Section 441.207 to read as follows:

Sec. 441.207. CARE, CUSTODY, AND DISPLAY OF VICTORY OR DEATH LETTER, TEXAS CONSTITUTION, AND TEXAS DECLARATION OF INDEPENDENCE. (a) In this section, "victory or death letter" means the letter written by Lieutenant Colonel William B. Travis dated February 24, 1836, and signed "Victory or Death."

(b) The commission is responsible for the care and custody of the victory or death letter, the Texas Constitution, and the Texas Declaration of Independence. The commission is responsible for the safety and preservation of the victory or death letter at all times, including when the letter is in the direct custody of the commission, in storage, or on display in the Alamo complex, Capitol Complex, or another site the commission determines appropriate under Subsection (f).

(c) The commission shall:

(1) designate an appropriate place in the Alamo complex for the secure display of the victory or death letter; and

(2) on the Texas Historical Commission's determination that the transfer to and display of the letter at the Alamo complex is safe and appropriate, transfer the letter to that location for display.

(d) Until the commission designates an appropriate place in the Alamo complex to display the victory or death letter and in collaboration with the Texas Historical Commission determines an appropriate time to securely transfer the letter to that place, the commission shall display the victory or death letter in the public location at the Capitol Complex at which the Texas Constitution and the Texas Declaration of Independence are displayed as required by Subsection (e).

(e) The commission shall collaborate with the Texas Historical Commission and State Preservation Board to determine an appropriate public location at the Capitol Complex for the secure display of the Texas Constitution and the Texas Declaration of Independence.

(e-1) The commission, in consultation and collaboration with the Texas Historical Commission and the State Preservation Board and not later than December 1, 2027, shall:

(1) develop a plan to display:

(A) the Texas Declaration of Independence and the Texas Constitution in the Capitol Complex; and

(B) the victory or death letter in the Alamo complex and other sites the commission determines appropriate under Subsection (f);

(2) publish the plan on the commission's Internet website; and

(3) provide a copy of the plan to the standing committees of the legislature with jurisdiction over the state's historical resources.

(e-2) Subsection (e-1) and this subsection expire September 1, 2031.

(f) The commission, in consultation and collaboration with the Texas Historical Commission and the State Preservation Board, may authorize for a limited period the display of the Texas Constitution, the Texas Declaration of Independence, or the victory or death letter at a museum, historical event, or historical site.

(g) Costs attributable to the display of the victory or death letter, the Texas Constitution, and the Texas Declaration of Independence shall be paid by the commission, using money available to the commission for that purpose.

SECTION 2. This Act takes effect September 1, 2025.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **CSHB 1397** (senate committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. Chapter 443, Government Code, is amended by adding Section 443.031 to read as follows:

Sec. 443.031. CARE, CUSTODY, AND DISPLAY OF VICTORY OR DEATH LETTER, TEXAS CONSTITUTION, AND TEXAS DECLARATION OF INDEPENDENCE. (a) In this section, "victory or death letter" means the letter written by Lieutenant Colonel William B. Travis dated February 24, 1836, and signed "Victory or Death."

(b) The board is responsible for the care and custody of the victory or death letter, the Texas Constitution, and the Texas Declaration of Independence. The board is responsible for the safety and preservation of the victory or death letter at all times, including when the letter is in the direct custody of the board, in storage, or on display in the Alamo complex, Capitol Complex, or another site the board determines appropriate under Subsection (f).

(c) The board, in consultation with the Texas Historical Commission and the Texas State Library and Archives Commission, shall:

(1) designate an appropriate place in the Alamo complex for the secure display of the victory or death letter; and

(2) on the Texas Historical Commission's determination that the transfer to and display of the letter at the Alamo complex is safe and appropriate, transfer the letter to that location for display.

(d) Until the board designates an appropriate place in the Alamo complex to display the victory or death letter and in collaboration with the Texas Historical Commission and the Texas State Library and Archives Commission determines an appropriate time to securely transfer the letter to that place, the board, in consultation with the Texas Historical Commission and the Texas State Library

and Archives Commission, shall display the victory or death letter in the public location at the Capitol Complex at which the Texas Constitution and the Texas Declaration of Independence are displayed as required by Subsection (e).

(e) The board shall collaborate with the Texas Historical Commission and the Texas State Library and Archives Commission to determine an appropriate public location at the Capitol Complex for the secure display of the Texas Constitution and the Texas Declaration of Independence.

(e-1) The board, in consultation and collaboration with the Texas Historical Commission and the Texas State Library and Archives Commission and not later than December 1, 2027, shall:

(1) develop a plan to display:

(A) the Texas Declaration of Independence and the Texas Constitution in the Capitol Complex; and

(B) the victory or death letter in the Alamo complex and other sites the board determines appropriate under Subsection (f);

(2) publish the plan on the board's Internet website; and

(3) provide a copy of the plan to the standing committees of the legislature with jurisdiction over the state's historical resources.

(e-2) Subsection (e-1) and this subsection expire September 1, 2031.

(f) The board, in consultation and collaboration with the Texas Historical Commission and the Texas State Library and Archives Commission, may authorize for a limited period the display of the Texas Constitution, the Texas Declaration of Independence, or the victory or death letter at a museum, historical event, or historical site.

(g) Costs attributable to the display of the victory or death letter, the Texas Constitution, and the Texas Declaration of Independence shall be paid by the board, using money available to the board for that purpose.

SECTION 2. On the day the Texas Constitution, the Texas Declaration of Independence, and the letter described by Section 443.031(a), Government Code, as added by this Act, are to be displayed at the Capitol Complex, as provided by Sections 443.031(d) and (e), Government Code, as added by this Act, the Texas State Library and Archives Commission shall transfer to the State Preservation Board the Texas Constitution, the Texas Declaration of Independence, and the letter described by Section 443.031(a), Government Code, as added by this Act.

SECTION 3. This Act takes effect September 1, 2025.

HB 3133 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Bhojani called up with senate amendments for consideration at this time,

HB 3133, A bill to be entitled An Act relating to user reports of explicit deep fake material on social media platforms.

Representative Bhojani moved to concur in the senate amendments to **HB 3133**.

The motion to concur in the senate amendments to **HB 3133** prevailed by (Record 4019): 119 Yeas, 19 Nays, 1 Present, not voting.

Yeas — Alders; Anchía; Ashby; Barry; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Bucy; Button; Campos; Canales; Capriglione; Cole; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Hayes; Hefner; Hernandez; Hinojosa; Hopper; Howard; Hunter; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Little; Longoria; Lopez, J.; Lopez, R.; Louderback; Lowe; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Moody; Morales, C.; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Oliverson; Ordaz; Orr; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Reynolds; Rodríguez Ramos; Romero; Rose; Rosenthal; Schofield; Shofner; Simmons; Smithee; Spiller; Swanson; Talarico; Tepper; Thompson; Troxclair; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Nays — Bumgarner; Cain; Collier; Harrison; Hickland; Hull; Isaac; Leo Wilson; Money; Olcott; Patterson; Richardson; Schatzline; Schoolcraft; Shaheen; Slawson; Tinderholt; Toth; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Allen; Bell, C.; Buckley; Holt; Jones, V.; Manuel.

STATEMENTS OF VOTE

When Record No. 4019 was taken, my vote failed to register. I would have voted no.

Holt

When Record No. 4019 was taken, I was excused because of important business in the district. I would have voted yes.

Virdell

Senate Committee Substitute

CSHB 3133, A bill to be entitled An Act relating to user reports of explicit deep fake material on social media platforms.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 120, Business & Commerce Code, is amended by adding Section 120.1001 to read as follows:

Sec. 120.1001. DEFINITIONS. In this subchapter:

(1) "Deep fake material" means visual material, created with the intent to deceive, that appears to depict a real person performing an action that did not occur in reality.

(2) "Explicit deep fake material" means deep fake material that appears to depict a real person engaging in sexual conduct or other conduct resulting in the exposure of the person's intimate parts.

(3) "Intimate parts," "sexual conduct," and "visual material" have the meanings assigned by Section 21.16, Penal Code.

SECTION 2. Section 120.101, Business & Commerce Code, is amended to read as follows:

Sec. 120.101. COMPLAINT SYSTEM. A social media platform shall provide an easily accessible complaint system to enable a user to submit a complaint in good faith and track the status of the complaint, including a complaint regarding:

- (1) illegal content or activity; [or]
- (2) explicit deep fake material; or
- (3) a decision made by the social media platform to remove content posted by the user.

SECTION 3. Subchapter C, Chapter 120, Business & Commerce Code, is amended by adding Section 120.1015 to read as follows:

Sec. 120.1015. NOTICE OF COMPLAINT SYSTEM AND PROCEDURES. (a) A social media platform shall provide notice on the platform of the complaint system and procedures described by this subchapter.

(b) Notice under this section:

- (1) must be clear and conspicuous to a user;
- (2) must be written using plain language;
- (3) must describe the duties of a social media platform under Section 120.102;
- (4) must describe the process by which a user may submit a complaint;

and

(5) may be provided on another Internet web page to which a user may navigate through the use of a clear and conspicuous hyperlink.

SECTION 4. Section 120.102, Business & Commerce Code, is amended to read as follows:

Sec. 120.102. PROCESSING OF COMPLAINTS. (a) A social media platform that receives notice of illegal content or illegal activity on the social media platform shall make a good faith effort to evaluate the legality of the content or activity within 48 hours of receiving the notice, excluding hours during a Saturday or Sunday and subject to reasonable exceptions based on concerns about the legitimacy of the notice.

(b) A social media platform that receives notice of explicit deep fake material on the social media platform shall:

- (1) immediately confirm to the user that the social media platform is aware of the material;
- (2) remove the content reported by the user and any known content that is a copy of or identical to the reported content as explicit deep fake material; and
- (3) not later than the seventh day after the date the user submitted the report to the social media platform, provide a written notice to the user updating the user on the status of the reported content.

SECTION 5. Subchapter C, Chapter 120, Business & Commerce Code, is amended by adding Section 120.1025 to read as follows:

Sec. 120.1025. TREATMENT OF REPORTED CONTENT. (a) If a social media platform determines that content reported by a user is not explicit deep fake material, the social media platform may restore the material.

(b) If a social media platform determines that content reported by a user is explicit deep fake material, the social media platform shall implement measures to ensure the same material is not posted on the social media platform again.

SECTION 6. Section 120.103(b), Business & Commerce Code, is amended to read as follows:

(b) A social media platform is not required to provide a user with notice or an opportunity to appeal under Subsection (a) if the social media platform:

(1) is unable to contact the user after taking reasonable steps to make contact; ~~or~~

(2) knows that the potentially policy-violating content relates to an ongoing law enforcement investigation; or

(3) removed the content under Section 120.102(b) due to a complaint that the content was explicit deep fake material.

SECTION 7. The heading to Section 120.151, Business & Commerce Code, is amended to read as follows:

Sec. 120.151. INJUNCTIVE RELIEF ~~[ACTION BY ATTORNEY GENERAL]~~.

SECTION 8. Subchapter D, Chapter 120, Business & Commerce Code, is amended by adding Section 120.152 to read as follows:

Sec. 120.152. DECEPTIVE TRADE PRACTICE. A violation of this chapter is a deceptive trade practice under Subchapter E, Chapter 17, and is actionable under that subchapter.

SECTION 9. This Act takes effect September 1, 2025.

HB 5696 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Cook called up with senate amendments for consideration at this time,

HB 5696, A bill to be entitled An Act relating to the creation of The Reserve Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

Representative Cook moved to concur in the senate amendments to **HB 5696**.

The motion to concur in the senate amendments to **HB 5696** prevailed by (Record 4020): 99 Yeas, 36 Nays, 1 Present, not voting.

Yeas — Anchía; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Button; Canales; Cole; Collier; Cook; Cortez; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila;

Hayes; Hefner; Hernandez; Hinojosa; Howard; Hunter; Johnson; Jones, J.; King; Kitzman; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; Meyer; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Noble; Ordaz; Paul; Perez, M.; Perez, V.; Phelan; Plesa; Raymond; Reynolds; Richardson; Rodríguez Ramos; Romero; Rose; Rosenthal; Simmons; Smithee; Spiller; Talarico; Tepper; Thompson; Troxclair; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wilson; Wu; Zwiener.

Nays — Alders; Ashby; Barry; Bell, K.; Bonnen; Bumgarner; Cain; Capriglione; Craddick; Gerdes; Harrison; Hickland; Hopper; Hull; Isaac; LaHood; Leo Wilson; Little; Lowe; McQueeney; Metcalf; Money; Morgan; Olcott; Oliverson; Patterson; Pierson; Schatzline; Schoolcraft; Shaheen; Shofner; Slawson; Tinderholt; Toth; Vasut; Wharton.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Allen; Bell, C.; Campos; Holt; Jones, V.; Manuel; Orr; Schofield; Swanson.

STATEMENTS OF VOTE

When Record No. 4020 was taken, my vote failed to register. I would have voted no.

Holt

When Record No. 4020 was taken, my vote failed to register. I would have voted no.

Swanson

When Record No. 4020 was taken, I was excused because of important business in the district. I would have voted no.

Virdell

Senate Committee Substitute

CSHB 5696, A bill to be entitled An Act relating to the creation of The Reserve Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 4026 to read as follows:

CHAPTER 4026. THE RESERVE MUNICIPAL MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 4026.0101. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "City" means the City of Mansfield.

(3) "Director" means a board member.

(4) "District" means The Reserve Municipal Management District.

Sec. 4026.0102. NATURE OF DISTRICT. The Reserve Municipal Management District is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 4026.0103. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter.

(b) By creating the district and in authorizing the city and other political subdivisions to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.

(c) The creation of the district is necessary to promote, develop, encourage, and maintain employment, commerce, transportation, housing, tourism, recreation, the arts, entertainment, economic development, safety, and the public welfare in the district.

(d) This chapter and the creation of the district may not be interpreted to relieve the city from providing the level of services provided as of the effective date of the Act enacting this chapter to the area in the district. The district is created to supplement and not to supplant city services provided in the district.

Sec. 4026.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) All land and other property included in the district will benefit from the improvements and services to be provided by the district under powers conferred by Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other powers granted under this chapter.

(b) The district is created to serve a public use and benefit.

(c) The creation of the district is in the public interest and is essential to further the public purposes of:

- (1) developing and diversifying the economy of the state;
- (2) eliminating unemployment and underemployment; and
- (3) developing or expanding transportation and commerce.

(d) The district will:

(1) promote the health, safety, and general welfare of residents, employers, potential employees, employees, visitors, and consumers in the district, and of the public;

(2) provide needed funding for the district to preserve, maintain, and enhance the economic health and vitality of the district territory as a community and business center;

(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways and by landscaping and developing certain areas in the district, which are necessary for the restoration, preservation, and enhancement of scenic beauty; and

(4) provide for water, wastewater, drainage, road, and recreational facilities for the district.

(e) Pedestrian ways along or across a street, whether at grade or above or below the surface, and street lighting, street landscaping, parking, and street art objects are parts of and necessary components of a street and are considered to be a street or road improvement.

(f) The district will not act as the agent or instrumentality of any private interest even though the district will benefit many private interests as well as the public.

Sec. 4026.0105. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 2 of the Act enacting this chapter form a closure. A mistake in the field notes or in copying the field notes in the legislative process does not affect the district's:

(1) organization, existence, or validity;

(2) right to issue any type of bonds for the purposes for which the district is created or to pay the principal of and interest on the bonds;

(3) right to impose or collect an assessment or tax; or

(4) legality or operation.

Sec. 4026.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. All or any part of the area of the district is eligible to be included in:

(1) a tax increment reinvestment zone created under Chapter 311, Tax Code; or

(2) a tax abatement reinvestment zone created under Chapter 312, Tax Code.

Sec. 4026.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 4026.0108. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 4026.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors who serve staggered terms of four years.

(b) Directors are elected in the manner provided by Subchapter D, Chapter 49, Water Code.

Sec. 4026.0202. COMPENSATION; EXPENSES. (a) The district may compensate each director in an amount not to exceed \$150 for each board meeting. The total amount of compensation for each director in one year may not exceed \$7,200.

(b) A director is entitled to reimbursement for necessary and reasonable expenses incurred in carrying out the duties and responsibilities of the board.

(c) Sections 375.069 and 375.070, Local Government Code, do not apply to the board.

Sec. 4026.0203. INITIAL DIRECTORS. (a) The initial board consists of the following directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Clay Roby</u>
<u>2</u>	<u>Jimmy O'Neal</u>
<u>3</u>	<u>Dan White</u>
<u>4</u>	<u>Joe Smolinski</u>
<u>5</u>	<u>Jason Moore</u>

(b) Of the initial directors, the terms of directors appointed for positions one through three expire June 1, 2027, and the terms of directors appointed for positions four and five expire June 1, 2029.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 4026.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 4026.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The district, using any money available to the district for the purpose, may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code, including a canal, waterway, bulkhead, or dock, inside or outside the district's boundaries, that is necessary to, incidental to, or in aid of the navigation of inland water for the purposes of the district.

(b) The district may contract with a governmental or private entity to carry out an action under Subsection (a).

(c) The implementation of a district project or service is a governmental function or service for the purposes of Chapter 791, Government Code.

Sec. 4026.0303. NONPROFIT CORPORATION. (a) The board by resolution may authorize the creation of a nonprofit corporation to assist and act for the district in implementing a project or providing a service authorized by this chapter.

(b) The nonprofit corporation:

(1) has each power of and is considered to be a local government corporation created under Subchapter D, Chapter 431, Transportation Code; and

(2) may implement any project and provide any service authorized by this chapter.

(c) The board shall appoint the board of directors of the nonprofit corporation. The board of directors of the nonprofit corporation shall serve in the same manner as the board of directors of a local government corporation created under Subchapter D, Chapter 431, Transportation Code, except that a board member is not required to reside in the district.

Sec. 4026.0304. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The district may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a district purpose.

Sec. 4026.0305. ECONOMIC DEVELOPMENT PROGRAMS. (a) The district may engage in activities that accomplish the economic development purposes of the district.

(b) The district may establish and provide for the administration of one or more programs to promote state or local economic development and to stimulate business and commercial activity in the district, including programs to:

- (1) make loans and grants of public money; and
- (2) provide district personnel and services.

(c) The district may create economic development programs and exercise the economic development powers provided to municipalities by:

- (1) Chapter 380, Local Government Code; and
- (2) Subchapter A, Chapter 1509, Government Code.

Sec. 4026.0306. PARKING FACILITIES. (a) The district may acquire, lease as lessor or lessee, construct, develop, own, operate, and maintain parking facilities or a system of parking facilities, including lots, garages, parking terminals, or other structures or accommodations for parking motor vehicles off the streets and related appurtenances.

(b) The district's parking facilities serve the public purposes of the district and are owned, used, and held for a public purpose even if leased or operated by a private entity for a term of years.

(c) The district's parking facilities are parts of and necessary components of a street and are considered to be a street or road improvement.

(d) The development and operation of the district's parking facilities may be considered an economic development program.

Sec. 4026.0307. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of district money.

Sec. 4026.0308. ADDING OR EXCLUDING LAND. Except as provided by Section 4026.0309, the district may add or exclude land in the manner provided by Subchapter J, Chapter 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

Sec. 4026.0309. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if the district:

- (1) has no outstanding bonded debt; and
- (2) is not imposing ad valorem taxes.

(b) This chapter applies to any new district created by the division of the district, and a new district has all the powers and duties of the district.

(c) Any new district created by the division of the district may not, at the time the new district is created, contain any land outside the area described by Section 2 of the Act enacting this chapter.

(d) The board, on its own motion or on receipt of a petition signed by the owner or owners of a majority of the assessed value of the real property in the district, may adopt an order dividing the district.

(e) An order dividing the district must:

- (1) name each new district;
- (2) include the metes and bounds description of the territory of each new district;

(3) appoint initial directors for each new district; and

(4) provide for the division of assets and liabilities between or among the new districts.

(f) On or before the 30th day after the date of adoption of an order dividing the district, the district shall file the order with the Texas Commission on Environmental Quality and record the order in the real property records of each county in which the district is located.

(g) Municipal consent to the creation of the district and to the inclusion of land in the district granted under Section 4026.0506 acts as municipal consent to the creation of any new district created by the division of the district and to the inclusion of land in the new district.

Sec. 4026.0310. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

SUBCHAPTER D. ASSESSMENTS

Sec. 4026.0401. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

(b) A petition filed under Subsection (a) must be signed by the owners of a majority of the assessed value of real property in the district subject to assessment according to the most recent certified tax appraisal roll for the county.

Sec. 4026.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district.

(b) An assessment, a reassessment, or an assessment resulting from an addition to or correction of the assessment roll by the district, penalties and interest on an assessment or reassessment, an expense of collection, and reasonable attorney's fees incurred by the district:

(1) are a first and prior lien against the property assessed;

(2) are superior to any other lien or claim other than a lien or claim for county, school district, or municipal ad valorem taxes; and

(3) are the personal liability of and a charge against the owners of the property even if the owners are not named in the assessment proceedings.

(c) The lien is effective from the date of the board's resolution imposing the assessment until the date the assessment is paid. The board may enforce the lien in the same manner that the board may enforce an ad valorem tax lien against real property.

(d) The board may make a correction to or deletion from the assessment roll that does not increase the amount of assessment of any parcel of land without providing notice and holding a hearing in the manner required for additional assessments.

SUBCHAPTER E. TAXES AND BONDS

Sec. 4026.0501. TAX ELECTION REQUIRED. (a) The district must hold an election in the manner provided by Chapter 49, Water Code, or, if applicable, Chapter 375, Local Government Code, to obtain voter approval before the district may impose an ad valorem tax.

(b) Section 375.243, Local Government Code, does not apply to the district.

Sec. 4026.0502. OPERATION AND MAINTENANCE TAX. (a) If authorized by a majority of the district voters voting at an election under Section 4026.0501, the district may impose an operation and maintenance tax on taxable property in the district in the manner provided by Section 49.107, Water Code, for any district purpose, including to:

- (1) maintain and operate the district;
- (2) construct or acquire improvements; or
- (3) provide a service.

(b) The board shall determine the operation and maintenance tax rate. The rate may not exceed the rate approved at the election.

Sec. 4026.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on terms determined by the board.

(b) The district may issue, by public or private sale, bonds, notes, or other obligations payable wholly or partly from ad valorem taxes, assessments, impact fees, revenue, including contract revenues, contract payments, grants, or other district money, or any combination of those sources of money, to pay for any authorized district purpose.

Sec. 4026.0504. BONDS SECURED BY REVENUE OR CONTRACT PAYMENTS. The district may issue, without an election, bonds secured by:

- (1) revenue other than ad valorem taxes, including contract revenues;

or

(2) contract payments, provided that the requirements of Section 49.108, Water Code, have been met.

Sec. 4026.0505. BONDS SECURED BY AD VALOREM TAXES; ELECTIONS. (a) If authorized at an election under Section 4026.0501, the district may issue bonds payable from ad valorem taxes.

(b) At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct annual ad valorem tax, without limit as to rate or amount, for each year that all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

(c) All or any part of any facilities or improvements that may be acquired by a district by the issuance of its bonds may be submitted as a single proposition or as several propositions to be voted on at the election.

Sec. 4026.0506. CONSENT OF MUNICIPALITY REQUIRED. (a) The board may not issue bonds until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district as required by applicable law.

(b) This section applies only to the district's first issuance of bonds payable from ad valorem taxes.

SUBCHAPTER I. DISSOLUTION

Sec. 4026.0901. DISSOLUTION. (a) The board shall dissolve the district on written petition filed with the board by the owners of:

(1) at least two-thirds of the assessed value of the property subject to assessment by the district based on the most recent certified county property tax rolls; or

(2) at least two-thirds of the surface area of the district, excluding roads, streets, highways, utility rights-of-way, other public areas, and other property exempt from assessment by the district according to the most recent certified county property tax rolls.

(b) The board by majority vote may dissolve the district at any time.

(c) The district may not be dissolved by its board under Subsection (a) or (b) if the district:

(1) has any outstanding bonded indebtedness until that bonded indebtedness has been repaid or defeased in accordance with the order or resolution authorizing the issuance of the bonds;

(2) has a contractual obligation to pay money until that obligation has been fully paid in accordance with the contract; or

(3) owns, operates, or maintains public works, facilities, or improvements unless the district contracts with another person for the ownership, operation, or maintenance of the public works, facilities, or improvements.

(d) Sections 375.261, 375.262, and 375.264, Local Government Code, do not apply to the district.

SECTION 2. The Reserve Municipal Management District initially includes all territory contained in the following area:

BEGINNING, at the west line of Matlock Road having a Texas State Plane Coordinate System, NAD 83, North Central Zone (4202) grid coordinate of North 6,892,348.42, East 2,400,693.84;

THENCE, South 29 degrees, 55 minutes, 44.23 seconds East, a distance of 567.590 feet to a point for corner;

THENCE, South 33 degrees, 06 minutes, 30.23 seconds East, a distance of 90.140 feet to a point for corner;

THENCE, South 29 degrees, 55 minutes, 43.23 seconds East, a distance of 85.000 feet to a point for corner; said point being the beginning of a curve to the right;

THENCE, Along said curve, having a central angle of 30 degrees, 33 minutes, 43.20 seconds, a radius of 995.000 feet, a chord bearing and distance of South 14 degrees, 38 minutes, 52.23 seconds East, 524.470 feet, an arc distance of 530.740 feet to a point at the end of said curve;

THENCE, South 00 degrees, 38 minutes, 00.77 seconds West, a distance of 129.510 feet to a point for corner; said point being the beginning of a non-tangent curve to the left;

THENCE, Along said curve, having a central angle of 110 degrees, 30 minutes, 03.96 seconds, a radius of 115.000 feet, a chord bearing and distance of South 05 degrees, 13 minutes, 08.77 seconds West, 188.980 feet, an arc distance of 221.790 feet to a point at the end of said curve;

THENCE, South 29 degrees, 51 minutes, 36.23 seconds East, a distance of 78.956 feet to a point for corner; said point being the beginning of a non-tangent curve to the left;

THENCE, Along said curve, having a central angle of 18 degrees, 08 minutes, 03.84 seconds, a radius of 1105.000 feet, a chord bearing and distance of South 20 degrees, 37 minutes, 21.23 seconds East, 348.280 feet, an arc distance of 349.738 feet to a point at the end of said curve;

THENCE, South 29 degrees, 41 minutes, 23.23 seconds East, a distance of 177.850 feet to a point for corner; said point being the beginning of a non-tangent curve to the right;

THENCE, Along said curve, having a central angle of 5 degrees, 07 minutes, 57.36 seconds, a radius of 500.610 feet, a chord bearing and distance of South 27 degrees, 07 minutes, 18.23 seconds East, 44.830 feet, an arc distance of 44.845 feet to a point at the end of said curve; said point being the beginning of a non-tangent curve to the left;

THENCE, Along said curve, having a central angle of 6 degrees, 22 minutes, 12.72 seconds, a radius of 527.610 feet, a chord bearing and distance of South 27 degrees, 44 minutes, 32.23 seconds East, 58.630 feet, an arc distance of 58.660 feet to a point at the end of said curve;

THENCE, South 29 degrees, 41 minutes, 27.23 seconds East, a distance of 81.270 feet to a point for corner; said point being the beginning of a non-tangent curve to the right;

THENCE, Along said curve, having a central angle of 88 degrees, 46 minutes, 15.60 seconds, a radius of 58.000 feet, a chord bearing and distance of South 14 degrees, 41 minutes, 29.77 seconds West, 81.140 feet, an arc distance of 89.862 feet to a point at the end of said curve;

THENCE, South 59 degrees, 04 minutes, 23.77 seconds West, a distance of 1606.253 feet to a point for corner;

THENCE, North 75 degrees, 40 minutes, 33.00 seconds West, a distance of 36.018 feet to a point for corner;

THENCE, North 30 degrees, 28 minutes, 34.00 seconds West, a distance of 25.140 feet to a point for corner;

THENCE, North 30 degrees, 22 minutes, 19.00 seconds West, a distance of 51.590 feet to a point for corner; said point being the beginning of a non-tangent curve to the left;

THENCE, Along said curve, having a central angle of 17 degrees, 48 minutes, 18.00 seconds, a radius of 914.000 feet, a chord bearing and distance of North 39 degrees, 17 minutes, 25.00 seconds West, 282.890 feet, an arc distance of 284.031 feet to a point at the end of said curve; said point being the beginning of a compound curve to the left;

THENCE, Along said curve, having a central angle of 30 degrees, 33 minutes, 24.84 seconds, a radius of 914.000 feet, a chord bearing and distance of North 63 degrees, 28 minutes, 16.85 seconds West, 481.697 feet, an arc distance of 487.454 feet to a point at the end of said curve;

THENCE, North 29 degrees, 15 minutes, 04.00 seconds West, a distance of 1147.565 feet to a point for corner;

THENCE, North 29 degrees, 26 minutes, 33.00 seconds West, a distance of 839.410 feet to a point for corner;

THENCE, North 30 degrees, 07 minutes, 05.99 seconds West, a distance of 667.664 feet to a point for corner;

THENCE, North 30 degrees, 07 minutes, 05.00 seconds West, a distance of 599.046 feet to a point for corner;

THENCE, North 59 degrees, 34 minutes, 19.00 seconds East, a distance of 602.393 feet to a point for corner; said point being the beginning of a non-tangent curve to the right;

THENCE, Along said curve, having a central angle of 46 degrees, 33 minutes, 12.60 seconds, a radius of 145.000 feet, a chord bearing and distance of North 82 degrees, 50 minutes, 53.00 seconds East, 114.600 feet, an arc distance of 117.814 feet to a point at the end of said curve;

THENCE, South 73 degrees, 44 minutes, 12.00 seconds East, a distance of 164.490 feet to a point for corner; said point being the beginning of a non-tangent curve to the right;

THENCE, Along said curve, having a central angle of 14 degrees, 56 minutes, 32.64 seconds, a radius of 785.370 feet, a chord bearing and distance of South 66 degrees, 04 minutes, 21.00 seconds East, 204.240 feet, an arc distance of 204.820 feet to a point at the end of said curve;

THENCE, North 28 degrees, 27 minutes, 50.00 seconds East, a distance of 339.780 feet to a point for corner;

THENCE, North 74 degrees, 40 minutes, 12.00 seconds East, a distance of 20.780 feet to a point for corner; said point being the beginning of a non-tangent curve to the right;

THENCE, Along said curve, having a central angle of 11 degrees, 33 minutes, 58.68 seconds, a radius of 1140.000 feet, a chord bearing and distance of South 52 degrees, 57 minutes, 45.68 seconds East, 229.741 feet, an arc distance of 230.132 feet to a point at the end of said curve;

THENCE, South 47 degrees, 10 minutes, 47.17 seconds East, a distance of 302.870 feet to a point for corner; said point being the beginning of a non-tangent curve to the left;

THENCE, Along said curve, having a central angle of 50 degrees, 36 minutes, 33.84 seconds, a radius of 1060.000 feet, a chord bearing and distance of South 72 degrees, 29 minutes, 03.06 seconds East, 906.156 feet, an arc distance of 936.299 feet to a point at the end of said curve;

THENCE, South 06 degrees, 24 minutes, 37.23 seconds East, a distance of 73.347 feet to a point for corner; said point being the beginning of a non-tangent curve to the left;

THENCE, Along said curve, having a central angle of 23 degrees, 41 minutes, 22.20 seconds, a radius of 115.000 feet, a chord bearing and distance of South 18 degrees, 15 minutes, 09.23 seconds East, 47.210 feet, an arc distance of 47.548 feet to a point at the end of said curve;

THENCE, South 30 degrees, 06 minutes, 00.23 seconds East, a distance of 218.970 feet to a point for corner;

THENCE, North 60 degrees, 04 minutes, 59.77 seconds East, a distance of 348.680 feet to the POINT OF BEGINNING;

CONTAINING: 7,564,921 square feet or 173.667 acres of land, more or less.

SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act have been fulfilled and accomplished.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

HB 5680 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Holt called up with senate amendments for consideration at this time,

HB 5680, A bill to be entitled An Act relating to the creation of the Bayou Belle Municipal Management District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

Representative Holt moved to concur in the senate amendments to **HB 5680**.

The motion to concur in the senate amendments to **HB 5680** prevailed by (Record 4021): 90 Yeas, 47 Nays, 1 Present, not voting.

Yeas — Bell, C.; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Canales; Cole; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Flores; Frank; Gámez; García, J.; García, L.; Gates; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Hayes; Hefner; Hernandez; Holt; Hopper; Howard; Hunter; Johnson; Jones, J.; Kitzman; Lalani; Landgraf; Longoria; Lopez, J.; Lopez, R.; Louderback; Lujan; Martinez; Martinez Fischer; McLaughlin; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Noble; Ordaz; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Richardson; Rodríguez Ramos; Romero; Rose; Schoolcraft; Simmons; Smithee; Spiller; Talarico; Tepper; Thompson; Tinderholt; Toth; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wilson; Zwiener.

Nays — Alders; Anchía; Ashby; Barry; Bell, K.; Bonnen; Bumgarner; Cain; Capriglione; Collier; Fairly; Garcia Hernandez; Gerdes; Geren; Harrison; Hickland; Hinojosa; Hull; Isaac; King; LaHood; Lambert; Leach; Leo Wilson;

Little; Lowe; Luther; McQueeney; Metcalf; Meyer; Money; Morgan; Olcott; Oliverson; Orr; Patterson; Reynolds; Rosenthal; Schatzline; Shaheen; Shofner; Slawson; Swanson; Troxclair; Vasut; Wharton; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Allen; Button; Campos; Jones, V.; Lozano; Manuel; Schofield.

STATEMENTS OF VOTE

When Record No. 4021 was taken, I was in the house but away from my desk. I would have voted no.

Lozano

When Record No. 4021 was taken, I was shown voting yes. I intended to vote present, not voting.

Pierson

When Record No. 4021 was taken, I was excused because of important business in the district. I would have voted no.

Virdell

Senate Committee Substitute

CSHB 5680, A bill to be entitled An Act relating to the creation of the Bayou Belle Municipal Management District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 4021 to read as follows:

CHAPTER 4021. BAYOU BELLE MUNICIPAL MANAGEMENT DISTRICT

NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 4021.0101. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "County" means Liberty County.

(3) "Director" means a board member.

(4) "District" means the Bayou Belle Municipal Management District

No. 1.

Sec. 4021.0102. NATURE OF DISTRICT. The Bayou Belle Municipal Management District No. 1 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 4021.0103. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter.

(b) By creating the district and in authorizing the county and other political subdivisions to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.

(c) The creation of the district is necessary to promote, develop, encourage, and maintain employment, commerce, transportation, housing, tourism, recreation, the arts, entertainment, economic development, safety, and the public welfare in the district.

(d) This chapter and the creation of the district may not be interpreted to relieve the county from providing the level of services provided as of the effective date of the Act enacting this chapter to the area in the district. The district is created to supplement and not to supplant county services provided in the district.

Sec. 4021.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) All land and other property included in the district will benefit from the improvements and services to be provided by the district under powers conferred by Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other powers granted under this chapter.

(b) The district is created to serve a public use and benefit.

(c) The creation of the district is in the public interest and is essential to further the public purposes of:

(1) developing and diversifying the economy of the state;

(2) eliminating unemployment and underemployment; and

(3) developing or expanding transportation and commerce.

(d) The district will:

(1) promote the health, safety, and general welfare of residents, employers, potential employees, employees, visitors, and consumers in the district, and of the public;

(2) provide needed funding for the district to preserve, maintain, and enhance the economic health and vitality of the district territory as a community and business center;

(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways and by landscaping and developing certain areas in the district, which are necessary for the restoration, preservation, and enhancement of scenic beauty; and

(4) provide for water, wastewater, drainage, road, and recreational facilities for the district.

(e) Pedestrian ways along or across a street, whether at grade or above or below the surface, and street lighting, street landscaping, parking, and street art objects are parts of and necessary components of a street and are considered to be a street or road improvement.

(f) The district will not act as the agent or instrumentality of any private interest even though the district will benefit many private interests as well as the public.

Sec. 4021.0105. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 2 of the Act enacting this chapter form a closure. A mistake in the field notes or in copying the field notes in the legislative process does not affect the district's:

(1) organization, existence, or validity;

(2) right to issue any type of bonds for the purposes for which the district is created or to pay the principal of and interest on the bonds;

(3) right to impose or collect an assessment or tax; or

(4) legality or operation.

Sec. 4021.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. All or any part of the area of the district is eligible to be included in:

(1) a tax increment reinvestment zone created under Chapter 311, Tax Code; or

(2) a tax abatement reinvestment zone created under Chapter 312, Tax Code.

Sec. 4021.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 4021.0108. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 4021.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors who serve staggered terms of four years.

(b) Directors are elected in the manner provided by Subchapter D, Chapter 49, Water Code.

Sec. 4021.0202. COMPENSATION; EXPENSES. (a) The district may compensate each director in an amount not to exceed \$150 for each board meeting. The total amount of compensation for each director in one year may not exceed \$7,200.

(b) A director is entitled to reimbursement for necessary and reasonable expenses incurred in carrying out the duties and responsibilities of the board.

(c) Sections 375.069 and 375.070, Local Government Code, do not apply to the board.

Sec. 4021.0203. INITIAL DIRECTORS. (a) The initial board consists of the following directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Dez Carlson</u>
<u>2</u>	<u>Remard Mason</u>
<u>3</u>	<u>Kye Sampson</u>
<u>4</u>	<u>Anthony Hernandez</u>
<u>5</u>	<u>Kyle Clarke</u>

(b) Of the initial directors, the terms of directors appointed for positions one through three expire June 1, 2027, and the terms of directors appointed for positions four and five expire June 1, 2029.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 4021.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 4021.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The district, using any money available to the district for the purpose, may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

(b) The district may contract with a governmental or private entity to carry out an action under Subsection (a).

(c) The implementation of a district project or service is a governmental function or service for the purposes of Chapter 791, Government Code.

Sec. 4021.0303. NONPROFIT CORPORATION. (a) The board by resolution may authorize the creation of a nonprofit corporation to assist and act for the district in implementing a project or providing a service authorized by this chapter.

(b) The nonprofit corporation:

(1) has each power of and is considered to be a local government corporation created under Subchapter D, Chapter 431, Transportation Code; and

(2) may implement any project and provide any service authorized by this chapter.

(c) The board shall appoint the board of directors of the nonprofit corporation. The board of directors of the nonprofit corporation shall serve in the same manner as the board of directors of a local government corporation created under Subchapter D, Chapter 431, Transportation Code, except that a board member is not required to reside in the district.

Sec. 4021.0304. LAW ENFORCEMENT SERVICES. To protect the public interest, the district may contract with a qualified party, including the county or a municipality with territory in the district, to provide law enforcement services in the district for a fee.

Sec. 4021.0305. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The district may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a district purpose.

Sec. 4021.0306. ECONOMIC DEVELOPMENT PROGRAMS. (a) The district may engage in activities that accomplish the economic development purposes of the district.

(b) The district may establish and provide for the administration of one or more programs to promote state or local economic development and to stimulate business and commercial activity in the district, including programs to:

(1) make loans and grants of public money; and

(2) provide district personnel and services.

(c) The district may create economic development programs and exercise the economic development powers provided to municipalities by:

(1) Chapter 380, Local Government Code; and

(2) Subchapter A, Chapter 1509, Government Code.

Sec. 4021.0307. PARKING FACILITIES. (a) The district may acquire, lease as lessor or lessee, construct, develop, own, operate, and maintain parking facilities or a system of parking facilities, including lots, garages, parking terminals, or other structures or accommodations for parking motor vehicles off the streets and related appurtenances.

(b) The district's parking facilities serve the public purposes of the district and are owned, used, and held for a public purpose even if leased or operated by a private entity for a term of years.

(c) The district's parking facilities are parts of and necessary components of a street and are considered to be a street or road improvement.

(d) The development and operation of the district's parking facilities may be considered an economic development program.

Sec. 4021.0308. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of district money.

Sec. 4021.0309. ADDING OR EXCLUDING LAND. Except as provided by Section 4021.0310, the district may add or exclude land in the manner provided by Subchapter J, Chapter 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

Sec. 4021.0310. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if the district:

(1) has no outstanding bonded debt; and

(2) is not imposing ad valorem taxes.

(b) This chapter applies to any new district created by the division of the district, and a new district has all the powers and duties of the district.

(c) Any new district created by the division of the district may not, at the time the new district is created, contain any land outside the area described by Section 2 of the Act enacting this chapter.

(d) The board, on its own motion or on receipt of a petition signed by the owner or owners of a majority of the assessed value of the real property in the district, may adopt an order dividing the district.

(e) An order dividing the district must:

(1) name each new district;

(2) include the metes and bounds description of the territory of each new district;

(3) appoint initial directors for each new district; and

(4) provide for the division of assets and liabilities between or among the new districts.

(f) On or before the 30th day after the date of adoption of an order dividing the district, the district shall file the order with the Texas Commission on Environmental Quality and record the order in the real property records of each county in which the district is located.

