City-Related Bills Filed

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Property Tax

**H.B. 59 (Murr)** – School District Property Taxes: would: (1) provide for the elimination of school district maintenance and operations property taxes by January 1, 2024, with certain exceptions; and (2) create a joint interim committee on the elimination of school district maintenance and operations property taxes.

**H.B. 96 (Toth)** – Appraisal Cap: would, among other things: (1) provide that the appraised value of residence homestead for a tax year is equal to the market value of the property for the first tax year that the owner qualified the property for a homestead exemption; and (2) require an owner of property to apply for the appraisal cap under (1), above, using an application form prescribed by the comptroller that includes, among other information, the purchase price of the property paid by the applicant. (See **H.J.R. 8**, below.)

**H.B. 122 (Bernal)** – Property Tax Exemption: would provide that a qualifying caregiver is entitled to a property tax exemption of the total appraised value of the qualifying caregiver’s residence homestead for the period during which the qualifying individual for whom the qualifying caregiver provides care is on an interest list for long-term services and supports under the Medicaid program. (See **H.J.R. 14**, below.)

**H.B. 125 (Buckley)** – Disabled Veteran Grants: would provide that, for purposes of the law governing the provision of state aid to certain local governments disproportionately affected by
the granting of property tax relief to disabled veterans, the term “local government” includes a city with extraterritorial jurisdiction located within two miles of the boundary line of a United States military installation.

**H.B. 186 (Zwiener) – Property Tax Exemption:** would exempt from property taxation the portion of the appraised value of a person’s property that is attributable to the installation in or on the property of a rainwater harvesting or graywater system. (See **H.J.R. 17**, below.)

**H.B. 203 (Bernal) – Sales Price Disclosure:** would require the comptroller to conduct a study of the impact, feasibility, and advisability of adopting a property tax system in which the disclosure of the sales price of real property is required by law.

**H.B. 281 (Stephenson) – Appraisal Review Board:** would, among other things, provide that: (1) an appraisal review board consists of five members elected at the general election for state and county officers; (2) the board members are elected from each of the four commissioners precincts in the county in which the appraisal district is established and one member is elected at large from the county; and (3) the members serve two-year terms beginning on January 1 of odd-numbered years.

**H.B. 283 (Stephenson) – Appraisal District:** would, among other things, require the chief appraiser of an appraisal district to be elected at the general election for state and county officers every two years.

**H.B. 288 (Stephenson) – Property Tax Exemption:** would exempt the total appraised value of an adult’s residence homestead from school district maintenance and operations property taxes and offset the resulting revenue loss to school districts with state sales and use tax revenue. Of importance to cities, the bill would repeal several sales tax exemptions for purposes of both state and local sales taxes, including: (1) accounting and auditing services; (2) engineering services; (3) legal services; and, (4) real estate brokerage and agency services. (See **H.J.R. 19**, below.)

**H.B. 299 (Vasut) – Appraisal Cap:** would reduce the property tax appraisal cap on homesteads from ten to 3.5 percent, and apply the new appraisal cap to all real property. (See **H.J.R. 64**, below.)

**H.B. 381 (Pacheco) – Property Tax Limitation:** would establish a mandatory property tax freeze for all taxing units on the residence homesteads of individuals who are disabled or over 65 and their surviving spouses. (See **H.J.R. 22**, below.)

**H.B. 469 (J. González) – Property Tax Collection:** would entitle an individual to defer collection of a tax imposed on the portion of the appraised value of the property the individual owns and occupies as the individual’s residence homestead that exceeds the sum of: (1) 105 percent of the appraised value of the property for the preceding year; and (2) the market value of all new improvements to the property.
**H.B. 475 (Lopez) – Property Tax Exemption**: would exempt from property taxes the residence homestead of the surviving spouse of a member of the armed services who is fatally injured in the line of duty. (See **H.J.R. 29**, below.)

**H.B. 494 (White) – Property Tax Appraisal**: would: (1) for real property omitted from the tax roll in any one of the five preceding tax years, provide that the chief appraiser may, or shall if otherwise required by law, appraise the property as of January 1 of each tax year that it was omitted and enter the property and its appraised value in the appraisal records; and (2) provide that if the chief appraiser enters the property in the appraisal records under (1), above, the entry must show that the appraisal is for the property that was omitted from an appraisal roll in a prior year and must indicate the year and the appraised value for each year.

**H.B. 522 (Shine) – Property Tax Sales**: would, for property tax sales of personal property seized under a tax warrant, require that the posting of the notice and the sale of the property be conducted: (1) by the peace officer or collector, as specified in the warrant, in the manner required for the sale under execution of personal property; or (2) pursuant to an agreement with an auctioneer.

**H.B. 528 (White) – Appraisal Cap**: would establish a 3.5 percent appraisal cap on commercial real property. (See **H.J.R. 30**, below.)

**H.B. 529 (White) – Appraisal Cap**: would reduce the property tax appraisal cap on residence homesteads from ten to 2.5 percent. (See **H.J.R. 31**, below.)

**H.B. 534 (Shine) – Appraisal Methods**: would require the chief appraiser to reduce the sales price of a comparable property for appraisal purposes by an amount equal to the amount of the commission that would typically be paid for the sale or purchase of such property.

**H.B. 535 (Shine) – Property Tax Collection**: would provide that the interest rate associated with a tax lien during a period of deferred collection of taxes on the residence homestead of an elderly or disabled individual or a disabled veteran is the ten-year Constant Maturity Treasury Rate reported by the Federal Reserve as of January 1 of the year in which the deferral or abatement was obtained. (Note: Current law provides for a five percent interest rate.)

**H.B. 649 (Raymond) – Property Tax Exemption**: would exempt from property taxes real property owned by a charitable organization for the purpose of providing: (1) housing counseling services without regard to the beneficiaries’ ability to pay; and (2) rental housing to low-income and moderate-income individuals and families at below-market rates.

**H.B. 650 (Raymond) – Property Tax Exemption**: would, among other things, provide a local option property tax exemption for a residence homestead owned by a parent or guardian of a person who is disabled and who resides with the parent or guardian. (See **H.J.R. 38**, below.)

**H.B. 746 (Bernal) – Property Tax Installment Payments**: would, among other things, authorize an individual who qualifies for a homestead property tax exemption, a property tax exemption for a disabled veteran, or a senior or disabled property tax exemption, to pay a taxing
unit’s taxes imposed on property owned and occupied by the person in five or nine equal installments without penalty or interest if the first installment is paid before November 1 of the year for which the taxes were assessed and is accompanied by notice to the taxing unit that the person will pay the remaining taxes in four or eight equal monthly installments, as applicable.

**H.B. 798 (Larson) – Property Tax Appraisal:** would provide that: (1) if the appraised value of property in a tax year is lowered as a result of an agreement between the property owner and the appraisal district or as a result of a protest or appeal, the appraised value of the property as specified in the agreement or as finally determined in the protest or appeal is considered to be the appraised value of the property for that tax year; and (2) if the appraised value of property in a tax year is lowered under the circumstances described in (1), above, the chief appraiser generally may not increase the appraised value of the property in the next tax year in which the property is appraised by an amount that exceeds the sum of five percent of the appraised value of the property in the tax year in which the appraised value of the property is lowered and the market value of all new improvements to the property. (See **H.J.R. 44**, below.)

**H.B. 951 (Raymond) – Property Appraisal:** would require the chief appraiser to exclude from the market value of real property any improvement, or feature incorporated into an improvement, made to a property if the primary purpose of the improvement or feature is compliance with the requirements of the 2010 Americans with Disabilities Act Standards for Accessible Design or any successor standards. (See **H.J.R. 50**, below.)

**H.B. 952 (Raymond) – Property Tax Appraisal:** would provide that land qualifies for appraisal as qualified open-space land if it: (1) is currently devoted principally to agricultural use to the degree of intensity generally accepted in the area; and (2) was acquired by a person who owns land that is: (a) appraised as qualified open-space land; and (b) adjacent to the land acquired.

**H.B. 984 (White) – Property Tax Appraisal:** would: (1) for real property omitted from the tax roll in any one of the five preceding tax years, provide that the chief appraiser may, or shall if otherwise required by law, appraise the property as of January 1 of each tax year that it was omitted and enter the property and its appraised value in the appraisal records; and (2) provide that if the chief appraiser enters the property in the appraisal records under (1), above, the entry must show that the appraisal is for the property that was omitted from an appraisal roll in a prior year and must indicate the year and the appraised value for each year. (Companion bill is **H.B. 494** by White.)

**H.B. 986 (Shine) – Appraisal Review Boards:** would, among other things: (1) authorize the board of directors of an appraisal district established in a county with a population of less than 120,000 to elect to allow the local administrative district judge to appoint the members of the appraisal review board under certain circumstances; and (2) authorize the board of directors of an appraisal district established in a county with a population of 120,000 or more to appoint appraisal review board members if: (a) each member of the appraisal district board other than the county assessor-collector serves as a member of the governing body of a taxing unit that participates in the appraisal district on the date the members of the board are appointed; and (b) the appraisal district board by resolution elects to appoint the members of the board.
**H.B. 987 (Shine) – Property Tax Exemption:** would provide that: (1) a person is entitled to a property tax exemption for tangible personal property the person owns that is held or used for the production of income if the property is listed in a single account maintained by the appraisal district and the total table value of all property listed in the account is less than $5,000; (2) a person is entitled to a property tax exemption of a portion of the value of the tangible personal property the person owns that is held or used for the production of income if the property is listed in a single account maintained by the appraisal district and the total value of all property in the account is $5,000 or more and less than $500,000; (3) the amount of the exemption in (2), above, is equal to 20 percent of the total taxable value of all property listed in the account; and (4) a person may receive more than one exemption under (1) and (2), above. (See H.J.R. 53, below.)

**H.B. 988 (Shine) – Property Tax Appraisal:** would, among other things, authorize a property owner to bring suit to compel an appraisal district, chief appraiser, or appraisal review board to comply with a procedural requirement applicable to a property tax protest.

**H.B. 989 (Shine) – Property Tax Appraisal:** would authorize a property owner to file a motion with the appraisal review board to change the appraisal roll to correct an error regarding the unequal appraisal or excessive market value of a property at any time prior to the date the taxes become delinquent.

**H.B. 990 (Shine) – Delinquent Property Taxes:** would repeal the penalty on delinquent property taxes for a residence homestead.

**H.B. 991 (Shine) – Property Tax Discounts:** would, among other things: (1) provide that a person is entitled to a discount for the early payment of property taxes on the amount of tax due on real property that is the person’s residence homestead as follows: (a) if a taxing unit mails its property tax bills on or before September 30, the following discounts apply: (i) three percent if the tax is paid in October or earlier; (ii) two percent if the tax is paid in November; and (iii) one percent if the tax is paid in December; and (b) if a taxing unit mails its tax bills after September 30, the following discounts apply: (i) three percent if the tax is paid before or during the next full calendar month following the date on which the tax bills were mailed; (ii) two percent if the tax is paid during the second full calendar month following the date on which the tax bills were mailed; and (iii) one percent if the tax is paid during the third full calendar month following the date on which the tax bills were mailed; (2) authorize the governing body of a taxing unit to adopt discounts for the early payment of property taxes on properties other than residence homesteads; and (3) require a mortgage servicer who pays property tax on behalf of a borrower to, on the written request of the borrower, pay the property tax on a property occupied by the borrower as the borrower’s residence homestead early enough for the borrower to qualify for the three percent discount provided in (1), above, as applicable.

**H.B. 992 (Shine) – Property Tax Installment Payments:** would authorize an individual to pay a taxing unit’s property taxes imposed on the individual’s residence homestead in four equal installments.
**H.B. 993 (Shine) – Property Tax Freeze**: would establish a mandatory property tax freeze for city, county, and junior college district property taxes on the residence homesteads of individuals who are disabled or over 65 and their surviving spouses. (See H.J.R. 54, below.)

**H.B. 994 (Shine) – Property Tax Exemption**: would: (1) provide that an individual is entitled to an exemption from property taxation by a taxing unit other than a school district of a portion of the appraised value of the individual’s residence homestead in an amount equal to five percent, or a greater percentage not to exceed 25 percent specified by the governing body of the taxing unit before July 1, of the average appraised value in the current tax year of all residence homesteads that are located in the same county as the individual’s homestead and that qualify for an exemption; and (2) require the chief appraiser to determine the average appraised value of the residence homesteads referenced in (1), above, according to the appraisal records as of August 1. (See H.J.R. 55, below.)

**H.B. 1022 (Murphy) – Property Tax Exemption**: would exempt from property taxation the portion of real property owned by a person that is leased to an open-enrollment charter school if: (1) the portion of the real property that is leased to the school is: (a) used exclusively by the school for the operation or administration of the school or the performance of other educational functions; and (b) reasonably necessary for the operation of the school; and (2) the owner of the portion of real property that is leased to the school certifies by affidavit to the school that: (a) if the lease agreement requires the school to pay the taxes imposed on the real property as a portion of the total consideration paid to the property owner under the agreement, the owner will reduce the consideration required to be paid by the school under the lease agreement by an amount equal to the amount by which the taxes on the real property are reduced as a result of the exemption by providing a monthly or annual credit against the total consideration due under the agreement; or (b) if the lease agreement requires the school to pay the taxes imposed on the real property directly to the collector for the applicable taxing unit or to the owner or the property manager separately from the payment of rent to the property owner under the agreement, the school is no longer required to pay the taxes to the collector, owner, or property manager, as applicable, and the rent charged to the school under the agreement is not affected unless a term of the agreement specifically provides for a change in the amount of the rent (See H.J.R. 57, below.)

**H.B. 1053 (C. Bell) – Appraisal Cap**: would reduce the property tax appraisal cap on homesteads from ten to five percent, and apply the new appraisal cap to all real property. (See H.J.R. 61, below.)

**H.B. 1061 (Bucy) – Property Tax Freeze**: would expand the existing law authorizing cities to adopt a property tax freeze on the residence homestead of individuals who are elderly or disabled and their surviving spouses to all taxing units other than school districts. (See H.J.R. 62, below.)

**H.B. 1084 (P. King) – Property Tax Appraisal**: would provide that the additional tax imposed on land appraised for property tax purposes as open-space or timber land as a result of a change in the use of the land does not apply to a portion of a parcel of land that is subject to a right-of-way when the change in use occurs.
H.B. 1090 (Bailes) – Property Tax Appraisal: would provide that if the chief appraiser discovers that property was omitted from an appraisal roll in one of the three preceding tax years, the chief appraiser shall appraise the property as of January 1 of each tax year that it was omitted and enter the property and its appraised value in the appraisal records. (Note: current law requires the chief appraiser to appraise omitted real property in any one of the five preceding years.)

H.B. 1099 (Beckley) – Property Tax Appraisal: would, among other things: (1) provide that a protest on the ground of unequal appraisal of property shall be determined in favor of the protesting party, unless the appraisal district establishes, among other things, that the appraisal ratio of the property is equal to or less than the median level of appraisal of a reasonable number of comparable properties within the appraisal district; (2) provide that for purposes of (1), above: (a) a person making a determination that property is comparable to another property must base the determination on the similarity of the properties with regard to location, square footage of the lot and improvements, property age, property condition, property access, amenities, views, income, operating expenses, occupancy, and the existence of easements, deed restrictions, or other legal burdens affecting marketability; and (b) a person calculating the median level of appraisal of comparable properties must base the calculation on the appraised value of each comparable property as shown in the appraisal records submitted to the appraisal review board by the chief appraiser; (3) require the comptroller to, by rule, establish standards for the development and calibration of adjustments to the appraised value for industrial, petrochemical refining and processing, and utility properties and other unique properties; (4) require a district court to grant relief on the ground that a property is appraised unequally if, among other things, the appraisal ratio of the property exceeds by at least ten percent the median level of appraisal of a reasonable number of comparable properties in the appraisal districts; (5) for that for purposes of (4), above: (a) a person making a determination that property is comparable to another property must base the determination on the similarity of the properties with regard to location, square footage of the lot and improvements, property age, property condition, property access, amenities, views, income, operating expenses, occupancy, and the existence of easements, deed restrictions, or other legal burdens affecting marketability; and (b) a person calculating the median level of appraisal of comparable properties must base the calculation on the appraised value of each comparable property as shown in the appraisal records certified by the chief appraiser; and (6) provide that an appraisal district, an appraisal review board, or a chief appraiser that prevails in an appeal based on unequal appraisal may be awarded reasonable attorney’s fees not to exceed $15,000.

H.B. 1101 (Beckley) – Sales Price Disclosure: would provide that: (1) a person may not file for record or have recorded in the county clerk’s office an instrument conveying real property under a contract for sale unless the instrument discloses the sales price of the property; (2) the purchaser of any property for which an instrument is recorded in violation of (1), above, is liable to the state for a civil penalty for each violation in an amount equal to five percent of the sales price of the property; and (3) the attorney general or the county or district attorney for the county in which the property is located may bring suit to recover a penalty under (2), above.
**H.B. 1120 (Lucio III) – Property Tax Appraisal:** would, among other things, authorize a property owner to bring suit to compel an appraisal district, chief appraiser, or appraisal review board to comply with a procedural requirement applicable to a property tax protest.

**H.B. 1166 (Metcalf) – Appraisal District:** would, among other things, require the chief appraiser of an appraisal district to be elected at the general election for state and county officers every two years.

**H.B. 1167 (Metcalf) – Appraisal Review Boards:** would, among other things, provide that: (1) an appraisal review board consists of five members elected by the voters of the county in which the appraisal district is established at the general election for state and county officers; and (2) the members of the appraisal review board serve two-year terms, beginning on January 1st of odd-numbered years.

**H.B. 1168 (Metcalf) – Appraisal District:** would, among other things, provide that: (1) an appraisal district is governed by a board of five directors; (2) one director is elected from each of the four commissioners precincts of the county for which the appraisal district is established; and (3) one director is elected at large from the county: and (4) the directors other than the county assessor-collector, who is a non-voting director, are elected at the general election for state and county officers and serve two-year terms beginning on January 1 of odd-numbered years.

**H.B. 1197 (Metcalf) – Property Tax Exemption:** would extend from six years to ten years the amount of time that a tract of land that is contiguous to the tract of land on which a religious organization’s place of regular religious worship is located may be exempted from property taxes when the religious organization is expanding or constructing a new place of religious worship.

**H.B. 1279 (Kacal) – Property Tax Exemption:** would provide that an individual is entitled to a local option property tax exemption by a taxing unit of a percentage, not to exceed five percent, of the appraised value of the individual’s residence homestead if: (1) the individual is a qualifying volunteer first responder; and (2) the exemption is adopted by the governing body of the taxing unit. (See H.J.R. 70, below.)

**H.B. 1283 (Wilson) – Property Tax Freeze:** would expand the existing law authorizing cities to adopt a property tax freeze on the residence homestead of individuals who are elderly or disabled and their surviving spouses to all taxing units other than school districts. (See H.J.R. 71, below.)

**H.B. 1360 (Landgraf) – Tax Information Notice:** would require the designated officer or employee of a city to publish certain property tax information relating to the no-new-revenue tax rate, the voter-approval tax rate, and debt service tax rate in the newspaper.

**H.B. 1391 (Middleton) – Property Tax Rate Elections:** would, among other things, provide that in an election held on a city’s proposed tax rate that exceeds the voter-approval tax rate or de minimis tax rate, as applicable, if a majority of the voters reject the proposed tax rate, the tax rate of the city is reduced to the lesser of the no-new-revenue tax rate or the voter-approval tax rate.
**H.B. 1393 (Middleton) – Homestead Exemption**: would increase the maximum percentage of a local option homestead exemption from 20 percent of the appraised value of an individual’s residence homestead to 100 percent of an individual’s residence homestead. (See **H.J.R. 77**, below)

**H.B. 1395 (Middleton) – Property Taxes**: would, among other things: (1) eliminate appraisal districts and instead require property tax appraisal through appraisal offices governed by the county assessor-collector; (2) eliminate property taxes on business personal property; and (3) provide that the appraised value of residential real property for a tax year may not exceed the lesser of: (a) the market value of the property; or (b) the sum of: (i) the purchase price paid by the property owner for the property; and (ii) the market value of each new improvement to the property as of January 1 of the first tax year in which the improvement was added to the appraisal roll. (See **H.J.R. 75**, below.)

**H.B. 1420 (Bucy) – Property Tax Exemption**: would expand the existing property tax exemption for the residence homestead of a surviving spouse of a member of the armed services killed in action to apply it to the surviving spouse of a member of the armed services who is killed or fatally injured in an incident directly related to the member’s military service while serving on active duty. (See **H.J.R. 79**, below.)

**H.B. 1421 (Cain) – Property Tax Exemption**: would eliminate the ability of a local taxing unit to adopt the temporary exemption for qualified property damaged by a disaster following the date the taxing unit adopts a tax rate, making the property tax exemption mandatory regardless of when the disaster occurs.

**H.B. 1469 (Hefner) – Property Tax Appraisal**: would, among other things, provide that land remains eligible for appraisal as qualified open-space land after a change in ownership of the land occurs if the change in ownership results from a transfer of the land from the former owner to a person who is related to the former owner within the second degree by affinity or third degree by consanguinity.

**H.B. 1567 (Middleton) – Property Tax Appraisal**: would, among other things: (1) provide that the chief appraiser has the burden of supporting an increase in the appraised value of property from the preceding tax year; (2) require an appraisal district’s plan for the periodic reappraisal of property to provide for the reappraisal of all real and personal property in the district not more often than once every two years; and (3) provide that at any time during a tax year before the date the chief appraiser submits the completed appraisal records to the appraisal review board, an owner of real property is entitled to a reappraisal of the owner’s real property for that year on written request delivered to the chief appraiser.

**H.B. 1601 (Allison) – Property Tax Exemption**: would provide that an eligible peace officer that is employed full-time by the state or a political subdivision of the state is entitled to an exemption from taxation by a taxing unit of all or part of the appraised value of the peace officer’s residence homestead if: (1) the exemption is adopted by the governing body of the taxing unit, as either a specified dollar amount or as a percentage of the appraised value of the property, in the manner required by law for official action by the governing body; and (2) the
peace officer’s residence is located in an area designated as a high-need area by the governing body of the taxing unit. (See H.J.R. 83, below.)

**H.B. 1628 (Raymond) – Property Tax Appraisal:** would, among other things, authorize the appraisal review board, on the motion of the chief appraiser or of a property owner, to direct by written order changes in the appraisal roll or related appraisal records under certain circumstances for the current tax year and for either of the two preceding tax years to correct an inaccuracy in the appraised value of the owner’s tangible personal property that is the result of an error or omission in a rendition statement or property report filed for the applicable tax year.

**H.B. 1705 (Schofield) – Property Tax Limitation:** would establish a mandatory property tax freeze for all taxing units on the residence homesteads of individuals who are disabled or over 65 and their surviving spouses. (See H.J.R. 84, below.)

**H.B. 1762 (Jarvis Johnson) – Property Tax Exemption:** would provide that: (1) an individual is entitled to an exemption from property taxation of the total appraised value of the individual’s residence homestead if: (a) the individual is 80 years of age or older; and (b) the individual has received a homestead property tax exemption for at least the preceding ten years; and (2) the surviving spouse of an individual who qualifies for an exemption under (1), above, is entitled to an exemption from property taxation of the total appraised value of the same property to which the deceased spouse’s exemption applied if: (a) the deceased spouse died in a year in which the deceased spouse qualified for the exemption; (b) the surviving spouse was 55 years of age or older when the deceased spouse died; and (c) the property was the residence homestead of the surviving spouse when the deceased spouse died and remains the residence homestead of the surviving spouse. (See H.J.R. 88, below.)

**H.B. 1789 (Vasut) – Appraisal Review Board:** would: (1) authorize the appraisal review board, on motion of the chief appraiser or a property owner, to direct by written order changes in the appraisal roll or related records as provided by (2), below; and (2) authorize the appraisal review board to order the appraised value of the owner’s property in the current tax year and either of the two preceding tax years to be changed to the sales price of the property in the current tax year if, for each tax year for which the change is to be made: (a) the property qualifies as that owner’s residence homestead; (b) the sales price of the property is at least ten percent less than the appraised value of the property; and (c) the board makes a finding that the sales price reflects the market value of the property.