(g) Any new district created by the division of the district must hold an election as required by this chapter to obtain voter approval before the district may impose a maintenance tax or issue bonds payable wholly or partly from ad valorem taxes.

(h) Municipal consent to the creation of the district and to the inclusion of land in the district granted under Section 4021.0506 acts as municipal consent to the creation of any new district created by the division of the district and to the inclusion of land in the new district.

Sec. 4021.0311. EMINENT DOMAIN. Subject to the limitations provided by Section 54.209, Water Code, the district may exercise the power of eminent domain in the manner provided by Section 49.222, Water Code.

SUBCHAPTER D. ASSESSMENTS

Sec. 4021.0401. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

(b) A petition filed under Subsection (a) must be signed by the owners of a majority of the assessed value of real property in the district subject to assessment according to the most recent certified tax appraisal roll for the county.

Sec. 4021.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district.

(b) An assessment, a reassessment, or an assessment resulting from an addition to or correction of the assessment roll by the district, penalties and interest on an assessment or reassessment, an expense of collection, and reasonable attorney's fees incurred by the district:

(1) are a first and prior lien against the property assessed;

(2) are superior to any other lien or claim other than a lien or claim for county, school district, or municipal ad valorem taxes; and

(3) are the personal liability of and a charge against the owners of the property even if the owners are not named in the assessment proceedings.

(c) The lien is effective from the date of the board's resolution imposing the assessment until the date the assessment is paid. The board may enforce the lien in the same manner that the board may enforce an ad valorem tax lien against real property.

(d) The board may make a correction to or deletion from the assessment roll that does not increase the amount of assessment of any parcel of land without providing notice and holding a hearing in the manner required for additional assessments.

SUBCHAPTER E. TAXES AND BONDS

Sec. 4021.0501. TAX ELECTION REQUIRED. (a) The district must hold an election in the manner provided by Chapter 49, Water Code, or, if applicable, Chapter 375, Local Government Code, to obtain voter approval before the district may impose an ad valorem tax.

(b) Section 375.243, Local Government Code, does not apply to the district.

Sec. 4021.0502. OPERATION AND MAINTENANCE TAX. (a) If authorized by a majority of the district voters voting at an election under Section 4021.0501, the district may impose an operation and maintenance tax on taxable property in the district in the manner provided by Section 49.107, Water Code, for any district purpose, including to:

- (1) maintain and operate the district;
- (2) construct or acquire improvements; or
- (3) provide a service.

(b) The board shall determine the operation and maintenance tax rate. The rate may not exceed the rate approved at the election.

Sec. 4021.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on terms determined by the board.

(b) The district may issue, by public or private sale, bonds, notes, or other obligations payable wholly or partly from ad valorem taxes, assessments, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources of money, to pay for any authorized district purpose.

Sec. 4021.0504. BONDS SECURED BY REVENUE OR CONTRACT PAYMENTS. The district may issue, without an election, bonds secured by:

- (1) revenue other than ad valorem taxes, including contract revenues;

or

(2) contract payments, provided that the requirements of Section 49.108, Water Code, have been met.

Sec. 4021.0505. BONDS SECURED BY AD VALOREM TAXES; ELECTIONS. (a) If authorized at an election under Section 4021.0501, the district may issue bonds payable from ad valorem taxes.

(b) At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct annual ad valorem tax, without limit as to rate or amount, for each year that all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

(c) All or any part of any facilities or improvements that may be acquired by a district by the issuance of its bonds may be submitted as a single proposition or as several propositions to be voted on at the election.

Sec. 4021.0506. CONSENT OF MUNICIPALITY REQUIRED. The board may not issue bonds until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district as required by applicable law.

SUBCHAPTER I. DISSOLUTION

Sec. 4021.0901. DISSOLUTION. (a) The board shall dissolve the district on written petition filed with the board by the owners of:

(1) a majority of the assessed value of the property subject to assessment by the district based on the most recent certified county property tax rolls; or

(2) a majority of the surface area of the district, excluding roads, streets, highways, utility rights-of-way, other public areas, and other property exempt from assessment by the district according to the most recent certified county property tax rolls.

(b) The board by majority vote may dissolve the district at any time.

(c) The district may not be dissolved by its board under Subsection (a) or (b) if the district:

(1) has any outstanding bonded indebtedness until that bonded indebtedness has been repaid or defeased in accordance with the order or resolution authorizing the issuance of the bonds;

(2) has a contractual obligation to pay money until that obligation has been fully paid in accordance with the contract; or

(3) owns, operates, or maintains public works, facilities, or improvements unless the district contracts with another person for the ownership, operation, or maintenance of the public works, facilities, or improvements.

(d) Sections 375.261, 375.262, and 375.264, Local Government Code, do not apply to the district.

SECTION 2. The Bayou Belle Municipal Management District No. 1 initially includes all territory contained in the following area:

A 605.3082 ACRE TRACT OF LAND IN THE JULIANNA MALLEY LEAGUE, ABSTRACT NO. 71 LIBERTY COUNTY, TEXAS, BEING OUT OF A CALLED 98.05 ACRE TRACT OF LAND (TRACT A) AND A 76.95 ACRE TRACT OF LAND (TRACT B) BOTH CONVEYED TO JAMES A. SMESNY, AS RECORDED UNDER LIBERTY COUNTY CLERKS FILE NUMBER (L.C.C.F. NO.) 2013009926, AND BEING OUT OF A TRACT OF LAND CONVEYED TO MARILYN A. MCCOY, AS RECORDED UNDER L.C.C.F. NO. 2024026279, SAID 605.3082 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (WITH BEARINGS BASED ON TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE, AS DETERMINED BY GPS MEASUREMENTS):

BEGINNING at a capped 1/2-inch iron rod (unable to read cap, underwater) found on the north line of a tract of land (Tract 1) conveyed to Cedar Bayou Farms, LTD. As recorded under L.C.C.F. No. 2014015962, marking the southeast corner of a called 1,296.96 acre tract of land, conveyed to Ironwood Holdings, LLC, as recorded under L.C.C.F. no. 2018017630 and the southwest corner of the herein described tract;

THENCE, North 12°41'11" West, along the east line of said 1,296.96 acre tract a distance of 5,892.63 feet to a capped 1/2-inch iron rod stamped "HOFFPAUIR RPLS 4492" found marking an interior corner of said 1,296.96 acre tract and the northwest corner of the herein described tract;

THENCE, North 76°27'15" East, along a south line of said 1,296.96 acre tract, a distance of 2,334.77 feet to a capped 1/2-inch iron rod (unable to read cap, underwater) found marking a southeasterly corner of said 1,296.96 acre tract, the southwest corner of a called 150.49 acre tract, conveyed to multiple owners, as

described in Volume 1183, Page 75 of the Liberty County Deed Records (L.C.D.R.) and in L.C.C.F. No. 2015020160, and an angle in the northern line of the herein described tract;

THENCE, North $76^{\circ}29'43''$ East, along the south line of said 150.49 acre tract, a distance of 1,803.29 feet to the southwest corner of a called 49.51 acre tract of land, conveyed to Marilyn A. McCoy under said L.C.C.F. no. 2024026279 and described in document recorded under L.C.C.F. No. 2015020160 and an interior corner of the herein described tract;

THENCE, along the common line of said 150.49 acre tract and said 49.51 acre tract, the following nine (9) courses and distances:

- (1) North $10^{\circ}36'07''$ East, a distance of 495.99 feet to an angle point;
- (2) North $21^{\circ}06'58''$ East, a distance of 969.97 feet to an angle point;
- (3) North $20^{\circ}56'41''$ East, a distance of 613.07 feet to an angle point;
- (4) North $31^{\circ}29'49''$ East, a distance of 35.91 feet to an angle point;
- (5) North $49^{\circ}26'57''$ East, a distance of 39.77 feet to an angle point;
- (6) North $74^{\circ}47'07''$ East, a distance of 451.42 feet to an angle point;
- (7) North $55^{\circ}38'57''$ East, a distance of 57.80 feet to an angle point;
- (8) North $22^{\circ}37'44''$ East, a distance of 75.74 feet to an angle point;
- (9) North $12^{\circ}53'38''$ West, a distance of 591.62 feet to the south line of Lot

10 of Aaronglen Estates, map or plat thereof recorded under Volume 9, Page 8 of the Liberty County Map Records (L.C.M.R.), for a northerly corner of the herein described tract;

THENCE, North $76^{\circ}29'43''$ East, along the north line of said Lot 10, a distance of 18.00 feet to the northwest corner of a tract of land, conveyed to Roman Guadalupe and Francella Martinez, as recorded under L.C.C.F. No. 2020007603, and the northeast corner of the herein described tract;

THENCE, South $12^{\circ}36'14''$ East, along the west line of said Martinez tract, common with the east line of said 49.51 acre tract, passing at a distance of 488.82 feet a 5/8-inch iron rod found marking the southwest corner of said Martinez tract, and continuing for a total distance of 862.99 feet to a 1-inch iron pipe found marking the southwest corner of Lot 12 of Whitewing Section II, map or plat thereof recorded under Volume 8, Page 173, L.C.M.R. ;

THENCE, South $12^{\circ}42'40''$ East, continuing along the east line of said 49.51 acre tract, passing at a distance of 1,624.04 feet the southeast corner of said 49.51 acre tract, and continuing for a total distance of 2,224.86 feet to an angle point;

THENCE, over and across the said Marilyn McCoy tracts, and the aforesaid Tract 1 and Tract 2, conveyed to James A. Smesny, the following

- (1) South $38^{\circ}44'04''$ West, a distance of 1,082.20 feet to an angle point;
- (2) South $28^{\circ}06'28''$ West, a distance of 1,341.46 feet to an angle point;
- (3) South $15^{\circ}01'13''$ West, a distance of 1,372.44 feet to an angle point;
- (4) South $01^{\circ}54'04''$ East, a distance of 1,827.99 feet to an angle point;
- (5) South $20^{\circ}23'43''$ East, a distance of 667.44 feet to the north line of the

aforesaid Tract 1, conveyed to Cedar Bayou Farms, for the southeast corner of the herein described tract;

THENCE, South 77°03'37" West, along the north line of said Tract 1, conveyed to Cedar Bayou Farms, a distance of 3,224.06 feet to the POINT OF BEGINNING, and containing 605.3082 acres of land.

SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act have been fulfilled and accomplished.

SECTION 4. (a) Section 4021.0311, Special District Local Laws Code, as added by Section 1 of this Act, takes effect only if this Act receives a two-thirds vote of all the members elected to each house.

(b) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 4021, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 4021.0311 to read as follows:

Sec. 4021.0311. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

HB 3966 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative C. Morales called up with senate amendments for consideration at this time,

HB 3966, A bill to be entitled An Act relating to requiring owners or operators of commercial passenger bus services to provide certain notifications to residents concerning operations.

Representative C. Morales moved to concur in the senate amendments to **HB 3966**.

The motion to concur in the senate amendments to **HB 3966** prevailed by (Record 4022): 89 Yeas, 44 Nays, 1 Present, not voting.

Yeas — Anchía; Bell, C.; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Canales; Capriglione; Cole; Collier; Cook; Cortez; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; Dorazio; Dyson; Fairly; Flores; Frank;

Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Geren; Gervin-Hawkins; González, J.; Goodwin; Guerra; Guillen; Harless; Hayes; Hefner; Hernandez; Hinojosa; Howard; Johnson; Jones, J.; Kitzman; Lalani; Landgraf; Leach; Little; Longoria; Lopez, J.; Lopez, R.; Louderback; Lujan; Luther; Martinez; Meyer; Money; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Noble; Ordaz; Orr; Perez, M.; Perez, V.; Phelan; Plesa; Raymond; Reynolds; Richardson; Rodríguez Ramos; Romero; Rose; Rosenthal; Schofield; Simmons; Smithee; Talarico; Thompson; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wu; Zwiener.

Nays — Alders; Ashby; Barry; Bonnen; Bumgarner; Cain; Craddick; DeAyala; Gates; Gerdes; Harris Davila; Harrison; Holt; Hopper; Hull; Isaac; LaHood; Lambert; Leo Wilson; Lowe; Lozano; McLaughlin; McQueeney; Metcalf; Morgan; Olcott; Oliverson; Patterson; Paul; Pierson; Schatzline; Schoolcraft; Shaheen; Shofner; Slawson; Spiller; Swanson; Tepper; Tinderholt; Toth; Troxclair; Vasut; Wharton; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Allen; Button; Campos; González, M.; Hickland; Hunter; Jones, V.; King; Manuel; Martinez Fischer; Moody.

STATEMENTS OF VOTE

When Record No. 4022 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 4022 was taken, I was excused because of important business in the district. I would have voted no.

Virdell

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 3966** (senate committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. Subtitle C, Title 5, Business & Commerce Code, is amended by adding Chapter 121 to read as follows:

CHAPTER 121. REGULATION OF COMMERCIAL PASSENGER BUS SERVICES

Sec. 121.001. DEFINITIONS. In this chapter:

(1) "Commercial passenger bus service" means a business that in exchange for compensation operates a passenger bus service that provides regularly scheduled intercity bus transportation to passengers using buses with at least 35 seats. The term does not include a public transit service provided by or on behalf of a transit authority or district, transit department, municipality, political subdivision, or other local governmental entity.

(2) "Terminal" means an installation:

(A) located on the premises of a commercial passenger bus service;
and
(B) at which tickets are sold to passengers by the service.

Sec. 121.002. NOTIFICATION OF NEW TERMINALS. (a) Except as provided by Subsection (d), at least 90 calendar days before the date an owner or operator of a commercial passenger bus service begins operating a new terminal located in this state, the owner or operator shall provide notice of the proposed terminal to the community in which the terminal is to be located as prescribed by Subsection (b).

(b) The notice required by this section must:

(1) be published in a newspaper of general circulation in the municipality;

(A) in which the proposed terminal is to be located; or

(B) nearest to the proposed location of the terminal; and

(2) except as provided by Subsection (c), if the elementary or middle school nearest to the proposed location of the terminal provides a bilingual education program as required by Subchapter B, Chapter 29, Education Code, be published by the owner or operator at least once in an additional publication of general circulation in the municipality or county in which the terminal is proposed to be located that is published in the language taught in the bilingual education program.

(c) An owner or operator of a commercial bus service does not have to comply with the requirements of Subsection (b)(2) if:

(1) a publication described by that subdivision does not exist; or

(2) the publisher of a publication that meets the requirements of that subdivision refuses to publish notice.

(d) An owner or operator of a commercial passenger bus service does not have to comply with this section if the owner or operator is operating or intends to temporarily operate the new terminal in response to an unforeseen emergency, including a natural disaster or road closures.

SECTION 2. This Act takes effect September 1, 2025.

HB 3556 - WITH SENATE AMENDMENTS

Representative Vasut called up with senate amendments for consideration at this time,

HB 3556, A bill to be entitled An Act relating to measures to minimize the impact on migratory birds of structures exceeding a certain height in certain counties containing National Wildlife Refuges and in adjacent counties.

HB 3556 - POINT OF ORDER

Representative Zwiener raised a point of order against further consideration of the senate amendments to **HB 3556** under Rule 11, Section 2, of the House Rules on the grounds that the senate amendments are not germane.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 4).

HB 3556 - (consideration continued)**HB 3556 - POINT OF ORDER DISPOSITION**

The point of order was withdrawn.

**HB 144 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative King called up with senate amendments for consideration at this time,

HB 144, A bill to be entitled An Act relating to plans for the management and inspection of distribution poles.

Representative King moved to concur in the senate amendments to **HB 144**.

The motion to concur in the senate amendments to **HB 144** prevailed by (Record 4023): 110 Yeas, 18 Nays, 1 Present, not voting.

Yeas — Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gates; Gerdes; Geren; González, J.; Goodwin; Guerra; Guillen; Harless; Hayes; Hefner; Hernandez; Howard; Hull; Hunter; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Martinez; Martinez Fischer; McLaughlin; Metcalf; Meyer; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Noble; Oliverson; Ordaz; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Reynolds; Rodríguez Ramos; Romero; Rose; Rosenthal; Schofield; Shaheen; Shofner; Simmons; Smithee; Spiller; Talarico; Tepper; Thompson; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Nays — Alders; Cain; Harrison; Hickland; Holt; Hopper; Isaac; Leo Wilson; Lowe; Money; Olcott; Schatzline; Schoolcraft; Slawson; Swanson; Tinderholt; Toth; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Allen; Bhojani; Gervin-Hawkins; González, M.; Harris Davila; Hinojosa; Jones, V.; Little; Luther; Manuel; McQueeney; Moody; Morgan; Orr; Richardson; Troxclair.

STATEMENTS OF VOTE

When Record No. 4023 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

When Record No. 4023 was taken, I was in the house but away from my desk. I would have voted yes.

McQueeney

When Record No. 4023 was taken, I was excused because of important business in the district. I would have voted no.

Virdell

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 144** (senate committee report) in SECTION 2 of the bill, in added Section 38.103, Utilities Code, as follows:

(1) In added Subsection (a) (page 1, line 33), strike "in the entity's" and substitute "the cooperative or utility owns in the cooperative's or utility's".

(2) Strike added Subsections (b) and (c) (page 1, lines 34 through 57), substitute the following, and reletter subsequent subsections and cross-references to those subsections accordingly:

(b) Each plan submitted under Subsection (a) must include:

(1) a statement of the plan's scope and objectives for ensuring public safety through the effective management, inspection, maintenance, and repair of distribution poles;

(2) the roles and responsibilities of individuals responsible for overseeing and executing the plan;

(3) processes for training and certifying personnel, including third-party vendors, who inspect distribution poles;

(4) an estimated timeline for completing inspections and remedial action required for any pole identified as unreliable, unsafe, or needing repair;

(5) processes for documenting and responding to a report or complaint made by a landowner regarding the condition or repair of a distribution pole;

(6) for a plan submitted by an electric utility, the estimated cost of implementing the plan; and

(7) a description of the cooperative's or utility's methods to monitor compliance with the plan.

(3) In added Subsection (d) (page 1, lines 58 and 59), strike "Except as provided by Subsection (e), at least once every three years" and substitute "Not later than May 1 of each year".

(4) In added Subsection (d) (page 1, line 61, through page 2, line 1), strike "and the costs of implementing the plan" and substitute ", the costs of implementing the plan to date, and the results of the entity's inspection of distribution poles, including the number of poles inspected and any remediation or replacement action taken".

(5) Strike added Subsections (e) and (f) (page 2, lines 3 through 18), substitute the following appropriately lettered subsections, and reletter subsequent subsections and cross-references to those subsections accordingly:

() The commission shall review each plan and update submitted under this section to determine whether the entity that submitted the plan or update is in compliance with the plan's objectives described by Subsection (b)(1) and notify the entity whether or not the entity is in compliance with those objectives.

() The commission may accept in place of the information required under this section any information required under other law that is substantially similar to the information required under this section.

HB 26 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Hull called up with senate amendments for consideration at this time,

HB 26, A bill to be entitled An Act relating to requiring contracts with Medicaid managed care organizations to permit the organizations to offer nutrition support services in lieu of other state Medicaid plan services.

Representative Hull moved to concur in the senate amendments to **HB 26**.

The motion to concur in the senate amendments to **HB 26** prevailed by (Record 4024): 130 Yeas, 9 Nays, 1 Present, not voting.

Yeas — Alders; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Cain; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, M.; Guerra; Guillen; Harless; Harris Davila; Hayes; Hefner; Hernandez; Hickland; Hinojosa; Holt; Hopper; Howard; Hull; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Leo Wilson; Little; Longoria; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Moody; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Olcott; Oliverson; Ordaz; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Reynolds; Richardson; Romero; Rose; Rosenthal; Schatzline; Schofield; Shaheen; Shofner; Simmons; Slawson; Smithee; Spiller; Talarico; Tepper; Thompson; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Nays — Anchía; Flores; González, J.; Goodwin; Harrison; Lowe; Morales, C.; Rodríguez Ramos; Schoolcraft.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Allen; Jones, V.; Manuel; Orr; Swanson.

STATEMENTS OF VOTE

When Record No. 4024 was taken, I was shown voting yes. I intended to vote no.

A. Davis

When Record No. 2024 was taken, my vote failed to register. I would have voted yes.

Swanson

When Record No. 4024 was taken, I was excused because of important business in the district. I would have voted yes.

Virdell

When Record No. 4024 was taken, I was shown voting yes. I intended to vote no.

Ward Johnson

Senate Committee Substitute

CSHB 26, A bill to be entitled An Act relating to requiring contracts with Medicaid managed care organizations to permit the organizations to offer nutrition counseling and instruction services in lieu of other state Medicaid plan services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 540.0272, Government Code, is amended to read as follows:

Sec. 540.0272. CERTAIN SERVICES PERMITTED IN LIEU OF STATE MEDICAID PLAN SERVICES [~~OTHER MENTAL HEALTH OR SUBSTANCE USE DISORDER SERVICES~~]; ANNUAL REPORT. (a) A contract to which this subchapter applies must contain language permitting the contracting Medicaid managed care organization to offer medically appropriate, cost-effective, evidence-based mental health or substance use services or nutrition counseling and instruction services from a list of services approved by the state Medicaid managed care advisory committee and included in the contract in lieu of [~~mental health or substance use disorder~~] services specified in the state Medicaid plan. A recipient is not required to use a service from the list included in the contract in lieu of another [~~mental health or substance use disorder~~] service specified in the state Medicaid plan.

(b) The commission shall:

(1) prepare and submit to the legislature an annual report on the number of times during the preceding year a service from the list included in the contract is used; and

(2) consider the actual cost and use of any services from the list included in the contract that are offered by a Medicaid managed care organization when setting the capitation rates for that organization under the contract.

(c) In approving the list of nutrition counseling and instruction services that are permitted in lieu of services specified in the state Medicaid plan under this section, the state Medicaid managed care advisory committee may only include nutrition counseling and instruction. The list may not include:

(1) home-delivered meals;

(2) food prescriptions; or

(3) grocery support.

SECTION 2. The changes in law made by this Act apply to a contract entered into or renewed on or after the effective date of this Act. A contract entered into or renewed before that date is governed by the law in effect on the date the contract was entered into or renewed, and the former law is continued in effect for that purpose.

SECTION 3. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 4. This Act takes effect September 1, 2025.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **CSHB 26** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Subchapter F, Chapter 540, Government Code, is amended by adding Section 540.02721 to read as follows:

Sec. 540.02721. PILOT PROGRAM TO PROVIDE ADDITIONAL NUTRITION SUPPORT SERVICES TO CERTAIN PREGNANT RECIPIENTS IN LIEU OF STATE MEDICAID PLAN SERVICES. (a) In this section:

(1) "Participant" means a recipient who participates in the pilot program.

(2) "Pilot program" means the pilot program established by the commission under authority of this section.

(3) "Medically tailored meal" means a meal designed by a registered dietician as part of a treatment plan to improve an individual's health outcomes and chronic disease management.

(b) The commission may establish a pilot program under which Medicaid managed care organizations are authorized to offer and provide nutrition support services in lieu of services specified in the state Medicaid plan to a recipient who is:

(1) pregnant; and

(2) diagnosed with a chronic health condition or disease that may contribute to a high-risk pregnancy or birth complications, including:

(A) gestational diabetes;

(B) hypertension; and

(C) obesity.

(c) Notwithstanding Section 540.0272, a Medicaid managed care organization may offer the following services under the pilot program in lieu of services specified in the state Medicaid plan:

(1) nutrition counseling and instruction services authorized under Section 540.0272;

(2) medically tailored meals, provided the meals are provided with nutrition counseling and instruction services authorized under Section 540.0272; and

(3) other evidence-based nutrition support services designed to improve maternal and infant health outcomes, as determined by the commission.

(d) The commission shall collect and analyze data on the impact to maternal and infant health outcomes that nutrition support services have on pilot program participants. The data the commission collects and analyzes must include:

(1) the rate by which pilot program participants comply with a medically tailored meal plan or other nutrition support services provided under the pilot program;

(2) health outcomes associated with each participant's pregnancy;

(3) the impact of nutrition support services on a participant's chronic health condition or disease-related symptoms; and

(4) newborn and infant health outcomes for children born to participants.

(e) As soon as practicable after the termination of the pilot program, the commission shall prepare and submit to the legislature a written report that includes:

(1) a summary of the pilot program outcomes, including a summary of the data the commission collects and analyzes under Subsection (d); and

(2) recommendations for legislative or other action.

(f) The pilot program, if established, terminates August 31, 2030.

(g) This section expires September 1, 2031.

HB 2038 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Oliverson called up with senate amendments for consideration at this time,

HB 2038, A bill to be entitled An Act relating to the issuance by the Texas Medical Board of certain licenses to practice medicine and the authority of an insured to select certain license holders under the insured's health policy; requiring an occupational license; authorizing fees.

Representative Oliverson moved to concur in the senate amendments to **HB 2038**.

The motion to concur in the senate amendments to **HB 2038** prevailed by (Record 4025): 108 Yeas, 31 Nays, 1 Present, not voting.

Yeas — Alders; Ashby; Barry; Bell, C.; Bell, K.; Bonnen; Bowers; Buckley; Bucy; Bumgarner; Button; Cain; Canales; Capriglione; Cole; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Dean; DeAyala; Dorazio; Dyson; Fairly; Frank; Gámez; García Hernandez; Gates; Gerdes; Geren; Goodwin; Guerra; Guillen; Harless; Harris Davila; Harrison; Hayes; Hefner; Hickland; Holt; Hopper; Howard; Hull; Hunter; Isaac; Johnson; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Leo Wilson; Little; Longoria; Lopez, J.; Lopez, R.; Louderback; Lowe; Lozano; Lujan; Luther; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Morales, E.; Morgan; Muñoz; Noble; Olcott; Oliverson; Ordaz; Orr; Patterson; Paul; Perez,

M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Reynolds; Richardson; Schatzline; Schofield; Schoolcraft; Shaheen; Shofner; Slawson; Smithee; Spiller; Swanson; Tepper; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Villalobos; Wharton; Wilson.

Nays — Anchía; Bernal; Bhojani; Bryant; Campos; Collier; Davis, Y.; Flores; Garcia, J.; Garcia, L.; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Jones, J.; Manuel; Martinez; Moody; Morales, C.; Morales Shaw; Rodríguez Ramos; Romero; Rose; Rosenthal; Talarico; Thompson; Vo; Walle; Ward Johnson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Allen; Hernandez; Jones, V.; Simmons; Turner.

STATEMENTS OF VOTE

When Record No. 4025 was taken, I was shown voting yes. I intended to vote no.

Bucy

When Record No. 4025 was taken, I was shown voting yes. I intended to vote no.

Garcia Hernandez

When Record No. 4025 was taken, I was shown voting yes. I intended to vote no.

Goodwin

When Record No. 4025 was taken, I was shown voting yes. I intended to vote no.

Howard

When Record No. 4025 was taken, I was in the house but away from my desk. I would have voted no.

Turner

When Record No. 4025 was taken, I was excused because of important business in the district. I would have voted yes.

Virdell

Senate Committee Substitute

CSHB 2038, A bill to be entitled An Act relating to the issuance by the Texas Medical Board of certain licenses to practice medicine and the authority of an insured to select certain license holders under the insured's health policy; requiring an occupational license; authorizing fees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. SHORT TITLE

SECTION 1.001. This Act shall be known as the Decreasing Occupational Certification Timelines, Obstacles, and Regulations (DOCTOR) Act.

ARTICLE 2. FOREIGN LICENSE HOLDERS

SECTION 2.001. Subchapter C, Chapter 155, Occupations Code, is amended by adding Section 155.1015 to read as follows:

Sec. 155.1015. ISSUANCE OF PROVISIONAL LICENSE TO CERTAIN FOREIGN MEDICAL LICENSE HOLDERS WITH OFFERS OF EMPLOYMENT. (a) Subject to Subsection (b), on application, the board shall issue an initial provisional license to practice medicine to an applicant who:

(1) has been granted a degree of doctor of medicine or a substantially similar degree by a program of medical education that meets eligibility requirements for the applicant to apply for certification by the Educational Commission for Foreign Medical Graduates;

(2) has been licensed in good standing to practice medicine in another country and is not the subject of any pending disciplinary action before the licensing body;

(3) either:

(A) has completed a residency or a substantially similar postgraduate medical training required by the applicant's country of licensure and has practiced medicine as a licensed physician in that country or another country in which the applicant is licensed as a physician for at least five years after the completion of the required postgraduate medical training; or

(B) if the applicant's country of licensure does not require postgraduate medical training, has practiced medicine as a licensed physician in that country or another country in which the applicant is licensed as a physician for at least 10 years after completing medical school;

(4) passes the Texas medical jurisprudence examination;

(5) has proficiency in the English language;

(6) is authorized under federal law to work in the United States;

(7) has been offered employment in this state as a physician by a person who provides health care services in the normal course of business in a facility-based or group practice setting, including a health system, hospital, hospital-based facility, freestanding emergency facility, or urgent care clinic; and

(8) meets any other requirement the board prescribes by rule.

(b) The board may not issue a provisional license under Subsection (a) to an applicant who is a citizen of a country:

(1) identified by the United States Director of National Intelligence as a country that poses a risk to the national security of the United States in the most recent Annual Threat Assessment of the U.S. Intelligence Community issued pursuant to Section 108B, National Security Act of 1947 (50 U.S.C. Section 3043b); or

(2) identified as a country subject to prohibitions in the International Traffic in Arms Regulations (22 C.F.R. Part 126.1).

(c) A provisional license issued under Subsection (a) expires on the second anniversary of the date the provisional license was issued.

(d) The holder of a provisional license issued under Subsection (a) may practice only in:

(1) a facility-based or group practice setting with:

(A) an Accreditation Council for Graduate Medical Education residency program; or

(B) an American Osteopathic Association residency program;

(2) an Accreditation Council for Graduate Medical Education-affiliated setting; or

(3) an American Osteopathic Association-affiliated setting.

(e) On application, the board shall renew a provisional license to practice medicine issued under Subsection (a) if the applicant:

(1) has passed the first and second steps of the examination described by Section 155.0511(7) in accordance with Section 155.056(a); and

(2) holds a valid certificate issued by the Educational Commission for Foreign Medical Graduates.

(f) The holder of a provisional license renewed under Subsection (e):

(1) may practice only in a rural community or medically underserved area or health professional shortage area, as designated by the United States Department of Health and Human Services, that has a current shortage of physicians; and

(2) is not subject to the restrictions of Subsection (d).

(g) Subject to Subsection (h), the board on application shall issue a license under this subtitle to the holder of a provisional license under this section if the provisional license holder:

(1) at the time the license under this subtitle will be issued, will have practiced under the provisional license for at least four of the preceding seven years; and

(2) satisfies the examination requirements of Section 155.051.

(h) The board may not issue as provided by Subsection (g) a license under this subtitle to an applicant who:

(1) is subject to board investigation or discipline for conduct that occurred while holding the provisional license; or

(2) has been convicted of, is on deferred adjudication community supervision or deferred disposition for, or is under active investigation for the commission of:

(A) a felony; or

(B) a misdemeanor involving moral turpitude.

(i) The board shall adopt rules for the issuance of a provisional license under Subsection (a), the renewal of a provisional license under Subsection (e), and the issuance of a license under this subtitle as provided by Subsection (g), including rules establishing eligibility for and fees applicable to the licenses. The board may adopt rules for the reporting of board specialty certification requirement information as requested by a board specialty organization.

ARTICLE 3. PHYSICIAN GRADUATES

SECTION 3.001. Chapter 155, Occupations Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. PHYSICIAN GRADUATES

Sec. 155.201. DEFINITIONS. In this subchapter:

(1) "Physician graduate" means an individual issued a limited license under this subchapter to practice medicine under a supervising practice agreement with a sponsoring physician.

(2) "Sponsoring physician" means a physician who enters into a supervising practice agreement with a physician graduate.

(3) "Supervising practice agreement" means an agreement between a sponsoring physician and a physician graduate regarding the sponsoring physician's supervision of the physician graduate's practice of medicine.

Sec. 155.202. RULES. The board shall adopt rules in accordance with this subchapter relating to the licensing and regulation of physician graduates, including rules relating to:

(1) procedures and fees for the issuance, term, and renewal of a license under this subchapter, including continuing medical education requirements for renewal of the license;

(2) practices and requirements for the supervision of physician graduates; and

(3) any other matter necessary to ensure protection of the public, including disciplinary procedures.

Sec. 155.203. LICENSE ISSUANCE. On application, the board shall issue a limited license to practice medicine under this subchapter to an applicant who:

(1) is a resident of this state and is:

(A) a United States citizen;

(B) a legal permanent resident of the United States; or

(C) otherwise authorized under federal law to work in the United

States;

(2) has proficiency in the English language;

(3) has graduated:

(A) in the two years preceding the date that the applicant initially applies for a physician graduate license, from:

(i) a board-recognized accredited medical school or osteopathic medical school in the United States or Canada; or

(ii) a medical school located outside of the United States and Canada that the board recognizes as acceptable; or

(B) if the applicant is licensed in good standing to practice medicine in another country, from a medical school located outside of the United States and Canada that the board recognizes as acceptable;

(4) has passed the first and second components of the United States Medical Licensing Examination or equivalent components of another board-approved licensing examination described by Section 155.0511;

(5) is not enrolled in a board-approved postgraduate residency program; and

(6) meets any other requirement prescribed by board rule.

Sec. 155.204. FEES. The amount of a fee for the issuance or renewal of a license under this subchapter may not exceed the amount of a fee for the issuance or renewal of a physician assistant license under Chapter 204.

Sec. 155.205. SPONSORING PHYSICIAN. (a) A physician is eligible to enter into a supervising practice agreement as a sponsoring physician if the physician:

(1) holds a full and unrestricted license to practice medicine issued under this subtitle;

(2) is not currently the subject of disciplinary action by the board or the medical licensing authority of any other jurisdiction;

(3) is certified by a medical specialty member board of:

(A) the American Board of Medical Specialties;

(B) the American Osteopathic Association Bureau of Osteopathic

Specialists;

(C) the American Board of Oral and Maxillofacial Surgery; or

(D) any other medical specialty member organization the board recognizes; and

(4) practices medicine in the specialty for which the physician is certified under Subdivision (3).

(b) A sponsoring physician who enters into a supervising practice agreement with a physician graduate shall comply with all board rules related to the supervision of physician graduates.

(c) The board by rule shall establish the maximum number of physician graduates that a sponsoring physician may supervise under supervising practice agreements.

Sec. 155.206. SUPERVISING PRACTICE AGREEMENT REQUIRED.

(a) A physician graduate shall enter into a supervising practice agreement with a sponsoring physician.

(b) A physician graduate who has not entered into a supervising practice agreement may not practice or attempt to practice medicine.

(c) A physician graduate who enters into a supervising practice agreement may practice under the delegation and supervision of another physician if:

(1) the sponsoring physician authorizes the practice of the physician graduate under the delegation and supervision of the other physician in a written document that identifies the other physician by name; and

(2) the other physician is:

(A) part of the sponsoring physician's physician group or facility;

and

(B) certified in the same specialty as the sponsoring physician by a medical specialty member board of:

(i) the American Board of Medical Specialties;

(ii) the American Osteopathic Association Bureau of

Osteopathic Specialists;

(iii) the American Board of Oral and Maxillofacial Surgery; or

(iv) any other medical specialty member organization recognized by the board.

(d) The physician profile under Section 154.006 of a sponsoring physician or physician graduate must indicate in the manner prescribed by board rule that the sponsoring physician or physician graduate has entered into a supervising practice agreement.

Sec. 155.207. LIMITED PRACTICE BY LICENSE HOLDER. (a) A physician graduate may:

(1) practice only in a county with a population of less than 100,000; and

(2) provide only medical services in the specialty in which the physician graduate's sponsoring physician is certified as described by Section 155.205(a)(3) under supervision in accordance with a supervising practice agreement.

(b) Before a license holder under this subchapter provides a treatment, consultation, or other medical service, the license holder must disclose to the patient that the license holder:

(1) is a physician graduate; and

(2) has not completed any formal specialized postgraduate or resident training.

Sec. 155.208. LIABILITY OF SPONSORING PHYSICIAN. A sponsoring physician who enters into a supervising practice agreement with a physician graduate retains legal responsibility for a physician graduate's patient care activities, including the provision of care and treatment to a patient in a health care facility.

Sec. 155.209. IDENTIFICATION REQUIREMENTS; USE OF TITLE. (a) The holder of a license issued under this subchapter shall at all times while practicing as a physician graduate display a personal identification document identifying the license holder as a physician graduate.

(b) A physician graduate may use the following titles or abbreviations:

(1) "doctor"; or

(2) "Dr." or "doc."

Sec. 155.210. STATUS OF PHYSICIAN GRADUATE. A physician graduate license holder is considered a general practitioner for purposes of regulations of the federal Centers for Medicare and Medicaid Services.

Sec. 155.211. LICENSE RENEWAL. The board may not renew a license issued under this subchapter unless:

(1) the board verifies that the license holder has practiced in accordance with this subchapter under a supervising practice agreement with a sponsoring physician in the license term preceding the application for renewal; and

(2) the license holder satisfies the continuing medical education requirements established by board rule.

Sec. 155.212. DENIAL, SUSPENSION, OR REVOCATION OF LICENSE. The board may deny an application for licensure or suspend or revoke a license issued under this subchapter:

(1) for any ground provided by Chapter 164 or board rule; and

(2) in the manner provided by Chapter 164 and board rule.

SECTION 3.002. Section 1451.001, Insurance Code, is amended by adding Subdivision (16-a) to read as follows:

(16-a) "Physician graduate" has the meaning assigned by Section 155.201, Occupations Code.

SECTION 3.003. Subchapter C, Chapter 1451, Insurance Code, is amended by adding Section 1451.129 to read as follows:

Sec. 1451.129. SELECTION OF PHYSICIAN GRADUATE. An insured may select a physician graduate to provide the services scheduled in the health insurance policy that are within the scope of the physician graduate's license under Subchapter E, Chapter 155, Occupations Code.

SECTION 3.004. Section 1451.129, Insurance Code, as added by this Act, applies only to a health insurance policy that is delivered, issued for delivery, or renewed on or after January 1, 2026.

ARTICLE 4. RULEMAKING

SECTION 4.001. Not later than January 1, 2026, the Texas Medical Board shall adopt rules as necessary to implement the following provisions of the Occupations Code, as added by this Act:

- (1) Section 155.1015; and
- (2) Subchapter E, Chapter 155.

ARTICLE 5. EFFECTIVE DATE

SECTION 5.001. This Act takes effect September 1, 2025.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **CSHB 2038** (senate committee report) in SECTION 2.001 of the bill as follows:

(1) In added Section 155.1015, Occupations Code, strike added Subsections (a) and (b) of that section (page 1, line 34, through page 2, line 21) and substitute the following:

(a) Subject to Subsection (b), on application, the board shall issue an initial provisional license to practice medicine to an applicant who:

(1) has been granted a degree of doctor of medicine or a substantially similar degree by a program of medical education that meets eligibility requirements for the applicant to apply for certification by the Educational Commission for Foreign Medical Graduates;

(2) has been licensed in good standing to practice medicine in another country and is not the subject of any pending disciplinary action before the licensing body;

(3) has completed a residency or a substantially similar postgraduate medical training required by the applicant's country of licensure;

(4) passes the Texas medical jurisprudence examination;

(5) has proficiency in the English language;

(6) is authorized under federal law to work in the United States;

(7) has been offered employment in this state as a physician by a person who provides health care services in the normal course of business in a facility-based or group practice setting, including a health system, hospital, hospital-based facility, freestanding emergency facility, or urgent care clinic;

(8) has passed the first and second steps of the examination described by Section 155.0511(7) in accordance with Section 155.056(a); and

(9) meets any other requirement the board prescribes by rule.

(b) Unless the applicant is a citizen of the United States or has been issued a visa to legally work in the United States, the board may not issue a provisional license under Subsection (a) to an applicant who is a citizen of a country:

(1) identified by the United States Director of National Intelligence as a country that poses a risk to the national security of the United States in the most recent Annual Threat Assessment of the U.S. Intelligence Community issued pursuant to Section 108B, National Security Act of 1947 (50 U.S.C. Section 3043b); or

(2) identified as a country subject to prohibitions in the International Traffic in Arms Regulations (22 C.F.R. Part 126.1).

(2) In added Section 155.1015, Occupations Code, strike added Subsection (g) of that section (page 2, lines 52 through 60), and substitute the following:

(g) Subject to Subsection (h), the board on application shall issue a license under this subtitle to the holder of a provisional license under this section if the provisional license holder satisfies the examination requirements of Section 155.051.

REMARKS ORDERED PRINTED

Representative Wu moved to print remarks between Representative Oliverson and Representative Wu on **HB 2038**.

The motion prevailed. [The text of the debate was not available at the time of printing.]

HB 521 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Guillen called up with senate amendments for consideration at this time,

HB 521, A bill to be entitled An Act relating to accommodating voters with a disability; creating a criminal offense.