**H.B. 1798 (Shaheen) – Property Tax Limitations in a Disaster:** would, among other things, provide that: (1) for real property located in a taxing unit any part of which is located in an area that at any time during the preceding tax year was declared a disaster area by the governor or by the president of the United States, an appraisal office may increase the appraised value of property for purposes of taxation by any taxing unit that taxes the property to an amount not to exceed the lesser of: (a) the market value of the property for the most recent tax year that the market value was determined by the appraisal office; or (b) the sum of: (i) the appraised value of the property for the preceding tax year; and (ii) the market value of all new improvements to the property; and (2) for a taxing unit, other than a school district, any part of which is located in an area that at any time during the preceding tax year was declared a disaster area by the governor
or by the president of the United States, may not adopt a tax rate for the current tax year that exceeds the sum of: (a) the no-new-revenue maintenance and operations rate for the taxing unit; and (b) the current debt rate for the taxing unit. (See H.J.R. 90, below.)

**H.B. 1828 (Martinez Fischer) – Property Tax Installment Payments:** would provide that: (1) any individual who qualifies for a residential homestead exemption or disabled veteran exemption may pay off property taxes in ten equal installment payments without penalty or interest if the first installment is paid before the delinquency date and is accompanied by notice to the taxing unit that the person will pay the remaining taxes in nine equal installments; and (2) each of the remaining nine installments must be paid before the first day of each month for each of the nine months following the date on which the first installment is paid.

**H.B. 1852 (Rodriguez) – Homestead Exemption:** would authorize the governing body of a taxing unit that adopts a local option residence homestead exemption to set the minimum dollar amount of the exemption to which an individual is entitled in a tax year to not more than $25,000. (See H.J.R. 91, below.)

**H.B. 1869 (Burrows) – Debt Financing:** would modify the definition of “debt” for purposes of the debt service property tax rate calculation to only include debt approved at an election. (Note: this means that debt obligations like certificates of obligation, time warrants, anticipation notes, and lease-purchase agreements must be financed through a city’s maintenance and operations tax rate if payable solely through property tax revenue.)

**H.B. 1881 (Middleton) – Property Tax Exemption:** would: (1) define “qualifying educational organization” as a qualified open-enrollment charter school or a public junior college; (2) provide that a person is entitled to a property tax exemption for the portion of real property the person owns and leases to a qualifying educational organization under certain circumstances.

**H.B. 2014 (Lucio) – Property Tax Appraisal:** would, among other things, provide that for a property owner who pays property taxes subject to an appeal before the delinquency date but not later than the fifth day after the date the chief appraiser certifies a correction to the appraisal roll, if the final determination of an appeal decreases a property owner’s tax liability and the chief appraiser certifies the correction to the appraisal roll before the property owner has paid the property owner’s taxes, the taxing unit shall refund to the property owner the difference between the amount of taxes paid and the amount of taxes for which the property owner is liable.

**H.B. 2100 (Meyer) – Appraisal Process:** would make several changes to the property tax appraisal process, including: (1) imposing term limits on appraisal district board of directors members; (2) prohibiting certain former employees of an appraisal district from later serving on an appraisal district board of directors; (3) prohibiting certain former members of the appraisal review board from serving as an employee of the appraisal district; (4) imposing a 90-day time limit on various determinations that a chief appraiser can make on certain exemptions and other appraisal applications; and (5) limiting the ability of a chief appraiser to offer evidence at certain protest and appraisal hearings in support of modifying or denying an application. (Companion bill is S.B. 63 by Nelson.)
H.B. 2212 (Muñoz) – Appraisal District: would, among other things, provide that: (1) an appraisal district is governed by a board of five directors; (2) one director is elected from each of the four commissioners precincts of the county for which the appraisal district is established; (3) the county assessor-collector is a director by virtue of the person’s office; (4) if the county assessor-collector is ineligible to serve pursuant to a contract, the appraisal district is governed by the four directors elected from the commissioners precincts and a director elected from the county at large; and (5) the directors other than the county assessor-collector are elected at the general election for state and county officers and serve two-year terms beginning on January 1 of odd-numbered years.

H.B. 2288 (White) – Property Tax Appraisal: would repeal the additional property taxes imposed as a result of the sale or change in the use of land appraised as agricultural or open-space land. (See H.J.R. 106, below.)

H.B. 2311 (Krause) – Appraisal Cap: would: (1) reduce the property tax appraisal cap on residence homesteads from ten to five percent; and (2) impose a ten percent appraisal cap on the appraised value of a single-family residence other than a residence homestead. (See H.J.R. 108, below.)

H.B. 2342 (Zwiener) – Property Tax Installment Payments: would authorize an individual to pay a taxing unit’s property taxes imposed on the individual’s residence homestead in four equal installments.

H.B. 2403 (Krause) – Appraisal District: would provide that, for an appraisal district established in a county with a population of 120,000 or more, the governing body of each taxing unit entitled to cast at least five percent of the total votes must determine its vote on members of the appraisal district board of directors by resolution adopted at the first or second open meeting of the governing body that is held after the date the chief appraiser delivers the ballot to the presiding officer of the governing body, and that the governing body must submit its vote to the chief appraiser not later than the third day following the date the resolution is adopted.

H.B. 2413 (Shine) – Property Tax Appraisal: would, among other things, authorize a property owner to bring suit to compel an appraisal district, chief appraiser, or appraisal review board to comply with a procedural requirement applicable to a property tax protest. (Companion bill is S.B. 449 by Hancock.)

H.B. 2425 (Murr) – Property Tax Appraisal: would make land subject to certain predation management activities eligible for appraisal as qualified open-space land for property tax purposes on the basis of its use for wildlife management.

H.B. 2429 (Meyer) – Property Tax Rate Notice: would, for a city with a population of less than 30,000 that is not required to hold a tax rate election and for which the qualified voters may not petition to hold an election, establish alternate provisions for notice of the property tax rate when the de minimis tax rate of the city exceeds the voter-approval tax rate.
**H.B. 2489 (Cook) – Property Tax Appraisal:** would provide that if the appraised value of a residence homestead is lowered as a result of an agreement between the property owner and the appraisal district or as a result of a protest or appeal, the chief appraiser may not increase the appraised value of the property in any of the three tax years following the tax year in which the appraised value is lowered to an amount that exceeds the lesser of: (1) the market value of the property for the tax year; or (2) the sum of: (a) the appraised value of the property for the tax year in which the value is lowered; and (b) the market value of each new improvement made to the property in any of those three tax years, as determined for the tax year in which the improvement is made.

**H.B. 2535 (Sanford) – Property Tax Appraisal:** would provide that, in determining the market value of real property, the chief appraiser shall analyze the effect of that value on, and exclude from that value the value of, any improvements used for the noncommercial production of food for personal consumption.

**H.B. 2711 (Hinojosa) – Homestead Exemption:** would provide that a qualified residential structure does not lose its character as a residence homestead when the owner who qualifies for the exemption temporarily stops occupying it as a principal residence if that owner does not establish a different principal residence and the absence is caused by the owner’s service outside of the United States as a foreign service officer employed by the United States Department of State.

**H.B. 2723 (Meyer) – Tax Rate Notice:** would require certain existing property tax rate notices to contain a statement encouraging taxpayers to visit a website collecting property tax database information to read as follows: “Visit PropertyTaxes.Texas.gov to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property.”

**H.B. 2832 (Patterson) – Property Tax Exemption:** would exempt from property taxation the residence homesteads of qualifying disabled first responders and their surviving spouses. (See H.J.R. 119, below.)

**H.B. 2941 (Burns) – Appraisal Review Board:** would, among other things, provide that appraisal review board members be appointed by the local administrative district judge in the county in which the appraisal district is established.

**H.B. 2958 (Shine) – Appraisal District Review:** would require the comptroller to conduct a limited-scope review of an appraisal district in lieu of a more extensive review of an appraisal district if, during the most recently conducted review, the comptroller found the appraisal district to be in compliance with generally accepted appraisal standards, procedures, and methodology, and did not make any recommendations for improvement.

**H.B. 2966 (Tinderholt) – De Minimis Property Tax Rate:** would repeal all statutory provisions related to the de minimis property tax rate passed as a part of Senate Bill 2 in 2019. (Note: the effect of H.B. 2966 is, among other things, to require all cities under 30,000
population to hold an automatic election on the November uniform election date if the city adopts a property tax rate exceeding the city’s voter-approval tax rate.)

**H.B. 3070 (Ellzey) – Property Tax Exemption:** would provide that: (1) a disabled veteran is entitled to an exemption from property taxes of the following applicable portion of the assessed value of a designated property owned by the veteran: (a) $20,000 for a veteran having a disability rating of at least 10 percent but less than 30 percent; (b) $30,000 for a veteran having a disability rating of at least 30 percent but less than 50 percent; (c) $40,000 for a veteran having a disability rating of at least 50 percent but less than 70 percent; or (d) $48,000 for a veteran having a disability rating of at least 70 percent; (2) a disabled veteran is entitled to an property tax exemption of $48,000 of the assessed value of a designated property the veteran owns if the veteran: (a) is 65 years of age or older and has a disability rating of at least 10 percent; (b) is totally blind in one or both eyes; or (c) has lost the use of one or more limbs; (3) if an individual dies while on active duty as a member of the armed forces of the United States: (a) the individual’s surviving spouse is entitled to a property tax exemption of $20,000 of the assessed value of a designated property the spouse owns; and (b) each of the individual’s surviving children who is younger than 18 years of age and unmarried is entitled to a property tax exemption of a portion of the assessed value of a designated property the child owns computed by dividing $20,000 by the number of eligible children. (See **H.J.R. 124**, below.)

**H.B. 3171 (Slaton) – Appraisal Districts:** would, among other things: (1) require a chief appraiser to be elected at the general election for state and county officers by the voters of the county in which the appraisal district is established; (2) provide that the chief appraiser serves a four-year term beginning January 1 of every other odd-numbered year; and (3) provide that to be eligible to serve as chief appraiser, an individual must be a resident of the county in which the appraisal district is established and must have resided in the county for at least four years preceding the date the individual takes office.

**H.B. 3260 (Thierry) – Property Tax Reforms:** this bill is titled the Texas Homeowners Tax Relief Act. The bill would, among other things:

1. provide that the compensation for an attorney that represents a taxing unit to enforce the collection of delinquent taxes may not exceed 15 percent of the delinquent tax, penalty, and interest collected;
2. authorize the governing body of a taxing unit to adopt a property tax exemption of either a percentage of the appraised value of an individual’s residence homestead or a portion, expressed as a dollar amount, of the appraised value of an individual’s residence homestead, but not both, with any dollar amount exemption being not less than $5,000 or more than $100,000;
3. authorize the commissioners court of a county to call an election to permit the voters of the county to determine whether a person must disclose the sales price of real property under certain circumstances to be used for property tax appraisal purposes;
4. require a property tax bill to include information relating to the average homestead exemption cost for real property;
5. provide that, in a property tax protest or appeal on the grounds of unequal appraisal of property based upon the value relative to the median appraised value of a reasonable
number of comparable properties, the property in question must: (a) qualify as a residence homestead for the relevant tax year; or (b) have an appraised value of $250,000 or less;

6. provide that, in a property tax protest or appeal on the grounds of unequal appraisal of property, the challenge must be determined in favor of the protesting party unless the appraisal district establishes that the appraisal ratio of the property is equal to or less than the median level of appraisal of a reasonable and representative sample of comparable properties in the appraisal district; and

7. provide that a political subdivision is generally not required to pay for a mandate unless: (a) the political subdivision determines that it can do so without raising its ad valorem tax rate to pay for the mandate; or (b) the legislature appropriates or otherwise provides for payment or reimbursement to the political subdivision of the costs that will be incurred by the political subdivision in complying with the mandate.

(See H.J.R. 129, below.)

H.B. 3317 (Metcalf) – Appraisal Cap: would expand the application of the ten percent appraisal cap to all real property. (See H.J.R. 131, below.)

H.B. 3321 (Metcalf) – Appraisal Cap: would reduce the property tax appraisal cap on residence homesteads from ten to five percent. (Companion bill is S.B. 489 by Kolkhorst.) (See H.J.R. 132, below.)

H.B. 3359 (Rodriguez) – Property Tax Exemption: would: (1) authorize the governing body of a taxing unit other than a school district to adopt a residence homestead property tax exemption, expressed as a dollar amount, of a portion of an individual’s residence homestead if the exemption is adopted by the governing body before July 1st in the manner provided by law for official action; (2) provide that the amount of the exemption is $5,000 of the appraised value of the residence homestead, except that if the average market value of residence homesteads in the taxing unit in the tax year in which the exemption is adopted exceeds $25,000, the governing body may authorize an exemption in a larger dollar amount not to exceed an amount equal to 20 percent of the average market value of residence homesteads in the taxing unit in the tax year in which the exemption is adopted exceeds $25,000, the governing body may authorize an exemption in a larger dollar amount not to exceed an amount equal to 20 percent of the average market value of residence homesteads in the taxing unit in the tax year in which the exemption is adopted; (3) provide that, for a taxing unit that has ceased granting a percentage-based homestead exemption and adopted an exemption under (1), an individual who would have been entitled to a percentage-based residence homestead exemption had the governing body not ceased granting the exemption is entitled to continue to receive the percentage-based exemption in lieu of the dollar-amount homestead exemption if the individual otherwise qualifies for the exemption and the amount of the percentage-based exemption exceeds the amount of the dollar-amount exemption; (4) for purposes of calculating the “current total value” for use in adopting a property tax rate, provide that a governing body that has adopted an exemption under (1) generally includes the total dollar amount of the exemptions granted; and (5) provide that an exemption granted under (1) is not included in the term “lost property levy” for purposes of calculating a property tax rate. (See H.J.R. 136, below.)

H.B. 3376 (Meyer) – Tax Rate Calculation in Disaster Area: would, among other things: (1) repeal existing law relating to the calculation of a tax rate in a disaster area; (2) provide that the
governing body of a taxing unit may direct the designated officer or employee to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit (an eight percent voter-approval rate) if any part of the taxing unit is located in an area declared a disaster area during the current tax year by the governor or by the president of the United States and the disaster caused physical damage to property located in the taxing unit; (3) require the designated officer or employee to continue calculating the voter-approval tax rate in the manner provided by (2), above, until the earlier of: (a) the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred; or (b) the third year after the tax year in which the disaster occurred; (4) provide that when increased expenditure of money by a taxing unit other than a school district is necessary to respond to disaster, including a tornado, hurricane, flood, wildfire, or other calamity, but not including a drought, epidemic, or pandemic, that has impacted the taxing unit and the governor has declared any part of the area in which the taxing unit is located as a disaster area, an election is not required to approve a tax rate exceeding the voter-approval tax rate or de minimis tax rate, as applicable, for the year following the year in which the disaster occurs; and (5) if a taxing unit adopts a tax rate under (4), the amount by which the rate exceeds the taxing unit’s voter-approval tax rate for that tax year may not be considered when calculating the taxing unit’s voter-approval tax rate for the tax year following the year in which the taxing unit adopts the rate. (Companion bill is S.B. 1438 by Bettencourt.)

**H.B. 3437 (Goldman) – Property Tax Freeze:** would expand the existing law authorizing cities to adopt a property tax freeze on the residence homestead of individuals who are elderly or disabled and their surviving spouses to all taxing units other than school districts. (See **H.J.R. 141**, below.)

**H.B. 3439 (Deshotel) – Property Tax Appraisal:** would, among other things, modify the appraisal of certain nonexempt property used for low-income or moderate-income housing if the property in question is under construction or has not reached stabilized occupancy on January 1 of the tax year in which the property is appraised.

**H.B. 3490 (Deshotel) – Installment Payments:** would authorize a person to pay a taxing unit’s property taxes in 12 or 18 equal installments, without penalty or interest, if the property: (1) is used for residential purposes; (2) has fewer than five living units; and (3) is leased or rented to a tenant who: (a) as a result of the COVID-19 pandemic has defaulted on the tenant’s obligation to pay rent on the property; and (b) may not be evicted from the property under a local, state, or federal order limiting or prohibiting evictions for a specified period.

**H.B. 3509 (Meyer) – Appraisal Process:** would make several changes to the property tax appraisal process, including: (1) imposing term limits on appraisal district board of directors members; (2) prohibiting certain former employees of an appraisal district from later serving on an appraisal district board of directors; (3) prohibiting certain former members of the appraisal review board from serving as an employee of the appraisal district; (4) imposing a 90-day time limit on various determinations that a chief appraiser can make on certain exemptions and other appraisal applications; and (5) limiting the ability of a chief appraiser to offer evidence at certain
protest and appraisal hearings in support of modifying or denying an application. (Companion bill is S.B. 63 by Nelson.)

**H.B. 3585 (Meyer) – Appraisal Districts: **would, among other things, authorize a local governmental entity to request from the Texas Department of Licensing and Regulation (TDLR) information on a registered professional appraiser the entity is considering for appointment as chief appraiser of the entity’s appraisal district; and (2) require TDLR to inform the entity of a notation of noncompliance if the appraiser, during two or more previous reviews, served as chief appraiser of an appraisal district that TDLR determined had failed to comply with the comptroller’s recommendations. (Companion bill is S.B. 916 by Seliger.)

**H.B. 3610 (Gervin-Hawkins) – Property Tax Exemption:** would, among other things, exempt property owned or leased by an open-enrollment charter school from property taxes.

**H.B. 3629 (Bonnen) – Property Tax Deferral:** would, among other things, provide that a taxing unit may not file suit to collect delinquent taxes on the residence homestead of an elderly or disabled person or disabled veteran, and the property may not be sold at a sale to foreclose the lien, until the 181st day after the date the collector for the taxing unit delivers a notice of delinquency of the taxes following the date the individual no longer owns and occupies the property as a residence homestead.

**H.B. 3680 (Shine) – Tax Rate Notice:** would require certain existing property tax rate notices to contain a statement encouraging taxpayers to visit a website collecting property tax database information to read as follows: “Visit PropertyTaxes.Texas.gov to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property.” (Companion bill is S.B. 1434 by Bettencourt.)

**H.B. 3694 (Shaheen) – Appraisal Cap:** would: (1) define “rapidly appreciating residence homestead” as real property: (a) that is a residence homestead for which the owner was granted a residence homestead exemption in the 2017 through 2022 tax years; and (b) for which the market value for the 2022 tax year is at least 250 percent higher than the market value of the property for the 2017 tax year; and (2) impose an appraisal cap on a rapidly appreciating residence homestead of the lesser of: (a) the market value of the property for the most recent tax year the market value was determined by the appraisal office; or (b) the sum of the appraised value of the property for the 2017 tax year and the market value of all new improvements to the property.

**H.B. 3795 (Button) – Property Tax Exemption:** would provide that a person is entitled to an exemption from property taxes of the appraised value of a solar or wind-powered energy device owned by the person that is: (1) installed or constructed on real property; and (2) primarily for production and distribution of energy for on-site use, regardless of whether the person owns the real property on which the device is installed or constructed. (Companion bill is S.B. 1029 by Huffman.)

**H.B. 3811 (Lucio III) – Property Tax Appraisal:** would: (1) provide that a person is entitled to an exemption from property taxes of the appraised value of a solar or wind-powered energy
device owned by the person that is: (a) installed or constructed on real property; and (b) primarily for production and distribution of energy for on-site use, regardless of whether the person owns the real property on which the device is installed or constructed; and (2) modify the definition of “dealer” for purposes of appraisal of a dealer’s heavy equipment inventory to include a person who leases heavy equipment from another person.

**H.B. 3824 (Muñoz) – Delinquent Taxes:** would, among other things, modify the delinquent property tax penalty from twelve percent of the amount of the delinquent tax to eight percent of the amount of the delinquent tax.

**H.B. 3833 (P. King) – Property Tax Appraisal:** would, among other things, provide that if land appraised as recreational, park, and scenic land or public access airport property is diverted to another use, an additional tax is imposed on the land equal to the difference between the taxes imposed on the land for each of the previous three years (down from five years), and interest is calculated at an annual rate of five percent (down from seven percent).

**H.B. 3841 (Cole) – Voter-Approval Rate Relief:** would: (1) increase the voter-approval tax rate of a taxing unit by the rate that, if applied to the current total value, would impose an amount of taxes equal to the amount the taxing unit will spend out of its maintenance and operations funds to pay for facilities, equipment, or personnel necessary to correct a deficiency in the first response capacity of the fire or police department of the taxing unit; and (2) provide that in order for a taxing unit to receive an adjustment to its voter-approval tax rate under (1), a taxing unit must submit information detailing an existing deficiency in the first response capacity of the fire or police department of the taxing unit to the Texas Commission on Fire Protection or the Texas Commission on Law Enforcement, as applicable, and receive approval from the relevant agency.

**H.B. 3910 (Romero) – Property Tax Appraisal:** would provide that if the chief appraiser uses the market data comparison method of appraisal to determine the market value of real property, the chief appraiser may not consider a sale to be a comparable sale if: (1) the purchaser at the sale is a governmental unit; and (2) the chief appraiser determines that the governmental unit paid a sales price that exceeded the market value of the property.

**H.B. 3939 (Talarico) – Sales Price Disclosure:** would, not later than the 10th day after the date the deed is recorded in the county real property records, require the purchaser or grantee of commercial real property under a recorded deed conveying an interest in the real property to file a sales price disclosure report with the chief appraiser of the appraisal district to be used by the chief appraiser in determining the market value of commercial real property, but the report may not be used to increase the market value of the real property described in the report solely on the basis of the information contained in the report.

**H.B. 3945 (Herrero) – Waiver of Penalties and Interest in Disaster Area:** would authorize the governing body of a taxing unit to waive penalties and interest on a delinquent property tax if, at any time during the tax year for which the taxes were imposed, the property for which the tax is owed was located in an area declared by the governor to be a disaster area following a disaster. (Companion bill is S.B. 689 by Lucio.)
H.B. 3971 (Meyer) – Appraisal of Property in Historic District: would provide that in determining the market value of residential real property located in a designated historic district, the chief appraiser shall consider the effect on the property’s value of any restriction placed by the historic district on the property owner’s ability to alter, improve, or repair the property.

H.B. 3978 (Crockett) – Property Tax Credit: would provide that a person who owns real property and installs a solar energy device on the property is entitled to a credit against the property taxes imposed on the property by each taxing unit that taxes the property. (See H.J.R. 144, below.)

H.B. 3995 (Geren) – Tax Appeals: would provide that: (1) a property owner who prevails in an a judicial appeal of property taxes may be awarded reasonable attorney’s fees; (2) except as provided by (3), the amount of the award under (1) may not exceed the greater of $25,000 or 50 percent of the total amount by which the property owner’s tax liability is reduced as a result of the appeal; and (3) the amount of an award of attorney’s fees to the prevailing property owner is not subject to the limitation in (2) if: (a) the property owner prevails in an appeal for excessive appraisal or unequal appraisal; and (b) the property owner qualifies the property as the owner’s residence homestead.

H.B. 4024 (Allison) – Appraisal Cap: would reduce the property tax appraisal cap to the appraised value of the property for the year in which the owner acquired the property and apply the lowered appraisal cap to all real property. (See H.J.R. 145, below.)

H.B. 4033 (Howard) – Property Tax Exemption: would require a chief appraiser to accept and approve or deny an application for a disabled veteran exemption, but not the surviving spouse of the disabled veteran, after the filing deadline if the application is filed not later than five years after the delinquency date for the taxes on the property.

H.B. 4046 (Collier) – Property Tax Appraisal: would provide that, in determining the market value of a residence homestead that is more than 30 years old and located in a tax increment financing reinvestment zone designated by a city or in the area adjacent to the zone, the chief appraiser may, as the appraiser considers appropriate to fairly appraise the property, exclude from consideration the value of new or substantially remodeled residential properties that are located in the same neighborhood as the residence homestead being appraised and that would otherwise be considered in appraising the residence homestead. (See H.J.R. 146, below.)

H.B. 4060 (Meza) – Property Tax Exemption: would provide that, when determining whether to grant an property tax exemption for a historic site, the governing body of a taxing unit may not consider whether the property is owned by an individual, a corporation, or any other type of entity and may not decline to grant an exemption based on whether the property is owned by an individual, a corporation, or any other type of entity.