HB 521 - POINT OF ORDER

Representative Talarico raised a point of order against further consideration of the senate amendments to **HB 521** under Rule 11, Section 2, of the House Rules on the grounds that the senate amendments are not germane.

(Landgraf in the chair)

The point of order was withdrawn.

REMARKS ORDERED PRINTED

Representative Collier moved to print remarks between Representative Guillen and Representative Collier on **HB 521**.

The motion prevailed. [The text of the debate was not available at the time of printing.]

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of important business:

Allen on motion of Gervin-Hawkins.

HB 521 - (consideration continued)

Representative Guillen moved to concur in the senate amendments to **HB 521**.

The motion to concur in the senate amendments to **HB 521** prevailed by (Record 4026): 89 Yeas, 44 Nays, 2 Present, not voting.

Yeas — Ashby; Barry; Bell, C.; Bell, K.; Bhojani; Bonnen; Buckley; Bumgarner; Button; Cain; Canales; Capriglione; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Dean; DeAyala; Dorazio; Dyson; Fairly; Frank; Gates; Gerdes; Geren; Guillen; Harless; Harris Davila; Harrison; Hayes; Hefner; Hickland; Holt; Hopper; Hull; Hunter; Isaac; King; Kitzman; LaHood; Lambert; Leach; Leo Wilson; Little; Lopez, J.; Louderback; Lowe; Lozano; Lujan; Luther; McLaughlin; McQueeney; Metcalf; Meyer; Money; Morales, E.; Morgan; Muñoz; Noble; Olcott; Oliverson; Ordaz; Orr; Patterson; Paul; Phelan; Pierson; Raymond; Richardson; Schatzline; Schofield; Schoolcraft; Shaheen; Shofner; Slawson; Smithee; Spiller; Swanson; Tepper; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Villalobos; Wharton; Wilson.

Nays — Anchía; Bernal; Bowers; Bryant; Bucy; Cole; Collier; Davis, A.; Davis, Y.; Flores; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hernandez; Hinojosa; Howard; Johnson; Jones, J.; Lalani; Lopez, R.; Manuel; Martinez; Martinez Fischer; Moody; Morales Shaw; Perez, M.; Perez, V.; Plesa; Rodríguez Ramos; Romero; Rose; Talarico; Thompson; Turner; Vo; Walle; Ward Johnson; Wu; Zwiener.

Present, not voting — Mr. Speaker; Landgraf(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Alders; Campos; Guerra; Jones, V.; Longoria; Morales, C.; Reynolds; Rosenthal; Simmons.

STATEMENTS OF VOTE

When Record No. 4026 was taken, I was shown voting yes. I intended to vote no.

Bhojani

When Record No. 4026 was taken, I was excused because of important business in the district. I would have voted yes.

Virdell

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 521** (senate committee report) in SECTION 1 of the bill, by striking amended Section 64.009(f), Election Code (page 2, lines 9 through 15), and substituting the following:

(f) Upon accepting a voter for voting under this section who is provided transportation by another person, the election officer shall ask the person providing transportation whether the person has assisted seven or more voters voting under this section during the early voting period and on election day. If the person indicates that the person has assisted ~~[A person who simultaneously assists]~~ seven or more voters voting under this section during the early voting period and on election day by providing the voters with transportation to the polling place, the person must complete and sign a form, provided by an election officer, that contains the person's name and address and whether the person is providing assistance solely under this section or under both this section and Subchapter B.

Senate Amendment No. 2 (Senate Floor Amendment No. 2)

Amend **HB 521** (senate committee report) as follows:

(1) In the recital to SECTION 2 of the bill, amending Section 64.009, Election Code (page 1, line 36), between "(a-5)," and "(i)", insert "(a-6),".

(2) In SECTION 2 of the bill, immediately following added Section 64.009(a-5), Election Code (page 2, between lines 8 and 9), insert the following:

(a-6) Notwithstanding any other provision of this code, if a voter is escorting a person to whom Subsection (a) applies to the polling place entrance or curb, on the voter's request, an election officer shall deliver a ballot to the voter at the polling place entrance or curb.

(Speaker in the chair)

**HB 1178 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Cunningham called up with senate amendments for consideration at this time,

HB 1178, A bill to be entitled An Act relating to the creation of a temporary educator certificate for educators certified by other states.

Representative Cunningham moved to concur in the senate amendments to **HB 1178**.

The motion to concur in the senate amendments to **HB 1178** prevailed by (Record 4027): 130 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Alders; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Cain; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Dean; DeAyala; Dorazio; Dyson; Fairly; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Harrison; Hayes; Hefner; Hernandez; Hickland; Hinojosa; Holt; Hopper; Howard; Hull; Hunter; Isaac;

Johnson; Jones, J.; King; Kitman; LaHood; Lalani; Lambert; Landgraf; Leo Wilson; Little; Lopez, J.; Lopez, R.; Louderback; Lowe; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Olcott; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Richardson; Rodríguez Ramos; Romero; Rose; Schatzline; Schofield; Schoolcraft; Shaheen; Shofner; Simmons; Slawson; Smithee; Spiller; Swanson; Talarico; Tepper; Thompson; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Nays — Anchía; Rosenthal.

Present, not voting — Mr. Speaker(C); Flores.

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Campos; Davis, Y.; González, M.; Jones, V.; Leach; Longoria; Manuel; Moody; Morales, C.; Reynolds.

Senate Committee Substitute

CSHB 1178, A bill to be entitled An Act relating to the creation of a temporary educator certificate for educators certified by other states.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 21, Education Code, is amended by adding Section 21.0521 to read as follows:

Sec. 21.0521. TEMPORARY CERTIFICATION OF EDUCATORS FROM OUTSIDE THIS STATE. (a) The board shall:

(1) establish a temporary certificate for educators certified by other states; and

(2) immediately issue a certificate described by Subdivision (1) to a person who applies for a certificate issued under Section 21.052.

(b) The board may rescind a temporary certificate issued to a person under this section if the board determines as a result of a review of the person's credentials that the person does not meet the eligibility requirements under Subsection (c).

(c) To be eligible for a temporary certificate issued under this section, a person must:

(1) hold a valid non-temporary certificate or similar credential in another state that qualifies the person to be employed as an educator in that state; and

(2) hold a bachelor's degree from an institution of higher education that is, and at the time the person received the degree was, accredited.

(d) Except as provided by Subsection (e), a temporary certificate issued under this section expires on the earlier of:

(1) the first anniversary of the date the certificate was issued; or

(2) the date the person is issued a certificate under Section 21.052.

(e) A temporary certificate issued under this section to an educator who is the spouse of a person serving on active duty as a member of the armed forces of the United States, as those terms are defined by Section 55.001, Occupations Code, expires on the third anniversary of the date the certificate was issued or a later date specified by board rule.

(f) A temporary certificate issued under this section may not be reissued or renewed.

SECTION 2. Sections 21.052(c), (d), (d-1), and (e), Education Code, are repealed.

SECTION 3. As soon as practicable after the effective date of this Act, the State Board for Educator Certification shall adopt rules necessary to implement Section 21.0521, Education Code, as added by this Act.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

(Landgraf in the chair)

HB 3556 - WITH SENATE AMENDMENTS

Representative Vasut called up with senate amendments for consideration at this time,

HB 3556, A bill to be entitled An Act relating to measures to minimize the impact on migratory birds of structures exceeding a certain height in certain counties containing National Wildlife Refuges and in adjacent counties.

HB 3556 - POINT OF ORDER

Representative Zwiener raised a point of order against further consideration of the senate amendments to **HB 3556** under Rule 11, Section 2, of the House Rules on the grounds that the senate amendments are not germane. The point of order was withdrawn.

HB 42 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Wilson called up with senate amendments for consideration at this time,

HB 42, A bill to be entitled An Act relating to the amount and allocation of the annual constitutional appropriation to certain agencies and institutions of higher education and to the permissible uses of that money.

Representative Wilson moved to concur in the senate amendments to **HB 42**.

The motion to concur in the senate amendments to **HB 42** prevailed by (Record 4028): 111 Yeas, 15 Nays, 2 Present, not voting.

Yeas — Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bhojani; Bonnen; Bowers; Buckley; Bucy; Bumgarner; Button; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean;

DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Gates; Gerdes; Geren; Gervin-Hawkins; Guerra; Guillen; Harless; Harris Davila; Hayes; Hefner; Hernandez; Hickland; Holt; Howard; Hull; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; Lalani; Lambert; Leo Wilson; Little; Longoria; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Olcott; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Plesa; Raymond; Reynolds; Romero; Rosenthal; Schatzline; Schofield; Schoolcraft; Shaheen; Shofner; Slawson; Smithee; Spiller; Talarico; Tepper; Thompson; Troxclair; Turner; Vasut; Walle; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Nays — Bryant; Garcia, L.; González, J.; Goodwin; Harrison; Hinojosa; Hopper; LaHood; Lowe; Morales, C.; Pierson; Richardson; Rose; Tinderholt; Toth.

Present, not voting — Mr. Speaker; Landgraf(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Alders; Bernal; Cain; Campos; Garcia Hernandez; González, M.; Jones, V.; Leach; Manuel; Moody; Rodríguez Ramos; Simmons; Swanson; VanDeaver; Villalobos; Vo.

STATEMENTS OF VOTE

When Record No. 4028 was taken, I was shown voting yes. I intended to vote no.

Flores

When Record No. 4028 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia Hernandez

When Record No. 4028 was taken, I was shown voting yes. I intended to vote no.

Spiller

When Record No. 4028 was taken, my vote failed to register. I would have voted yes.

Swanson

When Record No. 4028 was taken, I was shown voting yes. I intended to vote no.

Thompson

When Record No. 4028 was taken, I was excused because of important business in the district. I would have voted yes.

Virdell

Senate Committee Substitute

CSHB 42, A bill to be entitled An Act relating to the amount and allocation of the annual constitutional appropriation to certain agencies and institutions of higher education and to the permissible uses of that money.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 62.021, Education Code, is amended by amending Subsection (a) and adding Subsection (c-1) to read as follows:

(a) In each state fiscal year beginning with the state fiscal year ending August 31, 2026 [~~2024~~], an eligible institution is entitled to receive an amount allocated in accordance with this section from the funds appropriated for that year by Section 17(a), Article VII, Texas Constitution. The comptroller shall distribute funds allocated under this subsection only on presentation of a claim and issuance of a warrant in accordance with Section 403.071, Government Code. An eligible institution may not present a claim to be paid from any funds allocated under this subsection before the delivery of goods or services described in Section 17, Article VII, Texas Constitution, except for the payment of principal or interest on bonds or notes or for a payment for a book or other published library material as authorized by Section 2155.386, Government Code. The allocation of funds under this subsection is made in accordance with an equitable formula consisting of the following elements: space deficit, facilities condition, institutional complexity, and a separate allocation for the Texas State Technical College System. The annual amounts allocated by the formula are as follows:

(1) to the following component institutions of the University of North Texas System:

(A) \$65,142,741 [~~\$38,473,304~~] to the University of North Texas and its branch campus the University of North Texas at Frisco, allocated as determined by the board of regents of the system;

(B) \$21,716,116 [~~\$15,581,837~~] to the University of North Texas Health Science Center at Fort Worth; and

(C) \$7,150,950 [~~\$3,455,644~~] to the University of North Texas at Dallas;

(2) to the following component institutions of the Texas State University System:

(A) \$20,427,341 [~~\$13,537,649~~] to Lamar University;

(B) \$7,956,305 [~~\$2,630,158~~] to the Lamar Institute of Technology;

(C) \$5,556,444 [~~\$1,533,301~~] to Lamar State College–Orange;

(D) \$6,949,525 [~~\$2,283,992~~] to Lamar State College–Port Arthur;

(E) \$22,817,382 [~~\$18,787,013~~] to Sam Houston State University;

(F) \$7,555,972 to Sam Houston State University College of Osteopathic Medicine;

(G) \$57,704,160 [~~\$38,741,061~~] to Texas State University;

(H) \$4,699,091 [~~(G) \$2,216,640~~] to Sul Ross State University; and

(I) \$2,886,904 [~~(H) \$487,157~~] to Sul Ross State University–Rio Grande College;

(3) \$12,750,829 [~~\$12,072,906~~] to Texas Southern University;

(4) to the following component institutions of the Texas Tech University System:

(A) \$82,671,774 [~~\$51,379,464~~] to Texas Tech University;

(B) \$29,075,466 [~~\$22,305,642~~] to Texas Tech University Health Sciences Center and its branch campuses Texas Tech University Health Sciences Center at Abilene and Texas Tech University Health Sciences Center at Dallas, allocated as determined by the board of regents of the system;

(C) \$10,250,544 [~~\$6,997,943~~] to Angelo State University;

(D) \$11,548,153 [~~\$5,725,243~~] to Texas Tech University Health Sciences Center—El Paso; and

(E) \$7,261,812 [~~\$5,082,034~~] to Midwestern State University;

(5) \$19,536,274 [~~\$14,993,229~~] to the component institutions of the Texas Woman's University System, allocated as determined by the board of regents of the system;

(6) to the following component institutions of the University of Houston System:

(A) \$70,708,909 [~~\$56,158,685~~] to the University of Houston;

(B) \$6,030,405 [~~\$3,649,703~~] to the University of Houston—Victoria;

(C) \$10,015,183 [~~\$7,959,137~~] to the University of Houston—Clear Lake; ~~and~~

(D) \$14,094,619 [~~\$11,155,034~~] to the University of Houston—Downtown; and

(E) \$5,746,678 to the University of Houston College of Medicine;

(7) to the following component institutions of The Texas A&M University System:

(A) \$16,228,184 [~~\$11,825,139~~] to Texas A&M University—Corpus Christi;

(B) \$11,686,588 [~~\$7,687,534~~] to Texas A&M International University;

(C) \$10,453,123 [~~\$9,125,307~~] to Texas A&M University—Kingsville;

(D) \$11,465,897 [~~\$7,671,155~~] to West Texas A&M University;

(E) \$12,812,330 [~~\$11,459,464~~] to East Texas A&M University ~~[University—Commerce]; and~~

(F) \$4,731,552 [~~\$2,112,129~~] to Texas A&M University—Texarkana; and

(8) \$12,993,750 [~~\$8,662,500~~] to the Texas State Technical College System Administration and the following component campuses, but not its extension centers or programs:

(A) Texas State Technical College, a collective unit in Nolan, Taylor, Brown, and Stephens Counties;

(B) Texas State Technical College—Harrison County ~~[College—Harlingen];~~

(C) ~~[(B)]~~ Texas State Technical College—McLennan County ~~[College—Marshall];~~

(D) ~~(C)~~ Texas State Technical College, a collective unit of one or more locations in Ellis County ~~[College West Texas];~~

(E) ~~(D)~~ Texas State Technical College, a collective unit in Comal and Guadalupe Counties ~~[College Waco];~~

(F) ~~(E)~~ Texas State Technical College—Fort Bend County; ~~and~~

(G) ~~(F)~~ Texas State Technical College—Denton County;

(H) Texas State Technical College, a collective unit of one or more locations in East Williamson County; and

(I) Texas State Technical College in Cameron County ~~[College North Texas].~~

(c-1) Each governing board participating in the distribution of funds as described in this section may in its sole discretion use the funds to pay the principal and interest of bonds that were issued under Chapter 55 and the proceeds of which were spent for a purpose described in Section 17(a), Article VII, Texas Constitution.

SECTION 2. Section 62.024, Education Code, is amended to read as follows:

Sec. 62.024. AMOUNT OF ALLOCATION INCREASED. In accordance with Section 17(a), Article VII, Texas Constitution, for each state fiscal year beginning with the state fiscal year ending August 31, 2026 ~~[2017]~~, the amount of the annual constitutional appropriation under that subsection is increased to \$590,625,000 ~~[\$393.75 million]. [Before the state fiscal year ending August 31, 2017, the amount of the annual constitutional appropriation under that subsection is \$262.5 million.]~~

SECTION 3. Section 62.027(c), Education Code, is amended to read as follows:

(c) The increase provided by the amendment to Section 62.024 enacted by the 89th ~~[84th]~~ Legislature, Regular Session, 2025 ~~[2015]~~, in the amount of the appropriation made under Section 17(a), Article VII, Texas Constitution, for each state fiscal year beginning with the state fiscal year ending August 31, 2026 ~~[2017]~~, constitutes the increase in accordance with Section 17(a) that the legislature considers appropriate for the five-year period beginning September 1, 2025 ~~[2015]~~.

SECTION 4. Section 62.021(e-2), Education Code, is repealed.

SECTION 5. The amounts allocated under Section 62.021, Education Code, as amended by this Act, apply to each state fiscal year beginning with the state fiscal year beginning September 1, 2025.

SECTION 6. Contingent on the passage and becoming law of **SB 2361** or similar legislation of the 89th Legislature, Regular Session, 2025, relating to the transfer of the University of Houston–Victoria to The Texas A&M University System, the amounts allocated to the University of Houston–Victoria under Section 62.021, Education Code, as amended by this Act, are allocated to the university as transferred to The Texas A&M University System.

SECTION 7. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2025.

(b) Sections 2 and 3 of this Act take effect as provided by Subsection (a) of this section only if this Act is approved by a vote of two-thirds of the membership of each house of the legislature as required by Section 17(a), Article VII, Texas Constitution.

HB 1211 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Lujan called up with senate amendments for consideration at this time,

HB 1211, A bill to be entitled An Act relating to tuition and fee exemptions at public institutions of higher education for certain students who were under the conservatorship of the Department of Family and Protective Services.

Representative Lujan moved to concur in the senate amendments to **HB 1211**.

The motion to concur in the senate amendments to **HB 1211** prevailed by (Record 4029): 95 Yeas, 31 Nays, 2 Present, not voting.

Yeas — Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bowers; Buckley; Bucy; Bumgarner; Button; Canales; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; Dorazio; Dyson; Fairly; Frank; Gámez; García, J.; Gates; Gerdes; Geren; Gervin-Hawkins; Guerra; Guillen; Harless; Harris Davila; Hayes; Hefner; Hickland; Hinojosa; Hopper; Howard; Hull; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; Lalani; Lambert; Little; Longoria; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Meyer; Morales, E.; Muñoz; Noble; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Plesa; Raymond; Rosenthal; Schatzline; Schofield; Schoolcraft; Shaheen; Shofner; Slawson; Smithee; Talarico; Troxclair; Turner; VanDeaver; Villalobos; Walle; Ward Johnson; Wilson; Wu; Zwiener.

Nays — Alders; Anchía; Bonnen; Bryant; Capriglione; DeAyala; Garcia, L.; González, J.; Goodwin; Harrison; Holt; LaHood; Leo Wilson; Lowe; Metcalf; Money; Morales, C.; Morales Shaw; Morgan; Olcott; Oliverson; Pierson; Romero; Rose; Spiller; Tepper; Thompson; Tinderholt; Toth; Vasut; Wharton.

Present, not voting — Mr. Speaker; Landgraf(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Cain; Campos; Flores; Garcia Hernandez; González, M.; Hernandez; Jones, V.; Leach; Manuel; Moody; Reynolds; Richardson; Rodríguez Ramos; Simmons; Swanson; Vo.

STATEMENTS OF VOTE

When Record No. 4029 was taken, I was in the house but away from my desk. I would have voted no.

Flores

When Record No. 4029 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia Hernandez

When Record No. 4029 was taken, my vote failed to register. I would have voted no.

Swanson

Senate Committee Substitute

CSHB 1211, A bill to be entitled An Act relating to tuition and fee exemptions at public institutions of higher education for certain students who were under the conservatorship of the Department of Family and Protective Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 54.366(a), Education Code, is amended to read as follows:

(a) A student is exempt from the payment of tuition and fees authorized in this chapter, including tuition and fees charged by an institution of higher education for a dual credit course or other course for which a high school student may earn joint high school and college credit, if the student:

(1) was under the conservatorship of the Department of Family and Protective Services:

(A) on the day preceding the student's 18th birthday;

(B) on or after the day of the student's 14th birthday, if the student was also eligible for adoption on or after that day;

(C) on the day the student graduated from high school or received the equivalent of a high school diploma;

(D) on the day preceding:

(i) the date the student is adopted, if that date is on or after September 1, 2009; or

(ii) the date permanent managing conservatorship of the student is awarded to a person other than the student's parent, if that date is on or after September 1, 2009; or

(E) during an academic term in which the student was enrolled in a dual credit course or other course for which a high school student may earn joint high school and college credit; and

(2) enrolls in an institution of higher education as an undergraduate student or in a dual credit course or other course for which a high school student may earn joint high school and college credit not later than the student's 27th ~~25th~~ birthday.

SECTION 2. The changes in law made by this Act to Section 54.366(a), Education Code, apply beginning with tuition and fees charged for the 2025 fall semester. Tuition and fees charged for a term or semester before the 2025 fall semester are governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

(Speaker in the chair)

**HB 783 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Lalani called up with senate amendments for consideration at this time,

HB 783, A bill to be entitled An Act relating to civil liability for online impersonation.

Representative Lalani moved to concur in the senate amendments to **HB 783**.

The motion to concur in the senate amendments to **HB 783** prevailed by (Record 4030): 102 Yeas, 28 Nays, 2 Present, not voting.

Yeas — Anchía; Ashby; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Button; Canales; Capriglione; Cole; Collier; Cook; Cortez; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Hayes; Hefner; Hinojosa; Howard; Hunter; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Longoria; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Luther; Martinez; McLaughlin; Meyer; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Noble; Oliverson; Ordaz; Orr; Paul; Perez, M.; Perez, V.; Phelan; Plesa; Raymond; Rodríguez Ramos; Romero; Rose; Rosenthal; Shaheen; Shofner; Simmons; Smithee; Spiller; Talarico; Tepper; Thompson; Troxclair; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wilson; Wu; Zwiener.

Nays — Alders; Bumgarner; Craddick; Gerdes; Harrison; Hickland; Holt; Hopper; Hull; Isaac; Leo Wilson; Lowe; McQueeney; Metcalf; Money; Morgan; Olcott; Patterson; Pierson; Richardson; Schatzline; Schofield; Schoolcraft; Slawson; Tinderholt; Toth; Vasut; Wharton.

Present, not voting — Mr. Speaker(C); Fairly.

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Barry; Cain; Campos; Garcia Hernandez; Hernandez; Jones, V.; Leach; Little; Manuel; Martinez Fischer; Reynolds; Swanson.

STATEMENTS OF VOTE

When Record No. 4030 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia Hernandez

When Record No. 4030 was taken, my vote failed to register. I would have voted no.

Swanson

When Record No. 4030 was taken, I was excused because of important business in the district. I would have voted no.

Virdell

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 783** (senate committee printing) in SECTION 1 of the bill, in added Chapter 98C, Civil Practice and Remedies Code, as follows:

(1) In Section 98C.001(1) (page 1, line 29), strike "photograph,".

(2) In Section 98C.001(1) (page 1, line 30), strike "through social media" and substitute "in visual material on a social media platform".

(3) Strike Sections 98C.001(2), (3), and (4) (page 1, lines 33 through 42) and substitute the following:

(2) "Social media platform" has the meaning assigned by Section 120.001, Business & Commerce Code.

(3) "Visual material" has the meaning assigned by Section 43.26, Penal Code.

(4) Strike Section 98C.004(a) (page 1, lines 52 through 56) and substitute the following:

(a) Except as provided by Subsection (b), a person is liable to another person injured by the person's online impersonation if:

(1) the person knowingly and with the intent to harm, defraud, intimidate, or threaten the injured person used the online impersonation to create a false identity; and

(2) the online impersonation is, to a reasonable person, virtually indistinguishable from an actual person.

HB 3963 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Capriglione called up with senate amendments for consideration at this time,

HB 3963, A bill to be entitled An Act relating to an early childhood integrated data system.

Representative Capriglione moved to concur in the senate amendments to **HB 3963**.

The motion to concur in the senate amendments to **HB 3963** prevailed by (Record 4031): 99 Yeas, 36 Nays, 1 Present, not voting.

Yeas — Anchía; Ashby; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Buckley; Bucy; Button; Canales; Capriglione; Cole; Collier; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen;

Harless; Hefner; Hinojosa; Holt; Howard; Hunter; Johnson; Jones, J.; King; Kitzman; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Noble; Ordaz; Orr; Paul; Perez, M.; Perez, V.; Phelan; Plesa; Raymond; Reynolds; Rodríguez Ramos; Romero; Rose; Rosenthal; Simmons; Smithee; Talarico; Thompson; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wilson; Wu; Wiener.

Nays — Alders; Barry; Bumgarner; Cain; Cook; Harris Davila; Harrison; Hayes; Hickland; Hopper; Hull; Isaac; LaHood; Leo Wilson; Little; Lowe; Money; Morgan; Olcott; Oliverson; Patterson; Pierson; Richardson; Schatzline; Schofield; Schoolcraft; Shaheen; Shofner; Slawson; Spiller; Tepper; Tinderholt; Toth; Troxclair; Vasut; Wharton.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Bryant; Campos; Davis, Y.; Garcia Hernandez; Hernandez; Jones, V.; Manuel; Swanson.

STATEMENTS OF VOTE

When Record No. 4031 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia Hernandez

When Record No. 4031 was taken, my vote failed to register. I would have voted no.

Swanson

When Record No. 4031 was taken, I was excused because of important business in the district. I would have voted no.

Virdell

Senate Committee Substitute

CSHB 3963, A bill to be entitled An Act relating to an early childhood integrated data system.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle B, Title 2, Education Code, is amended by adding Chapter 10 to read as follows:

CHAPTER 10. EARLY CHILDHOOD INTEGRATED DATA SYSTEM

Sec. 10.001. DEFINITIONS. In this chapter:

(1) "Cooperating entity" means the:

(A) Children's Learning Institute at The University of Texas Health Science Center at Houston;

(B) Health and Human Services Commission;

(C) Texas Education Agency; and

(D) Texas Workforce Commission.

(2) "Early childhood interagency work group" means the work group established to promote collaboration across state agencies serving families with young children and that consists of representatives from the following state agencies:

- (A) Department of Family and Protective Services;
- (B) Department of State Health Services;
- (C) Health and Human Services Commission;
- (D) Texas Education Agency; and
- (E) Texas Workforce Commission.

(3) "Lead agency" means the Texas Education Agency.

(4) "System" means the early childhood integrated data system established under this subchapter.

Sec. 10.002. INITIAL DEVELOPMENT OF EARLY CHILDHOOD INTEGRATED DATA SYSTEM. (a) Subject to Section 10.003(1), the early childhood interagency work group shall initiate the development of the early childhood integrated data system for the purpose of facilitating the sharing of data from early childhood programs across state agencies to:

(1) inform policy related to early childhood programs at the state level;
and

(2) guide improvements to early childhood programs to provide better outcomes for children and families.

(b) The system must be developed in a manner that:

(1) allows for the integration of existing state and federal data systems that are accessible to the cooperating entities and that contain data derived from early childhood services and programs;

(2) allows for the identification of and reporting on:

(A) specific outcome measures using aggregated data that does not contain any identifying information, to the extent state or federal law, as applicable, expressly authorizes that use of the information;

(B) gaps in services;

(C) opportunities to align services and programs; and

(D) coordination needs across services and programs; and

(3) complies with state and federal laws relating to privacy, cybersecurity, and data collection, including rules establishing procedures to ensure that there is no unauthorized duplication or removal of confidential information.

(c) Nothing in this chapter may be construed to authorize the collection of data other than that described by Subsection (b)(1).

Sec. 10.003. LEAD AGENCY DUTIES. The lead agency shall:

(1) oversee the completion of the system initially developed under Section 10.002 in a manner consistent with the requirements of that section;

(2) implement and maintain the system with assistance from the early childhood interagency work group;

(3) provide staff to operate the system;

(4) using system data, conduct data matching using a protocol approved by the cooperating entities; and

(5) in coordination with the cooperating entities, oversee research projects related to the system.

Sec. 10.004. COOPERATING ENTITIES. (a) The lead agency and each cooperating entity shall enter into a memorandum of understanding regarding the sharing of data for purposes of the system. The memorandum of understanding must specify the data to be shared consistent with Sections 10.002(b)(1) and (c) and the frequency and manner of that data sharing.

(b) Each cooperating entity shall participate in the system and share data for purposes of the system as required by the memorandum of understanding.

Sec. 10.005. REPORTING REQUIREMENTS. (a) Not later than September 1 of each year, the lead agency shall submit to the governor and the legislature a report on the progress in developing, establishing, and operating the system.

(b) The initial report required by Subsection (a) must include:

(1) an interagency data governance plan that includes:

(A) objectives relevant to the system and a framework for achieving those objectives;

(B) the roles and responsibilities of all state entities involved in establishing and maintaining the system; and

(C) documentation of relevant state and federal privacy, cybersecurity, and data collection laws, including rules;

(2) a design plan that includes:

(A) data integration, security, storage, retention, management, processing, and analytics and other products; and

(B) roles and responsibilities of relevant state entity personnel regarding data integration; and

(3) information on the status of:

(A) hiring staff described by Section 10.003(3);

(B) funding applied for and secured; and

(C) the development of an Internet website that includes a preliminary, publicly available consumer data dashboard.

(c) Each report required by Subsection (a) following the initial report must include:

(1) updates to the information required by Subsection (b);

(2) an overview on business use cases the system can support; and

(3) information on the development of analytic tools based on the business use cases described by Subdivision (2).

Sec. 10.006. FUNDING; ACCEPTANCE OF GIFTS, GRANTS, AND DONATIONS. (a) The early childhood interagency work group, the cooperating entities, and the lead agency may use any available state or federal money to develop the system.

(b) The lead agency shall actively pursue grants or other money available from the state and federal government to operate the system.

(c) The early childhood interagency work group, the cooperating entities, and the lead agency may accept gifts, grants, and donations from any source for the purposes of this chapter.

SECTION 2. An entity to which Chapter 10, Education Code, as added by this Act, applies is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose during a state fiscal biennium, an entity may, but is not required to, implement a provision of this Act using other money available for that purpose.

SECTION 3. The Texas Education Agency shall undertake to ensure that the early childhood integrated data system established under Section 10.002, Education Code, as added by this Act, is completed not later than January 1, 2027.

SECTION 4. This Act takes effect September 1, 2025.

HB 1690 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Gerdes called up with senate amendments for consideration at this time,

HB 1690, A bill to be entitled An Act relating to an application for a permit for the transfer of groundwater out of a groundwater conservation district.

Representative Gerdes moved to concur in the senate amendments to **HB 1690**.

The motion to concur in the senate amendments to **HB 1690** prevailed by (Record 4032): 133 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Alders; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Cain; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Harrison; Hayes; Hefner; Hickland; Hinojosa; Holt; Hopper; Howard; Hull; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Leo Wilson; Little; Longoria; Lopez, J.; Lopez, R.; Louderback; Lowe; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Olcott; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Richardson; Romero; Rose; Rosenthal; Schatzline; Schoolcraft; Shaheen; Shofner; Simmons; Slawson; Smithee; Spiller; Swanson; Talarico; Tepper; Thompson; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Nays — Rodríguez Ramos.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Anchía; Campos; Davis, Y.; Garcia Hernandez; Hernandez; Jones, V.; Manuel; Reynolds; Schofield.

STATEMENTS OF VOTE

When Record No. 4032 was taken, my vote failed to register. I would have voted yes.

Anchía

When Record No. 4032 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia Hernandez

Senate Committee Substitute

CSHB 1690, A bill to be entitled An Act relating to an application for a permit for the transfer of groundwater out of a groundwater conservation district.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 36.122, Water Code, is amended by adding Subsection (d-1) to read as follows:

(d-1) The district shall adopt rules requiring that notice be given for an application filed to comply with this section. The notice must be:

(1) paid for by the applicant;

(2) sent by certified mail to:

(A) each district that:

(i) is adjacent to the district considering the application; and

(ii) overlies any portion of the aquifer from which the groundwater would be produced;

(B) the commissioners court of each county:

(i) in which the district considering the application is located;
and

(ii) that overlies any portion of the aquifer from which the groundwater would be produced; and

(C) the commissioners court of each county in which a district that receives notice under Paragraph (A) is located; and

(3) published in:

(A) a newspaper of general circulation in the county in which the district considering the application is located; and

(B) a newspaper of general circulation in each county in which a district that receives notice under Subdivision (2)(A) is located.

SECTION 2. This Act takes effect September 1, 2025.

**HB 1234 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Guillen called up with senate amendments for consideration at this time,

HB 1234, A bill to be entitled An Act relating to certain procedures required for the denial of certain applications for a license to carry a handgun.

Representative Guillen moved to concur in the senate amendments to **HB 1234**.

The motion to concur in the senate amendments to **HB 1234** prevailed by (Record 4033): 104 Yeas, 28 Nays, 1 Present, not voting.

Yeas — Alders; Ashby; Barry; Bell, C.; Bell, K.; Bhojani; Bonnen; Bryant; Buckley; Bumgarner; Button; Cain; Canales; Capriglione; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Dean; DeAyala; Dorazio; Dyson; Fairly; Frank; Gámez; Garcia, J.; Gates; Gerdes; Geren; Guerra; Guillen; Harless; Harris Davila; Harrison; Hayes; Hefner; Hickland; Holt; Hopper; Hull; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Leo Wilson; Little; Lopez, J.; Lopez, R.; Louderback; Lowe; Lozano; Lujan; Luther; Martinez; McLaughlin; McQueeney; Meyer; Money; Moody; Morales, E.; Morgan; Muñoz; Noble; Olcott; Oliverson; Ordaz; Patterson; Paul; Perez, M.; Phelan; Pierson; Plesa; Raymond; Richardson; Schatzline; Schofield; Schoolcraft; Shaheen; Shofner; Simmons; Slawson; Smithee; Spiller; Tepper; Thompson; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Villalobos; Wharton; Wilson; Zwiener.

Nays — Anchía; Bernal; Bowers; Bucy; Cole; Collier; Flores; Garcia, L.; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hinojosa; Howard; Longoria; Martinez Fischer; Morales Shaw; Perez, V.; Rodríguez Ramos; Romero; Rose; Rosenthal; Talarico; Turner; Vo; Walle; Ward Johnson; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Campos; Davis, Y.; Garcia Hernandez; Hernandez; Jones, V.; Manuel; Metcalf; Morales, C.; Orr; Reynolds; Swanson.

STATEMENTS OF VOTE

When Record No. 4033 was taken, I was shown voting yes. I intended to vote no.

Bhojani

When Record No. 4033 was taken, I was in the house but away from my desk. I would have voted no.

Garcia Hernandez

When Record No. 4033 was taken, I was shown voting yes. I intended to vote no.

J. Jones

When Record No. 4033 was taken, I was in the house but away from my desk. I would have voted yes.

Metcalf

When Record No. 4033 was taken, I was excused because of important business in the district. I would have voted yes.

Virdell

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 1234** (senate committee report) in SECTION 1 of the bill, in added Section 411.1765(c), Government Code (page 1, line 44), between "board" and "described by", by inserting "panel".

**HB 3372 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

Representative Metcalf called up with senate amendments for consideration at this time,

HB 3372, A bill to be entitled An Act relating to prohibiting certain personal services performed by school district administrators; providing a civil penalty.

Representative Metcalf moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 3372**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 3372**: Metcalf, chair; K. Bell, Leach, Leo Wilson, and Vasut.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 5).

**HB 27 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative King called up with senate amendments for consideration at this time,

HB 27, A bill to be entitled An Act relating to courses in personal financial literacy for high school students in public schools.

Representative King moved to concur in the senate amendments to **HB 27**.

The motion to concur in the senate amendments to **HB 27** prevailed by (Record 4034): 135 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Alders; Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Cain; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Hayes; Hefner; Hernandez; Hickland; Hinojosa; Holt; Hopper; Howard; Hull; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Leo Wilson; Little; Longoria; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morales Shaw; Morgan; Muñoz;

Noble; Olcott; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Reynolds; Richardson; Rodríguez Ramos; Romero; Rose; Rosenthal; Schatzline; Schofield; Shaheen; Shofner; Simmons; Slawson; Smithee; Spiller; Swanson; Talarico; Tepper; Thompson; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Nays — Harrison; Lowe.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Campos; Davis, A.; Garcia Hernandez; Jones, V.; Manuel; Schoolcraft.

STATEMENT OF VOTE

When Record No. 4034 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia Hernandez

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 27** (senate committee report) as follows:

(1) In SECTION 3 of the bill (page 2, lines 16 and 17), strike "2025-2026" and substitute "2026-2027" in each place it appears.

(2) In SECTION 4 of the bill (page 2, line 21), strike "2025-2026" and substitute "2026-2027".

HB 4211 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Noble called up with senate amendments for consideration at this time,

HB 4211, A bill to be entitled An Act relating to certain residential property interests controlled by certain entities.

Representative Noble moved to concur in the senate amendments to **HB 4211**.

The motion to concur in the senate amendments to **HB 4211** prevailed by (Record 4035): 110 Yeas, 26 Nays, 1 Present, not voting.

Yeas — Alders; Ashby; Barry; Bell, C.; Bell, K.; Bhojani; Bonnen; Bryant; Buckley; Bumgarner; Button; Cain; Canales; Capriglione; Cook; Cortez; Craddock; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Frank; Gámez; Garcia, J.; Gates; Gerdes; Geren; Guerra; Guillen; Harless; Harris Davila; Harrison; Hayes; Hefner; Hickland; Holt; Hopper; Hull; Hunter; Isaac; Johnson; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Leo Wilson; Little; Lopez, J.; Lopez, R.; Louderback; Lowe; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Morales, C.; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Olcott; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez,

V.; Phelan; Pierson; Plesa; Raymond; Reynolds; Richardson; Schatzline; Schofield; Schoolcraft; Shaheen; Shofner; Simmons; Slawson; Smithee; Spiller; Tepper; Thompson; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Villalobos; Walle; Wharton; Wilson.

Nays — Anchía; Bernal; Bucy; Collier; Flores; Garcia, L.; Garcia Hernandez; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hinojosa; Howard; Jones, J.; Longoria; Moody; Rodríguez Ramos; Romero; Rose; Rosenthal; Talarico; Turner; Vo; Ward Johnson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Bowers; Campos; Cole; Hernandez; Jones, V.; Manuel; Swanson.

STATEMENTS OF VOTE

When Record No. 4035 was taken, I was shown voting yes. I intended to vote no.

Bhojani

When Record No. 4035 was taken, I was shown voting yes. I intended to vote no.

Gámez

When Record No. 4035 was taken, I was shown voting yes. I intended to vote no.

Lalani

When Record No. 4035 was taken, I was shown voting yes. I intended to vote no.

Thompson

When Record No. 4035 was taken, I was excused because of important business in the district. I would have voted yes.

Virdell

Senate Committee Substitute

CSHB 4211, A bill to be entitled An Act relating to certain residential property interests controlled by certain entities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 12, Property Code, is amended by adding Chapter 223 to read as follows:

CHAPTER 223. BUSINESS ENTITY-OWNED RESIDENTIAL ARRANGEMENTS

Sec. 223.001. DEFINITIONS. In this chapter:

(1) "Business entity" means a partnership, corporation, joint venture, limited liability company, or other business organization or business association, however organized.

(2) "Managing entity" means a business entity that owns residential property used in a residential arrangement.

(3) "Residential arrangement" means an arrangement in which the purchaser of an interest in a business entity is entitled to exclusive possession of residential property owned by the entity as long as the purchaser holds the interest in the business entity.

(4) "Residential property" means the real property and improvements for a single-family house, duplex, triplex, or quadruplex.

Sec. 223.002. APPLICABILITY. This chapter does not apply to a timeshare plan, as defined by Section 221.002.

Sec. 223.003. AGREEMENTS AND RULES. (a) An agreement for the purchase of an interest in a managing entity must disclose to the purchaser that the agreement is for the purchase of an interest in the entity and not in any residential property itself.

(b) The purchase agreement and any other agreement or rules governing the residential arrangement or the ownership interest in the entity may not require that a dispute concerning the arrangement or interest be brought before a tribunal other than a court established under the laws of this state or the United States.

Sec. 223.004. DISCRIMINATION PROHIBITED. A managing entity may not take an action with respect to an interest in the entity in a manner that would be a violation of Chapter 301 if the interest in the entity were an interest in real property, including:

(1) restricting the transfer of the interest;

(2) imposing requirements to maintain the interest; or

(3) refusing to grant an interest to an otherwise qualified person.

Sec. 223.005. TRANSFER OF INTEREST. Notwithstanding any provision in an agreement between the owner and a managing entity, an owner of an interest in a managing entity may transfer the interest without approval from the managing entity.

Sec. 223.006. CERTAIN CHARGES PROHIBITED. A managing entity may not charge a fee for or share in the proceeds of the transfer of an interest in the managing entity from an owner to a subsequent purchaser.

Sec. 223.007. ENFORCEMENT. (a) A violation of this chapter is a deceptive trade practice actionable under Subchapter E, Chapter 17, Business & Commerce Code.