H.B. 4148 (Sanford) – Property Tax Appraisal: would repeal the additional property taxes imposed as a result of certain changes in the use of certain land. (See H.J.R. 149, below.)
H.B. 4151 (Lopez) – Deferred Property Taxes: would, among other things: (1) require the tax collector for each taxing unit to identify each individual whose name appears on the delinquent tax roll in relation to taxes imposed on a property for which the individual receives a local option senior or disabled homestead exemption; (2) require the tax collector, not later than 12 months after the date on which the collector first delivers a delinquency notice, to determine whether the individual remains delinquent in the payment of the tax, and deliver another notice if so; (3) require the tax collector, not later than 18 months after the date on which the collector first delivers a delinquency notice to determine whether the individual remains delinquent in the payment of the tax, and if so require the collector to attempt to contact the individual by telephone or in person to: (a) determine the reason for the delinquency; and (b) inform the individual of the individual’s eligibility for a deferral, the effect of a deferral, and the effect of a mortgage or reverse mortgage on the individual’s ability to defer taxes; and (4) authorize a tax collector who determines that an individual needs assistance in preparing and filing an affidavit establishing the individual’s eligibility for a deferral to provide the required assistance or refer the individual to an appropriate service agency for the required assistance.

H.B. 4152 (Spiller) – Property Tax Appraisal: would provide that land qualifies for appraisal as qualified open-space land if the land: (1) is currently devoted principally to agricultural use to the degree of intensity generally accepted in the area; and (2) was acquired by, and is currently owned by, a person who owns other land that is: (a) appraised as qualified open-space land; (b) equal to or larger in area than the land acquired; and (c) adjacent to the land acquired.

H.B. 4170 (Middleton) – Tax Rate Adjustment for Federal Funds: would provide that if a taxing unit’s direct federal receipts exceed the amount of those receipts for the preceding tax year, the voter-approval tax rate for the taxing unit is decreased to reflect the receipt of additional federal funds.

H.B. 4253 (Perez) – Pollution Control Property Tax Exemption: would, among other things; (1) require the Texas Commission on Environmental Quality (TCEQ) to adopt by rule a list of property that is used wholly as a facility, device, or method for the control of air, water, or land pollution; (2) require TCEQ, in adopting the list, to consider whether property previously determined by the executive director to be used wholly for the control of air, water, or land pollution continues to be used wholly for that purpose based on changes in use of the property or changes in environmental regulations; (3) require TCEQ to review the list at least once every five years; (4) generally provide that a property tax exemption for pollution control property that is not on the list created under (1), above, expires at the end of the fifth tax year after the year in which the TCEQ executive director issues a letter determining that the facility, device, or method is used wholly or partly to control pollution; and (5) establish a process by which a person seeking to renew an exemption described in (4) may continue to receive a pollution control property tax exemption.

H.B. 4270 (Rodriguez) – Property Tax Refunds: would, among other things, authorize a person to file a written request that a property tax refund owed to the person be sent to a particular address with the appraisal district, and require the appraisal district to deliver the request to the appropriate collector or taxing unit; and (2) provide that the collector or taxing unit: (a) may not require that the written request be notarized; and (b) may require that the
written request include a copy of the requestor’s driver’s license or state-issued personal identification certificate. (Companion bill is S.B. 1953 by Paxton.)

**H.B. 4319 (Shine) – Property Tax Appraisal:** would provide that land may qualify for appraisal as open-space land on the basis of its use to raise or keep bees under certain circumstances. (Companion is S.B. 1994 by Springer.)

**H.B. 4320 (Shine) – Property Tax Appraisal:** would, among other things, provide that land may qualify for appraisal as open-space land on the basis of its use to raise or keep bees under certain circumstances. (Companion is S.B. 1995 by Springer.)

**H.B. 4455 (Coleman) – Property Tax Exemption:** would, for purposes of the pollution control property tax exemption, add to the nonexclusive list of facilities, devices, or methods for the control of air, water, or land pollution land-based approaches to carbon sequestration, including but not limited to reforestation, afforestation, forest conservation, restorative grazing practices, conservation tillage and no-till land preparation methods, use of cover crops, switch grass and other native grasses, and other forms of conservation agriculture with evidence-based carbon sequestration benefits.

**H.J.R. 8 (Toth) – Appraisal Cap:** would amend the Texas Constitution to provide that the appraised value of residence homestead for a tax year is equal to the market value of the property for the first tax year that the owner qualified the property for a homestead exemption. (See H.B. 96, above.)

**H.J.R. 14 (Bernal) – Property Tax Exemption:** would amend the Texas Constitution to authorize the legislature to exempt from property taxes the total assessed value of the residence homestead of an unpaid caregiver of an individual who is eligible to receive certain long-term services. (See H.B. 122, above.)

**H.J.R. 17 (Zwiener) – Property Tax Exemption:** would amend the Texas Constitution to authorize the legislature to exempt from property taxation the portion of the appraised value of a person’s property that is attributable to the installation in or on the property of a rainwater harvesting or graywater system. (See H.B. 186, above.)

**H.J.R. 19 (Stephenson) – Property Tax Exemption:** would amend the Texas Constitution to authorize the legislature to exempt from maintenance and operations property taxation by a school district all or part of the appraised value of the residence homestead of a married or unmarried adult, including one living alone. (See H.B. 288, above.)

**H.J.R. 22 (Pacheco) – Property Tax Limitation:** would amend the Texas Constitution to establish a mandatory property tax freeze for all taxing units on the residence homesteads of individuals who are disabled or over 65 and their surviving spouses. (See H.B. 381, above.)

**H.J.R. 29 (Lopez) – Property Tax Exemption:** would amend the Texas Constitution to authorize the legislature to exempt from property taxes the residence homestead of the surviving
spouse of a member of the armed services who is fatally injured in the line of duty. (See **H.B. 475**, above.)

**H.J.R. 30 (White) – Appraisal Cap**: would amend the Texas Constitution to authorize the legislature to limit increases in the appraised value of commercial real property for property tax purposes to 3.5 percent per year. (See **H.B. 528**, above.)

**H.J.R. 31 (White) – Appraisal Cap**: would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on residence homesteads from ten to 2.5 percent. (See **H.B. 529**, above.)

**H.J.R. 38 (Raymond) – Property Tax Exemption**: would, among other things, amend the Texas Constitution to authorize a local option property tax exemption for a residence homestead owned by a parent or guardian of a person who is disabled and who resides with the parent or guardian. (See **H.B. 650**, above.)

**H.J.R. 43 (Wilson) – Delinquent Property Taxes**: would amend the Texas Constitution to provide that a residence homestead is not subject to seizure or sale for delinquent property taxes.

**H.J.R. 44 (Larson) – Property Tax Appraisal**: would amend the Texas Constitution to provide that the legislature may provide that if an owner property owner disputes the appraisal of the property for property tax purposes and the appraised value is lowered as a result, the appraisal district may not increase the appraised value of the property in the next tax year in which the property is appraised by an amount that exceeds five percent, or a greater percentage as specified by the general law, of the appraised value of the property in the tax year in which the appraised value is lowered. (See **H.B. 798**, above.)

**H.J.R. 50 (Raymond) – Property Tax Exemption**: would amend the Texas Constitution to authorize the legislature to exclude from the market value of real property any improvement, or feature incorporated into an improvement, made to a property if the primary purpose of the improvement or feature is compliance with the requirements of the 2010 Americans with Disabilities Act Standards for Accessible Design or any successor standards. (See **H.B. 951**, above.)

**H.J.R. 53 (Shine) – Property Tax Exemption**: would amend the Texas Constitution to authorize the legislature to exempt from property taxes 20 percent of the taxable value of a person’s tangible personal property that is held or used for the production of income if the property is listed in a single account maintained by the appraisal district and the total taxable value of all property listed in the account is $5,000 or more and less than $500,000. (See **H.B. 987**, above.)

**H.J.R. 54 (Shine) – Property Tax Freeze**: would amend the Texas Constitution to establish a mandatory property tax freeze for city, county, and junior college district property taxes on the residence homesteads of individuals who are disabled or over 65 and their surviving spouses. (See **H.B. 993**, above.)
H.J.R. 55 (Shine) – Property Tax Exemption: would amend the Texas constitution to authorize the legislature to provide that an individual is entitled to an exemption from property taxation by a taxing unit other than a school district of a portion of the appraised value of the individual’s residence homestead in an amount equal to five percent, or a greater percentage not to exceed 25 percent specified by the governing body of the taxing unit before July 1, of the average appraised value in the current tax year of all residence homesteads that are located in the same county as the individual’s homestead and that qualify for an exemption. (See H.B. 994, below.)

H.J.R. 57 (Murphy) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from property taxation any real property that is leased for use as an open-enrollment charter school. (See H.B. 1022, above.)

H.J.R. 61 (C. Bell) – Appraisal Cap: would amend the Texas Constitution to reduce the property tax appraisal cap on homesteads from ten to five percent and apply the new appraisal cap to all real property. (See H.B. 1053, above.)

H.J.R. 62 (Bucy) – Property Tax Freeze: would amend the Texas Constitution to authorize a political subdivision other than a school district to adopt a property tax freeze on the residence homestead of individuals who are elderly or disabled and their surviving spouses. (Note: Cities already have this authority. H.J.R. 62 would expand the authority to additional political subdivisions that levy property taxes.) (See H.B. 1061, above.)

H.J.R. 64 (Vasut) – Appraisal Cap: would amend the Texas Constitution to reduce the property tax appraisal cap on homesteads from ten to 3.5 percent and apply the new appraisal cap to all real property. (See H.B. 299, above.)

H.J.R. 70 (Kacal) – Property Tax Exemption: would amend the Texas Constitution to authorize the governing body of a political subdivision to exempt from property taxation a percentage, not to exceed five percent, of the appraised value of the residence homestead of a volunteer first responder. (See H.B. 1279, above.)

H.J.R. 71 (Wilson) – Property Tax Freeze: would amend the Texas Constitution to authorize a political subdivision other than a school district to adopt a property tax freeze on the residence homestead of individuals who are elderly or disabled and their surviving spouses. (Note: Cities already have this authority. H.J.R. 71 would expand the authority to additional political subdivisions that levy property taxes.) (See H.B. 1283, above.)

H.J.R. 75 (Middleton) – Property Taxes: would, among other things, amend the Texas Constitution to: (1) exempt all business personal property from property taxation; and (2) provide that the appraised value of residential real property for a tax year may not exceed the lesser of: (a) the market value of the property; or (b) the sum of: (i) the purchase price paid by the property owner for the property; and (ii) the initial market value of each new improvement to the property. (See H.B. 1395, above.)
H.J.R. 77 (Middleton) – Property Tax Exemption: would amend the Texas Constitution to authorize the governing body of a political subdivision to exempt up to 100 percent of the market value of a residence homestead. (See H.B. 1393, above.)

H.J.R. 79 (Bucy) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to provide that the surviving spouse of a member of the armed services who is killed or fatally injured in an incident directly related to the member’s military service while serving on active duty is entitled to a property tax exemption of all or part of the market value of the surviving spouse’s residence homestead if the surviving spouse has not remarried since the death of the member of the armed services. (See H.B. 1420, above.)

H.J.R. 83 (Allison) – Property Tax Exemption: would amend the Texas Constitution to authorize the governing body of a political subdivision to exempt from property taxation all or part of the appraised value of the residence homestead of an eligible peace officer who resides in a high-need area. (See H.B. 1601, above.)

H.J.R. 84 (Schofield) – Property Tax Limitation: would amend the Texas Constitution to establish a mandatory property tax freeze for all taxing units on the residence homesteads of individuals who are disabled or over 65 and their surviving spouses. (See H.B. 1705, above.)

H.J.R. 88 (Jarvis Johnson) – Property Tax Exemption: would amend the Texas Constitution to: (1) provide that an individual is entitled to an exemption from property taxation of the total appraised value of the individual’s residence homestead if: (a) the individual is 80 years of age or older; and (b) the individual has received a homestead property tax exemption for at least the preceding ten years; and (2) provide that the surviving spouse of an individual who qualifies for an exemption under (1), above, is entitled to an exemption from property taxation of the total appraised value of the same property to which the deceased spouse’s exemption applied if: (a) the deceased spouse died in a year in which the deceased spouse qualified for the exemption; (b) the surviving spouse was 55 years of age or older when the deceased spouse died; and (c) the property was the residence homestead of the surviving spouse when the deceased spouse died and remains the residence homestead of the surviving spouse. (See H.B. 1762, above.)

H.J.R. 90 (Shaheen) – Property Tax Limitations in a Disaster: would amend the Texas Constitution to allow the legislature to limit the maximum appraised value of real property located in a political subdivision any part of which is located in an area that at any time during the preceding tax year was declared a disaster area by the governor or the president of the United States to the lesser of the most recent market value of the property as determined by the appraisal entity or the appraised value of the property as determined by the appraisal entity for the preceding tax year. (See H.B. 1798, above.)

H.J.R. 91 (Rodriguez) – Homestead Exemption: would amend the Texas Constitution to authorize the governing body of a taxing unit that adopts a local option residence homestead exemption to set the minimum dollar amount of the exemption to which an individual is entitled in a tax year at a dollar amount greater than $5,000. (See H.B. 1852, above.)
H.J.R. 106 (White) – Property Tax Appraisal: would amend the Texas Constitution to repeal the provision that subjects land designated for agricultural use to an additional tax when the land is diverted to a purpose other than agricultural use or sold. (See H.B. 2288, above.)

H.J.R. 108 (Krause) – Appraisal Cap: would amend the Texas Constitution to authorize the legislature to: (1) reduce the property tax appraisal cap on residence homesteads from ten to five percent; and (2) impose a ten percent appraisal cap on the appraised value of a single-family residence other than a residence homestead. (See H.B. 2311, above.)

H.J.R. 118 (Allison) – Appraisal Cap: would amend the Texas Constitution to provide that, for each tax year following the year in which the property was purchased until the end of the tax year in which the ownership of the property changes, the legislature may limit the maximum appraised value of real property for property tax purposes to: (1) the lesser of the market value of the property as determined by the appraisal entity; or (2) the sum of the amount the owner of the property paid for the property and the initial market value of each new improvement to the property.

H.J.R. 119 (Patterson) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from property taxation the residence homesteads of qualifying disabled first responders and their surviving spouses. (See H.B. 2832, above.)

H.J.R. 124 (Ellzey) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to provide that: (1) a disabled veteran is entitled to an exemption from property taxes of the following applicable portion of the assessed value of a designated property owned by the veteran: (a) $20,000 for a veteran having a disability rating of at least 10 percent but less than 30 percent; (b) $30,000 for a veteran having a disability rating of at least 30 percent but less than 50 percent; (c) $40,000 for a veteran having a disability rating of at least 50 percent but less than 70 percent; or (d) $48,000 for a veteran having a disability rating of at least 70 percent; (2) a disabled veteran is entitled to an property tax exemption of $48,000 of the assessed value of a designated property the veteran owns if the veteran: (a) is 65 years of age or older and has a disability rating of at least 10 percent; (b) is totally blind in one or both eyes; or (c) has lost the use of one or more limbs; (3) if an individual dies while on active duty as a member of the armed forces of the United States: (a) the individual’s surviving spouse is entitled to a property tax exemption of $20,000 of the assessed value of a designated property the spouse owns; and (b) each of the individual’s surviving children who is younger than 18 years of age and unmarried is entitled to a property tax exemption of a portion of the assessed value of a designated property the child owns computed by dividing $20,000 by the number of eligible children. (See H.B. 3070, above.)

H.J.R. 129 (Thierry) – Homestead Exemption: would amend the Texas Constitution to authorize the governing body of a taxing unit to exempt from property taxation a portion, expressed as a dollar amount, of the market value of the residence homestead of a married or unmarried adult, including one living alone; and (2) provide that the amount of the exemption in (1) may not be less than $5,000 or more than $100,000. (See H.B. 3260, above.)
H.J.R. 131 (Metcalf) – Appraisal Cap: would amend the Texas Constitution to authorize the legislature to expand the application of the ten percent appraisal cap on residence homesteads to all real property. (See H.B. 3317, above.)

H.J.R. 132 (Metcalf) – Appraisal Cap: would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See H.B. 3321, above.)

H.J.R. 136 (Rodriguez) – Property Tax Exemption: would amend the Texas Constitution to: (1) authorize the governing body of a taxing unit other than a school district to adopt a residence homestead property tax exemption, expressed as a dollar amount, of a portion of an individual’s residence homestead if the exemption is adopted by the governing body in the manner provided by law for official action; (2) provide that the amount of the exemption is $5,000 of the appraised value of the residence homestead, except that if the average market value of residence homesteads in the taxing unit in the tax year in which the exemption is adopted exceeds $25,000, the governing body may authorize an exemption in a larger dollar amount not to exceed an amount equal to 20 percent of the average market value of residence homesteads in the taxing unit in the tax year in which the exemption is adopted; (3) provide that the legislature by general law may prohibit the governing body of a political subdivision that adopts an exemption under (1) from reducing the amount of or repealing the exemption; and (4) provide that, for a taxing unit which has ceased granting a percentage-based homestead exemption and adopted an exemption under (1), an individual who would have been entitled to a percentage-based residence homestead exemption had the governing body not ceased granting the exemption is entitled to continue to receive the percentage-based exemption in lieu of the dollar-amount homestead exemption if the individual otherwise qualifies for the exemption and the amount of the percentage-based exemption exceeds the amount of the dollar-amount exemption. (See H.B. 3359, above).

H.J.R. 141 (Goldman) – Property Tax Freeze: would amend the Texas Constitution to authorize a political subdivision other than a school district to adopt a property tax freeze on the residence homestead of individuals who are elderly or disabled and their surviving spouses. (Note: Cities already have this authority. H.J.R. 141 would expand the authority to additional political subdivisions that levy property taxes.) (See H.B. 3437, above.)

H.J.R. 144 (Crockett) – Property Tax Exemption: would amend the Texas Constitution to provide that a person who owns real property and installs a solar energy device on the property is entitled to a credit against the property taxes imposed on the property by each taxing unit that taxes the property. (See H.B. 3978, above.)

H.J.R. 145 (Allison) – Appraisal Cap: would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap to the appraised value of the property for the year in which the owner acquired the property and apply the lowered appraisal cap to all real property. (See H.B. 4024, above.)

H.J.R. 146 (Collier) – Property Tax Appraisal: would amend the Texas Constitution to authorize the legislature to provide that in determining the market value of a residence
homestead that is more than 30 years old and located in a tax increment financing reinvestment zone designated by a city or in the area adjacent to the zone, the chief appraiser may, as the appraiser considers appropriate to fairly appraise the property, exclude from consideration the value of new or substantially remodeled residential properties that are located in the same neighborhood as the residence homestead being appraised and that would otherwise be considered in appraising the residence homestead. (See H.B. 4046, above.)

**H.J.R. 149 (Sanford) – Property Tax Appraisal:** would amend the Texas Constitution to repeal the provision that subjects land designated for agricultural use to an additional tax when the land is diverted to a purpose other than agricultural use or sold. (See H.B. 4148, above.)

**H.J.R. 157 (Gates) – Property Tax Exemption:** would amend the Texas Constitution to authorize the legislature to provide a credit against the property taxes imposed on property necessary for and used to operate a business that is required to close by an order, proclamation, or other instrument issued by the governor, another official of the state, or the governing body or an official of a political subdivision of the state in response to a disaster. (See H.B. 2239, above.)

**S.B. 63 (Nelson) – Appraisal Process:** would make several changes to the property tax appraisal process, including: (1) imposing term limits on appraisal district board of directors members; (2) prohibiting certain former employees of an appraisal district from later serving on an appraisal district board of directors; (3) prohibiting certain former members of the appraisal review board from serving as an employee of the appraisal district; (4) imposing a 90-day time limit on various determinations that a chief appraiser can make on certain exemptions and other appraisal applications; and (5) limiting the ability of a chief appraiser to offer evidence at certain protest and appraisal hearings in support of modifying or denying an application.

**S.B. 134 (Johnson) – Property Tax Appraisal:** would provide that in a property tax protest or appeal on the grounds of unequal appraisal of property based upon the value relative to the median appraised value of a reasonable number of comparable properties, the appraisal district must generally use comparable properties located within the appraisal district, unless a reasonable number of comparable properties does not exist in the appraisal district, in which case the median appraised value of a reasonable number of comparable properties may be calculated using comparable properties in other parts of the state.

**S.B. 300 (Hinojosa) – Property Tax Exemption:** would: (1) for purposes of the property tax exemption on the residence homestead of the surviving spouse of a first responder, expand the definition of “first responder” to include: (a) a special agent of United States Immigration and Customs Enforcement; (b) a customs and border protection officer or border patrol agents of United States Customs and Border Protection; and (c) an immigration enforcement agent or deportation officer of the United States Department of Homeland Security; and (2) in the case of the surviving spouse of a first responder described by (1), above, provide that the surviving spouse is entitled to an exemption if the surviving spouse has not remarried since the death of the first responder and was a resident of this state at the time of the first responder’s death.

**S.B. 329 (Paxton) – Property Tax Credit:** would: (1) provide that a person who owns property that is reasonably necessary for and used by the person to operate a qualifying small business is
entitled to a property tax credit from each taxing unit that taxes the property for the number of days the qualifying small business on the property was closed due to a qualifying official order during a disaster; (2) for purposes of the credit in (1), above, a “qualifying official order” is an order, proclamation, or other instrument issued by the governor, another official of the state, or the governing body or an official of a political subdivision of the state in response to a disaster; and (3) for purposes of the tax credit in (1), above, a “qualifying small business” means a business that: (a) has fewer than 100 employees; (b) is required to close by a qualifying official order; and (c) if not for the qualifying official order, would be capable of engaging in normal business activity during the period the business is required to be closed. (See S.J.R. 23, below.)

**S.B. 330 (Lucio) – Property Tax Exemption:** would exempt from property taxes property owned by a charitable organization that provides a meeting place and support services for organizations that provide assistance to people with substance abuse disorders and their families without regard to the beneficiaries’ ability to pay.

**S.B. 361 (Miles) – Appraisal Cap:** would continue the ten percent appraisal cap for residence homesteads if the property is acquired by, and qualifies as, the homestead of an heir of the owner or the owner’s spouse or surviving spouse. (See S.J.R. 26, below).

**S.B. 449 (Hancock) – Property Tax Appraisal:** would, among other things, authorize a property owner to bring suit to compel an appraisal district, chief appraiser, or appraisal review board to comply with a procedural requirement applicable to a property tax protest.

**S.B. 489 (Kolkhorst) – Appraisal Cap:** would reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See S.J.R. 31, below.)

**S.B. 611 (Campbell) – Property Tax Exemption:** would exempt from property taxes the residence homestead of the surviving spouse of a member of the armed services who is fatally injured in the line of duty. (See S.J.R. 35, below.)

**S.B. 670 (Springer) – Property Tax Exemption:** would exempt from property taxation the portion of real property owned by a person that is leased to an open-enrollment charter school if: (1) the portion of the real property that is leased to the school is: (a) used exclusively by the school for the operation or administration of the school or the performance of other educational functions; and (b) reasonably necessary for the operation of the school; and (2) the owner of the portion of real property that is leased to the school certifies by affidavit to the school that: (a) if the lease agreement requires the school to pay the taxes imposed on the real property as a portion of the total consideration paid to the property owner under the agreement, the owner will reduce the consideration required to be paid by the school under the lease agreement by an amount equal to the amount by which the taxes on the real property are reduced as a result of the exemption by providing a monthly or annual credit against the total consideration due under the agreement; or (b) if the lease agreement requires the school to pay the taxes imposed on the real property directly to the collector for the applicable taxing unit or to the owner or the property manager separately from the payment of rent to the property owner under the agreement, the school is no longer required to pay the taxes to the collector, owner, or property manager, as applicable, and the rent charged to the school under the agreement is not affected unless a term of the agreement
specifically provides for a change in the amount of the rent (See S.J.R. 38, below.) (Companion bill is H.B. 1022 by Murphy.)

**S.B. 689 (Lucio) – Waiver of Penalties and Interest in Disaster Area:** would authorize the governing body of a taxing unit to waive penalties and interest on a delinquent property tax if, at any time during the tax year for which the taxes were imposed, the property for which the tax is owed was located in an area declared by the governor to be a disaster area following a disaster.