(b) A court that finds a violation of this chapter may enjoin a managing entity or a person affiliated with the managing entity from taking action in furtherance of development of or construction on residential property used in a residential arrangement subject to an action under this section, including:

(1) filing a petition with the Texas Commission on Environmental Quality for the creation of a municipal utility district under Chapter 49, Water Code;

(2) taking action in connection with a petition for the creation of a district described by Subdivision (1) filed with the Texas Commission on Environmental Quality before the issuance of the injunction; or

(3) receiving, directly or indirectly, any public money or benefit.

SECTION 2. Section 301.042, Property Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Subsection (a) does not apply to the sale, rental, or occupancy of a dwelling that is a single-family house, duplex, triplex, or quadruplex located on a subdivided lot in a parcel of land 25 acres or greater owned by a religious organization, association, or society or a nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association, or society.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

HB 2243 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Oliverson called up with senate amendments for consideration at this time,

HB 2243, A bill to be entitled An Act relating to the creation of the Texas Commission on Teacher Job Satisfaction and Retention.

Representative Oliverson moved to concur in the senate amendments to **HB 2243**.

The motion to concur in the senate amendments to **HB 2243** prevailed by (Record 4036): 99 Yeas, 36 Nays, 2 Present, not voting.

Yeas — Alders; Ashby; Barry; Bell, C.; Bell, K.; Bhojani; Bonnen; Bowers; Buckley; Bumgarner; Button; Cain; Campos; Canales; Capriglione; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Fairly; Frank; Gámez; García, J.; Gates; Gerdes; Gervin-Hawkins; Guerra; Guillen; Harless; Harris Davila; Hefner; Hickland; Holt; Hopper; Hull; Hunter; Isaac; Johnson; Jones, J.; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Leo Wilson; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Luther; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Morales, E.; Morgan; Muñoz; Noble; Olcott; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Raymond; Reynolds; Richardson; Romero; Schatzline; Schofield; Shaheen; Shofner; Slawson; Smithee; Thompson; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Villalobos; Wharton; Wilson; Zwiener.

Nays — Anchía; Bernal; Bryant; Bucy; Cole; Collier; Dyson; Flores; Garcia, L.; Garcia Hernandez; González, J.; González, M.; Goodwin; Harrison; Hayes; Hernandez; Howard; Little; Longoria; Lowe; Martinez; Moody; Morales, C.; Morales Shaw; Plesa; Rodríguez Ramos; Rose; Rosenthal; Schoolcraft; Spiller; Talarico; Tepper; Turner; Vo; Ward Johnson; Wu.

Present, not voting — Mr. Speaker(C); Hinojosa.

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Geren; Jones, V.; King; Manuel; Simmons; Swanson; Walle.

STATEMENT OF VOTE

When Record No. 4036 was taken, I was shown voting yes. I intended to vote no.

Bhojani

Senate Committee Substitute

CSHB 2243, A bill to be entitled An Act relating to the creation of the Texas Commission on Teacher Job Satisfaction and Retention.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 21, Education Code, is amended by adding Subchapter P to read as follows:

SUBCHAPTER P. TEXAS COMMISSION ON TEACHER JOB SATISFACTION AND RETENTION

Sec. 21.751. DEFINITION. In this subchapter, "commission" means the Texas Commission on Teacher Job Satisfaction and Retention.

Sec. 21.752. TEXAS COMMISSION ON TEACHER JOB SATISFACTION AND RETENTION. (a) The Texas Commission on Teacher Job Satisfaction and Retention is established to develop and make recommendations for improving teacher job satisfaction and retention.

(b) The commission is composed of 13 members, consisting of the following:

- (1) five members appointed by the governor;
- (2) four members appointed by the lieutenant governor; and
- (3) four members appointed by the speaker of the house of representatives.

(c) The members appointed by the governor must include at least three people who are current or former classroom teachers with at least 10 years of teaching experience.

(d) The appointments made by the lieutenant governor and the speaker of the house of representatives must each consist of:

- (1) three members of the applicable legislative chamber; and
- (2) an administrator in the public school system or an elected member of the board of trustees of a school district.

(e) In making appointments under Subsections (b)(1), (2), and (3), the governor, lieutenant governor, and speaker of the house of representatives shall coordinate to ensure that the membership of the commission reflects, to the extent possible, the geographic diversity of this state.

Sec. 21.753. PRESIDING OFFICER. The governor shall designate a member of the commission to serve as presiding officer of the commission.

Sec. 21.754. COMPENSATION AND REIMBURSEMENT. A member of the commission is not entitled to compensation for service on the commission but is entitled to reimbursement for actual and necessary expenses incurred in performing commission duties.

Sec. 21.755. COMMISSION PERSONNEL. The commission may hire employees and hire or contract with legal counsel as necessary to carry out the purposes of this subchapter.

Sec. 21.756. ADMINISTRATIVE SUPPORT AND FUNDING. (a) Staff members of the agency shall provide administrative support for the commission.

(b) If the agency employs a staff member whose sole duty is to provide administrative support for the commission under this section, the agency shall consult with the presiding officer or the presiding officer's designee in the hiring or selection of the staff member.

(c) Funding for the administrative, staffing, legal, and operational expenses of the commission shall be provided by appropriation to the agency for that purpose.

Sec. 21.757. PROCUREMENT. (a) The agency may procure goods and services to support the commission's work, including research and consulting services.

(b) The competitive bidding contract procedures established by Chapters 2155, 2156, 2157, and 2158, Government Code, and the requirements of Chapter 2254, Government Code, do not apply to a contract awarded by the agency to implement this subchapter.

(c) For the purposes of procurement under Subsection (a), the agency shall enter into a contract only if the contract is approved by a majority vote of the commission's members.

Sec. 21.758. RECOMMENDATIONS. (a) The commission shall develop recommendations under this subchapter to improve student outcomes by addressing issues related to teacher job satisfaction and retention, including:

(1) methods to reduce the paperwork and other administrative burdens placed on teachers, including by evaluating the effectiveness of Section 7.060 and other laws in reducing paperwork for teachers;

(2) the impact of requirements in this code and commissioner rules on administrative staffing levels in public schools;

(3) methods to lessen administrative burdens in public schools to focus more resources on supporting teachers;

(4) the impact of state and federal law relating to student discipline on teacher job satisfaction and effectiveness;

(5) the impact of compliance with federal education law on teacher job satisfaction and retention, including the impact on teachers, public school students, and public primary and secondary education programs in this state if this state were to decline federal education funding; and

(6) the impact of an administrator's competency in effectively discharging the administrator's duties on teacher job satisfaction and effectiveness.

(b) The commission may establish one or more working groups composed of not more than five members of the commission to study, discuss, and address specific policy issues and recommendations to refer to the commission for consideration.

Sec. 21.759. REPORT. Not later than December 31, 2026, the commission shall prepare and deliver a report to the governor and the legislature that recommends statutory changes to improve teacher job satisfaction and retention.

Sec. 21.760. PUBLIC MEETINGS AND PUBLIC INFORMATION. (a) The commission may hold public meetings as needed to fulfill its duties under this subchapter.

(b) Commission meetings are not subject to Chapter 551, Government Code.

(c) The commission is a governmental body for the purposes of Chapter 552, Government Code.

Sec. 21.761. COMMISSION ABOLISHED; EXPIRATION. The commission is abolished and this subchapter expires September 1, 2027.

SECTION 2. Not later than the 30th day after the effective date of this Act, the appropriate persons shall make the appointments required by Section 21.752, Education Code, as added by this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

HB 2853 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative V. Perez called up with senate amendments for consideration at this time,

HB 2853, A bill to be entitled An Act relating to student union building fees at The University of Texas at El Paso.

Representative V. Perez moved to concur in the senate amendments to **HB 2853**.

The motion to concur in the senate amendments to **HB 2853** prevailed by (Record 4037): 105 Yeas, 34 Nays, 1 Present, not voting.

Yeas — Anchía; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Button; Cain; Campos; Canales; Capriglione; Cole; Collier; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Hayes; Hefner; Hinojosa; Howard; Hunter; Johnson; Jones, J.; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Moody; Morales, C.; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Oliverson; Ordaz; Orr; Patterson; Perez, M.; Perez, V.; Phelan; Raymond; Reynolds; Richardson; Rodríguez Ramos; Romero; Rose; Schofield; Schoolcraft; Shaheen; Simmons; Swanson; Talarico; Thompson; Turner; VanDeaver; Vasut; Villalobos; Vo; Walle; Ward Johnson; Wu; Zwiener.

Nays — Alders; Ashby; Bumgarner; Cook; DeAyala; Gates; Harrison; Hickland; Holt; Hopper; Hull; Isaac; Leo Wilson; Little; Louderback; Lowe; Luther; Money; Olcott; Paul; Pierson; Plesa; Rosenthal; Schatzline; Shofner; Slawson; Smithee; Spiller; Tepper; Tinderholt; Toth; Troxclair; Wharton; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Hernandez; Jones, V.; King; Manuel.

STATEMENT OF VOTE

When Record No. 4037 was taken, I was excused because of important business in the district. I would have voted no.

Virdell

Senate Committee Substitute

CSHB 2853, A bill to be entitled An Act relating to student union building fees at The University of Texas at El Paso.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 54.535(a), Education Code, is amended to read as follows:

(a) The board of regents of The University of Texas System may levy a student union fee ~~[not to exceed \$30 per student for each regular semester or each summer session of six weeks or more, and not to exceed \$15 per student for each summer session of less than six weeks,]~~ for the sole purpose of financing, constructing, operating, maintaining, and improving a student union building for The University of Texas at El Paso, including demolition of the existing student union building; provided, however, that the fee may not be increased to an amount that exceeds by at least 10 percent the amount of the fee levied during the preceding academic year, [above \$15 per student for each regular semester or each summer session of six weeks or more and \$7.50 per student for each summer session of less than six weeks] unless the increase is approved by a majority vote of ~~[those]~~ students enrolled at the university participating in a general student election held for that purpose. A fee imposed under this section is [The fees herein authorized to be levied are] in addition to any other [use or service] fee the board is [now or hereafter] authorized by law to impose [be levied].

SECTION 2. Section 54.535, Education Code, as amended by this Act, applies beginning with student union fees collected for the 2026 spring semester.

SECTION 3. This Act takes effect September 1, 2025.

HB 4638 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Capriglione called up with senate amendments for consideration at this time,

HB 4638, A bill to be entitled An Act relating to the Texas Pharmaceutical Initiative.

Representative Capriglione moved to concur in the senate amendments to **HB 4638**.

The motion to concur in the senate amendments to **HB 4638** prevailed by (Record 4038): 124 Yeas, 11 Nays, 1 Present, not voting.

Yeas — Alders; Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Bucy; Button; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Hayes; Hefner; Hickland; Holt; Hopper; Howard; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Little; Longoria; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Olcott; Oliverson; Ordaz; Orr; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Reynolds; Rodríguez Ramos; Romero; Rose; Rosenthal; Schatzline; Schoolcraft; Shofner; Simmons; Smithee; Talarico; Tepper; Thompson; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Wiener.

Nays — Bumgarner; Cain; Harrison; Hull; Leo Wilson; Lowe; Patterson; Schofield; Shaheen; Slawson; Spiller.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Buckley; Hernandez; Hinojosa; Jones, V.; Manuel; Richardson; Swanson; Vasut.

STATEMENT OF VOTE

When Record No. 4038 was taken, I was in the house but away from my desk. I would have voted no.

Richardson

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 4638** (senate committee report) in SECTION 4 of the bill, in amended Section 2177.010, Government Code (page 2, line 17), by striking "2031" and substituting "2027".

HJR 7 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Buckley called up with senate amendments for consideration at this time,

HJR 7, A joint resolution proposing a constitutional amendment to dedicate a portion of the revenue derived from state sales and use taxes to the Texas water fund.

Representative Buckley moved to concur in the senate amendments to **HJR 7**.

The motion to concur in the senate amendments to **HJR 7** prevailed by (Record 4039): 122 Yeas, 12 Nays, 2 Present, not voting.

Yeas — Alders; Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Button; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Hayes; Hefner; Hernandez; Hickland; Hinojosa; Holt; Howard; Hull; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Leo Wilson; Little; Longoria; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Moody; Morales, C.; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Reynolds; Rodríguez Ramos; Romero; Rose; Rosenthal; Schofield; Shaheen; Shofner; Slawson; Smithee; Spiller; Swanson; Talarico; Tepper; Thompson; Troxclair; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Zwiener.

Nays — Bumgarner; Cain; Harrison; Hopper; Lowe; Luther; Money; Olcott; Schatzline; Schoolcraft; Tinderholt; Toth.

Present, not voting — Mr. Speaker(C); Richardson.

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Bernal; Campos; Davis, A.; Jones, V.; Manuel; Simmons; Vasut; Wu.

STATEMENTS OF VOTE

When Record No. 4039 was taken, I was shown voting present, not voting. I intended to vote yes.

Richardson

When Record No. 4039 was taken, I was excused because of important business in the district. I would have voted yes.

Virdell

Senate Committee Substitute

CSHJR 7, A joint resolution proposing a constitutional amendment to dedicate a portion of the revenue derived from state sales and use taxes to the Texas water fund and to provide for the allocation and use of that revenue.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 49-d-16, Article III, Texas Constitution, as proposed by **SJR 75**, 88th Legislature, Regular Session, 2023, is amended by amending Subsections (c) and (e) and adding Subsections (e-1), (e-2), and (e-3) to read as follows:

(c) The Texas water fund consists of:

(1) money transferred or deposited to the credit of the fund under this constitution or by general law, including money appropriated by the legislature directly to the fund and money from any source transferred or deposited to the credit of the fund authorized by this constitution or by general law;

(2) any other revenue that the legislature by statute dedicates for deposit to the credit of the fund;

(3) investment earnings and interest earned on amounts credited to the fund;

(4) money from gifts, grants, or donations to the fund; ~~and~~

(5) money returned from any authorized transfer; and

(6) money in accounts established in the fund under this constitution or by general law.

(e) The legislature by general law or by adoption of a concurrent resolution approved by a record vote of a majority of the members of each house may allocate for transfer to the funds and accounts administered by the Texas Water Development Board or that board's successor the money deposited to the credit of the Texas water fund under Section 7-e, Article VIII, of this constitution. The allocation of money prescribed by a general law or resolution under this subsection may not be changed by the legislature during the first 10 fiscal years for which the money is allocated by the general law or resolution. Any money deposited to the credit of the Texas water fund under Section 7-e, Article VIII, of this constitution that is not allocated by a general law or resolution under this subsection may be transferred to other funds or accounts by the Texas Water Development Board or that board's successor in accordance with Subsection (b) of this section.

(e-1) During a state of disaster declared under Chapter 418, Government Code, or its successor, an allocation made under Subsection (e) of this section may be suspended through the budget execution process under Chapter 317, Government Code, or its successor, or by adoption of a concurrent resolution approved by a record vote of a majority of the members of each house. During a suspension of an allocation under this subsection, the money that would have been allocated but for the suspension is subject to appropriation by the legislature for any purpose. It is the intent of the legislature that any money repurposed under this subsection be restored to the Texas water fund when practicable.

(e-2) Of the amount of money initially appropriated to the Texas water fund, the administrator of the fund shall allocate not less than 25 percent to be used only for transfer to the New Water Supply for Texas Fund.

(e-3) This subsection and Subsections (e), (e-1), and (e-2) of this section expire August 31, 2047.

SECTION 2. Article VIII, Texas Constitution, is amended by adding Section 7-e to read as follows:

Sec. 7-e. (a) Subject to Section 7-d of this article and Subsection (b) of this section, in each state fiscal year, the comptroller of public accounts shall deposit to the credit of the Texas water fund the first \$1 billion of the net revenue derived from the imposition of the state sales and use tax on the sale, storage, use, or

other consumption in this state of taxable items under Chapter 151, Tax Code, or its successor, that exceeds the first \$46.5 billion of that revenue coming into the treasury in that state fiscal year.

(b) The duty of the comptroller of public accounts to make a deposit under this section expires August 31, 2047.

(c) Money deposited to the credit of the Texas water fund under Subsection (a) of this section may not be transferred to the New Water Supply for Texas Fund for the purpose of financing the construction of infrastructure to transport groundwater that was produced from a well in this state and that, at the time of production, was not brackish, as that term is defined by general law. This subsection applies to the construction of infrastructure to transport water produced from a well associated with an aquifer storage and recovery project only if the water injected as part of the project was groundwater described by this subsection.

(d) Notwithstanding Section 49-d-16(b), Article III, of this constitution, as proposed by **SJR 75**, 88th Legislature, Regular Session, 2023, the revenue deposited to the credit of the Texas water fund under Subsection (a) of this section shall be maintained by the administrator of the fund in a separate account in the fund and may not be transferred from the fund by the administrator except as directed by the legislature pursuant to an appropriation made in accordance with Section 6 of this article. The administrator of the fund shall transfer the amount appropriated by the legislature from the account in accordance with the applicable allocations specified by Section 49-d-16, Article III, of this constitution, as proposed by **SJR 75**, 88th Legislature, Regular Session, 2023.

SECTION 3. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 89th Legislature, Regular Session, 2025, to dedicate a portion of the revenue derived from state sales and use taxes to the Texas water fund and to provide for the allocation and use of that revenue.

(b) Section 7-e, Article VIII, of this constitution takes effect September 1, 2027.

(c) This temporary provision expires September 1, 2028.

SECTION 4. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 2025. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to dedicate a portion of the revenue derived from state sales and use taxes to the Texas water fund and to provide for the allocation and use of that revenue."

HB 100 - HOUSE CONCURS IN SENATE AMENDMENTS

TEXT OF SENATE AMENDMENTS

Representative Leo Wilson called up with senate amendments for consideration at this time,

HB 100, A bill to be entitled An Act relating to the purchase, adoption, and use of instructional materials by public schools.

Representative Leo Wilson moved to concur in the senate amendments to **HB 100**.

The motion to concur in the senate amendments to **HB 100** prevailed by (Record 4040): 112 Yeas, 28 Nays, 1 Present, not voting.

Yeas — Anchía; Bell, C.; Bell, K.; Bonnen; Bowers; Bryant; Buckley; Bumgarner; Button; Cain; Campos; Canales; Capriglione; Cole; Cook; Cortez; Craddick; Cunningham; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; Goodwin; Guerra; Guillen; Harris Davila; Hayes; Hefner; Hernandez; Hickland; Holt; Hopper; Howard; Hull; Hunter; Isaac; Johnson; King; Kitzman; LaHood; Landgraf; Leach; Leo Wilson; Little; Longoria; Lopez, J.; Louderback; Lozano; Lujan; Martinez; McLaughlin; McQueeney; Metcalf; Meyer; Money; Morales, C.; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Raymond; Reynolds; Richardson; Romero; Rose; Schatzline; Schoolcraft; Shaheen; Shofner; Simmons; Smithee; Spiller; Swanson; Talarico; Tepper; Thompson; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Villalobos; Vo; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Nays — Alders; Ashby; Barry; Bhojani; Bucy; Collier; Curry; Flores; González, J.; González, M.; Harless; Harrison; Hinojosa; Jones, J.; Lalani; Lambert; Lopez, R.; Lowe; Luther; Martinez Fischer; Moody; Olcott; Plesa; Rodríguez Ramos; Rosenthal; Schofield; Slawson; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Bernal; Jones, V.; Manuel.

STATEMENTS OF VOTE

When Record No. 4040 was taken, I was shown voting yes. I intended to vote no.

Gámez

When Record No. 4040 was taken, I was shown voting no. I intended to vote yes.

Olcott

When Record No. 4040 was taken, I was shown voting no. I intended to vote yes.

Slawson

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 100** (senate committee report) as follows:

(1) In SECTION 6 of the bill, providing a school year of applicability (page 2, line 8), strike "2025-2026" and substitute "2026-2027".

(2) Add the following appropriately number SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. The change in law made by this Act applies to instructional materials placed or maintained on the list of rejected materials by the State Board of Education under Section 31.022(a), Education Code, on or after the school year in which this Act applies.

**HB 2240 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Moody called up with senate amendments for consideration at this time,

HB 2240, A bill to be entitled An Act relating to certain void marriages.

Representative Moody moved to concur in the senate amendments to **HB 2240**.

The motion to concur in the senate amendments to **HB 2240** prevailed by (Record 4041): 128 Yeas, 10 Nays, 1 Present, not voting.

Yeas — Alders; Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, L.; Garcia Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Hayes; Hefner; Hernandez; Hinojosa; Holt; Hopper; Howard; Hull; Hunter; Isaac; Johnson; Jones, J.; King; Kitman; LaHood; Lambert; Landgraf; Leach; Leo Wilson; Little; Longoria; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Olcott; Oliverson; Ordaz; Orr; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Reynolds; Richardson; Rodríguez Ramos; Romero; Rose; Rosenthal; Schofield; Schoolcraft; Simmons; Slawson; Smithee; Spiller; Talarico; Tepper; Thompson; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Nays — Cain; Harrison; Hickland; Lowe; Patterson; Schatzline; Shaheen; Shofner; Swanson; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Campos; Garcia, J.; Jones, V.; Lalani; Manuel.

STATEMENT OF VOTE

When Record No. 4041 was taken, I was shown voting yes. I intended to vote no.

Olcott

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 2240** (senate committee report) as follows:

(1) Strike the recital to SECTION 1 of the bill (page 1, lines 24 and 25) and substitute the following:

SECTION 1. Section 6.202, Family Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(2) In SECTION 1 of the bill, strike added Section 6.202(b)(3), Family Code (page 1, lines 37 through 40), and substitute the following:

(3) files a suit to declare the later marriage void not later than:

(A) the 30th day after the date the putative spouse knew that the later marriage was entered into when the other party had an existing marriage, unless the putative spouse is a person described by Paragraph (B); or

(B) the 90th day after the date the putative spouse knew that the later marriage was entered into when the other party had an existing marriage, if the putative spouse:

(i) is serving on active duty as a member of the United States armed forces;

(ii) is a member of the Texas military forces, as defined by Section 437.001, Government Code, and:

(a) is actively deployed on federal orders outside the United States; or

(b) is on state active duty performing emergency response activities for this state; or

(iii) is in active service outside the United States as a foreign officer employed by the United States Department of State.

(c) Notwithstanding any other law or rule, if a putative spouse files a suit to declare the marriage void under Subsection (b)(3), a respondent spouse may file an answer on or before the 90th day after the date the respondent spouse is served if the respondent spouse:

(1) is serving on active duty as a member of the United States armed forces;

(2) is a member of the Texas military forces, as defined by Section 437.001, Government Code, and:

(A) is actively deployed on federal orders outside the United States; or

(B) is on state active duty performing emergency response activities for this state; or

(3) is in active service outside the United States as a foreign officer employed by the United States Department of State.

HB 126 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Tepper called up with senate amendments for consideration at this time,

HB 126, A bill to be entitled An Act relating to the compensation and professional representation of prospective student athletes and student athletes participating in intercollegiate athletic programs at certain institutions of higher education.

Representative Tepper moved to concur in the senate amendments to **HB 126**.

The motion to concur in the senate amendments to **HB 126** prevailed by (Record 4042): 110 Yeas, 25 Nays, 1 Present, not voting.

Yeas — Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Button; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia Hernandez; Gates; Gerdes; Geren; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Harrison; Hayes; Hefner; Hernandez; Hickland; Hinojosa; Howard; Hull; Hunter; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Oliveron; Ordaz; Orr; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Reynolds; Romero; Rose; Shofner; Slawson; Smithee; Spiller; Talarico; Tepper; Thompson; Troxclair; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wu; Zwiener.

Nays — Alders; Bumgarner; Cain; Campos; Garcia, J.; Gervin-Hawkins; Holt; Hopper; Isaac; Leo Wilson; Little; Louderback; Lowe; Luther; Olcott; Patterson; Richardson; Rodríguez Ramos; Rosenthal; Schatzline; Schofield; Shaheen; Swanson; Toth; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Garcia, L.; Jones, V.; Manuel; Schoolcraft; Simmons; Tinderholt; Wharton; Wilson.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 126** (senate committee report) as follows:

(1) In the recital to SECTION 1 of the bill, amending Section 51.9246, Education Code (page 1, lines 28 and 29), strike "(c-2) and (c-3)" and substitute "(c-2), (c-3), and (k-1)".

(2) In SECTION 1 of the bill, immediately following amended Section 51.9246(g), Education Code (page 2, between lines 51 and 52), insert the following:

(k-1) Notwithstanding subsection (c-2), an individual, corporate entity, or other organization, including an institution to which this section applies, may not enter into an arrangement with a prospective student athlete younger than 17 years of age or with any family members of the prospective student athlete, whether related by blood (consanguinity) or through marriage (affinity), relating to the athlete's name, image, or likeness unless, the athlete is enrolled at an institution of higher education.

HB 3783 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Hull called up with senate amendments for consideration at this time,

HB 3783, A bill to be entitled An Act relating to court-ordered counseling in certain suits affecting the parent-child relationship.

Representative Hull moved to concur in the senate amendments to **HB 3783**.

The motion to concur in the senate amendments to **HB 3783** prevailed by (Record 4043): 128 Yeas, 7 Nays, 1 Present, not voting.

Yeas — Alders; Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris Davila; Harrison; Hayes; Hefner; Hernandez; Hickland; Hinojosa; Holt; Howard; Hull; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Leo Wilson; Little; Longoria; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Noble; Oliverson; Ordaz; Orr; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Reynolds; Richardson; Rodríguez Ramos; Romero; Rose; Rosenthal; Schofield; Schoolcraft; Shaheen; Shofner; Simmons; Slawson; Smithee; Spiller; Talarico; Tepper; Thompson; Toth; Troxclair; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wu; Zwiener.

Nays — Cain; Lowe; Morgan; Olcott; Patterson; Swanson; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Darby; Harless; Hopper; Jones, V.; Manuel; Schatzline; Tinderholt; Wilson.

Senate Committee Substitute

CSHB 3783, A bill to be entitled An Act relating to court-ordered counseling in certain suits affecting the parent-child relationship.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 153.010, Family Code, is amended by amending Subsection (a) and adding Subsections (c) and (d) to read as follows:

(a) Subject to Subsections (c) and (d), if [4] the court finds at the time of a hearing that the parties have a history of conflict in resolving an issue of conservatorship or possession of or access to the child, the court may order a party to:

- (1) participate in counseling with a mental health professional who:
 - (A) has a background in family therapy;

(B) has a mental health license that requires as a minimum a master's degree; and

(C) has training in the dynamics of family [domestic] violence if the court determines that the training is relevant to the type of counseling needed; and

(2) pay the cost of counseling.

(c) In determining whether to order a party to participate in counseling under Subsection (a), the court shall consider evidence of family violence or sexual abuse in accordance with Section 153.004. If credible evidence of family violence or sexual abuse is presented, the court may not order:

(1) counseling in which a victim of the violence or abuse participates in counseling sessions together with the perpetrator of the violence or abuse; or

(2) a party who is a victim of the violence or abuse to pay any of the cost of the counseling.

(d) A court may not order a party to participate in counseling under Subsection (a) in which the person conducting the counseling requires:

(1) the isolation of a child who is the subject of the suit from the child's family, school, religious community, other community, or other sources of support, including by prohibiting or preventing the child from contacting a parent or other family member;

(2) a child who is the subject of the suit to stay overnight or for multiple days in an out-of-state location or other location, regardless of whether the child is accompanied by a parent or other family member;

(3) the transportation of a child who is the subject of the suit to a location by force, threat of force, undue coercion, or other action that places the child's safety at risk;

(4) a temporary or permanent change in the periods of possession of or access to a child who is the subject of the suit to which a conservator of the child would otherwise be entitled; or

(5) the use of force, threat of force, undue coercion, or verbal abuse against a child who is the subject of the suit.

SECTION 2. Section 153.010, Family Code, as amended by this Act, applies to a suit affecting the parent-child relationship that is pending in a trial court on the effective date of this Act or that is filed on or after the effective date of this Act.

SECTION 3. The change in law made by this Act to Section 153.010, Family Code, constitutes a material and substantial change of circumstances sufficient to warrant modification of a court order or portion of a decree that provides for the possession of or access to a child rendered before the effective date of this Act.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

HB 2512 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Geren called up with senate amendments for consideration at this time,

HB 2512, A bill to be entitled An Act relating to the release of certain areas from a municipality's extraterritorial jurisdiction by petition or election.

Representative Geren moved to concur in the senate amendments to **HB 2512**.

The motion to concur in the senate amendments to **HB 2512** prevailed by (Record 4044): 119 Yeas, 20 Nays, 1 Present, not voting.

Yeas — Alders; Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Hayes; Hefner; Hernandez; Hickland; Holt; Howard; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Little; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Noble; Oliverson; Ordaz; Orr; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Reynolds; Richardson; Romero; Rose; Schofield; Schoolcraft; Shaheen; Shofner; Smithee; Talarico; Thompson; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Villalobos; Vo; Walle; Ward Johnson; Wilson.

Nays — Cain; Harrison; Hopper; Hull; Leo Wilson; Louderback; Lowe; Morgan; Olcott; Patterson; Rodríguez Ramos; Rosenthal; Schatzline; Slawson; Spiller; Swanson; Tepper; Wharton; Wu; Wiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Hinojosa; Jones, V.; Manuel; Simmons.

STATEMENT OF VOTE

When Record No. 4044 was taken, I was shown voting yes. I intended to vote no.

J. Jones

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 2512** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in amended Section 42.101(5), Local Government Code (page 1, line 44), immediately after the underlined semicolon, insert "or".

(2) In SECTION 1 of the bill, strike added Sections 42.101(6), (7), and (8), Local Government Code (page 1, lines 45-55), and substitute the following:

(6) for the extraterritorial jurisdiction of a municipality located in four or more counties, one of which has a population of 2.1 million or more and is adjacent to a county with a population of 2.6 million or more:

(A) in an area subject to an active development agreement entered into under Section 212.172 with the municipality;

(B) in a platted or unplatted lot of less than 12 acres unless included with the other land in a petition for release under Section 42.102; or

(C) within a platted subdivision of 25 or more lots if the area is a single lot.

(3) In SECTION 2 of the bill, in amended Section 42.151(5), Local Government Code (page 2, line 19), immediately after the underlined semicolon, insert "or".

(4) In SECTION 2 of the bill, strike added Sections 42.151(6), (7), and (8), Local Government Code (page 2, lines 20-30), and substitute the following:

(6) for the extraterritorial jurisdiction of a municipality located in four or more counties, one of which has a population of 2.1 million or more and is adjacent to a county with a population of 2.6 million or more:

(A) in an area subject to an active development agreement entered into under Section 212.172 with the municipality;

(B) in a platted or unplatted lot of less than 12 acres unless included with the other land in a petition for release under Section 42.152; or

(C) within a platted subdivision of 25 or more lots if the area is a single lot.

Senate Amendment No. 2 (Senate Floor Amendment No. 3)

Amend **HB 2512** (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 42.023, Local Government Code, is amended to read as follows:

Sec. 42.023. REDUCTION OF EXTRATERRITORIAL JURISDICTION. The extraterritorial jurisdiction of a municipality may not be reduced unless the governing body of the municipality gives its written consent by ordinance or resolution, except:

(1) in cases of judicial apportionment of overlapping extraterritorial jurisdictions under Section 42.901;

(2) in accordance with an agreement under Section 42.022(d); ~~or~~

(3) as necessary to comply with Section 42.0235; or

(4) as necessary to comply with Subchapter D or E.

SECTION _____. Section 42.152, Local Government Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) A resident of an area in a municipality's extraterritorial jurisdiction may request the municipality to hold an election in accordance with this subchapter to vote on the question of whether to release the area from the municipality's extraterritorial jurisdiction by filing with the municipality a petition that includes

the signatures of at least five percent of the registered voters residing in the area as of the date of the preceding uniform election date. A resident may only file for release of an area if the resident resides in the area subject to the release.

(d) If a municipality receives a petition under this section, the municipality shall provide notice of the petition to the residents and landowners of the area described by the petition. The municipality shall provide the notice not later than the seventh business day after the date the municipality receives the petition.

SECTION _____. Subchapter E, Chapter 42, Local Government Code, is amended by adding Section 42.157 to read as follows:

Sec. 42.157. OPT OUT OF REMOVAL. Before an area is released from a municipality's extraterritorial jurisdiction under this subchapter, a landowner in the area to be released must be provided the opportunity to have the landowner's property remain within the municipality's extraterritorial jurisdiction.

REMARKS ORDERED PRINTED

Representative Hinojosa moved to print remarks between Representative Geren and Representative Hinojosa on **HB 2512**.

The motion prevailed. [The text of the debate was not available at the time of printing.]

HB 5616 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Howard called up with senate amendments for consideration at this time,

HB 5616, A bill to be entitled An Act relating to the Texas presidential library promotion program and fund.

Representative Howard moved to concur in the senate amendments to **HB 5616**.

The motion to concur in the senate amendments to **HB 5616** prevailed by (Record 4045): 103 Yeas, 35 Nays, 1 Present, not voting.

Yeas — Anchía; Ashby; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bryant; Buckley; Bucy; Button; Campos; Canales; Capriglione; Cole; Collier; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Hefner; Hernandez; Hickland; Hinojosa; Howard; Hunter; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Noble; Oliverson; Ordaz; Orr; Perez, M.; Perez, V.; Phelan; Plesa; Raymond; Reynolds; Rodríguez Ramos; Romero; Rose; Rosenthal; Shofner; Smithee; Talarico; Thompson; Troxclair; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wilson; Wu; Zwiener.

Nays — Alders; Barry; Bumgarner; Cain; Cook; Gerdes; Harrison; Hayes; Holt; Hopper; Hull; Isaac; Leo Wilson; Little; Louderback; Lowe; Luther; Money; Olcott; Patterson; Paul; Pierson; Richardson; Schatzline; Schofield; Schoolcraft; Shaheen; Slawson; Spiller; Swanson; Tepper; Tinderholt; Toth; Vasut; Wharton.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Bowers; Jones, V.; Manuel; Morgan; Simmons.

STATEMENTS OF VOTE

When Record No. 4045 was taken, I was shown voting yes. I intended to vote no.

DeAyala

When Record No. 4045 was taken, I was excused because of important business in the district. I would have voted no.

Virdell

Senate Committee Substitute

CSHB 5616, A bill to be entitled An Act relating to the Texas presidential library promotion program and funding for the program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 442, Government Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. TEXAS PRESIDENTIAL LIBRARY PROMOTION PROGRAM

Sec. 442.301. DEFINITION. In this subchapter, "program" means the Texas presidential library promotion program established under this subchapter.

Sec. 442.302. TEXAS PRESIDENTIAL LIBRARY PROMOTION PROGRAM. (a) The commission shall establish and administer the Texas presidential library promotion program to:

(1) recognize that the presidential libraries in this state are vital historical and educational resources that attract visitors from across the country and contribute to this state's cultural and economic landscape; and

(2) provide funding and support to the presidential libraries, promote tourism, and educate the public on the contributions of the presidents from this state.

(b) The program is established to support the following presidential libraries in this state:

(1) The Lyndon Baines Johnson Library and Museum;

(2) The George H. W. Bush Presidential Library and Museum; and

(3) The George W. Bush Presidential Library and Museum.

(c) The program shall:

(1) provide financial support to the presidential libraries for the renovation and enhancement of permanent exhibits;

(2) market and promote the presidential libraries to increase tourism to and public awareness of the libraries; and

(3) in collaboration with the presidential libraries, develop a mobile exhibit to be displayed in communities, schools, and other public institutions that:

(A) features for each president significant artifacts, multimedia presentations, and educational materials; and

(B) highlights the historical impact and legacies of President Lyndon B. Johnson, President George H. W. Bush, and President George W. Bush.

(d) The commission may enter into a contract with a nonprofit entity for the nonprofit entity to administer and operate the program.

Sec. 442.303. FUNDING. (a) The commission shall establish an account into which gifts, grants, and other donations received by the commission for purposes of this subchapter may be deposited.

(b) The commission may deposit money appropriated to the commission by the legislature for purposes of this subchapter into the account.

(c) The commission may spend money in the account only for a purpose described by this subchapter.

SECTION 2. As soon as practicable after the effective date of this Act, the Texas Historical Commission shall establish the Texas presidential library promotion program as required by Section 442.302, Government Code, as added by this Act.

SECTION 3. This Act takes effect September 1, 2025.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **CSHB 5616** (senate committee report) in SECTION 1 of the bill, in added Section 442.302(c), Government Code, as follows:

(1) Strike Subdivision (1) of that subsection (page 1, lines 44 and 45).

(2) Renumber the subdivisions of that subsection accordingly.

HB 4751 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Capriglione called up with senate amendments for consideration at this time,

HB 4751, A bill to be entitled An Act relating to the establishment and administration of the Texas Quantum Initiative.

Representative Capriglione moved to concur in the senate amendments to **HB 4751**.

The motion to concur in the senate amendments to **HB 4751** prevailed by (Record 4046): 105 Yeas, 33 Nays, 1 Present, not voting.

Yeas — Alders; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Buckley; Bucy; Bumgarner; Button; Cain; Campos; Canales; Capriglione; Cole; Collier; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González,

M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Hernandez; Hickland; Howard; Hunter; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, R.; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Moody; Morales, E.; Morales Shaw; Muñoz; Noble; Oliverson; Ordaz; Orr; Paul; Perez, M.; Perez, V.; Phelan; Plesa; Raymond; Reynolds; Romero; Rosenthal; Shofner; Slawson; Smithee; Talarico; Tepper; Thompson; Troxclair; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Nays — Anchía; Bryant; Cook; Davis, Y.; González, J.; Harrison; Hayes; Holt; Hopper; Hull; Isaac; Leo Wilson; Little; Louderback; Lowe; Morales, C.; Morgan; Olcott; Patterson; Pierson; Richardson; Rodríguez Ramos; Rose; Schatzline; Schofield; Schoolcraft; Shaheen; Simmons; Spiller; Swanson; Tinderholt; Toth; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Hefner; Hinojosa; Jones, V.; Lopez, J.; Manuel.

STATEMENT OF VOTE

When Record No. 4046 was taken, my vote failed to register. I would have voted yes.

J. Lopez

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 4751** (senate committee report) as follows:

(1) In SECTION 1 of the bill, strike added Section 481.681(1), Government Code (page 1, lines 29 and 30), and substitute the following:

(1) "Advisory committee" means the advisory committee of the initiative.

(2) In SECTION 1 of the bill, in added Section 481.682(a), Government Code (page 1, line 35), strike "established" and substitute "a program established within the office".

(3) In SECTION 1 of the bill, strike added Section 481.682(b), Government Code (page 1, line 40, through page 2, line 3), and substitute the following:

(b) The purposes of the initiative are to:

(1) leverage the expertise and capacity of regulatory stakeholders and institutions of higher education and industry to advise and provide input to the office regarding the comprehensive strategic plan described by Section 481.686;

(2) identify obstacles and provide recommendations to the governor and legislature regarding quantum economic opportunities and technologies;

(3) provide strategic leadership with respect to quantum initiatives;

(4) identify opportunities for workforce training and development related to the research, design, and manufacturing of quantum computing technology; and

(5) identify opportunities to support:

(A) existing quantum computing and networking industries in this state; and

(B) the development of a quantum manufacturing supply chain in this state.

(c) The initiative may establish ad hoc advisory committees as necessary to carry out the initiative's duties under this subchapter.

(4) In SECTION 1 of the bill, strike added Section 481.683, Government Code (page 2, lines 4 through 10).

(5) In SECTION 1 of the bill, strike the heading to added Section 481.684, Government Code (page 2, line 11), and substitute the following:

Sec. 481.683. ADVISORY COMMITTEE COMPOSITION.

(6) In SECTION 1 of the bill, in added Section 481.684(a), Government Code (page 2, line 12), strike "governed by an executive committee composed of seven" and substitute "advised by an advisory committee composed of six".

(7) In SECTION 1 of the bill, strike added Sections 481.684(e) and (f), Government Code (page 2, lines 39 through 43), and substitute the following:

(e) A vacancy on the advisory committee shall be filled by the governor.

(f) Advisory committee members serve without compensation but are entitled to reimbursement for actual expenses incurred in attending committee meetings. Reimbursements under this subsection may be paid from the fund established under Section 481.688.

(g) Chapter 2110 does not apply to the size, composition, or duration of the advisory committee.

(8) In SECTION 1 of the bill, strike the heading to added Section 481.685, Government Code (page 2, line 44), and substitute the following:

Sec. 481.684. DIRECTOR; STAFF.

(9) In SECTION 1 of the bill, in added Section 481.685, Government Code (page 2, lines 44 and 45), strike "an executive director. The executive" and substitute "a director. The".

(10) In SECTION 1 of the bill, in added Section 481.685, Government Code (page 2, lines 45 and 46), strike "direct initiative staff and" and substitute "hire and direct staff to".

(11) In SECTION 1 of the bill, strike the heading to added Section 481.686, Government Code (page 2, line 48), and substitute the following:

Sec. 481.685. DUTIES OF ADVISORY COMMITTEE.

(12) In SECTION 1 of the bill, strike added Section 481.686(1), Government Code (page 2, lines 50 through 54), and substitute the following:

(1) advise and provide input to the office regarding the comprehensive strategic plan described by Section 481.686;

(13) In SECTION 1 of the bill, strike added Section 481.686(3), Government Code (page 2, lines 60 through 63), and substitute the following:

(3) provide recommendations related to research and funding opportunities pertaining to quantum research, design, commercialization, and manufacturing.