**S.B. 734 (Paxton) – Property Tax Exemption:** would exempt from property taxes property owned by a charitable organization that provides services related to the placement of a child in a foster or adoptive home or providing relief to women who are or may be pregnant and who are considering placing their unborn children for adoption.

**S.B. 742 (Birdwell) – Installment Payments in Disaster Area:** would provide that, for a property in a disaster area that has not been damaged as a result of a disaster, the governing body of a taxing unit may authorize a person to pay the taxing unit’s property taxes in four equal installments without penalty or interest if the first installment is paid before the delinquency date and is accompanied by notice to the taxing unit that the person will pay the remaining taxes in three equal installments.

**S.B. 794 (Campbell) – Disabled Veteran Property Tax Exemption:** would modify the eligibility for a homestead property tax exemption for a totally disabled veteran to a disabled veteran who “has been awarded by” the United States Department of Veterans Affairs 100 percent disability compensation, instead of a disabled veteran who “receives from” the United States Department of Veterans Affairs 100 percent disability compensation.

**S.B. 887 (Eckhardt) – Homestead Exemption:** would: (1) authorize the governing body of a taxing unit, in the manner provided by law for official action by the body, to adopt a local option property tax exemption of either a percentage or a portion, expressed as a dollar amount, of the appraised value of an individual’s homestead, but not both; and (2) provide that if the governing body adopts a local option homestead exemption of a dollar amount of the appraised value of a residence homestead, the amount of the exemption in a tax year may not be less than $5,000. (See S.J.R. 42, below.)

**S.B. 916 (Seliger) – Appraisal Districts:** would, among other things, authorize a local governmental entity to request from the Texas Department of Licensing and Regulation (TDLR) information on a registered professional appraiser the entity is considering for appointment as chief appraiser of the entity’s appraisal district; and (2) require TDLR to inform the entity of a notation of noncompliance if the appraiser, during two or more previous reviews, served as chief appraiser of an appraisal district that TDLR determined had failed to comply with the comptroller’s recommendations.

**S.B. 1027 (West) – Property Tax Installment Payments:** would, among other things, provide that, for property taxes imposed by a taxing unit in a tax year on property that is used for residential purposes and has fewer than three living units, a person may pay the taxing unit’s property taxes on property that the person owns in eight equal installments without penalty or
interest if the person: (1) provides written notice to the taxing unit not later than December 31 of the year for which the taxes are imposed that the person will pay the taxes in eight equal monthly installments; and (2) pays the first installment before the date on which the taxes become delinquent.

**S.B. 1029 (Huffman) – Property Tax Exemption**: would provide that a person is entitled to an exemption from property taxes of the appraised value of a solar or wind-powered energy device owned by the person that is: (1) installed or constructed on real property; and (2) primarily for production and distribution of energy for on-site use, regardless of whether the person owns the real property on which the device is installed or constructed.

**S.B. 1034 (Hughes) – Notice of Appraised Value**: would require the notice of appraised value delivered to a residential property owner by the chief appraiser of an appraisal district to include a separate document dedicated to providing sales price information for each single-family home recently sold in the same neighborhood as the residence homestead.

**S.B. 1096 (Creighton) – Appraisal Cap**: would reduce the property tax appraisal cap on residence homesteads from ten percent to the following applicable percentage: (1) three percent if the appraised value of a homestead is $1 million or less; or (2) five percent if the appraised value of a homestead is more than $1 million. (See S.J.R. 46, below.)

**S.B. 1131 (Paxton) – Property Tax Rate Calculation**: would modify the definition of “last year’s levy” for purposes of property tax rate calculation to include the amount of taxable value equal to the difference between: (1) the total taxable value for the preceding year of property taxable by the taxing unit in the preceding year that is the subject of a judicial appeal on July 25; and (2) the product of the amount described by (1), above, and the average percentage, expressed as a decimal, by which the total taxable value of property taxable by the taxing unit was reduced in judicial appeals during the five-year period ending with the preceding tax year.

**S.B. 1421 (Bettencourt) – Property Tax Appraisal**: would, among other things, authorize the appraisal review board, on the motion of the chief appraiser or of a property owner, to direct by written order changes in the appraisal roll or related appraisal records under certain circumstances for the current tax year and for either of the two preceding tax years to correct an inaccuracy in the appraised value of the owner’s tangible personal property that is the result of an error or omission in a rendition statement or property report filed for the applicable tax year. (Companion bill is H.B. 1628 by Raymond.)

**S.B. 1423 (Bettencourt) – Prepayment of Property Taxes**: would, among other things: (1) at the request of a property owner, require the collector for a taxing unit to enter a contract with the property owner under which the property owner deposits money in an escrow account maintained by the collector to provide for the payment of property taxes collected by the collector on any property the person owns; (2) provide that a contract under (1), above, must allow the property owner to make deposits to the escrow account at any time until the earlier of the following occurs: (a) the estimated amount of taxes as provided in the contract accrues in the account; or (b) the tax bill for the property is prepared; (3) require the collector, upon request by a property owner to establish an escrow account, to estimate the amount of taxes to be imposed
on the property by the affected taxing units in that year and include that amount in the contract to establish the escrow account; (4) provide that the contract under (1), above, may not require the property owner to comply with a schedule of deposits or prescribe a minimum amount that must be deposited to the escrow account.

S.B. 1424 (Bettencourt) – Tax Rate Adoption: would, among other things: (1) provide that a city council must adopt a tax rate that exceeds the voter-approval tax rate before August 15; and (2) make conforming changes to other relevant dates affecting the city’s adoption of a tax rate, including: (a) moving the date by which the appraisal review board must substantially complete their work for purposes of certifying the appraisal roll from July 20 to July 5; (b) moving the date by which the chief appraiser must prepare and certify the appraisal roll or a certified estimate of the taxable value of property from July 25 to July 10; and (c) moving the date by which the designated officer or employee must submit tax rates to the city council from August 7 to July 22.

S.B. 1427 (Bettencourt) – Property Tax Exemption: would clarify that the temporary property tax exemption for a portion of the appraised value of property damaged by a disaster only applies when there is physical damage to a property caused by a disaster.

S.B. 1428 (Bettencourt) – Property Tax Adoption Following Disaster: would clarify that the authority of a taxing unit to adopt a tax rate exceeding the voter-approval tax rate or de minimis tax rate, as applicable, without holding an automatic election when an increased expenditure of money is necessary to respond to a disaster does not apply to an epidemic.

S.B. 1429 (Bettencourt) – Property Tax Rate Notice: would, for a city with a population of less than 30,000 that is not required to hold a tax rate election and for which the qualified voters may not petition to hold an election, establish alternate provisions for notice of the property tax rate when the de minimis tax rate of the city exceeds the voter-approval tax rate. (Companion bill is H.B. 2429 by Meyer.)

S.B. 1434 (Bettencourt) – Tax Rate Notice: would require certain existing property tax rate notices to contain a statement encouraging taxpayers to visit a website collecting property tax database information to read as follows: “Visit PropertyTaxes.Texas.gov to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property.” (Companion bill is H.B. 2723 by Meyer and H.B. 3680 by Shine.)

S.B. 1438 (Bettencourt) – Tax Rate Calculation in Disaster Area: would, among other things: (1) repeal existing law relating to the calculation of a tax rate in a disaster area; (2) provide that the governing body of a taxing unit may direct the designated officer or employee to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit (an eight percent voter-approval rate) if any part of the taxing unit is located in an area declared a disaster area during the current tax year by the governor or by the president of the United States and the disaster caused physical damage to property located in the taxing unit; (3) require the designated officer or employee to continue calculating the voter-approval tax rate in the manner
provided by (2), above, until the earlier of: (a) the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred; or (b) the third year after the tax year in which the disaster occurred; (4) provide that when increased expenditure of money by a taxing unit other than a school district is necessary to respond to disaster, including a tornado, hurricane, flood, wildfire, or other calamity, but not including a drought, epidemic, or pandemic, that has impacted the taxing unit and the governor has declared any part of the area in which the taxing unit is located as a disaster area, an election is not required to approve a tax rate exceeding the voter-approval tax rate or de minimis tax rate, as applicable, for the year following the year in which the disaster occurs; and (5) if a taxing unit adopts a tax rate under (4), the amount by which the rate exceeds the taxing unit’s voter-approval tax rate for that tax year may not be considered when calculating the taxing unit’s voter-approval tax rate for the tax year following the year in which the taxing unit adopts the rate. (Companion bill is H.B. 3376 by Meyer.)

**S.B. 1446 (Gutierrez) – Collection of Delinquent Property Taxes:** would provide that the compensation for an attorney that represents a taxing unit to enforce the collection of delinquent taxes may not exceed 15 percent of the delinquent tax, penalty, and interest collected.

**S.B. 1449 (Bettencourt) – Property Tax Exemption:** would provide that a person is entitled to a property tax exemption for the tangible personal property with a taxable value of less than $2,500 and that is held or used for the production of income.

**S.B. 1586 (Birdwell) – Appraisal Districts:** would, among other things, authorize a commissioners court to appoint the appraisal district board of directors based on a list of nominees provided by the governing bodies of the taxing units in the district.

**S.B. 1644 (Creighton) – Property Tax Appraisal:** would provide that a chief appraiser may not use the income method of appraisal to determine the market value of commercial real property.

**S.B. 1840 (Eckhardt) – Property Tax Appraisal:** would, among other things: (1) provide that the chief appraiser has the burden of supporting an increase in the appraised value of property from the preceding tax year; (2) require an appraisal district’s plan for the periodic reappraisal of property to provide for the reappraisal of all real and personal property in the district not more often than once every two years; and (3) provide that at any time during a tax year before the date the chief appraiser submits the completed appraisal records to the appraisal review board, an owner of real property is entitled to a reappraisal of the owner’s real property for that year on written request delivered to the chief appraiser. (Companion bill is H.B. 1567 by Middleton.)

**S.B. 1953 (Paxton) – Property Tax Refunds:** would, among other things, authorize a person to file a written request that a property tax refund owed to the person be sent to a particular address with the appraisal district, and require the appraisal district to deliver the request to the appropriate collector or taxing unit; and (2) provide that the collector or taxing unit: (a) may not require that the written request be notarized; and (b) may require that the written request include
a copy of the requestor’s driver’s license or state-issued personal identification certificate. (Companion bill is H.B. 4270 by Rodriguez.)

**S.B. 1994 (Springer) – Property Tax Appraisal:** would provide that land may qualify for appraisal as open-space land on the basis of its use to raise or keep bees under certain circumstances. (Companion is H.B. 4319 by Shine.)

**S.B. 1995 (Springer) – Property Tax Appraisal:** would, among other things, provide that land may qualify for appraisal as open-space land on the basis of its use to raise or keep bees under certain circumstances. (Companion is H.B. 4320 by Shine.)

**S.J.R. 23 (Paxton) – Property Tax Exemption:** would amend the Texas Constitution to authorize the legislature to provide a credit against the property taxes imposed on property necessary for and used to operate a business that is required to close by an order, proclamation, or other instrument issued by the governor, another official of the state, or the governing body or an official of a political subdivision of the state in response to a disaster. (See S.B. 329, above.)

**S.J.R. 26 (Miles) – Appraisal Cap:** would amend the Texas Constitution to continue the ten percent appraisal cap for residence homesteads if the property is acquired by, and qualifies as, the homestead of an heir of the owner or the owner’s spouse or surviving spouse. (See S.B. 361, above.)

**S.J.R. 31 (Kolkhorst) – Appraisal Cap:** would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See S.B. 489, above.)

**S.J.R. 35 (Campbell) – Property Tax Exemption:** would amend the Texas Constitution to authorize the legislature to exempt from property taxes the residence homestead of the surviving spouse of a member of the armed services who is fatally injured in the line of duty. (See S.B. 611, above.)

**S.J.R. 38 (Springer) – Property Tax Exemption:** would amend the Texas Constitution to authorize the legislature to exempt from property taxation any real property that is leased for use as an open-enrollment charter school. (See S.B. 670, above.)

**S.J.R. 42 (Eckhardt) – Homestead Exemption:** would amend the Texas Constitution to authorize the governing body of a political subdivision to exempt from property taxes a portion, expressed as a dollar amount not less than $5,000, of the market value of the residence homestead of a married or unmarried adult, including one living alone. (See S.B. 887, above.)