(14) In SECTION 1 of the bill, in added Section 481.687, Government Code (page 2, line 64), strike "481.687" and substitute "481.686".

(15) In SECTION 1 of the bill, in added Section 481.687(a), Government Code (page 2, line 64), between "shall" and "develop", insert ", in collaboration with the initiative,".

(16) In SECTION 1 of the bill, at the end of added Section 481.687(a)(3), Government Code (page 3, line 5), strike "and".

(17) In SECTION 1 of the bill, strike added Section 481.687(4), Government Code (page 3, lines 6 and 7) and substitute the following:

(4) a description of suggested methods and opportunities the state may use to promote the development of quantum technologies in this state;

(5) a description of suggested approaches the state may use to ensure the quantum leadership of this state by prioritizing commercial and practical utility through investments in necessary foundational infrastructure, including quantum systems and networking equipment, jobs and workforce, and real property; and

(6) any other information the office, in collaboration with the advisory committee, determines is relevant to further the initiative's goals.

(18) In SECTION 1 of the bill, in added Section 481.688, Government Code (page 3, line 12), strike "481.688" and substitute "481.687".

(19) In SECTION 1 of the bill, in added Section 481.688(2), Government Code (page 3, line 18), between "the" and "office", insert "advisory committee with the input of the".

(20) In SECTION 1 of the bill, in added Section 481.688(4), Government Code (page 3, line 22), strike "members expect" and substitute "expects".

(21) In SECTION 1 of the bill, in added Section 481.689, Government Code (page 3, line 25), strike "481.689" and substitute "481.688".

(22) In SECTION 1 of the bill, strike added Section 481.689(c), Government Code (page 3, lines 37 through 46), and substitute the following:

(c) The office may use money in the fund to:

(1) award grants to state entities, including institutions of higher education, for quantum manufacturing and design projects;

(2) award grants to business entities, including nonprofit organizations with a purpose associated with or significant ties to the quantum industry, to encourage economic development related to quantum manufacturing and design projects; and

(3) pay for staffing costs described by Section 481.684.

(23) In SECTION 1 of the bill, strike "executive" and substitute "advisory" in each of the following places it appears:

(A) in added Section 481.684(b-1), Government Code (page 2, line 17);

(B) in added Section 481.684(c), Government Code (page 2, line 21);

(C) four times in added Section 481.684(d), Government Code (page 2, lines 33, 34, 36, and 37); and

(D) in added Section 481.686, Government Code (page 2, line 48).

(24) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Not later than January 1, 2026, the governor shall make the initial appointments to the advisory committee of the Texas Quantum Initiative established by Section 481.683, Government Code, as added by this Act.

SECTION _____. (a) Notwithstanding any other section of this Act, in a state fiscal year, a state agency to which this Act applies is not required to implement a provision found in another section of this Act that is drafted as a mandatory provision imposing a duty on the agency to take an action unless money is specifically appropriated to the agency for that fiscal year to carry out that duty. The agency may implement the provision in that fiscal year to the extent other funding is available to the agency to do so.

(b) If, as authorized by Subsection (a) of this section, the state agency does not implement the mandatory provision in a state fiscal year, the state agency, in its legislative budget request for the next state fiscal biennium, shall certify that fact to the Legislative Budget Board and include a written estimate of the costs of implementing the provision in each year of that next state fiscal biennium.

(c) This section expires and any duty suspended by Subsection (a) becomes mandatory on September 1, 2029.

SB 17 - CONFERENCE COMMITTEE REPORT ADOPTED

Representative Hefner submitted the conference committee report on **SB 17**.

Representative Hefner moved to adopt the conference committee report on **SB 17**.

The motion to adopt the conference committee report on **SB 17** prevailed by (Record 4047): 85 Yeas, 57 Nays, 1 Present, not voting.

Yeas — Alders; Ashby; Barry; Bell, C.; Bell, K.; Bonnen; Bowers; Buckley; Bumgarner; Button; Cain; Capriglione; Cook; Craddick; Cunningham; Curry; Darby; Dean; DeAyala; Dorazio; Dyson; Fairly; Frank; Gates; Gerdes; Geren; Guillen; Harless; Harris Davila; Harrison; Hefner; Hickland; Holt; Hopper; Hull; Hunter; Isaac; King; Kitzman; LaHood; Lambert; Landgraf; Leach; Leo Wilson; Little; Lopez, J.; Louderback; Lowe; Lozano; Lujan; Luther; McLaughlin; McQueeney; Metcalf; Meyer; Money; Morgan; Muñoz; Noble; Olcott; Oliverson; Orr; Patterson; Paul; Phelan; Pierson; Raymond; Richardson; Schatzline; Schofield; Schoolcraft; Shaheen; Shofner; Slawson; Smithee; Spiller; Tepper; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Villalobos; Wharton; Wilson.

Nays — Anchía; Bernal; Bhojani; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis, A.; Davis, Y.; Flores; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hayes; Hernandez; Hinojosa; Howard; Johnson; Jones, J.; Jones, V.; Lalani; Longoria; Lopez, R.; Martinez; Martinez Fischer; Moody; Morales, C.; Morales, E.; Morales Shaw; Ordaz; Perez, M.; Perez, V.; Plesa; Reynolds; Rodríguez Ramos; Romero; Rose; Rosenthal; Simmons; Swanson; Talarico; Thompson; Turner; Vo; Walle; Ward Johnson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Manuel.

STATEMENTS OF VOTE

When Record No. 4047 was taken, I was shown voting yes. I intended to vote no.

Bowers

When Record No. 4047 was taken, I was excused because of important business in the district. I would have voted yes.

Virdell

REASON FOR VOTE

Representative Hayes submitted the following reason for vote to be printed in the journal:

Today, the house considered **SB 17** regarding the purchase and acquisition of real property by certain aliens and foreign entities. This is a very important national security issue. I voted against the bill, even though it was an RPT legislative priority, because I did not think the bill went far enough in protecting Texas and the United States because it allowed several exceptions, which I believe are not necessary.

SB 1833 - CONFERENCE COMMITTEE REPORT ADOPTED

Representative Anchía submitted the conference committee report on **SB 1833**.

Representative Anchía moved to adopt the conference committee report on **SB 1833**.

The motion to adopt the conference committee report on **SB 1833** prevailed by (Record 4048): 129 Yeas, 5 Nays, 3 Present, not voting.

Yeas — Alders; Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Cain; Campos; Canales; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Hayes; Hefner; Hernandez; Hickland; Holt; Hopper; Howard; Hull; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Leo Wilson; Little; Lopez, J.; Lopez, R.; Louderback; Lowe; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McQueeney; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Olcott; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Raymond; Richardson; Romero; Rosenthal; Schatzline; Schofield; Schoolcraft; Shaheen; Shofner; Slawson; Smithee; Spiller; Swanson; Talarico; Tepper; Thompson; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Nays — Harrison; Pierson; Plesa; Rodríguez Ramos; Rose.

Present, not voting — Mr. Speaker(C); Capriglione; Simmons.

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Bonnen; Hinojosa; Jones, V.; Longoria; Manuel; McLaughlin; Reynolds.

STATEMENTS OF VOTE

When Record No. 4048 was taken, I was shown voting yes. I intended to vote no.

J. Jones

When Record No. 4048 was taken, I was excused because of important business in the district. I would have voted yes.

Virdell

SB 2155 - CONFERENCE COMMITTEE REPORT ADOPTED

Representative Kitzman submitted the conference committee report on **SB 2155**.

Representative Kitzman moved to adopt the conference committee report on **SB 2155**.

The motion to adopt the conference committee report on **SB 2155** prevailed by (Record 4049): 108 Yeas, 28 Nays, 1 Present, not voting.

Yeas — Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Button; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; García, J.; García, L.; García Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hayes; Hefner; Hernandez; Holt; Howard; Hunter; Johnson; Jones, J.; King; Kitzman; Lalani; Lambert; Landgraf; Leach; Little; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Martinez; Martinez Fischer; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Noble; Oliverson; Ordaz; Orr; Paul; Perez, M.; Perez, V.; Phelan; Plesa; Raymond; Reynolds; Rodríguez Ramos; Romero; Rosenthal; Shofner; Simmons; Smithee; Talarico; Tepper; Thompson; Tinderholt; Toth; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wilson; Wu; Zwiener.

Nays — Bumgarner; Cain; Harris Davila; Harrison; Hickland; Hopper; Hull; Isaac; LaHood; Leo Wilson; Lowe; Luther; McQueeney; Morgan; Olcott; Patterson; Pierson; Richardson; Schatzline; Schofield; Schoolcraft; Shaheen; Slawson; Spiller; Swanson; Troxclair; Vasut; Wharton.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Alders; Hinojosa; Jones, V.; Longoria; Manuel; McLaughlin; Rose.

STATEMENT OF VOTE

When Record No. 4049 was taken, I was excused because of important business in the district. I would have voted no.

Virdell

REMARKS ORDERED PRINTED

Representative Leo Wilson moved to print all remarks on the conference committee report on **SB 17**.

The motion prevailed. [The text of the debate was not available at the time of printing.]

SB 21 - CONFERENCE COMMITTEE REPORT ADOPTED

Representative Capriglione submitted the conference committee report on **SB 21**.

Representative Capriglione moved to adopt the conference committee report on **SB 21**.

The motion to adopt the conference committee report on **SB 21** prevailed by (Record 4050): 110 Yeas, 25 Nays, 2 Present, not voting.

Yeas — Ashby; Bell, C.; Bell, K.; Bernal; Bhojani; Bowers; Buckley; Bucy; Bumgarner; Button; Cain; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Frank; Garcia, J.; Garcia, L.; Gates; Gerdes; Geren; Gervin-Hawkins; Guerra; Guillen; Harless; Harris Davila; Hefner; Hickland; Holt; Hopper; Howard; Hull; Hunter; Isaac; King; Kitzman; LaHood; Lalani; Landgraf; Leach; Leo Wilson; Little; Lopez, J.; Lopez, R.; Louderback; Lowe; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Moody; Morales, E.; Morgan; Muñoz; Noble; Olcott; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Raymond; Reynolds; Romero; Rose; Schofield; Shaheen; Shofner; Simmons; Slawson; Smithee; Swanson; Talarico; Tepper; Thompson; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Villalobos; Vo; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Nays — Anchía; Bryant; Flores; Gámez; Garcia Hernandez; González, J.; González, M.; Goodwin; Harrison; Hernandez; Hinojosa; Johnson; Jones, J.; Lambert; Money; Morales, C.; Pierson; Plesa; Richardson; Rodríguez Ramos; Rosenthal; Schatzline; Schoolcraft; Spiller; Walle.

Present, not voting — Mr. Speaker(C); Bonnen.

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Alders; Barry; Hayes; Jones, V.; Longoria; Manuel; Morales Shaw.

STATEMENTS OF VOTE

When Record No. 4050 was taken, I was shown voting yes. I intended to vote no.

Darby

When Record No. 4050 was taken, I was shown voting yes. I intended to vote no.

Guerra

When Record No. 4050 was taken, I was in the house but away from my desk. I would have voted no.

Morales Shaw

When Record No. 4050 was taken, I was excused because of important business in the district. I would have voted no.

Virdell

SB 2778 - CONFERENCE COMMITTEE REPORT ADOPTED

Representative Lujan submitted the conference committee report on **SB 2778**.

Representative Lujan moved to adopt the conference committee report on **SB 2778**.

The motion to adopt the conference committee report on **SB 2778** prevailed by (Record 4051): 97 Yeas, 39 Nays, 1 Present, not voting.

Yeas — Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Buckley; Bucy; Button; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Dean; Dorazio; Fairly; Flores; Frank; Gámez; García, L.; García Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, M.; Guerra; Guillen; Harless; Harris Davila; Hefner; Hernandez; Hickland; Hinojosa; Howard; Hull; Hunter; Johnson; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Little; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McQueeney; Money; Moody; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Oliverson; Ordaz; Orr; Perez, M.; Perez, V.; Phelan; Plesa; Raymond; Romero; Rosenthal; Shaheen; Shofner; Simmons; Smithee; Talarico; Thompson; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wilson; Wu; Zwiener.

Nays — Bryant; Bumgarner; Cain; Campos; Davis, Y.; DeAyala; Dyson; Garcia, J.; González, J.; Goodwin; Harrison; Hayes; Holt; Hopper; Isaac; Jones, J.; Leo Wilson; Lowe; Metcalf; Meyer; Morales, C.; Olcott; Patterson; Paul; Pierson; Richardson; Rodríguez Ramos; Rose; Schatzline; Schofield; Schoolcraft; Slawson; Spiller; Swanson; Tepper; Toth; Troxclair; Vasut; Wharton.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Alders; Jones, V.; Longoria; Manuel; McLaughlin; Reynolds; Tinderholt.

STATEMENT OF VOTE

When Record No. 4051 was taken, I was excused because of important business in the district. I would have voted yes.

Virdell

SB 260 - CONFERENCE COMMITTEE REPORT ADOPTED

Representative Capriglione submitted the conference committee report on **SB 260**.

Representative Capriglione moved to adopt the conference committee report on **SB 260**.

The motion to adopt the conference committee report on **SB 260** prevailed by (Record 4052): 132 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Cain; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Harless; Harris Davila; Harrison; Hayes; Hefner; Hernandez; Hickland; Holt; Hopper; Howard; Hull; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Leo Wilson; Little; Lopez, J.; Lopez, R.; Louderback; Lowe; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McQueeney; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Olcott; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Reynolds; Richardson; Rodríguez Ramos; Romero; Rosenthal; Schatzline; Schofield; Schoolcraft; Shaheen; Shofner; Simmons; Slawson; Smithee; Spiller; Swanson; Talarico; Thompson; Toth; Troxclair; Turner; VanDeaver; Vasut; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Nays — Tepper.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Alders; Gates; Guillen; Hinojosa; Jones, V.; Longoria; Manuel; McLaughlin; Rose; Tinderholt.

STATEMENTS OF VOTE

When Record No. 4052 was taken, I was in the house but away from my desk. I would have voted yes.

Gates

When Record No. 4052 was taken, I was excused because of important business in the district. I would have voted yes.

Virdell

HB 4112 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Landgraf called up with senate amendments for consideration at this time,

HB 4112, A bill to be entitled An Act relating to the disposal or storage of high-level radioactive waste.

Representative Landgraf moved to concur in the senate amendments to **HB 4112**.

The motion to concur in the senate amendments to **HB 4112** prevailed by (Record 4053): 129 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Cain; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; García, J.; García, L.; García Hernandez; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Harrison; Hayes; Hefner; Hernandez; Hickland; Hinojosa; Holt; Hopper; Howard; Hull; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Leo Wilson; Little; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McQueeney; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Pierson; Plesa; Raymond; Reynolds; Richardson; Rodríguez Ramos; Romero; Rosenthal; Schatzline; Schofield; Schoolcraft; Shaheen; Shofner; Simmons; Slawson; Swanson; Talarico; Tepper; Thompson; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Nays — Lowe; Olcott.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Alders; Bonnen; Craddick; Gates; Gerdes; Jones, V.; Longoria; Manuel; McLaughlin; Rose; Smithee; Spiller.

STATEMENTS OF VOTE

When Record No. 4053 was taken, I was in the house but away from my desk. I would have voted yes.

Craddick

When Record No. 4053 was taken, I was in the house but away from my desk. I would have voted yes.

Gates

When Record No. 4053 was taken, my vote failed to register. I would have voted yes.

Spiller

Senate Committee Substitute

CSHB 4112, A bill to be entitled An Act relating to the disposal or storage of high-level radioactive waste.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 401.0525, Health and Safety Code, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

(c) With the exception of a permit for a facility located at the site of ~~[currently or formerly operating]~~ nuclear power reactors, and ~~[currently or formerly operating]~~ nuclear research and test reactors operated by a university, in accordance with Subsection (d), the commission may not under the authority given to the agency under Section 301, 304, or 401 of the Clean Water Act (33 U.S.C. Sections 1311, 1314, and 1341) issue a general construction permit or approve a Stormwater Pollution Prevention Plan under Section 26.040, Water Code, or issue a permit under the Texas Pollutant Discharge Elimination System Program under Section 26.027, 26.028, or 26.121, Water Code, for the construction or operation of a facility that is licensed for the disposal or storage of high-level radioactive waste by the United States Nuclear Regulatory Commission under 10 C.F.R. Part 72. Section 401.005 does not apply to this subsection.

(d) A facility permitted under the exception provided by Subsection (c) may store high-level radioactive waste only at the nuclear power reactor, or the nuclear research and test reactor operated by a university, at which the waste originated.

SECTION 2. Section 401.072, Health and Safety Code, is amended to read as follows:

Sec. 401.072. DISPOSAL OR STORAGE OF HIGH-LEVEL RADIOACTIVE WASTE. With the exception of storage at the site of ~~[currently or formerly operating]~~ nuclear power reactors, and ~~[currently or formerly operating]~~ nuclear research and test reactors operated by a university, at which the waste originated, a person, including the compact waste disposal facility license holder, may not dispose of or store high-level radioactive waste in this state.

SECTION 3. This Act takes effect September 1, 2025.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **CSHB 4112** (senate committee report) as follows:

(1) In SECTION 1 of the bill, in amended Section 401.0525(c), Health and Safety Code (page 1, line 29), strike "₂".

(2) In SECTION 1 of the bill, in added Section 401.0525(d), Health and Safety Code (page 1, line 44), strike ";".

(3) In SECTION 2 of the bill, in amended Section 401.072, Health and Safety Code (page 1, line 50), strike ";".

HB 3866 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Landgraf called up with senate amendments for consideration at this time,

HB 3866, A bill to be entitled An Act relating to the installation and operation of intermediate bulk container recycling facilities; authorizing a fee.

Representative Landgraf moved to concur in the senate amendments to **HB 3866**.

The motion to concur in the senate amendments to **HB 3866** prevailed by (Record 4054): 126 Yeas, 10 Nays, 1 Present, not voting.

Yeas — Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Hayes; Hefner; Hernandez; Hickland; Hinojosa; Holt; Howard; Hull; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Leo Wilson; Little; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morales Shaw; Morgan; Muñoz; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Plesa; Raymond; Reynolds; Richardson; Rodríguez Ramos; Romero; Rose; Rosenthal; Schoolcraft; Shaheen; Shofner; Simmons; Smithee; Spiller; Talarico; Tepper; Thompson; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Nays — Cain; Harrison; Hopper; Lowe; Olcott; Pierson; Schatzline; Schofield; Slawson; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Alders; Bonnen; Curry; Jones, V.; Longoria; Manuel; Swanson.

STATEMENTS OF VOTE

When Record No. 4054 was taken, I was in the house but away from my desk. I would have voted yes.

Curry

When Record No. 4054 was taken, my vote failed to register. I would have voted no.

Swanson

Senate Committee Substitute

CSHB 3866, A bill to be entitled An Act relating to the installation and operation of intermediate bulk container recycling facilities; authorizing a fee.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Subchapter I, Chapter 26, Water Code, is amended to read as follows:

SUBCHAPTER I. UNDERGROUND AND ABOVEGROUND STORAGE

~~[TANKS]~~

SECTION 2. Section 26.341(b), Water Code, is amended to read as follows:

(b) The legislature declares that it is the policy of this state and the purpose of this subchapter to:

(1) maintain and protect the quality of groundwater and surface water resources in the state from certain substances in underground and aboveground storage tanks that may pollute groundwater and surface water resources;

(2) require the use of all reasonable methods, including risk-based corrective action, to implement this policy; ~~and~~

(3) promote the safety of storage vessels as defined in Section 26.3442, by adopting requirements for the design, construction, operation, and maintenance of storage vessels, with the objective of protecting groundwater and surface water resources in the event of accidents and natural disasters; and

(4) ensure that intermediate bulk container recycling facilities, as defined by Section 26.3445, are not located close to private residences.

SECTION 3. Subchapter I, Chapter 26, Water Code, is amended by adding Section 26.3445 to read as follows:

Sec. 26.3445. LOCATION OF INTERMEDIATE BULK CONTAINER RECYCLING FACILITY. (a) In this section:

(1) "Intermediate bulk container" means a rigid or flexible portable packaging, other than a cylinder or portable tank, that is designed for mechanical handling, with a volume of at least 275 gallons.

(2) "Intermediate bulk container recycling facility" means a site that accepts intermediate bulk containers for purposes of reconditioning the containers for reuse or disposal.

(b) This section applies only to an intermediate bulk container regulated by the Pipeline and Hazardous Materials Safety Administration.

(c) A person may not install or operate an intermediate bulk container recycling facility within 2,000 feet of a private residence.

(d) An owner of an intermediate bulk container recycling facility shall register the facility with the commission not later than the 30th day before the date the facility begins receiving intermediate bulk containers.

(e) At least once every three years, the commission shall conduct on-site inspections of intermediate bulk container recycling facilities registered under this section to determine compliance with laws under the jurisdiction of the commission.

(f) The commission by rule shall impose an annual fee for registering an intermediate bulk container recycling facility under this section in an amount sufficient to cover the reasonable costs of administering the registration program, including costs associated with:

(1) implementing the registration program; and

(2) inspecting registered facilities.

(g) A fee received by the commission under this section shall be deposited to the general revenue fund to the credit of the water resource management account. Fees deposited under this section may be appropriated only for purposes of this section.

(h) A facility is exempt from the application of this section if the facility does not stage, store, or process more than 50 intermediate bulk containers at any time.

(i) This section does not limit the authority of a municipality to adopt an ordinance prohibiting the operation of an intermediate bulk container recycling facility within 2,000 feet of a private residence.

SECTION 4. (a) The change in law made by this Act applies only to an intermediate bulk container recycling facility, as defined by Section 26.3445(a), Water Code, as added by this Act, that begins receiving intermediate bulk containers on or after the effective date of this Act.

(b) Subject to Subsection (a) of this section and notwithstanding Section 26.3445, Water Code, as added by this Act, an owner of an intermediate bulk container recycling facility, as defined by Section 26.3445(a), Water Code, as added by this Act, that begins receiving intermediate bulk containers before March 1, 2027, is not required to register the facility before March 31, 2027.

SECTION 5. The Texas Commission on Environmental Quality is required to implement this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money for that purpose, the commission may, but is not required to, implement this Act using other appropriations available to the commission for that purpose.

SECTION 6. This Act takes effect September 1, 2025.

HB 4749 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Landgraf called up with senate amendments for consideration at this time,

HB 4749, A bill to be entitled An Act relating to reconstitution of the petit jury wheel and grand juror and petit juror qualifications in certain counties.

Representative Landgraf moved to concur in the senate amendments to **HB 4749**.

The motion to concur in the senate amendments to **HB 4749** prevailed by (Record 4055): 120 Yeas, 18 Nays, 1 Present, not voting.

Yeas — Anchía; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Button; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Flores; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Harrison; Hayes; Hefner; Hernandez; Hickland; Hinojosa; Holt; Hopper; Howard; Hunter; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Little; Longoria; Lopez, J.; Lopez, R.; Louderback; Lozano; Lujan; Luther; Martinez; Martinez Fischer; McLaughlin; McQueeney; Metcalf; Meyer; Money; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Noble; Oliverson; Ordaz; Orr; Paul; Perez, M.; Perez, V.; Phelan; Plesa; Raymond; Reynolds; Richardson; Rodríguez Ramos; Romero; Rose; Rosenthal; Schatzline; Schoolcraft; Simmons; Smithee; Spiller; Talarico; Tepper; Thompson; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wu; Zwiener.

Nays — Ashby; Bumgarner; Cain; Hull; Isaac; Leo Wilson; Lowe; Morgan; Olcott; Patterson; Schofield; Shaheen; Shofner; Slawson; Swanson; Vasut; Wharton; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Alders; Bonnen; Jones, V.; Manuel; Pierson.

STATEMENT OF VOTE

When Record No. 4055 was taken, I was excused because of important business in the district. I would have voted yes.

Virdell

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 4749** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent sections of the bill accordingly:

SECTION _____. Section 62.014(a), Government Code, is amended to read as follows:

(a) ~~[In a county with at least nine district courts,]~~ A ~~[the]~~ district judge ~~[judges]~~ may direct that prospective jurors be summoned for jury service by the clerk, the sheriff, or a bailiff, or an assistant or deputy bailiff, in charge of the central jury room and the general panel of the county, if the jurisdiction served by the judge includes a county:

- (1) within the jurisdiction of at least nine district courts; or
- (2) with a population of less than 1,000.

**HB 2844 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Landgraf called up with senate amendments for consideration at this time,

HB 2844, A bill to be entitled An Act relating to the regulation of mobile food vendors; requiring an occupational license; imposing fees; authorizing an administrative penalty.

Representative Landgraf moved to concur in the senate amendments to **HB 2844**.

The motion to concur in the senate amendments to **HB 2844** prevailed by (Record 4056): 102 Yeas, 36 Nays, 1 Present, not voting.

Yeas — Alders; Ashby; Barry; Bell, C.; Bell, K.; Bhojani; Bowers; Bryant; Buckley; Bucy; Button; Cain; Campos; Canales; Capriglione; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Davis, Y.; Dean; DeAyala; Dorazio; Dyson; Fairly; Frank; Gámez; García Hernandez; Gates; Gerdes; Geren; González, J.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Hayes; Hefner; Hickland; Holt; Hunter; Isaac; Johnson; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Little; Lopez, J.; Lopez, R.; Louderback; Lowe; Lozano; Lujan; Luther; Martinez; Martinez Fischer; Metcalf; Meyer; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Plesa; Raymond; Reynolds; Richardson; Rodríguez Ramos; Romero; Schoolcraft; Shaheen; Shofner; Smithee; Spiller; Swanson; Talarico; Tepper; Troxclair; VanDeaver; Vasut; Villalobos; Walle; Ward Johnson; Wilson; Zwiener.

Nays — Anchía; Bernal; Bumgarner; Cole; Collier; Flores; Gervin-Hawkins; González, M.; Harrison; Hernandez; Hinojosa; Hopper; Howard; Hull; Jones, J.; Leo Wilson; Longoria; McLaughlin; McQueeney; Money; Morgan; Olcott; Pierson; Rose; Rosenthal; Schatzline; Schofield; Simmons; Slawson; Thompson; Tinderholt; Toth; Turner; Vo; Wharton; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Bonnen; Garcia, J.; Garcia, L.; Jones, V.; Manuel.

STATEMENTS OF VOTE

When Record No. 4056 was taken, I was shown voting yes. I intended to vote no.

Bucy

When Record No. 4056 was taken, I was shown voting yes. I intended to vote no.

Garcia Hernandez

When Record No. 4056 was taken, I was shown voting yes. I intended to vote no.

Martinez Fischer

When Record No. 4056 was taken, I was excused because of important business in the district. I would have voted no.

Virdell

Senate Committee Substitute

CSHB 2844, A bill to be entitled An Act relating to the regulation of food service establishments, including retail food stores and mobile food vendors; requiring an occupational license; imposing fees; authorizing an administrative penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 437, Health and Safety Code, is amended by adding Section 437.0063 to read as follows:

Sec. 437.0063. SMALL-SCALE FOOD BUSINESS PERMIT EXEMPTIONS. (a) In this section:

(1) "Food producer" has the meaning assigned by Section 437.020.

(2) "Small-scale food business" means a legal entity established by a farmer or food producer with less than \$1.5 million in annual gross revenue. The term includes a sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company.

(b) A county, municipality, or public health district may not require a small-scale food business or an employee of a small-scale food business to obtain a permit or pay a permitting fee to operate a food service establishment, temporary food service establishment, retail food establishment, temporary retail food establishment, or retail food store at a location for which the business:

(1) holds a permit issued by the department for that purpose; or

(2) is licensed as a food manufacturer under Subchapter J, Chapter 431.

(c) This section preempts a county's, municipality's, or public health district's authority to regulate a small-scale food business in a manner that conflicts with this section.

SECTION 2. Subtitle A, Title 6, Health and Safety Code, is amended by adding Chapter 437B to read as follows:

CHAPTER 437B. MOBILE FOOD VENDORS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 437B.001. DEFINITIONS. In this chapter:

(1) "Applicant" means a person who applies to the department to receive a license to operate as a mobile food vendor.

(2) "Food vending vehicle" means any vehicle that operates as a food service establishment and is designed to be readily movable.

(3) "License holder" means a person who holds a mobile food vendor license issued under this chapter.

(4) "Local authority" means a municipality, county, public health authority, special purpose district or authority, or any other political subdivision of this state.

(5) "Mobile food vendor" means any person who dispenses food or beverages from a food vending vehicle for immediate service or consumption.

(6) "Prepackaged food" means any commercially labeled and processed food that is prepackaged to prevent direct human contact with the food product on distribution from the manufacturer, food facility, or other approved source.

Sec. 437B.002. CONSTRUCTION OF CHAPTER. This chapter may not be construed to require a local authority to enter into a collaborative agreement with the department to conduct health inspections, adopt a program regulating mobile food vendors, or modify a local authority's existing mobile food vendor regulation program, provided the local authority's regulations do not conflict with this chapter.

Sec. 437B.003. LOCAL PREEMPTION. This chapter preempts a local authority's power to prohibit or regulate mobile food vendors in a manner that conflicts with this chapter.

Sec. 437B.004. RULES. The executive commissioner may adopt rules to implement this chapter. The rules must be narrowly tailored to address a demonstrable health or safety risk and may not:

(1) limit the number of mobile food vendor licenses the department may issue;

(2) address the hours of operation for mobile food vendors;

(3) restrict a mobile food vendor's propane capacity below the capacity state law allows for commercial vehicles; or

(4) require a mobile food vendor to:

(A) operate outside a specific perimeter of a commercial establishment or restaurant;

(B) enter into any agreement with a commercial establishment or restaurant, except as necessary to properly dispose of grease and other cooking waste;

(C) have an operational handwashing sink in the vehicle of a vendor who sells only prepackaged food;

(D) associate with a commissary if the vehicle carries the equipment necessary to comply with state law and properly disposes of grease and other cooking waste;

(E) provide the vendor's fingerprints as a condition of holding a mobile food vendor license;

(F) install a global positioning system tracking device on the vehicle;

(G) keep the vehicle in constant motion except when serving customers;

(H) submit to an additional fire inspection a vehicle the vendor demonstrates has passed a state or local fire inspection within the preceding 12 months; or

(I) submit to health inspections other than an inspection the department, or a local authority under a collaborative agreement, conducts unless the department is investigating a reported foodborne illness.

SUBCHAPTER B. LICENSE

Sec. 437B.051. LICENSE REQUIRED. (a) A person may not operate as a mobile food vendor in this state unless the person holds a mobile food vendor's license issued by the department. A separate license is required for each food vending vehicle a mobile food vendor operates.

(b) A local authority may not prohibit the operation in its jurisdiction of a mobile food vendor who holds a mobile food vendor license and complies with all other state and local laws not in conflict with this chapter.

Sec. 437B.052. FORM OF APPLICATION. The department shall prescribe a written application for a mobile food vendor license. The department shall make the application available to applicants in person and on the department's Internet website.

Sec. 437B.053. APPLICATION REQUIREMENTS. (a) An applicant for a mobile food vendor license must submit an application to the department on the form the department prescribes. The application must contain:

(1) the applicant's name, address, and telephone number;
(2) the name, address, and telephone number of any associated entity or organization the applicant is representing and copies of documents verifying that relationship;

(3) the applicant's primary residences and business addresses during the 12 months preceding the date of the application;

(4) the food or beverages the applicant proposes to sell to enable the department to establish the applicant's food type classification;

(5) a statement of whether the applicant has previously been denied a mobile food vendor license or had a mobile food vendor license suspended or revoked in another state or local jurisdiction and the reasons for any denial, suspension, or revocation; and

(6) for each motorized food vending vehicle the applicant is applying for a license to operate:

(A) the vehicle license number, description, identification number, and registration;

(B) proof of vehicle insurance; and

(C) a copy or proof of any additional commercial vehicle licenses or permits required by this state.

(b) An applicant must attest to the information submitted under Subsection (a).

(c) The department may require an applicant to submit additional information.

(d) An applicant may submit one application for all food vending vehicles to be licensed under this subchapter.

(e) An applicant's failure to submit a complete application may result in denial of a license.

(f) A person may not intentionally provide false information or intentionally omit requested information on an application.

Sec. 437B.054. HEALTH INSPECTION. (a) Not later than the 14th day after the date the department receives a complete mobile food vendor license application, the department or a governmental entity acting under a collaborative agreement as provided by Subchapter D shall conduct a health inspection of each of the applicant's food vending vehicles listed on the application. The department may not issue a license to an applicant whose vehicle does not pass a health inspection.

(b) The department shall ensure that:

(1) an applicant's food vending vehicle is safe for preparing, handling, and selling food; and

(2) an applicant is in compliance with all applicable laws and the rules adopted under those laws.

Sec. 437B.055. ISSUANCE OF LICENSE. (a) The department shall issue a mobile food vendor license to an applicant who submits a complete application, pays any required fee, and meets the department's licensing requirements and whose food vending vehicle passes a health inspection.

(b) A license issued under this section expires on the first anniversary of the date of issuance.

Sec. 437B.056. LICENSE RENEWAL. (a) Before expiration of a license, the department shall send notice of the expiration to the mobile food vendor. The vendor shall submit a renewal application before the date the license expires.

(b) A mobile food vendor may continue to operate while the vendor's application for renewal is pending with the department.

Sec. 437B.057. LICENSE NOT TRANSFERABLE; SUBSTITUTION OF VEHICLE. (a) A mobile food vendor license issued under this subchapter is not transferable and does not authorize the activities of any person other than the person who holds the license.

(b) The sale of one food vending vehicle identified in a mobile food vendor license application, when replaced by another food vending vehicle, does not invalidate the license or require issuance of a new license.

(c) A license holder who replaces a food vending vehicle with another vehicle must provide to the department for the replacement vehicle the information required by Section 437B.053 and have the replacement vehicle inspected as required by Section 437B.054. The health inspection shall be conducted as soon as practicable but not later than the 14th calendar day after the date the department receives the information required under this section.

(d) The recipient of transferred mobile food vendor business assets must apply for and obtain a new mobile food vendor license before operating as a mobile food vendor.

Sec. 437B.058. FEES. (a) The department may charge a fee for each mobile food vendor license application submitted and each license issued or renewed under this chapter. The department may establish a schedule of fees

based on the license classifications described by Section 437B.151. The department may set the fees in amounts necessary to cover the costs of administering this chapter.

(b) The department may charge a fee for a health inspection of an applicant's food vending vehicle required under Section 437B.054. The department shall set the fee in an amount that covers the cost of conducting a health inspection under that section.

(c) At the time the department issues or renews a mobile food vendor license, the department shall charge a fee for a health inspection required under Subchapter D. The department shall set the fee in an amount based on the average cost of conducting a health inspection multiplied by the number of annual health inspections required during the next year for the mobile food vendor classification type as described by Section 437B.151.

Sec. 437B.059. MOBILE FOOD VENDOR GUIDE. (a) The department shall develop a guide on the mobile food vendor licensing procedures. The guide must include:

(1) instructions for obtaining, maintaining, and renewing a mobile food vendor license; and

(2) a description of the department's standards for inspecting a food vending vehicle.

(b) The department shall make the guide available at the department's office and on the department's Internet website.

Sec. 437B.060. DEPARTMENT DATABASE. (a) The department shall establish and maintain a statewide database for use by the department and local authorities that includes the:

(1) names of mobile food vendors licensed under this chapter;

(2) results of health inspections of mobile food vendors' food vending vehicles, including inspection reports;

(3) public complaints made against mobile food vendors resulting in disciplinary or corrective action; and

(4) itineraries of mobile food vendors submitted under Subsection (b).

(b) A mobile food vendor may periodically submit to the department an itinerary of the locations of the mobile food vendor's food vending vehicles.

SUBCHAPTER C. MOBILE FOOD VENDOR OPERATIONS

Sec. 437B.101. COMPLIANCE WITH STATE AND LOCAL LAW. A mobile food vendor shall comply with all state and local laws in the jurisdiction in which the mobile food vendor operates, including all fire codes, location restrictions, and zoning codes.

Sec. 437B.102. FOOD VENDING VEHICLE DRIVER REQUIREMENTS. A person who drives a motorized food vending vehicle must hold a current commercial driver's license if a commercial driver's license is required for the vehicle's class under Chapter 522, Transportation Code.

Sec. 437B.103. OPERATIONAL STANDARDS. A mobile food vendor shall:

(1) submit to and pass any required health inspection conducted under Subchapter D; and

(2) display the mobile food vendor license and health inspection certificate in a conspicuous location for public view.

Sec. 437B.104. FOOD SAFETY. A mobile food vendor shall comply with all laws and rules regarding food safety, including any food safety and food manager certifications required under Chapter 438.

SUBCHAPTER D. HEALTH INSPECTIONS

Sec. 437B.151. MOBILE FOOD VENDOR CLASSIFICATIONS. (a) The executive commissioner by rule shall establish classifications of mobile food vendors for purposes of conducting health inspections as follows:

(1) mobile food type I vendor for a vendor who dispenses prepackaged foods, does not dispense time or temperature control for safety beverages, or poses a low risk of harm to the public;

(2) mobile food type II vendor for a vendor who dispenses food that requires limited handling and preparation; and

(3) mobile food type III vendor for a vendor who prepares, cooks, holds, and serves food from a food vending vehicle.

(b) The rules adopted under Subsection (a) shall specify the categories of foods or beverages that mobile food vendors in each classification may serve.

Sec. 437B.152. CHANGING CLASSIFICATIONS. A mobile food vendor who seeks to serve food or beverages that may require the vendor's reclassification shall notify the department of the nature of the food or beverages to be sold. The department, or a local authority in a collaborative agreement with the department under Section 437B.153, may conduct a health inspection and reclassify the vendor in accordance with the rules adopted under Section 437B.151.

Sec. 437B.153. INSPECTIONS; COLLABORATIVE AGREEMENT WITH LOCAL AUTHORITY. (a) To protect public health and safety, the department shall ensure ongoing, randomized inspections are conducted on each mobile food vendor based on the mobile food vendor's classification and previous health inspection results.

(b) On request by a local authority, the department may enter into a collaborative agreement with the local authority for conducting health inspections. The department shall reimburse the local authority acting under a collaborative agreement for the cost of conducting a health inspection using money collected for health inspection fees under Section 437B.058(c).

Sec. 437B.154. NOTICE OF LOCATION FOR INSPECTIONS. A mobile food vendor shall make available to the department a list of all locations at which the vendor intends to operate, to the best of the vendor's knowledge. A vendor may provide the list of locations through the vendor's social media or on the vendor's Internet website. If the vendor does not provide the list of operating locations on social media or the vendor's Internet website, the vendor shall submit to the department in the form and manner the department prescribes a list of the locations at which the vendor intends to operate, to the best of the vendor's knowledge.

Sec. 437B.155. REIMBURSEMENT OF INSPECTION FEE. On request of a mobile food vendor, the department shall reimburse the vendor the portion of the fee charged for each health inspection required under this subchapter that was not conducted by the department or local authority under a collaborative agreement during the time the vendor's license was valid. The department shall reimburse the vendor not later than the 30th day after the date the department receives the vendor's request.

SUBCHAPTER E. INVESTIGATION; ENFORCEMENT

Sec. 437B.201. INVESTIGATION. (a) The department or a local authority may investigate a mobile food vendor on reasonable suspicion the vendor is violating the law or on receipt of a health or safety complaint. The department must record a complaint in the state's mobile food vendor database. The local authority shall report suspected violations of state law to the department and may recommend the department suspend or revoke a mobile food vendor license.

(b) The mobile food vendor shall cooperate with the department or local authority during an investigation. Failure to cooperate with the department or local authority may result in suspension or revocation of a license.

(c) This chapter may not be construed to impede the department or local authority when conducting an investigation of a reported foodborne illness.

Sec. 437B.202. LICENSE DENIAL, SUSPENSION, OR REVOCATION. The department may deny, suspend, or revoke a mobile food vendor license only if:

(1) the applicant or license holder:

(A) violates this chapter, a rule adopted under this chapter, or a department order;

(B) obtains a license by means of fraud, misrepresentation, or concealment of a material fact;

(C) commits fraud or makes a misrepresentation or false statement in connection with the sale of food or beverages while operating as a mobile food vendor; or

(D) is cited three or more times during a 12-month period for a violation of this chapter or rules adopted under this chapter; or

(2) the department determines that material facts or conditions related to the applicant or application provide reasonable justification for the denial, suspension, or revocation of the license.

Sec. 437B.203. NOTICE AND HEARING. (a) The department shall provide written notice to an applicant or license holder that the applicant's mobile food vendor application has been denied or that the license may be suspended or revoked. Not later than 14 calendar days after the date an applicant or license holder receives notice from the department of a denial, suspension, or revocation of a license, the applicant or license holder may request a hearing in the form and manner the department prescribes.

(b) If the applicant for or holder of a mobile food vendor license requests a hearing as prescribed by the department, the department shall promptly refer the matter to the State Office of Administrative Hearings for a contested case hearing.

(c) Following a hearing or on conclusion of the involvement of the State Office of Administrative Hearings in the matter under this section, the department shall promptly issue an order that includes findings of fact and conclusions of law.

Sec. 437B.204. EMERGENCY SUSPENSION. (a) The department may issue an emergency order to suspend a mobile food vendor license if the department has reasonable cause to believe a license holder's operations pose an imminent threat to the public's health and safety. An emergency suspension order is effective immediately without a hearing on notice to the license holder and must state the length of the suspension.

(b) Not later than the 14th day after the date a mobile food vendor license holder receives notice from the department of an emergency suspension of a license under this section, the license holder may request a preliminary hearing on the emergency order in a form and manner the department prescribes.

(c) On receipt of a license holder's request for hearing under Subsection (b), the department shall promptly refer the matter to the State Office of Administrative Hearings for a preliminary hearing before an administrative law judge.

(d) An administrative law judge for the State Office of Administrative Hearings shall:

(1) conduct a preliminary hearing to affirm, modify, or set aside the emergency suspension order issued by the department under Subsection (b) not later than the 17th day after the date the office receives the hearing request;

(2) make findings of fact and conclusions of law; and

(3) issue a written proposal for decision on the department's reasonable cause to believe a continuing and imminent threat to the public's health and safety exists.

(e) A final hearing on the matter shall be held not later than the 61st day after the date of the emergency suspension.

Sec. 437B.2045. RIGHT TO APPEAL. The department's suspension or revocation of a mobile food vendor license under this chapter and the appeal from that action are governed by the procedures for a contested case hearing under Chapter 2001, Government Code.

Sec. 437B.205. ADMINISTRATIVE PENALTY. A license holder who continues to operate after the department suspends or revokes the license holder's mobile food vendor license is subject to an administrative penalty in an amount the department determines.

SECTION 3. Section 437.0055(a), Health and Safety Code, is amended to read as follows:

(a) A person may not operate a food service establishment, retail food store, ~~[mobile food unit,~~ or temporary food service establishment located in an area in which a county or public health district does not require a permit or conduct inspections under this chapter unless the person has a permit issued by the department.

SECTION 4. Section 437A.003, Health and Safety Code, is repealed.

SECTION 5. (a) Chapter 437B, Health and Safety Code, as added by this Act, applies to an ordinance, rule, regulation, policy, or procedure adopted before, on, or after the effective date of this Act.

(b) Not later than May 1, 2026, the executive commissioner of the Health and Human Services Commission shall adopt the rules required by Chapter 437B, Health and Safety Code, as added by this Act.

(c) A mobile food vendor is not required to hold a license under Chapter 437B, Health and Safety Code, as added by this Act, before July 1, 2026.

SECTION 6. (a) Except as provided by Subsection (b) of this section, this Act takes effect July 1, 2026.

(b) Section 437B.004, Health and Safety Code, as added by this Act, takes effect September 1, 2025.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **CSHB 2844** (senate committee report) in SECTION 1 of the bill, in added Section 437.0063(b), Health and Safety Code (page 1, line 43), by striking "at a location for which" and substituting "if".

Senate Amendment No. 2 (Senate Floor Amendment No. 2)

Amend **CSHB 2844** (senate committee report) in SECTION 2 of the bill, immediately after added Section 437B.058(c), Health and Safety Code (page 4, between lines 34 and 35), by inserting the following:

(d) All fees collected by the department under this chapter shall be deposited in the state treasury to the credit of the food and drug retail fee account.

HB 150 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Capriglione called up with senate amendments for consideration at this time,

HB 150, A bill to be entitled An Act relating to the establishment of the Texas Cyber Command as a component institution of The University of Texas System and the transfer to it of certain powers and duties of the Department of Information Resources.

Representative Capriglione moved to concur in the senate amendments to **HB 150**.

The motion to concur in the senate amendments to **HB 150** prevailed by (Record 4057): 115 Yeas, 21 Nays, 1 Present, not voting.

Yeas — Anchía; Ashby; Barry; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bryant; Bucy; Bumgarner; Button; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Curry; Darby; Davis, A.; Dean; DeAyala; Dorazio; Dyson; Fairly; Frank; Gámez; Garcia, J.; Garcia, L.; Garcia Hernandez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris Davila; Hayes; Hefner; Hernandez; Hinojosa; Holt; Hopper; Howard; Hunter; Isaac; Johnson; Jones, J.; King; Kitzman; LaHood; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Martinez; Martinez Fischer; McQueeney; Metcalf; Meyer;

Money; Moody; Morales, C.; Morales, E.; Muñoz; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Perez, M.; Perez, V.; Phelan; Plesa; Raymond; Richardson; Rodríguez Ramos; Romero; Rose; Rosenthal; Schatzline; Schofield; Schoolcraft; Shaheen; Simmons; Slawson; Smithee; Spiller; Talarico; Tepper; Thompson; Troxclair; Turner; VanDeaver; Villalobos; Vo; Walle; Ward Johnson; Wharton; Wilson; Wu; Zwiener.

Nays — Alders; Cain; Flores; Harrison; Hickland; Hull; Leo Wilson; Little; Louderback; Lowe; Luther; McLaughlin; Morales Shaw; Morgan; Olcott; Pierson; Shofner; Swanson; Tinderholt; Toth; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Allen; Dutton; Harris; Kerwin; Meza; Virdell.

Absent — Bowers; Buckley; Campos; Davis, Y.; Jones, V.; Manuel; Reynolds.

STATEMENT OF VOTE

When Record No. 4057 was taken, I was excused because of important business in the district. I would have voted yes.

Virdell

Senate Committee Substitute

CSHB 150, A bill to be entitled An Act relating to the establishment of the Texas Cyber Command and the transfer to it of certain powers and duties of the Department of Information Resources.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle B, Title 10, Government Code, is amended by adding Chapter 2063 to read as follows:

CHAPTER 2063. TEXAS CYBER COMMAND

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 2063.001. DEFINITIONS. In this chapter:

(1) "Chief" means the chief of the Texas Cyber Command.

(2) "Command" means the Texas Cyber Command established under this chapter.

(3) "Covered entity" means a private entity operating critical infrastructure or a local government that the command contracts with in order to provide cybersecurity services under this chapter.

(4) "Critical infrastructure" means infrastructure in this state vital to the security, governance, public health and safety, economy, or morale of the state or the nation, including:

(A) chemical facilities;

(B) commercial facilities;

(C) communication facilities;

(D) manufacturing facilities;

(E) dams;

(F) defense industrial bases;

(G) emergency services systems;

- (H) energy facilities;
- (I) financial services systems;
- (J) food and agriculture facilities;
- (K) government facilities;
- (L) health care and public health facilities;
- (M) information technology and information technology systems;
- (N) nuclear reactors, materials, and waste;
- (O) transportation systems; or
- (P) water and wastewater systems.

(5) "Cybersecurity" means the measures taken for a computer, computer network, computer system, or other technology infrastructure to protect against, respond to, and recover from unauthorized:

- (A) use, access, disruption, modification, or destruction; or
- (B) disclosure, modification, or destruction of information.

(6) "Cybersecurity incident" includes:

(A) a breach or suspected breach of system security as defined by Section 521.053, Business & Commerce Code;

(B) the introduction of ransomware, as defined by Section 33.023, Penal Code, into a computer, computer network, or computer system; or

(C) any other cybersecurity-related occurrence that jeopardizes information or an information system designated by command policy adopted under this chapter.

(7) "Department" means the Department of Information Resources.

(8) "Governmental entity" means a state agency or a local government.

(9) "Information resources" has the meaning assigned by Section 2054.003.

(10) "Information resources technologies" has the meaning assigned by Section 2054.003.

(11) "Local government" has the meaning assigned by Section 2054.003.

(12) "Sensitive personal information" has the meaning assigned by Section 521.002, Business & Commerce Code.

(13) "State agency" means:

(A) a department, commission, board, office, or other agency that is in the executive branch of state government and that was created by the constitution or a statute;

(B) the supreme court, the court of criminal appeals, a court of appeals, a district court, or the Texas Judicial Council or another agency in the judicial branch of state government; or

(C) a university system or an institution of higher education as defined by Section 61.003, Education Code.

Sec. 2063.002. ORGANIZATION. (a) The Texas Cyber Command is a state agency.

(b) The command is governed by a chief appointed by the governor and confirmed with the advice and consent of the senate. The chief serves for a two-year term expiring February 1 of each odd-numbered year and must possess professional training and knowledge relevant to the functions and duties of the command.

(c) The command shall employ other coordinating and planning officers and other personnel necessary to the performance of its functions.

(d) The command may enter into an interagency agreement with another state agency for the purpose of providing:

(1) administrative support services to the command as necessary to carry out the purposes of this chapter and Chapter 2059; and

(2) a facility to the command located in San Antonio that has a sensitive compartmented information facility for use in carrying out the purposes of this chapter and Chapter 2059.

Sec. 2063.003. ESTABLISHMENT AND PURPOSE. (a) The command is established to prevent and respond to cybersecurity incidents that affect governmental entities and critical infrastructure in this state.

(b) The command is responsible for cybersecurity for this state, including:

(1) providing leadership, guidance, and tools to enhance cybersecurity defenses;

(2) facilitating education and training of a cybersecurity workforce;

(3) monitoring and coordinating cyber threat intelligence and information systems to detect and warn entities of cyber attacks, identifying cyber threats to critical infrastructure and state systems, planning and executing cybersecurity incident responses, and conducting digital forensics of cybersecurity incidents to support law enforcement and attribute the incidents;

(4) creating partnerships needed to effectively carry out the command's functions; and

(5) receiving all cybersecurity incident reports from state agencies and covered entities.

Sec. 2063.004. GENERAL POWERS AND DUTIES. (a) The command shall:

(1) promote public awareness of cybersecurity issues;

(2) develop cybersecurity best practices and minimum standards for governmental entities;

(3) develop and provide training to state agencies and covered entities on cybersecurity measures and awareness;

(4) administer the cybersecurity threat intelligence center under Section 2063.201;

(5) provide support to state agencies and covered entities experiencing a cybersecurity incident and respond to cybersecurity reports received under Subchapter D and other reports as appropriate;

(6) administer the digital forensics laboratory under Section 2063.203;

(7) administer a statewide portal for enterprise cybersecurity threat, risk, and incident management, and operate a cybersecurity hotline available for state agencies and covered entities 24 hours a day, seven days a week;

(8) collaborate with law enforcement agencies to provide training and support related to cybersecurity incidents;

(9) serve as a clearinghouse for information relating to all aspects of protecting the cybersecurity of governmental entities, including sharing appropriate intelligence and information with governmental entities, federal agencies, and covered entities;

(10) collaborate with the department to ensure information resources and information resources technologies obtained by the department meet the cybersecurity standards and requirements established under this chapter;

(11) offer cybersecurity resources to state agencies and covered entities as determined by the command;

(12) adopt policies to ensure state agencies implement sufficient cybersecurity measures to defend information resources, information resources technologies, and sensitive personal information maintained by the agencies; and

(13) collaborate with federal agencies to protect against, respond to, and recover from cybersecurity incidents.

(b) The command may:

(1) adopt and use an official seal;

(2) establish ad hoc advisory committees as necessary to carry out the command's duties under this chapter;

(3) acquire and convey property or an interest in property;

(4) procure insurance and pay premiums on insurance of any type, in accounts, and from insurers as the command considers necessary and advisable to accomplish any of the command's duties;

(5) hold patents, copyrights, trademarks, or other evidence of protection or exclusivity issued under the laws of the United States, any state, or any nation and may enter into license agreements with any third parties for the receipt of fees, royalties, or other monetary or nonmonetary value; and

(6) solicit and accept gifts, grants, donations, or loans from and contract with any entity to accomplish the command's duties.

(c) Except as otherwise provided by this chapter, the command shall deposit money paid to the command under this chapter in the state treasury to the credit of the general revenue fund.

Sec. 2063.005. COST RECOVERY. The command may recover the cost of providing direct technical assistance, training services, and other services to covered entities when reasonable and practical.

Sec. 2063.007. EMERGENCY PURCHASING IN RESPONSE TO CYBERSECURITY INCIDENT. (a) In the event the emergency response to a cybersecurity incident requires the command to purchase an item, the command is exempt from the requirements of Sections 2155.0755, 2155.083, and 2155.132(c) in making the purchase.

(b) The command shall, as soon as practicable after an emergency purchase is made under this section:

(1) provide written notice to the Legislative Budget Board and the governor describing the nature of the emergency, the purchase made, and the vendor selected;

(2) ensure that documentation of the purchase, including the justification for bypassing standard procedures and the terms of the contract, is maintained and made available for post-incident audit; and

(3) submit a report to the State Auditor's Office not later than the 90th day after the date of the purchase describing:

(A) the necessity for making the purchase;

(B) the cost and duration of the contract; and

(C) any competitive processes used, if applicable.

Sec. 2063.008. PURCHASING OF CYBERSECURITY RESOURCES BY GOVERNMENTAL ENTITIES. (a) The command may not require, including by rule, governmental entities to purchase specific cybersecurity systems or resources.

(b) The command may adopt guidelines designating the purchasing method that attains the best value for the state for cybersecurity systems and resources.

Sec. 2063.009. RULES. The chief, with advice from the department, may adopt rules necessary for carrying out the purposes of this chapter.

Sec. 2063.010. APPLICATION OF SUNSET ACT. The command is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the command is abolished September 1, 2031.

Sec. 2063.011. LAWS NOT AFFECTED. (a) Except as specifically provided by this chapter, this chapter does not affect laws, rules, or decisions relating to the confidentiality or privileged status of categories of information or communications.

(b) This chapter does not enlarge the right of state government to require information, records, or communications from the people.

SUBCHAPTER B. MINIMUM STANDARDS AND TRAINING

Sec. 2063.101. BEST PRACTICES AND MINIMUM STANDARDS FOR CYBERSECURITY AND TRAINING. (a) The command shall develop and annually assess best practices and minimum standards for use by governmental entities to enhance the security of information resources in this state.

(b) The command shall establish and periodically assess mandatory cybersecurity training that must be completed by all information resources employees of state agencies. The command shall consult with the Information Technology Council for Higher Education established under Section 2054.121 regarding applying the training requirements to employees of institutions of higher education.

(c) Except as otherwise provided by this subsection, the command shall adopt policies to ensure governmental entities are complying with the requirements of this section. The command shall adopt policies that ensure that a person who is not a citizen of the United States may not be a member, employee, contractor, volunteer, or otherwise affiliated with the command or any entity or organization established or operated by the command under this chapter.

SUBCHAPTER C. CYBERSECURITY PREVENTION, RESPONSE, AND
RECOVERY

Sec. 2063.201. CYBERSECURITY THREAT INTELLIGENCE CENTER.

(a) In this section, "center" means the cybersecurity threat intelligence center established under this section.

(b) The command shall establish a cybersecurity threat intelligence center. The center shall collaborate with federal cybersecurity intelligence and law enforcement agencies to achieve the purposes of this section.

(c) The center, in coordination with the digital forensics laboratory under Section 2063.203, shall:

(1) operate the information sharing and analysis organization established under Section 2063.204; and

(2) provide strategic guidance to regional security operations centers established under Subchapter G and the cybersecurity incident response unit under Section 2063.202 to assist governmental entities in responding to a cybersecurity incident.

(d) The chief shall employ a director for the center.

Sec. 2063.202. CYBERSECURITY INCIDENT RESPONSE UNIT. (a) The command shall establish a dedicated cybersecurity incident response unit to:

(1) detect and contain cybersecurity incidents in collaboration with the cybersecurity threat intelligence center under Section 2063.201;

(2) engage in threat neutralization as necessary and appropriate, including removing malware, disallowing unauthorized access, and patching vulnerabilities in information resources technologies;

(3) in collaboration with the digital forensics laboratory under Section 2063.203, undertake mitigation efforts if sensitive personal information is breached during a cybersecurity incident;

(4) loan resources to state agencies and covered entities to promote continuity of operations while the agency or entity restores the systems affected by a cybersecurity incident;

(5) assist in the restoration of information resources and information resources technologies after a cybersecurity incident and conduct post-incident monitoring;

(6) in collaboration with the cybersecurity threat intelligence center under Section 2063.201 and digital forensics laboratory under Section 2063.203, identify weaknesses, establish risk mitigation options and effective vulnerability-reduction strategies, and make recommendations to state agencies and covered entities that have been the target of a cybersecurity attack or have experienced a cybersecurity incident in order to remediate identified cybersecurity vulnerabilities;

(7) in collaboration with the cybersecurity threat intelligence center under Section 2063.201, the digital forensics laboratory under Section 2063.203, the Texas Division of Emergency Management, and other state agencies, conduct, support, and participate in cyber-related exercises; and

(8) undertake any other activities necessary to carry out the duties described by this subsection.

(b) The chief shall employ a director for the cybersecurity incident response unit.

Sec. 2063.203. DIGITAL FORENSICS LABORATORY. (a) The command shall establish a digital forensics laboratory to:

(1) in collaboration with the cybersecurity incident response unit under Section 2063.202, develop procedures to:

(A) preserve evidence of a cybersecurity incident, including logs and communication;

(B) document chains of custody; and

(C) timely notify and maintain contact with the appropriate law enforcement agencies investigating a cybersecurity incident;

(2) develop and share with relevant state agencies and covered entities, subject to a contractual agreement, cyber threat hunting tools and procedures to assist in identifying indicators of a compromise in the cybersecurity of state information systems and non-state information systems, as appropriate;

(3) conduct analyses of causes of cybersecurity incidents and of remediation options;

(4) conduct assessments of the scope of harm caused by cybersecurity incidents, including data loss, compromised systems, and system disruptions;

(5) provide information and training to state agencies and covered entities on producing reports required by regulatory and auditing bodies;

(6) in collaboration with the Department of Public Safety, the Texas Military Department, the office of the attorney general, and other state agencies, provide forensic analysis of a cybersecurity incident to support an investigation, attribution process, or other law enforcement or judicial action; and

(7) undertake any other activities necessary to carry out the duties described by this subsection.

(b) The chief shall employ a director for the digital forensics laboratory.

Sec. 2063.205. POLICIES. The command shall adopt policies and procedures necessary to enable the entities established in this subchapter to carry out their respective duties and purposes.

SUBCHAPTER E. CYBERSECURITY PREPARATION AND PLANNING

Sec. 2063.404. ONGOING INFORMATION TRANSMISSIONS. Information received from state agencies by the department under Section 2054.069 shall be transmitted by the department to the command on an ongoing basis.

Sec. 2063.409. INFORMATION SECURITY ASSESSMENT AND PENETRATION TEST REQUIRED. (a) This section does not apply to a university system or institution of higher education as defined by Section 61.003, Education Code.

(b) At least once every two years, the command shall require each state agency to complete an information security assessment and a penetration test to be performed by the command or, at the command's discretion, a vendor selected by the command.

(c) The chief shall adopt rules as necessary to implement this section, including rules for the procurement of a vendor under Subsection (b).

SECTION 2. Section 2054.510, Government Code, is transferred to Subchapter A, Chapter 2063, Government Code, as added by this Act, redesignated as Section 2063.0025, Government Code, and amended to read as follows:

Sec. 2063.0025 ~~[2054.510]~~. COMMAND CHIEF ~~[INFORMATION SECURITY OFFICER]~~. (a) In this section, "state cybersecurity ~~[information security]~~ program" means the policies, standards, procedures, elements, structure, strategies, objectives, plans, metrics, reports, services, and resources that establish the cybersecurity ~~[information resources security]~~ function for this state.

(b) The chief directs the day-to-day operations and policies of the command and oversees and is responsible for all functions and duties of the command. ~~[The executive director, using existing funds, shall employ a chief information security officer.]~~

(c) The chief ~~[information security officer]~~ shall oversee cybersecurity matters for this state including:

(1) implementing the duties described by Section 2063.004 ~~[2054.059]~~;

(2) ~~[responding to reports received under Section 2054.1125;~~

~~[(3)]~~ developing a statewide cybersecurity ~~[information security]~~ framework;

~~[(3)]~~ ~~[(4)]~~ overseeing the development of cybersecurity ~~[statewide information security]~~ policies and standards;

~~[(4)]~~ ~~[(5)]~~ collaborating with ~~[state agencies, local]~~ governmental entities~~]~~ and other entities operating or exercising control over state information systems or state-controlled data critical to strengthen this state's cybersecurity and information security policies, standards, and guidelines;

~~[(5)]~~ ~~[(6)]~~ overseeing the implementation of the policies, standards, and requirements ~~[guidelines]~~ developed under this chapter ~~[Subdivisions (3) and (4)]~~;

~~[(6)]~~ ~~[(7)]~~ providing cybersecurity ~~[information security]~~ leadership, strategic direction, and coordination for the state cybersecurity ~~[information security]~~ program;

~~[(7)]~~ ~~[(8)]~~ providing strategic direction to:

(A) the network security center established under Section 2059.101; and

(B) regional security operations ~~[statewide technology]~~ centers operated under Subchapter G ~~[L]~~; and

~~[(8)]~~ ~~[(9)]~~ overseeing the preparation and submission of the report described by Section 2063.301 ~~[2054.0591]~~.

SECTION 3. Section 2054.0592, Government Code, is transferred to Subchapter A, Chapter 2063, Government Code, as added by this Act, redesignated as Section 2063.006, Government Code, and amended to read as follows:

Sec. 2063.006 [2054.0592]. CYBERSECURITY EMERGENCY FUNDING. If a cybersecurity incident ~~[event]~~ creates a need for emergency funding, the command ~~[department]~~ may request that the governor or Legislative Budget Board make a proposal under Chapter 317 to provide funding to manage the operational and financial impacts from the cybersecurity incident ~~[event]~~.

SECTION 4. Section 2054.519, Government Code, is transferred to Subchapter B, Chapter 2063, Government Code, as added by this Act, redesignated as Section 2063.102, Government Code, and amended to read as follows:

Sec. 2063.102 [2054.519]. STATE CERTIFIED CYBERSECURITY TRAINING PROGRAMS. (a) The command ~~[department]~~, in consultation with the cybersecurity council established under Section 2063.406 [2054.512] and industry stakeholders, shall annually:

(1) certify at least five cybersecurity training programs for state and local government employees; and

(2) update standards for maintenance of certification by the cybersecurity training programs under this section.

(b) To be certified under Subsection (a), a cybersecurity training program must:

(1) focus on forming appropriate cybersecurity ~~[information security]~~ habits and procedures that protect information resources; and

(2) teach best practices and minimum standards established under this subchapter ~~[for detecting, assessing, reporting, and addressing information security threats]~~.

(c) The command ~~[department]~~ may identify and certify under Subsection (a) training programs provided by state agencies and local governments that satisfy the training requirements described by Subsection (b).

(d) The command ~~[department]~~ may contract with an independent third party to certify cybersecurity training programs under this section.

(e) The command ~~[department]~~ shall annually publish on the command's ~~[department's]~~ Internet website the list of cybersecurity training programs certified under this section.

SECTION 5. Section 2054.5191, Government Code, is transferred to Subchapter B, Chapter 2063, Government Code, as added by this Act, redesignated as Section 2063.103, Government Code, and amended to read as follows:

Sec. 2063.103 [2054.5191]. CYBERSECURITY TRAINING REQUIRED ~~[; CERTAIN EMPLOYEES AND OFFICIALS]~~. (a) Each elected or appointed official and employee of a governmental entity who has access to the entity's information resources or information resources technologies ~~[state agency shall identify state employees who use a computer to complete at least 25 percent of the employee's required duties. At least once each year, an employee identified by the state agency and each elected or appointed officer of the agency]~~ shall annually complete a cybersecurity training program certified under Section 2063.102 [2054.519].

(b) ~~[(a) 1) At least once each year, a local government shall:~~

~~[(1) identify local government employees and elected and appointed officials who have access to a local government computer system or database and use a computer to perform at least 25 percent of the employee's or official's required duties; and~~

~~[(2) require the employees and officials identified under Subdivision (1) to complete a cybersecurity training program certified under Section 2054.519.~~

~~[(a-2)] The governing body of a governmental entity [local government] or the governing body's designee may deny access to the governmental entity's information resources or information resources technologies [local government's computer system or database] to an employee or official [individual described by Subsection (a-1)(1)] who [the governing body or the governing body's designee determines] is noncompliant with the requirements of Subsection (a) [(a-1)(2)].~~

(c) ~~[(b)]~~ The governing body of a local government may select the most appropriate cybersecurity training program certified under Section 2063.102 [2054.519] for employees and officials of the local government to complete. The governing body shall:

(1) verify and report on the completion of a cybersecurity training program by employees and officials of the local government to the command ~~[department]~~; and

(2) require periodic audits to ensure compliance with this section.

(d) ~~[(c)]~~ A state agency may select the most appropriate cybersecurity training program certified under Section 2063.102 [2054.519] for employees and officials of the state agency. The executive head of each state agency shall verify completion of a cybersecurity training program by employees and officials of the state agency in a manner specified by the command ~~[department]~~.

(e) ~~[(d)]~~ The executive head of each state agency shall periodically require an internal review of the agency to ensure compliance with this section.

(f) ~~[(e)]~~ The command ~~[department]~~ shall develop a form for use by governmental entities ~~[state agencies and local governments]~~ in verifying completion of cybersecurity training program requirements under this section. The form must allow the state agency and local government to indicate the percentage of employee and official completion.

(g) ~~[(f)]~~ The requirements of Subsection ~~[Subsections]~~ (a) ~~[and (a-1)]~~ do not apply to employees and officials who have been:

(1) granted military leave;

(2) granted leave under the federal Family and Medical Leave Act of 1993 (29 U.S.C. Section 2601 et seq.);

(3) granted leave related to a sickness or disability covered by workers' compensation benefits, if that employee or official no longer has access to the governmental entity's information resources or information resources technologies ~~[state agency's or local government's database and systems]~~;

(4) granted any other type of extended leave or authorization to work from an alternative work site if that employee or official no longer has access to the governmental entity's information resources or information resources technologies ~~[state agency's or local government's database and systems]~~; or

(5) denied access to a governmental entity's information resources or information resources technologies ~~[local government's computer system or database by the governing body of the local government or the governing body's designee]~~ under Subsection (b) ~~[(a-2)]~~ for noncompliance with the requirements of Subsection (a) ~~[(a-1)(2)]~~.

SECTION 6. Section 2054.5192, Government Code, is transferred to Subchapter B, Chapter 2063, Government Code, as added by this Act, redesignated as Section 2063.104, Government Code, and amended to read as follows:

Sec. 2063.104 ~~[2054.5192]~~. CYBERSECURITY TRAINING REQUIRED: CERTAIN STATE CONTRACTORS. (a) In this section, "contractor" includes a subcontractor, officer, or employee of the contractor.

(b) A state agency shall require any contractor who has access to a state computer system or database to complete a cybersecurity training program certified under Section 2063.102 ~~[2054.519]~~ as selected by the agency.

(c) The cybersecurity training program must be completed by a contractor during the term of the contract and during any renewal period.

(d) Required completion of a cybersecurity training program must be included in the terms of a contract awarded by a state agency to a contractor.

(e) A contractor required to complete a cybersecurity training program under this section shall verify completion of the program to the contracting state agency. The person who oversees contract management for the agency shall:

(1) not later than August 31 of each year, report the contractor's completion to the command ~~[department]~~; and

(2) periodically review agency contracts to ensure compliance with this section.

SECTION 7. Section 2054.0594, Government Code, is transferred to Subchapter C, Chapter 2063, Government Code, as added by this Act, redesignated as Section 2063.204, Government Code, and amended to read as follows:

Sec. 2063.204 ~~[2054.0594]~~. INFORMATION SHARING AND ANALYSIS ORGANIZATION. (a) The command ~~[department]~~ shall establish at least one ~~[an]~~ information sharing and analysis organization to provide a forum for state agencies, local governments, public and private institutions of higher education, and the private sector to share information regarding cybersecurity threats, best practices, and remediation strategies.

(b) ~~[The department shall provide administrative support to the information sharing and analysis organization.]~~

~~[(c)]~~ A participant in the information sharing and analysis organization shall assert any exception available under state or federal law, including Section 552.139, in response to a request for public disclosure of information shared through the organization. Section 552.007 does not apply to information described by this subsection.

(c) ~~[(d)]~~ The command ~~[department]~~ shall establish a framework for regional cybersecurity task forces ~~[working groups]~~ to execute mutual aid agreements that allow state agencies, local governments, regional planning

commissions, public and private institutions of higher education, the private sector, the regional security operations centers under Subchapter G, and the cybersecurity incident response unit under Section 2063.202 ~~[and the incident response team established under Subchapter N 2]~~ to assist with responding to a cybersecurity incident [event] in this state. A task force ~~[working group]~~ may be established within the geographic area of a regional planning commission established under Chapter 391, Local Government Code. The task force ~~[working group]~~ may establish a list of available cybersecurity experts and share resources to assist in responding to the cybersecurity incident [event] and recovery from the incident [event].

SECTION 8. Chapter 2063, Government Code, as added by this Act, is amended by adding Subchapter D, and a heading is added to that subchapter to read as follows:

SUBCHAPTER D. REPORTING

SECTION 9. Sections 2054.0591, 2054.603, and 2054.077, Government Code, are transferred to Subchapter D, Chapter 2063, Government Code, as added by this Act, redesignated as Sections 2063.301, 2063.302, and 2063.303, Government Code, respectively, and amended to read as follows:

Sec. 2063.301 ~~[2054.0591]~~. CYBERSECURITY REPORT. (a) Not later than November 15 of each even-numbered year, the command ~~[department]~~ shall submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing committee of each house of the legislature with primary jurisdiction over state government operations a report identifying preventive and recovery efforts the state can undertake to improve cybersecurity in this state. The report must include:

(1) an assessment of the resources available to address the operational and financial impacts of a cybersecurity incident [event];

(2) a review of existing statutes regarding cybersecurity and information resources technologies; and

(3) recommendations for legislative action to increase the state's cybersecurity and protect against adverse impacts from a cybersecurity incident [event]; and

~~[(4) an evaluation of a program that provides an information security officer to assist small state agencies and local governments that are unable to justify hiring a full-time information security officer].~~

(b) Not later than October 1 of each even-numbered year, the command shall submit a report to the Legislative Budget Board that prioritizes, for the purpose of receiving funding, state agency cybersecurity projects. Each state agency shall coordinate with the command to implement this subsection.

(c) ~~[(b)]~~ The command ~~[department]~~ or a recipient of a report under this section may redact or withhold information confidential under Chapter 552, including Section 552.139, or other state or federal law that is contained in the report in response to a request under Chapter 552 without the necessity of requesting a decision from the attorney general under Subchapter G, Chapter 552. The disclosure of information under this section is not a voluntary disclosure for purposes of Section 552.007.

Sec. 2063.302 ~~[2054.603]~~. CYBERSECURITY ~~[SECURITY]~~ INCIDENT NOTIFICATION BY STATE AGENCY OR LOCAL GOVERNMENT. (a) ~~[In this section:~~

~~[(1) "Security incident" means:~~

~~[(A) a breach or suspected breach of system security as defined by Section 521.053, Business & Commerce Code; and~~

~~[(B) the introduction of ransomware, as defined by Section 33.023, Penal Code, into a computer, computer network, or computer system.~~

~~[(2) "Sensitive personal information" has the meaning assigned by Section 521.002, Business & Commerce Code.~~

~~[(b)]~~ A state agency or local government that owns, licenses, or maintains computerized data that includes sensitive personal information, confidential information, or information the disclosure of which is regulated by law shall, in the event of a cybersecurity ~~[security]~~ incident:

(1) comply with the notification requirements of Section 521.053, Business & Commerce Code, to the same extent as a person who conducts business in this state;

(2) not later than 48 hours after the discovery of the cybersecurity ~~[security]~~ incident, notify:

(A) the command ~~[department]~~, including the chief ~~[information security officer]~~; or

(B) if the cybersecurity ~~[security]~~ incident involves election data, the secretary of state; and

(3) comply with all command ~~[department]~~ rules relating to reporting cybersecurity ~~[security]~~ incidents as required by this section.

~~(b) [(e)]~~ Not later than the 10th business day after the date of the eradication, closure, and recovery from a cybersecurity ~~[security]~~ incident, a state agency or local government shall notify the command ~~[department]~~, including the chief ~~[information security officer]~~, of the details of the cybersecurity ~~[security]~~ incident and include in the notification an analysis of the cause of the cybersecurity ~~[security]~~ incident.

~~(c) [(d)]~~ This section does not apply to a cybersecurity ~~[security]~~ incident that a local government is required to report to an independent organization certified by the Public Utility Commission of Texas under Section 39.151, Utilities Code.

Sec. 2063.303 ~~[2054.077]~~. VULNERABILITY REPORTS. (a) In this section, a term defined by Section 33.01, Penal Code, has the meaning assigned by that section.

(b) The information security officer of a state agency shall prepare or have prepared a report, including an executive summary of the findings of the biennial report, not later than June 1 of each even-numbered year, assessing the extent to which a computer, a computer program, a computer network, a computer system, a printer, an interface to a computer system, including mobile and peripheral devices, computer software, or data processing of the agency or of a contractor of

the agency is vulnerable to unauthorized access or harm, including the extent to which the agency's or contractor's electronically stored information is vulnerable to alteration, damage, erasure, or inappropriate use.

(c) Except as provided by this section, a vulnerability report and any information or communication prepared or maintained for use in the preparation of a vulnerability report is confidential and is not subject to disclosure under Chapter 552.

(d) The information security officer shall provide an electronic copy of the vulnerability report on its completion to:

- (1) the command ~~[department]~~;
- (2) the state auditor;
- (3) the agency's executive director;
- (4) the agency's designated information resources manager; and
- (5) any other information technology security oversight group specifically authorized by the legislature to receive the report.

(e) Separate from the executive summary described by Subsection (b), a state agency shall prepare a summary of the agency's vulnerability report that does not contain any information the release of which might compromise the security of the state agency's or state agency contractor's computers, computer programs, computer networks, computer systems, printers, interfaces to computer systems, including mobile and peripheral devices, computer software, data processing, or electronically stored information. ~~[The summary is available to the public on request.]~~

SECTION 10. Section 2054.515, Government Code, as amended by Chapters 567 (**SB 475**) and 856 (**SB 800**), Acts of the 87th Legislature, Regular Session, 2021, is transferred to Subchapter D, Chapter 2063, Government Code, as added by this Act, redesignated as Section 2063.304, Government Code, reenacted, and amended to read as follows:

Sec. 2063.304 [2054.515]. AGENCY DATA GOVERNANCE
~~[INFORMATION SECURITY]~~ ASSESSMENT AND REPORT. (a) At least once every two years, each state agency shall conduct an ~~[information security]~~ assessment of the agency's~~:-~~

~~[(1) information resources systems, network systems, digital data storage systems, digital data security measures, and information resources vulnerabilities; and~~

~~[(2)]~~ data governance program with participation from the agency's data management officer, if applicable, and in accordance with requirements established by command ~~[department]~~ rule.

(b) Not later than June 1 of each even-numbered year, each state agency shall report the results of the assessment conducted under Subsection (a) to:

- (1) the command; and
- (2) on request, the governor, the lieutenant governor, and the speaker of the house of representatives.

~~[(b) Not later than November 15 of each even-numbered year, the agency shall report the results of the assessment to:~~

- ~~[(1) the department; and~~

~~[(2) on request, the governor, the lieutenant governor, and the speaker of the house of representatives.~~

~~[(b) Not later than December 1 of the year in which a state agency conducts the assessment under Subsection (a) or the 60th day after the date the agency completes the assessment, whichever occurs first, the agency shall report the results of the assessment to:~~

~~[(1) the department; and~~

~~[(2) on request, the governor, the lieutenant governor, and the speaker of the house of representatives.]~~

(c) The chief ~~[department]~~ by rule shall establish the requirements for the ~~[information security]~~ assessment and report required by this section.

(d) The report and all documentation related to the ~~[information security]~~ assessment and report are confidential and not subject to disclosure under Chapter 552. The state agency or command ~~[department]~~ may redact or withhold the information as confidential under Chapter 552 without requesting a decision from the attorney general under Subchapter G, Chapter 552.

SECTION 11. Section 2054.136, Government Code, is transferred to Subchapter E, Chapter 2063, Government Code, as added by this Act, redesignated as Section 2063.401, Government Code, and amended to read as follows:

Sec. 2063.401 ~~[2054.136]~~. DESIGNATED INFORMATION SECURITY OFFICER. Each state agency shall designate an information security officer who:

(1) reports to the agency's executive-level management;

(2) has authority over information security for the entire agency;

(3) possesses the training and experience required to ensure the agency complies with requirements and policies established by the command ~~[perform the duties required by department rules]~~; and

(4) to the extent feasible, has information security duties as the officer's primary duties.

SECTION 12. Section 2054.518, Government Code, is transferred to Subchapter E, Chapter 2063, Government Code, as added by this Act, redesignated as Section 2063.402, Government Code, and amended to read as follows:

Sec. 2063.402 ~~[2054.518]~~. CYBERSECURITY RISKS AND INCIDENTS. (a) The command ~~[department]~~ shall develop a plan to address cybersecurity risks and incidents in this state. The command ~~[department]~~ may enter into an agreement with a national organization, including the National Cybersecurity Preparedness Consortium, to support the command's ~~[department's]~~ efforts in implementing the components of the plan for which the command ~~[department]~~ lacks resources to address internally. The agreement may include provisions for:

(1) providing technical assistance services to support preparedness for and response to cybersecurity risks and incidents;

(2) conducting cybersecurity simulation exercises for state agencies to encourage coordination in defending against and responding to cybersecurity risks and incidents;

(3) assisting state agencies in developing cybersecurity information-sharing programs to disseminate information related to cybersecurity risks and incidents; and

(4) incorporating cybersecurity risk and incident prevention and response methods into existing state emergency plans, including continuity of operation plans and incident response plans.

(b) In implementing the provisions of the agreement prescribed by Subsection (a), the command ~~[department]~~ shall seek to prevent unnecessary duplication of existing programs or efforts of the command ~~[department]~~ or another state agency.

(c) ~~(d)~~ The command ~~[department]~~ shall consult with institutions of higher education in this state when appropriate based on an institution's expertise in addressing specific cybersecurity risks and incidents.

SECTION 13. Section 2054.133, Government Code, is transferred to Subchapter E, Chapter 2063, Government Code, as added by this Act, redesignated as Section 2063.403, Government Code, and amended to read as follows:

Sec. 2063.403 ~~[2054.133]~~. INFORMATION SECURITY PLAN. (a) Each state agency shall develop, and periodically update, an information security plan for protecting the security of the agency's information.

(b) In developing the plan, the state agency shall:

(1) consider any vulnerability report prepared under Section 2063.303 ~~[2054.077]~~ for the agency;

(2) incorporate the network security services provided by the department to the agency under Chapter 2059;

(3) identify and define the responsibilities of agency staff who produce, access, use, or serve as custodians of the agency's information;

(4) identify risk management and other measures taken to protect the agency's information from unauthorized access, disclosure, modification, or destruction;

(5) include:

(A) the best practices for information security developed by the command ~~[department]~~; or

(B) if best practices are not applied, a written explanation of why the best practices are not sufficient for the agency's security; and

(6) omit from any written copies of the plan information that could expose vulnerabilities in the agency's network or online systems.

(c) Not later than June 1 of each even-numbered year, each state agency shall submit a copy of the agency's information security plan to the command ~~[department]~~. Subject to available resources, the command ~~[department]~~ may select a portion of the submitted security plans to be assessed by the command ~~[department]~~ in accordance with command policies ~~[department rules]~~.

(d) Each state agency's information security plan is confidential and exempt from disclosure under Chapter 552.

(e) Each state agency shall include in the agency's information security plan a written document that is signed by the head of the agency, the chief financial officer, and each executive manager designated by the state agency and states that those persons have been made aware of the risks revealed during the preparation of the agency's information security plan.

(f) Not later than November 15 of each even-numbered year, the command ~~[department]~~ shall submit a written report to the governor, the lieutenant governor, the speaker of the house of representatives, and each standing committee of the legislature with primary jurisdiction over matters related to the command ~~[department]~~ evaluating information security for this state's information resources. In preparing the report, the command ~~[department]~~ shall consider the information security plans submitted by state agencies under this section, any vulnerability reports submitted under Section 2063.303 ~~[2054.077]~~, and other available information regarding the security of this state's information resources. The command ~~[department]~~ shall omit from any written copies of the report information that could expose specific vulnerabilities ~~[in the security of this state's information resources]~~.

SECTION 14. Section 2054.516, Government Code, is transferred to Subchapter E, Chapter 2063, Government Code, as added by this Act, redesignated as Section 2063.405, Government Code, and amended to read as follows:

Sec. 2063.405 ~~[2054.516]~~. DATA SECURITY PLAN FOR ONLINE AND MOBILE APPLICATIONS. (a) Each state agency implementing an Internet website or mobile application that processes any sensitive personal or personally identifiable information or confidential information must:

(1) submit a biennial data security plan to the command ~~[department]~~ not later than June 1 of each even-numbered year to establish planned beta testing for the website or application; and

(2) subject the website or application to a vulnerability and penetration test and address any vulnerability identified in the test.

(b) The command ~~[department]~~ shall review each data security plan submitted under Subsection (a) and make any recommendations for changes to the plan to the state agency as soon as practicable after the command ~~[department]~~ reviews the plan.

SECTION 15. Section 2054.512, Government Code, is transferred to Subchapter E, Chapter 2063, Government Code, as added by this Act, redesignated as Section 2063.406, Government Code, and amended to read as follows:

Sec. 2063.406 ~~[2054.512]~~. CYBERSECURITY COUNCIL. (a) The chief or the chief's designee ~~[state cybersecurity coordinator]~~ shall ~~[establish and]~~ lead a cybersecurity council that includes public and private sector leaders and cybersecurity practitioners to collaborate on matters of cybersecurity concerning this state.

(b) The cybersecurity council must include:

- (1) one member who is an employee of the office of the governor;
- (2) one member of the senate appointed by the lieutenant governor;
- (3) one member of the house of representatives appointed by the speaker of the house of representatives;
- (4) the director ~~[one member who is an employee]~~ of the Elections Division of the Office of the Secretary of State; ~~[and]~~
- (5) one member who is an employee of the department; and
- (6) additional members appointed by the chief ~~[state cybersecurity coordinator]~~, including representatives of institutions of higher education and private sector leaders.

(c) Members of the cybersecurity council serve staggered six-year terms, with as near as possible to one-third of the members' terms expiring February 1 of each odd-numbered year.

(d) In appointing representatives from institutions of higher education to the cybersecurity council, the chief ~~[state cybersecurity coordinator]~~ shall consider appointing members of the Information Technology Council for Higher Education.

(e) [(d)] The cybersecurity council shall:

(1) consider the costs and benefits of establishing a computer emergency readiness team to address cybersecurity incidents ~~[cyber attacks]~~ occurring in this state during routine and emergency situations;

(2) establish criteria and priorities for addressing cybersecurity threats to critical state installations;

(3) consolidate and synthesize best practices to assist state agencies in understanding and implementing cybersecurity measures that are most beneficial to this state; and

(4) assess the knowledge, skills, and capabilities of the existing information technology and cybersecurity workforce to mitigate and respond to cyber threats and develop recommendations for addressing immediate workforce deficiencies and ensuring a long-term pool of qualified applicants.

(f) [(e)] The chief, in collaboration with the cybersecurity council, shall provide recommendations to the legislature on any legislation necessary to implement cybersecurity best practices and remediation strategies for this state.

SECTION 16. Section 2054.514, Government Code, is transferred to Subchapter E, Chapter 2063, Government Code, as added by this Act, redesignated as Section 2063.407, Government Code, and amended to read as follows:

Sec. 2063.407 [2054.514]. RECOMMENDATIONS. The chief ~~[state cybersecurity coordinator]~~ may implement any portion, or all of the recommendations made by the cybersecurity council under Section 2063.406 [Cybersecurity, Education, and Economic Development Council under Subchapter N].

SECTION 17. Section 2054.0593, Government Code, is transferred to Subchapter E, Chapter 2063, Government Code, as added by this Act, redesignated as Section 2063.408, Government Code, and amended to read as follows:

Sec. 2063.408 [2054.0593]. CLOUD COMPUTING STATE RISK AND AUTHORIZATION MANAGEMENT PROGRAM. (a) In this section, "cloud computing service" has the meaning assigned by Section 2157.007.

(b) The command [department] shall establish a state risk and authorization management program to provide a standardized approach for security assessment, authorization, and continuous monitoring of cloud computing services that process the data of a state agency. The program must allow a vendor to demonstrate compliance by submitting documentation that shows the vendor's compliance with a risk and authorization management program of:

- (1) the federal government; or
- (2) another state that the command [department] approves.

(c) The command [department] by rule shall prescribe:

- (1) the categories and characteristics of cloud computing services subject to the state risk and authorization management program; and
- (2) the requirements for certification through the program of vendors that provide cloud computing services.

(d) A state agency shall require each vendor contracting with the agency to provide cloud computing services for the agency to comply with the requirements of the state risk and authorization management program. The command [department] shall evaluate vendors to determine whether a vendor qualifies for a certification issued by the department reflecting compliance with program requirements.

(e) A state agency may not enter or renew a contract with a vendor to purchase cloud computing services for the agency that are subject to the state risk and authorization management program unless the vendor demonstrates compliance with program requirements.

(f) A state agency shall require a vendor contracting with the agency to provide cloud computing services for the agency that are subject to the state risk and authorization management program to maintain program compliance and certification throughout the term of the contract.

SECTION 18. Subchapter N-2, Chapter 2054, Government Code, is transferred to Chapter 2063, Government Code, as added by this Act, redesignated as Subchapter F, Chapter 2063, Government Code, and amended to read as follows:

SUBCHAPTER F [N-2]. TEXAS VOLUNTEER INCIDENT RESPONSE TEAM

Sec. 2063.501 [2054.52001]. DEFINITIONS. In this subchapter:

(1) "Incident response team" means the Texas volunteer incident response team established under Section 2063.502 [2054.52002].

(2) "Participating entity" means a state agency, including an institution of higher education, or a local government that receives assistance under this subchapter during a cybersecurity incident [event].

(3) "Volunteer" means an individual who provides rapid response assistance during a cybersecurity incident [event] under this subchapter.

Sec. 2063.502 ~~[2054.52002]~~. ESTABLISHMENT OF TEXAS VOLUNTEER INCIDENT RESPONSE TEAM. (a) The command ~~[department]~~ shall establish the Texas volunteer incident response team to provide rapid response assistance to a participating entity under the command's ~~[department's]~~ direction during a cybersecurity incident ~~[event]~~.

(b) The command ~~[department]~~ shall prescribe eligibility criteria for participation as a volunteer member of the incident response team, including a requirement that each volunteer have expertise in addressing cybersecurity incidents ~~[events]~~.

Sec. 2063.503 ~~[2054.52003]~~. CONTRACT WITH VOLUNTEERS. The command ~~[department]~~ shall enter into a contract with each volunteer the command ~~[department]~~ approves to provide rapid response assistance under this subchapter. The contract must require the volunteer to:

(1) acknowledge the confidentiality of information required by Section 2063.510 ~~[2054.52010]~~;

(2) protect all confidential information from disclosure;

(3) avoid conflicts of interest that might arise in a deployment under this subchapter;

(4) comply with command ~~[department]~~ security policies and procedures regarding information resources technologies;

(5) consent to background screening required by the command ~~[department]~~; and

(6) attest to the volunteer's satisfaction of any eligibility criteria established by the command ~~[department]~~.

Sec. 2063.504 ~~[2054.52004]~~. VOLUNTEER QUALIFICATION. (a) The command ~~[department]~~ shall require criminal history record information for each individual who accepts an invitation to become a volunteer.

(b) The command ~~[department]~~ may request other information relevant to the individual's qualification and fitness to serve as a volunteer.

(c) The command ~~[department]~~ has sole discretion to determine whether an individual is qualified to serve as a volunteer.

Sec. 2063.505 ~~[2054.52005]~~. DEPLOYMENT. (a) In response to a cybersecurity incident ~~[event]~~ that affects multiple participating entities or a declaration by the governor of a state of disaster caused by a cybersecurity event, the command ~~[department]~~ on request of a participating entity may deploy volunteers and provide rapid response assistance under the command's ~~[department's]~~ direction and the managed security services framework established under Section 2063.204(c) ~~[2054.0594(d)]~~ to assist with the incident ~~[event]~~.

(b) A volunteer may only accept a deployment under this subchapter in writing. A volunteer may decline to accept a deployment for any reason.

Sec. 2063.506 ~~[2054.52006]~~. CYBERSECURITY COUNCIL DUTIES. The cybersecurity council established under Section 2063.406 ~~[2054.512]~~ shall review and make recommendations to the command

[department] regarding the policies and procedures used by the command [department] to implement this subchapter. The command [department] may consult with the council to implement and administer this subchapter.

Sec. 2063.507 [2054.52007]. COMMAND [DEPARTMENT] POWERS AND DUTIES. (a) The command [department] shall:

(1) approve the incident response tools the incident response team may use in responding to a cybersecurity incident [event];

(2) establish the eligibility criteria an individual must meet to become a volunteer;

(3) develop and publish guidelines for operation of the incident response team, including the:

(A) standards and procedures the command [department] uses to determine whether an individual is eligible to serve as a volunteer;

(B) process for an individual to apply for and accept incident response team membership;

(C) requirements for a participating entity to receive assistance from the incident response team; and

(D) process for a participating entity to request and obtain the assistance of the incident response team; and

(4) adopt rules necessary to implement this subchapter.

(b) The command [department] may require a participating entity to enter into a contract as a condition for obtaining assistance from the incident response team. ~~[The contract must comply with the requirements of Chapters 771 and 791.]~~

(c) The command [department] may provide appropriate training to prospective and approved volunteers.

(d) In accordance with state law, the command [department] may provide compensation for actual and necessary travel and living expenses incurred by a volunteer on a deployment using money available for that purpose.

(e) The command [department] may establish a fee schedule for participating entities receiving incident response team assistance. The amount of fees collected may not exceed the command's [department's] costs to operate the incident response team.

Sec. 2063.508 [2054.52008]. STATUS OF VOLUNTEER; LIABILITY.

(a) A volunteer is not an agent, employee, or independent contractor of this state for any purpose and has no authority to obligate this state to a third party.

(b) This state is not liable to a volunteer for personal injury or property damage sustained by the volunteer that arises from participation in the incident response team.

Sec. 2063.509 [2054.52009]. CIVIL LIABILITY. A volunteer who in good faith provides professional services in response to a cybersecurity incident [event] is not liable for civil damages as a result of the volunteer's acts or omissions in providing the services, except for wilful and wanton misconduct. This immunity is limited to services provided during the time of deployment for a cybersecurity incident [event].

Sec. 2063.510 [~~2054.52010~~]. CONFIDENTIAL INFORMATION. Information written, produced, collected, assembled, or maintained by the command [~~department~~], a participating entity, the cybersecurity council, or a volunteer in the implementation of this subchapter is confidential and not subject to disclosure under Chapter 552 if the information:

- (1) contains the contact information for a volunteer;
- (2) identifies or provides a means of identifying a person who may, as a result of disclosure of the information, become a victim of a cybersecurity incident [~~event~~];
- (3) consists of a participating entity's cybersecurity plans or cybersecurity-related practices; or
- (4) is obtained from a participating entity or from a participating entity's computer system in the course of providing assistance under this subchapter.

SECTION 19. Subchapter E, Chapter 2059, Government Code, is transferred to Chapter 2063, Government Code, as added by this Act, redesignated as Subchapter G, Chapter 2063, Government Code, and amended to read as follows:

SUBCHAPTER G [~~E~~]. REGIONAL [~~NETWORK~~] SECURITY OPERATIONS
CENTERS

Sec. 2063.601 [~~2059.201~~]. ELIGIBLE PARTICIPATING ENTITIES. A state agency or an entity listed in Section 2059.058 is eligible to participate in cybersecurity support and network security provided by a regional [~~network~~] security operations center under this subchapter.

Sec. 2063.602 [~~2059.202~~]. ESTABLISHMENT OF REGIONAL [~~NETWORK~~] SECURITY OPERATIONS CENTERS. (a) Subject to Subsection (b), the command [~~department~~] may establish regional [~~network~~] security operations centers, under the command's [~~department's~~] managed security services framework established by Section 2063.204(c) [~~2054.0594(d)~~], to assist in providing cybersecurity support and network security to regional offices or locations for state agencies and other eligible entities that elect to participate in and receive services through the center.

(b) The command [~~department~~] may establish more than one regional [~~network~~] security operations center only if the command [~~department~~] determines the first center established by the command [~~department~~] successfully provides to state agencies and other eligible entities the services the center has contracted to provide.

(c) The command [~~department~~] shall enter into an interagency contract in accordance with Chapter 771 or an interlocal contract in accordance with Chapter 791, as appropriate, with an eligible participating entity that elects to participate in and receive services through a regional [~~network~~] security operations center.

Sec. 2063.603 [~~2059.203~~]. REGIONAL [~~NETWORK~~] SECURITY OPERATIONS CENTER LOCATIONS AND PHYSICAL SECURITY. (a) In creating and operating a regional [~~network~~] security operations center, the

command may ~~[department shall]~~ partner with a university system or institution of higher education as defined by Section 61.003, Education Code, other than a public junior college. The system or institution shall:

(1) serve as an education partner with the command ~~[department]~~ for the regional ~~[network]~~ security operations center; and

(2) enter into an interagency contract with the command ~~[department]~~ in accordance with Chapter 771.

(b) In selecting the location for a regional ~~[network]~~ security operations center, the command ~~[department]~~ shall select a university system or institution of higher education that has supportive educational capabilities.

(c) A university system or institution of higher education selected to serve as a regional ~~[network]~~ security operations center shall control and monitor all entrances to and critical areas of the center to prevent unauthorized entry. The system or institution shall restrict access to the center to only authorized individuals.

(d) A local law enforcement entity or any entity providing security for a regional ~~[network]~~ security operations center shall monitor security alarms at the regional ~~[network]~~ security operations center subject to the availability of that service.

(e) The command ~~[department]~~ and a university system or institution of higher education selected to serve as a regional ~~[network]~~ security operations center shall restrict operational information to only center personnel, except as provided by Chapter 321.

Sec. 2063.604 ~~[2059.204]~~. REGIONAL ~~[NETWORK]~~ SECURITY OPERATIONS CENTERS SERVICES AND SUPPORT. The command ~~[department]~~ may offer the following managed security services through a regional ~~[network]~~ security operations center:

(1) real-time cybersecurity ~~[network security]~~ monitoring to detect and respond to cybersecurity incidents ~~[network security events]~~ that may jeopardize this state and the residents of this state;

(2) alerts and guidance for defeating cybersecurity ~~[network security]~~ threats, including firewall configuration, installation, management, and monitoring, intelligence gathering, and protocol analysis;

(3) immediate response to counter unauthorized ~~[network security]~~ activity that exposes this state and the residents of this state to risk, including complete intrusion detection system installation, management, and monitoring for participating entities;

(4) development, coordination, and execution of statewide cybersecurity ~~[network security]~~ operations to isolate, contain, and mitigate the impact of cybersecurity ~~[network security]~~ incidents for participating entities; and

(5) cybersecurity educational services.

Sec. 2063.605 ~~[2059.205]~~. NETWORK SECURITY GUIDELINES AND STANDARD OPERATING PROCEDURES. (a) The command ~~[department]~~ shall adopt and provide to each regional ~~[network]~~ security operations center

appropriate network security guidelines and standard operating procedures to ensure efficient operation of the center with a maximum return on the state's investment.

(b) The command [~~department~~] shall revise the standard operating procedures as necessary to confirm network security.

(c) Each eligible participating entity that elects to participate in a regional [~~network~~] security operations center shall comply with the network security guidelines and standard operating procedures.

SECTION 20. Sections 11.175(c) and (h-1), Education Code, are amended to read as follows:

(c) A school district's cybersecurity policy may not conflict with the information security standards for institutions of higher education adopted by the Texas Cyber Command [~~Department of Information Resources~~] under Chapters [~~2054 and~~] 2059 and 2063, Government Code.

(h-1) Notwithstanding Section 2063.103 [~~2054.5191~~], Government Code, only the district's cybersecurity coordinator is required to complete the cybersecurity training under that section on an annual basis. Any other school district employee required to complete the cybersecurity training shall complete the training as determined by the district, in consultation with the district's cybersecurity coordinator.

SECTION 21. Section 38.307(e), Education Code, is amended to read as follows:

(e) The agency shall maintain the data collected by the task force and the work product of the task force in accordance with:

(1) the agency's information security plan under Section 2063.403 [~~2054.133~~], Government Code; and

(2) the agency's records retention schedule under Section 441.185, Government Code.

SECTION 22. Section 325.011, Government Code, is amended to read as follows:

Sec. 325.011. CRITERIA FOR REVIEW. The commission and its staff shall consider the following criteria in determining whether a public need exists for the continuation of a state agency or its advisory committees or for the performance of the functions of the agency or its advisory committees:

(1) the efficiency and effectiveness with which the agency or the advisory committee operates;

(2)(A) an identification of the mission, goals, and objectives intended for the agency or advisory committee and of the problem or need that the agency or advisory committee was intended to address; and

(B) the extent to which the mission, goals, and objectives have been achieved and the problem or need has been addressed;

(3)(A) an identification of any activities of the agency in addition to those granted by statute and of the authority for those activities; and

(B) the extent to which those activities are needed;

(4) an assessment of authority of the agency relating to fees, inspections, enforcement, and penalties;

(5) whether less restrictive or alternative methods of performing any function that the agency performs could adequately protect or provide service to the public;

(6) the extent to which the jurisdiction of the agency and the programs administered by the agency overlap or duplicate those of other agencies, the extent to which the agency coordinates with those agencies, and the extent to which the programs administered by the agency can be consolidated with the programs of other state agencies;

(7) the promptness and effectiveness with which the agency addresses complaints concerning entities or other persons affected by the agency, including an assessment of the agency's administrative hearings process;

(8) an assessment of the agency's rulemaking process and the extent to which the agency has encouraged participation by the public in making its rules and decisions and the extent to which the public participation has resulted in rules that benefit the public;

(9) the extent to which the agency has complied with:

(A) federal and state laws and applicable rules regarding equality of employment opportunity and the rights and privacy of individuals; and

(B) state law and applicable rules of any state agency regarding purchasing guidelines and programs for historically underutilized businesses;

(10) the extent to which the agency issues and enforces rules relating to potential conflicts of interest of its employees;

(11) the extent to which the agency complies with Chapters 551 and 552 and follows records management practices that enable the agency to respond efficiently to requests for public information;

(12) the effect of federal intervention or loss of federal funds if the agency is abolished;

(13) the extent to which the purpose and effectiveness of reporting requirements imposed on the agency justifies the continuation of the requirement; and

(14) an assessment of the agency's cybersecurity practices using confidential information available from the Department of Information Resources, the Texas Cyber Command, or any other appropriate state agency.

SECTION 23. Section 411.0765(b), Government Code, is amended to read as follows:

(b) A criminal justice agency may disclose criminal history record information that is the subject of an order of nondisclosure of criminal history record information under this subchapter to the following noncriminal justice agencies or entities only:

(1) the State Board for Educator Certification;

(2) a school district, charter school, private school, regional education service center, commercial transportation company, or education shared services arrangement;

(3) the Texas Medical Board;

(4) the Texas School for the Blind and Visually Impaired;

(5) the Board of Law Examiners;

- (6) the State Bar of Texas;
- (7) a district court regarding a petition for name change under Subchapter B, Chapter 45, Family Code;
- (8) the Texas School for the Deaf;
- (9) the Department of Family and Protective Services;
- (10) the Texas Juvenile Justice Department;
- (11) the Department of Assistive and Rehabilitative Services;
- (12) the Department of State Health Services, a local mental health service, a local intellectual and developmental disability authority, or a community center providing services to persons with mental illness or intellectual or developmental disabilities;
- (13) the Texas Private Security Board;
- (14) a municipal or volunteer fire department;
- (15) the Texas Board of Nursing;
- (16) a safe house providing shelter to children in harmful situations;
- (17) a public or nonprofit hospital or hospital district, or a facility as defined by Section 250.001, Health and Safety Code;
- (18) the securities commissioner, the banking commissioner, the savings and mortgage lending commissioner, the consumer credit commissioner, or the credit union commissioner;
- (19) the Texas State Board of Public Accountancy;
- (20) the Texas Department of Licensing and Regulation;
- (21) the Health and Human Services Commission;
- (22) the Department of Aging and Disability Services;
- (23) the Texas Education Agency;
- (24) the Judicial Branch Certification Commission;
- (25) a county clerk's office in relation to a proceeding for the appointment of a guardian under Title 3, Estates Code;
- (26) the Texas Cyber Command [~~Department of Information Resources~~] but only regarding an employee, applicant for employment, contractor, subcontractor, intern, or volunteer who provides network security services under Chapter 2059 to:
 - (A) the Texas Cyber Command [~~Department of Information Resources~~]; or
 - (B) a contractor or subcontractor of the Texas Cyber Command [~~Department of Information Resources~~];
- (27) the Texas Department of Insurance;
- (28) the Teacher Retirement System of Texas;
- (29) the Texas State Board of Pharmacy;
- (30) the Texas Civil Commitment Office;
- (31) a bank, savings bank, savings and loan association, credit union, or mortgage banker, a subsidiary or affiliate of those entities, or another financial institution regulated by a state regulatory entity listed in Subdivision (18) or by a corresponding federal regulatory entity, but only regarding an employee,

contractor, subcontractor, intern, or volunteer of or an applicant for employment by that bank, savings bank, savings and loan association, credit union, mortgage banker, subsidiary or affiliate, or financial institution; and

(32) an employer that has a facility that handles or has the capability of handling, transporting, storing, processing, manufacturing, or controlling hazardous, explosive, combustible, or flammable materials, if:

(A) the facility is critical infrastructure, as defined by 42 U.S.C. Section 5195c(e), or the employer is required to submit to a risk management plan under Section 112(r) of the federal Clean Air Act (42 U.S.C. Section 7412) for the facility; and

(B) the information concerns an employee, applicant for employment, contractor, or subcontractor whose duties involve or will involve the handling, transporting, storing, processing, manufacturing, or controlling hazardous, explosive, combustible, or flammable materials and whose background is required to be screened under a federal provision described by Paragraph (A).

SECTION 24. Section 418.0195(a), Government Code, is amended to read as follows:

(a) This section applies only to a computer network used by:

(1) a state agency; or

(2) an entity other than a state agency receiving network security services from the Texas Cyber Command [~~Department of Information Resources~~] under Section 2059.058.

SECTION 25. Sections 772.012(b) and (c), Government Code, are amended to read as follows:

(b) To apply for a grant under this chapter, a local government must submit with the grant application a written certification of the local government's compliance with the cybersecurity training required by Section 2063.103 [~~2054.5194~~].

(c) On a determination by the criminal justice division established under Section 772.006 that a local government awarded a grant under this chapter has not complied with the cybersecurity training required by Section 2063.103 [~~2054.5194~~], the local government shall pay to this state an amount equal to the amount of the grant award. A local government that is the subject of a determination described by this subsection is ineligible for another grant under this chapter until the second anniversary of the date the local government is determined ineligible.

SECTION 26. Section 2054.380(b), Government Code, is amended to read as follows:

(b) Revenue derived from the collection of fees imposed under Subsection (a) may be appropriated to the department for:

(1) developing statewide information resources technology policies and planning under this chapter [~~and Chapter 2059~~]; and

(2) providing shared information resources technology services under this chapter.

SECTION 27. Section 2054.0701(c), Government Code, is amended to read as follows:

(c) A program offered under this section must:

(1) be approved by the Texas Higher Education Coordinating Board in accordance with Section 61.0512, Education Code;

(2) develop the knowledge and skills necessary for an entry-level information technology position in a state agency; and

(3) include a one-year apprenticeship with:

(A) the department;

(B) another relevant state agency;

(C) an organization working on a major information resources project; or

(D) a regional [~~network~~] security operations center established under Section 2063.602 [~~2059.202~~].

SECTION 28. Section 2056.002(b), Government Code, is amended to read as follows:

(b) The Legislative Budget Board and the governor's office shall determine the elements required to be included in each agency's strategic plan. Unless modified by the Legislative Budget Board and the governor's office, and except as provided by Subsection (c), a plan must include:

(1) a statement of the mission and goals of the state agency;

(2) a description of the indicators developed under this chapter and used to measure the output and outcome of the agency;

(3) identification of the groups of people served by the agency, including those having service priorities, or other service measures established by law, and estimates of changes in those groups expected during the term of the plan;

(4) an analysis of the use of the agency's resources to meet the agency's needs, including future needs, and an estimate of additional resources that may be necessary to meet future needs;

(5) an analysis of expected changes in the services provided by the agency because of changes in state or federal law;

(6) a description of the means and strategies for meeting the agency's needs, including future needs, and achieving the goals established under Section 2056.006 for each area of state government for which the agency provides services;

(7) a description of the capital improvement needs of the agency during the term of the plan and a statement, if appropriate, of the priority of those needs;

(8) identification of each geographic region of this state, including the Texas-Louisiana border region and the Texas-Mexico border region, served by the agency, and if appropriate the agency's means and strategies for serving each region;

(9) a description of the training of the agency's contract managers under Section 656.052;

(10) an analysis of the agency's expected expenditures that relate to federally owned or operated military installations or facilities, or communities where a federally owned or operated military installation or facility is located;

(11) an analysis of the strategic use of information resources as provided by the instructions prepared under Section 2054.095;

(12) a written certification of the agency's compliance with the cybersecurity training required under Sections 2063.103 [~~2054.5191~~] and 2063.104 [~~2054.5192~~]; and

(13) other information that may be required.

SECTION 29. Section 2059.001, Government Code, is amended by adding Subdivision (1-a) to read as follows:

(1-a) "Command" means the Texas Cyber Command.

SECTION 30. Section 2059.051, Government Code, is amended to read as follows:

Sec. 2059.051. COMMAND [~~DEPARTMENT~~] RESPONSIBLE FOR PROVIDING COMPUTER NETWORK SECURITY SERVICES. The command [~~department~~] shall provide network security services to:

(1) state agencies; and

(2) other entities by agreement as provided by Section 2059.058.

SECTION 31. Section 2059.052, Government Code, is amended to read as follows:

Sec. 2059.052. SERVICES PROVIDED TO INSTITUTIONS OF HIGHER EDUCATION. The command [~~department~~] may provide network security services to an institution of higher education, and may include an institution of higher education in a center, only if and to the extent approved by the Information Technology Council for Higher Education.

SECTION 32. Section 2059.053, Government Code, is amended to read as follows:

Sec. 2059.053. RULES. The command [~~department~~] may adopt rules necessary to implement this chapter.

SECTION 33. Section 2059.054, Government Code, is amended to read as follows:

Sec. 2059.054. OWNERSHIP OR LEASE OF NECESSARY EQUIPMENT. The command [~~department~~] may purchase in accordance with Chapters 2155, 2156, 2157, and 2158 any facilities or equipment necessary to provide network security services to state agencies.

SECTION 34. Section 2059.055(a), Government Code, is amended to read as follows:

(a) Confidential network security information may be released only to officials responsible for the network, law enforcement, the state auditor's office, and agency or elected officials designated by the command [~~department~~].

SECTION 35. Section 2059.056, Government Code, is amended to read as follows:

Sec. 2059.056. RESPONSIBILITY FOR EXTERNAL AND INTERNAL SECURITY THREATS. If the command [~~department~~] provides network security services for a state agency or other entity under this chapter, the command

[department] is responsible for network security from external threats for that agency or entity. Network security management for that state agency or entity regarding internal threats remains the responsibility of that state agency or entity.

SECTION 36. Section 2059.057, Government Code, is amended to read as follows:

Sec. 2059.057. BIENNIAL REPORT. (a) The command [department] shall biennially prepare a report on:

(1) the command's [department's] accomplishment of service objectives and other performance measures under this chapter; and

(2) the status, including the financial performance, of the consolidated network security system provided through the center.

(b) The command [department] shall submit the report to:

(1) the governor;

(2) the lieutenant governor;

(3) the speaker of the house of representatives; and

(4) the state auditor's office.

SECTION 37. Section 2059.058, Government Code, is amended to read as follows:

Sec. 2059.058. AGREEMENT TO PROVIDE NETWORK SECURITY SERVICES TO ENTITIES OTHER THAN STATE AGENCIES. In addition to the command's [department's] duty to provide network security services to state agencies under this chapter, the command [department] by agreement may provide network security services to:

(1) each house of the legislature and a legislative agency;

(2) a local government;

(3) the supreme court, the court of criminal appeals, or a court of appeals;

(4) a public hospital owned or operated by this state or a political subdivision or municipal corporation of this state, including a hospital district or hospital authority;

(5) the Texas Permanent School Fund Corporation;

(6) an open-enrollment charter school, as defined by Section 5.001, Education Code;

(7) a private school, as defined by Section 5.001, Education Code;

(8) a private or independent institution of higher education, as defined by Section 61.003, Education Code;

(9) a volunteer fire department, as defined by Section 152.001, Tax Code; and

(10) an independent organization certified under Section 39.151, Utilities Code, for the ERCOT power region.

SECTION 38. Section 2059.101, Government Code, is amended to read as follows:

Sec. 2059.101. NETWORK SECURITY CENTER. The command [department] shall establish a network security center to provide network security services to state agencies.

SECTION 39. Sections 2059.102(a), (b), and (d), Government Code, are amended to read as follows:

(a) The command [~~department~~] shall manage the operation of network security system services for all state agencies at the center.

(b) The command [~~department~~] shall fulfill the network security requirements of each state agency to the extent practicable. However, the command [~~department~~] shall protect criminal justice and homeland security networks of this state to the fullest extent possible in accordance with federal criminal justice and homeland security network standards.

(d) A state agency may not purchase network security services unless the command [~~department~~] determines that the agency's requirement for network security services cannot be met at a comparable cost through the center. The command [~~department~~] shall develop an efficient process for this determination.

SECTION 40. Sections 2059.103(a), (b), and (d), Government Code, are amended to read as follows:

(a) The command [~~department~~] shall locate the center at a location that has an existing secure and restricted facility, cyber-security infrastructure, available trained workforce, and supportive educational capabilities.

(b) The command [~~department~~] shall control and monitor all entrances and critical areas to prevent unauthorized entry. The command [~~department~~] shall limit access to authorized individuals.

(d) The command [~~department~~] shall restrict operational information to personnel at the center, except as provided by Chapter 321.

SECTION 41. Section 2059.104, Government Code, is amended to read as follows:

Sec. 2059.104. CENTER SERVICES AND SUPPORT. (a) The command [~~department~~] shall provide the following managed security services through the center:

(1) real-time network security monitoring to detect and respond to network security events that may jeopardize this state and the residents of this state, including vulnerability assessment services consisting of a comprehensive security posture assessment, external and internal threat analysis, and penetration testing;

(2) continuous, 24-hour alerts and guidance for defeating network security threats, including firewall preconfiguration, installation, management and monitoring, intelligence gathering, protocol analysis, and user authentication;

(3) immediate incident response to counter network security activity that exposes this state and the residents of this state to risk, including complete intrusion detection systems installation, management, and monitoring and a network operations call center;

(4) development, coordination, and execution of statewide cyber-security operations to isolate, contain, and mitigate the impact of network security incidents at state agencies;

(5) operation of a central authority for all statewide information assurance programs; and

(6) the provision of educational services regarding network security.

(b) The command [~~department~~] may provide:

(1) implementation of best-of-breed information security architecture engineering services, including public key infrastructure development, design, engineering, custom software development, and secure web design; or

(2) certification and accreditation to ensure compliance with the applicable regulatory requirements for cyber-security and information technology risk management, including the use of proprietary tools to automate the assessment and enforcement of compliance.

SECTION 42. Sections 2059.105(a) and (b), Government Code, are amended to read as follows:

(a) The command [~~department~~] shall adopt and provide to all state agencies appropriate network security guidelines and standard operating procedures to ensure efficient operation of the center with a maximum return on investment for the state.

(b) The command [~~department~~] shall revise the standard operating procedures as necessary to confirm network security.

SECTION 43. Section 2059.1055, Government Code, is amended to read as follows:

Sec. 2059.1055. NETWORK SECURITY IN A STATE OF DISASTER. The command [~~department~~] shall disconnect the computer network of an entity receiving security services under this chapter from the Internet if the governor issues an order under Section 418.0195 to disconnect the network because of a substantial external threat to the entity's computer network.

SECTION 44. Section 2059.106, Government Code, is amended to read as follows:

Sec. 2059.106. PRIVATE VENDOR. The command [~~department~~] may contract with a private vendor to build and operate the center and act as an authorized agent to acquire, install, integrate, maintain, configure, and monitor the network security services and security infrastructure elements.

SECTION 45. Section 2059.151, Government Code, is amended to read as follows:

Sec. 2059.151. PAYMENT FOR SERVICES. The department shall develop a system of billings and charges for services provided by the command in operating and administering the network security system that allocates the total state cost to each state agency or other entity served by the system based on proportionate usage.

SECTION 46. Section 2059.152, Government Code, is amended by adding Subsection (d) to read as follows:

(d) The department shall enter into an agreement with the command to transfer funds as necessary for the performance of functions under this chapter.

SECTION 47. Section 2059.153, Government Code, is amended to read as follows:

Sec. 2059.153. GRANTS. The command [~~department~~] may apply for and use for purposes of this chapter the proceeds from grants offered by any federal agency or other source.

SECTION 48. Section 2157.068(d), Government Code, is amended to read as follows:

(d) The department may charge a reasonable administrative fee to a state agency, local government, or governmental entity of another state that purchases commodity items through the department in an amount that is sufficient to recover costs associated with the administration of this section. Revenue derived from the collection of fees imposed under this subsection may be appropriated to the department for:

(1) developing statewide information resources technology policies and planning under Chapter ~~[Chapters]~~ 2054 ~~[and 2059]~~; and

(2) providing shared information resources technology services under Chapter 2054.

SECTION 49. Section 2170.057(a), Government Code, is amended to read as follows:

(a) The department shall develop a system of billings and charges for services provided in operating and administering the consolidated telecommunications system that allocates the total state cost to each entity served by the system based on proportionate usage. The department shall set and charge a fee to each entity that receives services provided under this chapter in an amount sufficient to cover the direct and indirect costs of providing the service. Revenue derived from the collection of fees imposed under this subsection may be appropriated to the department for:

(1) developing statewide information resources technology policies and planning under Chapter ~~[Chapters]~~ 2054 ~~[and 2059]~~; and

(2) providing~~+~~
~~[(A)]~~ shared information resources technology services under Chapter 2054~~[-and~~
~~[(B)] network security services under Chapter 2059]~~.

SECTION 50. The following provisions of the Government Code are repealed:

- (1) Section 2054.059;
- (2) Section 2054.076(b-1);
- (3) Section 2054.511; and
- (4) Section 2054.5181.

SECTION 51. (a) In this section, "department" means the Department of Information Resources.

(b) On the effective date of this Act, the Texas Cyber Command, organized as provided by Section 2063.002, Government Code, as added by this Act, is created with the powers and duties assigned by Chapter 2063, Government Code, as added by this Act, and Chapter 2059, Government Code, as amended by this Act.

(b-1) As soon as practicable on or after the effective date of this Act, the governor shall appoint the chief of the Texas Cyber Command, as described by Section 2063.0025, Government Code, as added by this Act, to a term expiring February 1, 2027.

(c) Notwithstanding Subsection (b) of this section, the department shall continue to perform duties and exercise powers under Chapters 2054 and 2059, Government Code, as that law existed immediately before the effective date of this Act, until the date provided by the memorandum of understanding entered into under Subsection (e) of this section.

(d) Not later than December 31, 2026:

(1) all functions and activities performed by the department that relate to cybersecurity under Chapter 2063, Government Code, as added by this Act, or network security under Chapter 2059, Government Code, as amended by this Act, are transferred to the Texas Cyber Command;

(2) all employees of the department who primarily perform duties related to cybersecurity under Chapter 2063, Government Code, as added by this Act, or network security under Chapter 2059, Government Code, as amended by this Act, become employees of the Texas Cyber Command, but continue to work in the same physical location unless moved in accordance with the memorandum of understanding entered into under Subsection (e) of this section;

(3) a rule or form adopted by the department that relates to cybersecurity under Chapter 2063, Government Code, as added by this Act, or network security under Chapter 2059, Government Code, as amended by this Act, is a rule or form of the Texas Cyber Command and remains in effect until changed by the command;

(4) a reference in law to the department that relates to cybersecurity under Chapter 2063, Government Code, as added by this Act, or network security under Chapter 2059, Government Code, as amended by this Act, means the Texas Cyber Command;

(5) a contract negotiation for a contract specified as provided by Subdivision (7) of this subsection in the memorandum of understanding entered into under Subsection (e) of this section or other proceeding involving the department that is related to cybersecurity under Chapter 2063, Government Code, as added by this Act, or network security under Chapter 2059, Government Code, as amended by this Act, is transferred without change in status to the Texas Cyber Command, and the Texas Cyber Command assumes, without a change in status, the position of the department in a negotiation or proceeding relating to cybersecurity or network security to which the department is a party;

(6) all money, leases, rights, and obligations of the department related to cybersecurity under Chapter 2063, Government Code, as added by this Act, or network security under Chapter 2059, Government Code, as amended by this Act, are transferred to the Texas Cyber Command;

(7) contracts specified as necessary to accomplish the goals and duties of the Texas Cyber Command, as established by Chapter 2063, Government Code, as added by this Act, in the memorandum of understanding entered into under Subsection (e) of this section are transferred to the Texas Cyber Command;

(8) all property, including records, in the custody of the department related to cybersecurity under Chapter 2063, Government Code, as added by this Act, or network security under Chapter 2059, Government Code, as amended by

this Act, becomes property of the Texas Cyber Command, but stays in the same physical location unless moved in accordance with the specific steps and methods created under Subsection (e) of this section; and

(9) all funds appropriated by the legislature to the department for purposes related to cybersecurity under Chapter 2063, Government Code, as added by this Act, or network security under Chapter 2059, Government Code, as amended by this Act, are transferred to the Texas Cyber Command.

(e) Not later than January 1, 2026, the department and Texas Cyber Command shall enter into a memorandum of understanding relating to the transfer of powers and duties from the department to the Texas Cyber Command as provided by this Act. The memorandum must include:

(1) a timetable and specific steps and methods for the transfer of all powers, duties, obligations, rights, contracts, leases, records, real or personal property, and unspent and unobligated appropriations and other funds relating to the administration of the powers and duties as provided by this Act;

(2) measures to ensure against any unnecessary disruption to cybersecurity or network security operations during the transfer process; and

(3) a provision that the terms of any memorandum of understanding entered into related to the transfer remain in effect until the transfer is completed.

SECTION 52. This Act takes effect September 1, 2025.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **CSHB 150** (89R 33580) as follows:

(1) In SECTION 1 of the bill, in added Section 2063.009, Government Code (page 8, lines 20 and 21), strike ", with advice from the department,".

(2) Strike SECTION 10 of the bill (page 26, line 17, through page 28, line 7), and renumber subsequent SECTIONS of the bill accordingly.

(3) In SECTION 43 of the bill, in Section 2059.1055, Government Code (page 61, lines 8 through 13) amend to read as follows:

Sec. 2059.1055. NETWORK SECURITY IN A STATE OF DISASTER. The department, in coordination with the command, shall disconnect the computer network of an entity receiving security services under this chapter from the Internet if the governor issues an order under Section 418.0195 to disconnect the network because of a substantial external threat to the entity's computer network.

(4) In SECTION 51 of the bill, in Subsection (b-1) (page 64, line 6), strike "2063.0025" and substitute "2063.002".

HB 3556 - HOUSE REFUSES TO CONCUR IN SENATE AMENDMENTS CONFERENCE COMMITTEE APPOINTED

Representative Vasut called up with senate amendments for consideration at this time,

HB 3556, A bill to be entitled An Act relating to measures to minimize the impact on migratory birds of structures exceeding a certain height in certain counties containing National Wildlife Refuges and in adjacent counties.

Representative Vasut moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 3556**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 3556**: Vasut, chair; Darby, Howard, Metcalf, and Zwiener.

PROVIDING FOR A CONGRATULATORY AND MEMORIAL CALENDAR

Representative Patterson moved to set a congratulatory and memorial calendar for 10 a.m. Sunday, June 1.

The motion prevailed.

REMARKS ORDERED PRINTED

Representative Lujan moved to print all remarks on **HR 1028**.

The motion prevailed. [The text of the debate was not available at the time of printing.]

REMARKS ORDERED PRINTED

Representative DeAyala moved to print remarks between Representative Capriglione and Representative J. Garcia on **HB 150** with senate amendments.

The motion prevailed. [The text of the debate was not available at the time of printing.]

PROVIDING FOR ADJOURNMENT

At 6:03 p.m., Representative Capriglione moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the signing of bills and resolutions, the receipt of messages, and granting the request of the Senate to appoint conferees, the house adjourn until 12 p.m. tomorrow in memory of Mark Hunter McIntire of Colleyville.

The motion prevailed.

RESOLUTIONS REFERRED TO COMMITTEES

Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List Nos. 1 and 2.)

(Walle in the chair)

HOUSE AT EASE

At 6:06 p.m., the chair announced that the house would stand at ease.

(Vasut in the chair)

The chair called the house to order at 6:07 p.m.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 6).

HOUSE AT EASE

At 6:08 p.m., the chair announced that the house would stand at ease.

(Curry in the chair)

The chair called the house to order at 7 p.m.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 7).

HOUSE AT EASE

At 7 p.m., the chair announced that the house would stand at ease.

Friday, May 30

(Fairly in the chair)

The chair called the house to order at 11:33 a.m. Friday, May 30.

ADJOURNMENT

In accordance with a previous motion, the house, at 11:33 a.m. Friday, May 30, adjourned until 12 p.m. today.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HCR 158 (By Lowe), Commemorating the 80th anniversary of the end of World War II.

To Local and Consent Calendars.

HCR 159 (By Lowe), Commemorating the 190th anniversary of the Battle of Gonzales.

To Local and Consent Calendars.

HCR 160 (By Lowe), Commemorating the 190th anniversary of the Battle of Goliad.

To Local and Consent Calendars.

HCR 161 (By Lowe), Commemorating the 180th anniversary of the admission of Texas into the Union.

To Local and Consent Calendars.

HCR 162 (By Lowe), Commemorating the 190th anniversary of the establishment of the Republic of Texas.

To Local and Consent Calendars.

HCR 163 (By Lowe), Commemorating the 190th anniversary of the Battle of San Jacinto.

To Local and Consent Calendars.

HCR 164 (By Lowe), Commemorating the 190th anniversary of the signing of the Treaties of Velasco.

To Local and Consent Calendars.

HR 1367 (By Lowe), In memory of Doyle Oliver of Watauga.

To Local and Consent Calendars.

HR 1368 (By Paul), Congratulating Caleb Lazarow on his graduation as a member of the Clear Brook High School Class of 2025.

To Local and Consent Calendars.

HR 1369 (By Leo Wilson), Commemorating the 160th anniversary of the first Juneteenth celebration and extending best wishes to the people of Galveston as they observe the holiday.

To Local and Consent Calendars.

HR 1370 (By Leo Wilson), Congratulating Jessica Scheer on graduating as a member of the Texas Partners in Policymaking Class of 2025.

To Local and Consent Calendars.

HR 1371 (By M. González), Posthumously paying tribute to the military service of U.S. Army Private First Class Willie Munoz of Clint.

To Local and Consent Calendars.

HR 1372 (By M. González), Posthumously paying tribute to the military service of U.S. Marine Corps Sergeant Alex Fierro of Clint.

To Local and Consent Calendars.

HR 1373 (By M. González), Posthumously paying tribute to the military service of U.S. Army Master Sergeant (Ret.) Lawrence Fitzpatrick of Clint.

To Local and Consent Calendars.

HR 1374 (By M. González), Posthumously paying tribute to the military service of U.S. Army veteran Lorissa Gonzales of Clint.

To Local and Consent Calendars.

HR 1375 (By M. González), Posthumously paying tribute to the military service of U.S. Army veteran Raul Ontiveros of Clint.

To Local and Consent Calendars.

HR 1376 (By M. González), Posthumously paying tribute to the military service of U.S. Army Sergeant Eduardo F. Apodaca of San Elizario.

To Local and Consent Calendars.

HR 1377 (By M. González), Posthumously paying tribute to the military service of U.S. Army Specialist Roberto Avila of San Elizario.

To Local and Consent Calendars.

HR 1378 (By M. González), Posthumously paying tribute to the military service of U.S. Air Force Senior Master Sergeant (Ret.) Ruben Rey Jr. of San Elizario.

To Local and Consent Calendars.

HR 1379 (By M. González), Posthumously paying tribute to the military service of U.S. Army Corporal Richard N. Sambrano of San Elizario.

To Local and Consent Calendars.

HR 1380 (By Bucy), Commemorating the 20th anniversary of Loewy Law Firm.

To Local and Consent Calendars.

HR 1381 (By Bucy), Commemorating the fourth annual Round Rock Pride Festival.

To Local and Consent Calendars.

HR 1382 (By Flores), In memory of Aaron Scott Rendon.

To Local and Consent Calendars.

HR 1383 (By Anchía), Congratulating the recipients of the 2024-2025 Educator of the Year awards presented by the Dallas Education Foundation.

To Local and Consent Calendars.

HR 1384 (By Bucy), Commemorating the 10th anniversary of Red Horn Coffee House and Brewing Company in Cedar Park.

To Local and Consent Calendars.

HR 1385 (By Moody), Congratulating Morris Pittle for his success as the owner of JewBoy Burgers in Austin.

To Local and Consent Calendars.

HR 1386 (By Bucy), Commemorating the opening of Don't Tell Mama Tattoo in Cedar Park.

To Local and Consent Calendars.

HR 1387 (By V. Jones), Commending Tyhler Nelson for his service as a legislative aide in the office of State Representative Venton Jones.

To Local and Consent Calendars.

HR 1388 (By V. Jones), Commending Isabella Contreras for her service as a legislative aide in the office of State Representative Venton Jones.

To Local and Consent Calendars.

HR 1389 (By V. Jones), Commending Alex Elsworth for his service as a legislative aide in the office of State Representative Venton Jones.

To Local and Consent Calendars.

HR 1390 (By V. Jones), Commending Ryan M. Garcia for his service as chief of staff in the office of State Representative Venton Jones.

To Local and Consent Calendars.

HR 1391 (By Louderback), In memory of Osmond Bernard Scott of Ganado.

To Local and Consent Calendars.

HR 1392 (By V. Jones), Commending Kevin Sean Roberts for his service as legislative director in the office of State Representative Venton Jones.

To Local and Consent Calendars.

HR 1393 (By Noble), Congratulating Susie Ray Northington on her 100th birthday.

To Local and Consent Calendars.

HR 1395 (By Buckley), In memory of Captain Marvin Hampton Taylor III of the Killeen Fire Department.

To Local and Consent Calendars.

HR 1396 (By Buckley), Congratulating Robert Hoxworth of First National Bank Texas in Killeen on his induction into the Texas Bankers Hall of Fame.

To Local and Consent Calendars.

HR 1397 (By J. González), Commending Joanna Contreras for her service as legislative director in the office of State Representative Jessica González during the 89th Legislative Session.

To Local and Consent Calendars.

HR 1398 (By J. González), Commending Desirae Garcia for her service as legislative aide in the office of State Representative Jessica González and as director of the Texas House LGBTQ Caucus.

To Local and Consent Calendars.

HR 1399 (By J. González), Commending Yanet Andablo for her service as legislative aide in the office of State Representative Jessica González.

To Local and Consent Calendars.

HR 1400 (By J. González), Commending Charles Birk Wilkison for his service as chief of staff in the office of State Representative Jessica González.

To Local and Consent Calendars.

HR 1401 (By J. González), Recognizing June 26, 2025, as Marriage Equality Day.

To Local and Consent Calendars.

HR 1402 (By Ashby, Lujan, Button, and Bhojani), Commending the members of the inaugural cohort of The University of Texas System Texas Legislative Fellowship Program for their service during the 89th Legislative Session.

To Local and Consent Calendars.

HR 1403 (By Martinez Fischer), Commending Claudia Salinas for her service as engagement director and policy advisor in the office of State Representative Trey Martinez Fischer.

To Local and Consent Calendars.

HR 1404 (By Martinez Fischer), Commending Madison Alvarez for her service as a policy advisor in the office of State Representative Trey Martinez Fischer.

To Local and Consent Calendars.

HR 1405 (By Martinez Fischer), Commending Ali S. Zaidi for his service as chief strategist of the House Democratic Caucus during the 88th Legislature.

To Local and Consent Calendars.

HR 1406 (By Martinez Fischer), Commending Katya Ehresman for her service as executive director of the House Democratic Caucus during the 88th Legislature.

To Local and Consent Calendars.

HR 1407 (By Martinez Fischer), Commending Cynthia Van Maanen for her service as chief of staff in the office of State Representative Trey Martinez Fischer.

To Local and Consent Calendars.

HR 1408 (By Martinez Fischer), Congratulating Riley Church on becoming the communications director in the office of State Representative Trey Martinez Fischer.

To Local and Consent Calendars.

HR 1409 (By Martinez Fischer), Commending Scott Poole for his service as a legislative aide in the office of State Representative Trey Martinez Fischer.

To Local and Consent Calendars.

HR 1410 (By Martinez Fischer), Commending Kiera Dixon on her service as a legislative aide in the office of State Representative Trey Martinez Fischer.

To Local and Consent Calendars.

HR 1411 (By Martinez Fischer), Commending Diego Antonio López for his service as a legislative aide in the office of State Representative Trey Martinez Fischer.

To Local and Consent Calendars.

HR 1412 (By Martinez Fischer), Commending Sarah Batson for her service as a legislative aide in the office of State Representative Trey Martinez Fischer.

To Local and Consent Calendars.

HR 1413 (By Gerdes), Congratulating Michael Taaffe for his achievements as a member of The University of Texas at Austin football team.

To Local and Consent Calendars.

HR 1414 (By Smithee), Congratulating Sarah Hininger of Hartley Fire & EMS on being named the 2025 EMS Provider of the Year by the Panhandle Firemen's and Fire Marshals' Association.

To Local and Consent Calendars.

HR 1415 (By Smithee), Congratulating Assistant Chief Tommy Chisum of the Dalhart Volunteer Fire Department on being named the 2025 Firefighter of the Year by the Panhandle Firemen's & Fire Marshal's Association.

To Local and Consent Calendars.

HR 1417 (By V. Jones), Congratulating Maxie Johnson on his election to the Dallas City Council.

To Local and Consent Calendars.

HR 1418 (By V. Jones), Congratulating Laura Cadena on her election to the Dallas City Council.

To Local and Consent Calendars.

HR 1419 (By V. Jones), Congratulating the Honorable Prisma Y. Garcia on her election to the Dallas ISD Board of Trustees.

To Local and Consent Calendars.

HR 1420 (By V. Jones), Congratulating the Honorable Byron Sanders on his election to the Dallas ISD Board of Trustees.

To Local and Consent Calendars.

HR 1421 (By Smithee), Congratulating the Randall High School girls' soccer team on winning the 2025 UIL 4A Division 2 state championship.

To Local and Consent Calendars.

HR 1422 (By Bucy), Commending Bat Conservation International for its contributions.

To Local and Consent Calendars.

HR 1424 (By Guillen), Commending Randall Treviño Jr. for his service as a constituent services advisor in the office of State Representative Ryan Guillen.

To Local and Consent Calendars.

HR 1425 (By Leach), Congratulating Officer Dominique Akins of the Allen Police Department on his receipt of a 2025 State of Texas Law Enforcement Achievement Award for Valor.

To Local and Consent Calendars.

HR 1426 (By Leo Wilson), Commemorating the dedication of the Jocelyn Nungaray National Wildlife Refuge.

To Local and Consent Calendars.

HR 1427 (By V. Jones), Congratulating Adam Bazaldua on his reelection to the Dallas City Council.

To Local and Consent Calendars.

HR 1428 (By V. Jones), Congratulating Paul E. Ridley on his reelection to the Dallas City Council.

To Local and Consent Calendars.

HR 1429 (By V. Jones), Congratulating Gay Donnell Willis on her reelection to the Dallas City Council.

To Local and Consent Calendars.

HR 1430 (By V. Jones), Congratulating Cara Mendelsohn on her reelection to the Dallas City Council.

To Local and Consent Calendars.

HR 1431 (By V. Jones), Congratulating Kathy Stewart on her reelection to the Dallas City Council.

To Local and Consent Calendars.

HR 1432 (By V. Jones), Congratulating Paula Blackmon on her reelection to the Dallas City Council.

To Local and Consent Calendars.

HR 1433 (By V. Jones), Congratulating Jaime Resendez on his reelection to the Dallas City Council.

To Local and Consent Calendars.

HR 1434 (By V. Jones), Congratulating Zarin D. Gracey on his reelection to the Dallas City Council.

To Local and Consent Calendars.

HR 1435 (By V. Jones), Congratulating Jesse Moreno on his reelection to the Dallas City Council.

To Local and Consent Calendars.

HR 1436 (By V. Jones), Congratulating Chad West on his reelection to the Dallas City Council.

To Local and Consent Calendars.

HR 1437 (By Muñoz), In memory of Pedro "Pete" Guajardo Jr. of Mission.

To Local and Consent Calendars.

HR 1438 (By V. Perez), Recognizing Andrew Joseph Perez for the creation of the Nuestra Señora de Guadalupe mural in El Paso.

To Local and Consent Calendars.

HR 1439 (By Bucy), Commemorating the 35th anniversary of OutYouth in Austin.

To Local and Consent Calendars.

HR 1440 (By Lozano), Congratulating Dr. Jose Manuel Lozano of Falfurrias on his retirement.

To Local and Consent Calendars.

HR 1441 (By Lozano), Congratulating Jorge Antonio Borrego and Alexandria Cisneros Borrego of San Antonio on the birth of their son, Jett.

To Local and Consent Calendars.

HR 1442 (By Bucy), Commemorating the 20th anniversary of Heritage Boot Company in Austin.

To Local and Consent Calendars.

HR 1443 (By Bucy), Honoring Round Rock El Amistad Club.

To Local and Consent Calendars.

HR 1444 (By Bucy), Commemorating the 10th anniversary of the Día de Los Muertos performances by Round Rock Ballet Folklórico.

To Local and Consent Calendars.

HR 1445 (By Bucy), Commemorating the 40th anniversary of the Round Rock Community Choir.

To Local and Consent Calendars.

HR 1447 (By Shofner), Commending Emme Hocker for her service as a legislative intern in the office of State Representative Joanne Shofner.

To Local and Consent Calendars.

HR 1448 (By Shofner), Commending Sydney Shifflett for her service as a legislative intern in the office of State Representative Joanne Shofner.

To Local and Consent Calendars.

HR 1449 (By Shofner), Commending Garrett Strittmatter for his service as a policy analyst in the office of State Representative Joanne Shofner.

To Local and Consent Calendars.

HR 1450 (By Schofield), Congratulating Jahkil Jackson on receiving the Legacy Beyond a Lifetime Award from the Wise Up to Rise Up Foundation.

To Local and Consent Calendars.

HR 1451 (By Darby), In memory of Ronald Edward Shifflett of Burton.

To Local and Consent Calendars.

HR 1452 (By J. Lopez), Commending Daniel Luo for his service as a legislative intern in the office of State Representative Janie Lopez.

To Local and Consent Calendars.

HR 1453 (By J. Lopez), Commending Krysta Balderas Herrera for her service as a legislative intern in the office of State Representative Janie Lopez.

To Local and Consent Calendars.

HR 1454 (By J. Lopez), Commending Samantha Sandoval for her service as a legislative intern in the office of State Representative Janie Lopez.

To Local and Consent Calendars.

HR 1455 (By J. Lopez), Commending Ramon Santos Jr. for his service as a legislative intern in the office of State Representative Janie Lopez.

To Local and Consent Calendars.

HR 1456 (By J. Lopez), Commending Isabelle Dabideen for her service as a legislative intern in the office of State Representative Janie Lopez.

To Local and Consent Calendars.

HR 1457 (By Shaheen), In memory of Richard Dennis Worrell of Plano.

To Local and Consent Calendars.

HR 1458 (By Buckley), Congratulating Dirk Aaron on his retirement as general manager of the Clearwater Underground Water Conservation District.

To Local and Consent Calendars.

HR 1459 (By Darby), Commemorating the 25th season of the Austin Symphony Orchestra's Be at the Symphony (BATS) program.

To Local and Consent Calendars.

HR 1460 (By Landgraf), Commemorating the 50th anniversary of The Energy Council.

To Local and Consent Calendars.

HR 1461 (By Shofner), Congratulating Maggie Simmons and Morgan Register on their wedding on August 10, 2024.

To Local and Consent Calendars.

HR 1462 (By Tepper), Commending State Representative Tom Craddick and Nadine Craddick for their contributions to the physician assistant profession and health care education.

To Local and Consent Calendars.

HR 1463 (By Schofield), Congratulating Marquis Hill on receiving a Legacy Beyond a Lifetime Award from the Wise Up to Rise Up Foundation.

To Local and Consent Calendars.

List No. 2

HCR 165 (By Hunter), Designating Fulton as the official Oyster Capital of Texas for a 10-year period ending in 2035.

To Culture, Recreation, and Tourism.

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Thursday, May 29, 2025

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 14

Harris

SPONSOR: Schwertner

Relating to support for the development of the nuclear energy industry.

(Committee Substitute/Amended)

HB 40

Landgraf

SPONSOR: Hughes

Relating to the business court.

(Committee Substitute/Amended)

HB 117 Schoolcraft SPONSOR: Campbell
Relating to the establishment of the governor's task force on the governance of early childhood education and care.
(Amended)

HB 121 King SPONSOR: Nichols
Relating to measures for ensuring public school safety, including the commissioning of peace officers by the Texas Education Agency, the composition of the board of directors of the Texas School Safety Center, public school safety and security requirements and resources, and the reporting of child abuse or neglect by public school employees.
(Amended)

HB 426 Bernal SPONSOR: West
Relating to Medicaid and child health plan program coverage and reimbursement for childhood cranial remolding orthosis.

HB 500 Bonnen SPONSOR: Huffman
Relating to making supplemental appropriations and reductions in appropriations and giving direction and adjustment authority regarding appropriations.
(Committee Substitute/Amended)

HB 541 Shaheen SPONSOR: Zaffirini
Relating to the provision of direct patient care by physicians and health care practitioners.

HB 713 Howard SPONSOR: Cook
Relating to an exception to certain reporting requirements for health care providers reviewing selected cases for the Texas Maternal Mortality and Morbidity Review Committee.

HB 1052 Bhojani SPONSOR: Blanco
Relating to health benefit plan coverage of telemedicine, teledentistry, and telehealth appointments with an originating site or distant site located outside this state.

HB 1240 Guillen SPONSOR: Hinojosa, Adam
Relating to certain governmental operations affecting the border region.

HB 1532 Cunningham SPONSOR: Creighton
Relating to the creation of the Lake Houston Dredging and Maintenance District; providing the authority to issue bonds.

HB 1545 Bell, Keith SPONSOR: Parker
Relating to the sunset review process and certain governmental entities subject to that process.
(Committee Substitute)

HB 2217 Wharton SPONSOR: Hagenbuch
Relating to establishing a grant program to equip motor vehicles used by peace officers with certain bullet-resistant components.

HB 2488 Bell, Keith SPONSOR: Alvarado

Relating to conducting certain contested case hearings under the Texas workers' compensation system by remote communication.

HB 2517

Barry

SPONSOR: Hinojosa,
Adam

Relating to the applicability of premium and maintenance taxes to the Texas Windstorm Insurance Association and Texas FAIR Plan Association.

HB 2655

Oliverson

SPONSOR: Hinojosa,
Juan "Chuy"

Relating to operation by certain nonprofit organizations of certain regional health care programs for employees of small employers.

HB 2757

Frank

SPONSOR: Hagenbuch

Relating to a public school policy for establishing age for purposes of admission into the school for certain children of foreign military members.

HB 2963

Capriglione

SPONSOR: Hall

Relating to diagnosis, maintenance, and repair of certain digital electronic equipment.

(Committee Substitute/Amended)

HB 3073

Howard

SPONSOR: Paxton

Relating to the prosecution of the offense of sexual assault.

(Committee Substitute)

HB 3697

Cortez

SPONSOR: Zaffirini

Relating to the text on an application for a ballot to be voted by mail and other balloting materials.

(Committee Substitute/Amended)

HB 4099

Harris Davila

SPONSOR: Perry

Relating to the treatment of a patient by a physical therapist without a referral.

HB 4134

Lujan

SPONSOR: Menéndez

Relating to a convenience fee for processing electronic payments for motor vehicles.

HB 4144

Turner

SPONSOR: Middleton

Relating to supplemental benefits for retired firefighters and peace officers diagnosed with certain diseases or illnesses.

(Amended)

HB 4158

Louderback

SPONSOR: Huffman

Relating to the compensation of the directors of the Texana Groundwater Conservation District.

HB 4236

Martinez Fischer

SPONSOR: Bettencourt

Relating to the creation of a study group to evaluate the school district property value study conducted by the comptroller of public accounts.

(Committee Substitute)

HB 4285

McQueeney

SPONSOR: Parker

Relating to the storage of alcoholic beverages by the holder of a passenger transportation permit.

HB 4535 McQueeney SPONSOR: Hancock
Relating to COVID-19 vaccine administration requirements.

HB 4848 Harris Davila SPONSOR: Hinojosa,
Adam

Relating to requiring that competency-based baccalaureate degree programs be offered at certain public institutions of higher education.

HB 5435 Bell, Keith SPONSOR: Nichols
Relating to required lease terms for public property leased to a nongovernmental entity.

HB 5437 Kitman SPONSOR: Kolkhorst
Relating to the validation of the creation of and certain acts of the Austin County Municipal Utility District No. 1.

HB 5509 Bumgarner SPONSOR: Paxton
Relating to the suspension or revocation of a hotel's certificate of occupancy by a municipality for suspected human trafficking.
(Committee Substitute)

HB 5646 Wilson SPONSOR: Hall
Relating to resident tuition rates and fees at public institutions of higher education for certain students in military-related programs.
(Amended)

HB 5666 Oliverson SPONSOR: Bettencourt
Relating to the creation of the Fenske Road Municipal Utility District of Harris County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
(Committee Substitute)

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SB 10 (21 Yeas, 10 Nays)

SB 22 (23 Yeas, 8 Nays)

SB 25 (31 Yeas, 0 Nays)

SB 34 (31 Yeas, 0 Nays)

SB 36 (28 Yeas, 3 Nays)

SB 38 (23 Yeas, 8 Nays)

SB 261 (27 Yeas, 4 Nays)

SB 777 (31 Yeas, 0 Nays)

SB 924 (24 Yeas, 7 Nays)

SB 1188	(23 Yeas, 8 Nays)
SB 1318	(31 Yeas, 0 Nays)
SB 1333	(27 Yeas, 4 Nays)
SB 1398	(31 Yeas, 0 Nays)
SB 1448	(31 Yeas, 0 Nays)
SB 1621	(30 Yeas, 1 Nay)
SB 1862	(31 Yeas, 0 Nays)
SB 2405	(31 Yeas, 0 Nays)
SB 2406	(31 Yeas, 0 Nays)
SJR 59	(29 Yeas, 2 Nays)

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, May 29, 2025 - 2

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:
LOCAL AND UNCONTESTED CALENDAR

HB 101	Guillen	SPONSOR: King
Relating to creating the Texas State Guard Professionalization Task Force.		

HB 119	Gerdes	SPONSOR: Hughes
Relating to the applicability of lobbyist registration requirements to persons engaged in certain foreign transactions or lobbying activities on behalf of a foreign adversary and to prohibitions on the receipt of compensation related to those lobbying activities; providing a civil penalty. (Committee Substitute)		

HB 227 Vasut SPONSOR: Middleton
Relating to the designation of a portion of Farm-to-Market Road 521 in Brazoria County as the Clarence "BB" Sasser Medal of Honor Highway.

HB 252 Walle SPONSOR: Hughes
Relating to the payment of employment compensation by certain state agencies.
(Committee Substitute)

HB 346 Harris Davila SPONSOR: King
Relating to the fee amounts prescribed by the secretary of state for expedited commercial and business record searches or filings and the exemption from the franchise tax and certain filing fees for veteran-owned businesses.
(Committee Substitute)

HB 654 Leo Wilson SPONSOR: Creighton
Relating to the dismissal of a criminal charge related to the illegal hunting of certain deer; authorizing fees.

HB 718 Bell, Cecil SPONSOR: Parker
Relating to prohibiting a public institution of higher education from partnering with certain private entities for the construction of a student housing facility.
(Committee Substitute)

HB 721 Leo Wilson SPONSOR: Middleton
Relating to the applicability of certain laws requiring health care cost disclosures by health benefit plan issuers and administrators.

HB 824 Jones, Jolanda SPONSOR: Middleton
Relating to the inclusion of civics instruction in public school government curriculum requirements for high school students.

HB 1306 Landgraf SPONSOR: Sparks
Relating to certain claims for benefits or compensation by a death investigation professional.

HB 1629 Landgraf SPONSOR: Zaffirini
Relating to fireworks sales to the public by retail fireworks permit holders in certain counties.

HB 1868 Leo Wilson SPONSOR: Zaffirini
Relating to a study on changes to performance tier funding for dual credit or dual enrollment courses under the public junior college state finance program and the capacity of the state's workforce to teach dual credit or dual enrollment courses.

HB 1960 Lopez, Janie SPONSOR: Hinojosa, Adam
Relating to the designation of a portion of State Highway 345 in San Benito as the Lieutenant Milton Resendez Memorial Highway.

HB 1973 Cook SPONSOR: Zaffirini
Relating to proof of the identity of a child's parents in a suit affecting the parent-child relationship.
(Committee Substitute)

HB 2012 Bell, Cecil SPONSOR: Creighton

Relating to regulation by certain counties of roadside or parking lot vendors and solicitors.

HB 2035 Oliverson SPONSOR: Sparks

Relating to notice provided by a chemical dependency treatment facility to the parent, managing conservator, or guardian of a minor refused admission to the facility.

HB 2037 Darby SPONSOR: Middleton

Relating to repairs made pursuant to a residential or manufactured home tenant's notice of intent to repair and the provision of notice regarding a residential or manufactured home tenant's security deposit.

HB 2213 Johnson SPONSOR: Middleton

Relating to the composition of the board of directors of the Texas Windstorm Insurance Association.

HB 2348 Capriglione SPONSOR: Hagenbuch

Relating to the video recording of a deposition taken of the testimony of certain elderly or disabled persons in a criminal case.

HB 2520 Johnson SPONSOR: Middleton

Relating to the open meetings law.

HB 2598 Button SPONSOR: Zaffirini

Relating to a school psychologist licensed under the Occupations Code.

HB 2686 Dean SPONSOR: King

Relating to the registration of frac tanks; authorizing a fee.

HB 2694 Vasut SPONSOR: Middleton

Relating to the election and resignation of and filling of vacancies on the board of commissioners of the Brazoria Drainage District No. 4.

HB 2820 Louderback SPONSOR: Hinojosa, Adam

Relating to the maximum amount of operating capital retained in a licensed authorized organization's charitable bingo account.

HB 3005 Gervin-Hawkins SPONSOR: Campbell

Relating to the payment of funds under certain construction contracts.

HB 3092 Gerdes SPONSOR: Schwertner

Relating to a certificate of public convenience and necessity to construct an electric transmission line.

HB 3112 Tepper SPONSOR: Perry

Relating to the application of the open meetings law and public information law to government information related to certain cybersecurity measures.

HB 3185 Metcalf SPONSOR: Creighton

Relating to investigations of certain cybercrimes.

HB 3333 Morales, Eddie SPONSOR: Blanco

Relating to a restriction on permits authorizing direct discharges of waste or pollutants into water in certain river segments and drainage areas.

(Committee Substitute)

HB 3388 Paul SPONSOR: Middleton
Relating to group property and casualty insurance policies.

HB 3516 Dyson SPONSOR: Johnson
Relating to the availability of certain working papers and electronic communications of certain administrative law judges and technical examiners under the public information law.

HB 3546 Martinez SPONSOR: Hughes
Relating to the authority of an independent school district to change the date of the general election for officers.

HB 3619 Dean SPONSOR: Zaffirini
Relating to the rights and liabilities of the owner of the surface estate of the tract of land on which a well to be plugged or replugged by the Railroad Commission of Texas is located.

(Committee Substitute)

HB 3623 McQueeney SPONSOR: Zaffirini
Relating to the manner of solicitation of bids for certain purchases by the comptroller of public accounts and state agencies.

HB 3629 Noble SPONSOR: Zaffirini
Relating to prohibiting a person required to register as a sex offender from serving as a member of the board of trustees of an independent school district.

HB 3642 Hefner SPONSOR: Hughes
Relating to the designation of portions of the state highway system as memorial highways and bridges and to certain memorial markers and designations on certain highways.

(Committee Substitute)

HB 3686 Harless SPONSOR: Parker
Relating to the information included on an identification card issued to certain retired peace and law enforcement officers.

HB 3815 Orr SPONSOR: Schwertner
Relating to issuance of specialty license plates for certain United States Army Rangers.

HB 3848 Hernandez SPONSOR: Blanco
Relating to the electronic submission of inspection reports and filing fees for the inspection of elevators, escalators, and related equipment.

(Committee Substitute)

HB 3909 Hickland SPONSOR: Zaffirini
Relating to the use of a wireless communication device at a polling place.

(Committee Substitute)

HB 4081 Vasut SPONSOR: Hughes
Relating to the sealing of certain documents alleged to contain trade secrets.

(Committee Substitute)

HB 4145 Dyson SPONSOR: Hughes

Relating to the timely billing of health care services related to a personal injury claim.

HB 4170

Hayes

SPONSOR: Hughes

Relating to venue in certain actions involving private transfer fees for real property.

HB 4202

Swanson

SPONSOR: Zaffirini

Relating to proof of identity of a person making an acknowledgment of a written instrument.

HB 4214

Curry

SPONSOR: Middleton

Relating to public access to the mailing address and electronic mail address designated by a governmental body to receive a request for public information under the public information law.

HB 4350

Capriglione

SPONSOR: Zaffirini

Relating to the omission or redaction of certain personal information from certain real property records.

HB 4361

Ward Johnson

SPONSOR: Zaffirini

Relating to establishing policies regarding the timely issuance of emergency notifications at public institutions of higher education.

HB 4463

VanDeaver

SPONSOR: Parker

Relating to authorized activities of a brewer's or nonresident brewer's license holder; authorizing a fee increase.

HB 4464

González, Mary

SPONSOR: Schwertner

Relating to the provision of workers' compensation insurance coverage for certain Texas Task Force 1 members and intrastate fire mutual aid system team and regional incident management team members, including the removal of coverage for nongovernment members.

(Committee Substitute)

HB 4466

Hickland

SPONSOR: Zaffirini

Relating to restrictions on the fee assessed for issuance of certain birth records.

HB 4559

Olcott

SPONSOR: Zaffirini

Relating to the repeal of an unused definition and a chapter heading formerly regulating membership dues.

HB 4630

Kitzman

SPONSOR: Perry

Relating to the regulation of artesian water wells by the Texas Commission on Environmental Quality.

HB 4765

Phelan

SPONSOR: Zaffirini

Relating to the regulation of code enforcement officers and code enforcement officers in training.

HB 4894

Flores

SPONSOR: Zaffirini

Relating to the boundaries of, and validating certain acts and proceedings of, the Creedmoor Municipal Utility District.

HB 4904

Guillen

SPONSOR: Zaffirini

Relating to civil liability of property owners relating to motorcycle instruction and training courses.

HB 4995

Wilson

SPONSOR: Schwertner

Relating to the carrying of handguns by tactical medical professionals while on duty providing support to tactical units of law enforcement agencies.

HB 5196

Capriglione

SPONSOR: King

Relating to telework for state employees.

HB 5320

Guillen

SPONSOR: Zaffirini

Relating to the powers, duties, and governance of the Starr County Drainage District, the change of the name of the Starr County Drainage District to the Starr County Drainage and Groundwater Conservation District, the dissolution of the Starr County Groundwater Conservation District, and the transfer of the assets and liabilities of the Starr County Groundwater Conservation District to the Starr County Drainage and Groundwater Conservation District; authorizing the imposition of a tax.

HB 5624

Buckley

SPONSOR: Perry

Relating to the liability of a motorized off-road vehicle entity for injuries arising from certain activities.

(Committee Substitute)

HB 5650

Flores

SPONSOR: Zaffirini

Relating to the creation of the Travis County Municipal Utility District No. 40; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 5651

Metcalf

SPONSOR: Creighton

Relating to the creation of the Montgomery County Water Control and Improvement District No. 7; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 5652

Metcalf

SPONSOR: Creighton

Relating to the creation of the Montgomery County Municipal Utility District No. 258; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 5654

Metcalf

SPONSOR: Kolkhorst

Relating to the creation of the Montgomery County Municipal Utility District No. 263; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 5655

Gates

SPONSOR: Kolkhorst

Relating to the creation of the Fort Bend County Water Control and Improvement District No. 13; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 5656

Lalani

SPONSOR: Kolkhorst

Relating to the creation of the Fort Bend County Municipal Utility District No. 263; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 5658

Patterson

SPONSOR: Hagenbuch

Relating to the creation of the Craver Ranch Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments and fees; granting a limited power of eminent domain.

(Committee Substitute)

HB 5661

Gates

SPONSOR: Huffman

Relating to the creation of the Fort Bend County Municipal Utility District No. 286; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 5662

Gates

SPONSOR: Kolkhorst

Relating to the powers, duties, and authority to issue bonds of the Fort Bend County Water Control and Improvement District No. 12 related to roads.

HB 5664

Hefner

SPONSOR: Hughes

Relating to the operation of Wood County Central Hospital District of Wood County, Texas.

HB 5665

Kitzman

SPONSOR: Kolkhorst

Relating to the creation of the Waller County Municipal Utility District No. 70; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 5670

Holt

SPONSOR: Creighton

Relating to the creation of the Montgomery County Municipal Utility District No. 259; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 5672

Zwiener

SPONSOR: Campbell

Relating to the boundaries of, and validating certain acts and proceedings of, the Driftwood Conservation District.

HB 5674

Wilson

SPONSOR: Flores

Relating to the creation of the River Ranch Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 5677

Cole

SPONSOR: Zaffirini

Relating to the creation of the Pura Vida Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes; granting a limited power of eminent domain.

(Committee Substitute)

HB 5679

Geren

SPONSOR: Hagenbuch

Relating to the creation of the Hills of Walnut Creek Municipal Utility District of Parker County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 5682

Richardson

SPONSOR: Paxton

Relating to the creation of the Colmena Ranch Municipal Management District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments and fees.

(Committee Substitute)

HB 5695

Gerdes

SPONSOR: Schwertner

Relating to the creation of the Sayers Ranch Municipal Utility District; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 5698

Bell, Cecil

SPONSOR: Creighton

Relating to the name of and appointment of directors for the Harris-Montgomery Counties Management District.

HCR 46

Bumgarner

SPONSOR: Parker

Designating January 12 as Nathan Gage Ingram Day for a 10-year period ending in 2035.

HCR 76

Louderback

SPONSOR: Hinojosa,
Adam

Urging the federal government to curb the mass importation of foreign shrimp into the United States.

HCR 81

Shofner

SPONSOR: Nichols

Designating Milam as the official Gateway Capital of Texas for a 10-year period ending in 2035.

HCR 83

Shofner

SPONSOR: Hughes

Designating Rusk County as the official Syrup Capital of Texas for a 10-year period ending in 2035.

HCR 84

Shofner

SPONSOR: Nichols

Designating Pineland as the official Sawmill Capital of Texas for a 10-year period ending in 2035.

(Committee Substitute)

HCR 111

Lopez, Janie

SPONSOR: Hinojosa,
Adam

Designating Combes as the official Bee Capital of Texas for a 10-year period ending in 2035.

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Thursday, May 29, 2025 - 3

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SB 4 (31 Yeas, 0 Nays)

SB 23 (30 Yeas, 1 Nay)

THE SENATE HAS REFUSED TO CONCUR IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

SB 13

Senate Conferees: Paxton - Chair/Bettencourt/Blanco/Creighton/Parker

SB 15

Senate Conferees: Bettencourt - Chair/Creighton/Middleton/Paxton/West

SB 30

Senate Conferees: Schwertner - Chair/Hagenbuch/Huffman/Hughes/Middleton

SB 268

Senate Conferees: Perry - Chair/Cook/Hall/Kolkhorst/Sparks

SB 331

Senate Conferees: Kolkhorst - Chair/Blanco/Hall/Hancock/Perry

SB 447

Senate Conferees: Hinojosa, Juan "Chuy" - Chair/Birdwell/Hughes/Johnson/Perry

SB 457

Senate Conferees: Kolkhorst - Chair/Blanco/Campbell/Hughes/Sparks

SB 763

Senate Conferees: Alvarado - Chair/Birdwell/Flores/King/Miles

SB 1610

Senate Conferees: Perry - Chair/Flores/Hinojosa, Juan "Chuy"/Huffman/King

SB 2337

Senate Conferees: Hughes - Chair/Bettencourt/Birdwell/Hinojosa, Adam/Hinojosa, Juan "Chuy"

SB 2753

Senate Conferees: Hall - Chair/Hagenbuch/Hinojosa, Adam/Hughes/Paxton

SB 3059

Senate Conferees: Campbell - Chair/Hancock/Huffman/Parker/Schwertner

Respectfully,

Patsy Spaw
Secretary of the Senate

Message No. 4

MESSAGE FROM THE SENATE
SENATE CHAMBER

Austin, Texas
Thursday, May 29, 2025 - 4

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS REFUSED TO CONCUR IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

SB 650

Senate Conferees: West - Chair/Flores/Hall/Menéndez/Perry

SB 1660

Senate Conferees: Huffman - Chair/Campbell/Flores/Hinojosa, Juan "Chuy"/Nichols

SB 2018

Senate Conferees: Paxton - Chair/Hinojosa, Adam/Hinojosa, Juan "Chuy"/Hughes/Sparks

SB 2024

Senate Conferees: Perry - Chair/Bettencourt/Hancock/Hinojosa, Juan "Chuy"/Huffman

SB 2217

Senate Conferees: Hughes - Chair/Bettencourt/Birdwell/Hall/Hinojosa, Juan "Chuy"

SB 2900

Senate Conferees: Kolkhorst - Chair/Campbell/Nichols/Perry/Zaffirini

THE SENATE HAS GRANTED THE REQUEST OF THE HOUSE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

HB 145

Senate Conferees: Schwertner - Chair/Campbell/Johnson/King/Kolkhorst

HB 493

Senate Conferees: Hughes - Chair/Bettencourt/Birdwell/Johnson/Parker

HB 2974

Senate Conferees: King - Chair/Alvarado/Parker/Perry/Sparks

HB 3071

Senate Conferees: Hancock - Chair/Alvarado/Birdwell/Flores/Hughes

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 5

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Thursday, May 29, 2025 - 5

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 20

Gates

SPONSOR: Schwertner

Relating to establishing the Applied Sciences Pathway program.
(Amended)

HB 2594

Metcalf

SPONSOR: Creighton

Relating to the venue for the prosecution of certain criminal conduct involving theft.

HCR 167

Hickland

Instructing the enrolling clerk of the house to make corrections in H.B. No. 1314.

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 6

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Thursday, May 29, 2025 - 6

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SB 6 (31 Yeas, 0 Nays)

SB 9 (29 Yeas, 2 Nays)

SB 40 (28 Yeas, 3 Nays)

SJR 5 (31 Yeas, 0 Nays)

THE SENATE HAS REFUSED TO CONCUR IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

SB 568

Senate Conferees: Bettencourt - Chair/King/Parker/Paxton/Zaffirini

SB 1540

Senate Conferees: Bettencourt - Chair/Birdwell/Middleton/Parker/Zaffirini

SB 2972

Senate Conferees: Creighton - Chair/Hinojosa, Adam/King/Kolkhorst/Middleton

THE SENATE HAS GRANTED THE REQUEST OF THE HOUSE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

HB 4

Senate Conferees: Bettencourt - Chair/Blanco/Campbell/Creighton/Hancock

HB 2067

Senate Conferees: Middleton - Chair/Campbell/Creighton/King/Schwertner

HB 3372

Senate Conferees: Middleton - Chair/Bettencourt/Creighton/King/Menéndez

HB 3595

Senate Conferees: Perry - Chair/Bettencourt/Hinojosa, Juan "Chuy"/Kolkhorst/Sparks

HB 5138

Senate Conferees: Hughes - Chair/Bettencourt/Birdwell/Campbell/Parker

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 7**MESSAGE FROM THE SENATE
SENATE CHAMBER**

Austin, Texas

Thursday, May 29, 2025 - 7

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 127 Wilson SPONSOR: Hughes
Relating to measures to protect institutions of higher education from foreign adversaries and to the prosecution of the criminal offense of theft of trade secrets; increasing a criminal penalty.
(Committee Substitute/Amended)

HB 549 Vasut SPONSOR: Johnson
Relating to the availability and use of airway clearance devices at public school campuses.
(Amended)

HB 1094 Lambert SPONSOR: Zaffirini
Relating to the regulation of transportation protection agreements.

HB 2731 Muñoz SPONSOR: Hinojosa,
Juan "Chuy"
Relating to the regulation of roadside vendors and solicitors in certain counties.
(Committee Substitute)

HB 4233 Capriglione SPONSOR: Parker
Relating to reporting and auditing requirements for digital asset service providers.
(Amended)

HB 4690 Gerdes SPONSOR: Blanco
Relating to motor fuel measuring, quality, and testing standards.
(Amended)

**THE SENATE HAS GRANTED THE REQUEST OF THE HOUSE FOR THE
APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING
MEASURES:**

HB 2516
Senate Conferees: Schwertner - Chair/Campbell/Hughes/Johnson/Kolkhorst

HB 2885
Senate Conferees: Schwertner - Chair/Campbell/Hinojosa, Adam/Hughes/Parker

HB 3556

Senate Conferees: Middleton - Chair/Creighton/Hughes/Kolkhorst/Sparks

Respectfully,

Patsy Spaw

Secretary of the Senate