**S.J.R. 46 (Creighton) – Appraisal Cap:** would amend the Texas Constitution to authorize the legislature to provide one percentage to be used when calculating the limitation on the maximum appraised value of a residence homestead with a lesser appraised value and another percentage to be used when calculating that limitation on a residence homestead with a greater appraised value. (See S.B. 1096, above.)
Public Safety

**H.B. 9 (Klick) – Obstructing Highway:** would provide that it is a state jail felony if, in committing the offense of obstructing a highway or other passageway, the actor knowingly: (1) prevents the passage of an authorized emergency vehicle that is operating the vehicle’s emergency audible or visual signals; or (2) obstructs access to a hospital or other health care facility that provides emergency medical care.

**H.B. 20 (Murr) – Personal Bond:** this bill known as the “Damon Allen Act” would make numerous changes to the process of releasing defendants on bond.

**H.B. 43 (Dominguez) – Medical Marihuana:** would: (1) authorize the possession, use, cultivation, distribution, transportation, and delivery of medical cannabis for medical use by qualifying patients with certain debilitating medical conditions; and (2) authorize the licensing of dispensing organizations with a fee not to exceed $30,000 for licenses to dispense medical cannabis.

**H.B. 54 (Talarico) – Police Reality TV Shows:** would prohibit a law enforcement department that employs peace officers from authorizing a television crew to film peace officers while acting in the line of duty for the purpose of creating a reality television show.

**H.B. 71 (J. Johnson) – Motor Vehicle Search:** would provide that: (1) a peace officer is prohibited from searching a motor vehicle that is stopped for a traffic violation unless the peace officer: (a) has probable cause; (b) obtains written consent from the vehicle’s operator on a specific form; (c) obtains oral consent from the vehicle’s operator that is evidenced by an audio and video recording on a body worn camera; or (d) has reasonable and articulable fear that the vehicle’s operator and/or passengers pose a threat to the safety of the peace officer or another person; and (2) the Texas Commission of Law Enforcement shall promulgate rules related to the required written consent form and audio and video recording.

**H.B. 73 (Hinojosa) – Defense Limitations:** would: (1) define the terms “gender identity” and “sexual orientation;” (2) limit the use of certain defenses if they are based on the actor’s or defendant’s discovery or knowledge of, or the victim’s disclosure or potential disclosure of, the gender identity or sexual orientation of the victim or a nonviolent romantic or sexual advance made by the victim toward the actor; and (3) apply regardless of whether a defendant’s knowledge, discovery, or belief regarding the victim’s gender identity or sexual orientation was accurate.

**H.B. 86 (Swanson) – Wireless Devices:** would prohibit a local authority from regulating or prohibiting the use of a wireless communication device while operating a motor vehicle.

**H.B. 88 (Thompson) – Police Reform:** this bill, known as the “George Floyd Act,” would make numerous changes related to interactions between peace officers and individuals detained or arrested on the suspicion of the commission of crimes, peace officer liability for those
interactions, and the disciplinary of peace officers in certain cities. Of primary importance to
cities, the bill would:

1. With respect to officer liability:
   a. provide that a person may bring an action for any appropriate relief against a
      peace officer who, under the color of law, deprived the person or caused the
      person to be deprived of any rights under the Texas Constitution, provided
      that such action is brought not later than two years after the day the cause of
      action accrues;
   b. provide that statutory immunity or a limitation on liability, damages, or
      attorney’s fees does not apply to the action described in (1)(a), above, and a
      court shall award reasonable attorney’s fees and court costs to a prevailing
      plaintiff and if judgment is entered in favor of the defendant, the court may
      award reasonable attorney’s fees and costs to the defendant only for defending
      claims the court finds frivolous;
   c. provide that qualified immunity or the defendant’s good faith but erroneous
      belief in the lawfulness of the defendant’s conduct is not a defense to an
      action brought under (1)(a), above; and
   d. require a public entity, including a city, to indemnify a peace officer employed
      by the entity for liability incurred by and a judgement imposed against the
      officer in an action brought under (1)(a), above, except that the entity shall not
      be required to indemnify the peace officer if the officer was convicted for the
      conduct that is the basis for the action;
2. With respect to the duties and powers of a peace officer:
   a. amend current law to provide that a peace officer has the discretion on
      whether or not, if authorized, to:
      i. interfere without a warrant to prevent or suppress a crime; or
      ii. arrest offenders without warrant so that they may be taken before the
          proper magistrate or court and be tried;
   b. provide that a peace officer shall:
      i. identify as a peace officer before taking any action within the course
         and scope of the officer’s official duties unless the identification would
         render the action impracticable;
      ii. intervene if the use of force by another peace officer:
         1. violates state or federal law or a policy of any entity service by
            the other officer;
         2. puts any person at risk of bodily injury, unless the officer
            reasonably believes that the other officer’s use of force is
            immediately necessary to avoid imminent harm to a peace
            officer or other person; or
         3. is not required to apprehend or complete the apprehension of a
            suspect; and
         4. shall provide aid immediately to any person who needs medical
            attention, including a person who needs medical attention as a
            result of the use of force by a peace officer;
c. provide that a defendant may not be convicted of an offense related to controlled substances on the testimony of person acting covertly on behalf of a law enforcement agency unless the testimony is corroborated by evidence tending to connect the defendant with the offense committed;

3. With respect to issuing citations in lieu of arrest for misdemeanor offenses:
   a. provide that the Texas Southern University, in consultation with other law enforcement organizations, shall publish a model policy related to the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only, that includes the procedure for a peace officer, upon a person’s presentation of appropriate identification, to verify the person’s identity and issue a citation to the person;
   b. provide that each law enforcement agency shall adopt a written policy regarding the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only, provided that such policy meets the requirements of the model policy described in (3)(a), above;
   c. provide that a law enforcement agency may adopt the model policy developed under (3)(a), above;
   d. provide that, with the exception of certain assault offenses and for the offense of public intoxication, a peace officer or any other person may not, without a warrant, arrest an offender for a misdemeanor punishable by fine only or arrest a person who commits one or more offenses punishable by fine only;
   e. provide that a peace officer who is charging a person, including a child, with committing an offense that is a misdemeanor punishable by fine only, other than an offense of public intoxication, shall, instead of taking the person before a magistrate, issue a citation to the person;
   f. provide that a peace officer who is charging a person, including a child, with committing certain assault offenses that are a misdemeanor, punishable by fine only, may, instead of taking the person before a magistrate, issue a citation to the person;
   g. provide that a peace officer may not arrest, without warrant, a person found only committing one or more misdemeanors related to certain traffic offenses that are punishable by fine only, and in such instances shall issue a written notice to appear to the person;

4. With respect to de-escalation and proportionate response:
   a. provide that a law enforcement agency shall adopt a detailed written policy regarding the use of force by peace officers that must:
      i. emphasize the use of force in a manner proportionate to the threat posed and to the seriousness of the alleged offense;
      ii. mandate that deadly force is only to be used by peace officers as a last resort; and
      iii. affirm the sanctity of human life and the importance of treating all persons with dignity and respect;
   b. provide that a law enforcement agency may adopt the model policy on use of force developed by the Texas Commission on Law Enforcement and described in (6)(a), below;

5. With respect to disciplinary procedures in certain cities:
a. require a civil service commission to implement a progressive disciplinary matrix for infractions committed by police officers that consists of a range of progressive disciplinary actions applied in a standardized way based on the nature of the infraction and the officer’s prior conduct record, and such matrix must include:
   i. standards for disciplinary actions related to use of force against another person, including the failure to de-escalate force incidents in accordance with departmental policy;
   ii. standards for evaluating the level of discipline appropriate for uncommon infractions; and
   iii. presumptive actions to be taken for each type of infraction and any adjustment to be made based on a police officer’s previous disciplinary action;

b. make changes to the meet and confer provisions applicable to police officers to provide that certain cities that have adopted a meet and confer agreement but are not subject to civil service rules or collective bargaining shall implement a progressive disciplinary matrix as described in (5)(a), above, for its police officers, and that such agreement may not conflict or supersede a rule concerning the disciplinary actions that may be imposed under the disciplinary matrix;

c. provide that a hearing examiner in a city subject to civil service rules must presume a disciplinary action applied to a police officer under a progressive disciplinary matrix is reasonable unless the facts indicate that the department inappropriately applied a category of offense to the particular violation; and

d. make changes to the collective bargaining statute to provide that a city that has adopted a collective bargaining agreement but is not subject to civil service rules shall implement a progressive disciplinary matrix as described in (5)(a), above, for its police officers, and that such agreement may not conflict with an ordinance, order, statute, or rule related to disciplinary actions that may be imposed on its police officers under a disciplinary matrix implemented by the city;

6. With respect to use of force:
   a. provide that the Texas Commission on Law Enforcement shall develop and make available to all law enforcement agencies a model policy and associated training materials regarding the use of force by peace officers;
   b. make changes to the instances in which a person, including a peace officer and a person in the presence of and at the direction of a peace officer, may be justified in using nonlethal force in connection with making or assisting in making an arrest or search, or preventing or assisting in preventing escape after an arrest,
   c. make changes to instances in which a peace officer or a person in the presence of and at the direction of a peace officer may be justified in using deadly force in connection to making an arrest or preventing escape after an arrest,
   d. provide that the use of force against a person in connection with making or assisting in making an arrest or search, or preventing or assisting in preventing an escape after an arrest, is not justified if the force is used in a manner that
impedes the normal breathing or circulation of the blood of the person by applying pressure to the person’s throat or neck or by blocking the person’s nose or mouth; and

e. repeal the Penal Code provision that provides that a peace officer or a person other than a peace officer acting in the officer’s presence and direction has no duty to retreat before using deadly force in connection with making an arrest or preventing escape after arrest.

(Companion bill is S.B. 161 by West.)

**H.B. 94 (Reynolds) – Medical Marihuana:** would: (1) authorize the possession, use, cultivation, distribution, transportation, and delivery of medical cannabis for medical use by qualifying patients with certain debilitating medical conditions; (2) provide for medical cannabis registry identification cards; (3) authorize the licensing of dispensing organizations and testing facilities; and (4) authorize an application fee for licenses to operate a dispensing organization. (Companion bill is S.B. 90 by Menéndez.)

**H.B. 95 (Meza) – Discharge of Weapon:** would: (1) require a law enforcement agency that is authorized to employ peace officers to adopt a policy regarding a peace officer discharging a firearm at or in the direction of a moving vehicle; and (2) provide that such policy must prohibit a police officer from discharging a firearm at or in the direction of a moving vehicle unless the peace officer discharges the firearm only when and to the degree the officer reasonably believes is immediately necessary to protect the officer or another person from the use of unlawful deadly force by an occupant of the vehicle by means other than by using the moving vehicle to strike any person. (Companion bill is S.B. 72 by Miles.)

**H.B. 99 (Toth) – Criminal Penalties for Possession of Marihuana:** would: (1) reduce criminal penalties for the possession of two ounces or less of marihuana; (2) provide that a peace officer may not arrest an individual without a warrant for possession of two ounces or less of marihuana; and (3) provide that the driver’s license of a person convicted of possession of two ounces or less of marihuana is not automatically suspended.

**H.B. 100 (Gervin-Hawkins) – Dangerous Dogs:** would provide that a municipal animal control authority may impound and manage dangerous dogs and aggressive dogs in the extraterritorial jurisdiction (ETJ) of the city if: (1) the authority receives a petition: (a) signed by at least three residents from three different households in the ETJ requesting assistance from the authority; and (b) alleging that dangerous or aggressive dogs have repeatedly attacked humans, domestic animals, or livestock within the ETJ, and due to their presence, the ETJ is an unsafe environment for humans, domestic animals, or livestock; and (2) no animal control authority is authorized to operate in the ETJ, or the operating animal control authority does not provide for the impoundment or management of dangerous dogs or aggressive dogs.

**H.B. 101 (Toth) – Immigration Detainers:** would provide that a city that releases from custody a person who is the subject of an immigration detainer request issued by United State Immigration and Customs Enforcement is liable for damages resulting from a felony committed by the person in Texas within 10 years following the person’s release if: (1) the city did not
retain the person as requested; (2) the person was not a citizen at the time of release; and (3) the attorney general has filed a petition or applied for equitable relief against the city.

**H.B. 103 (Landgraf) – Active Shooter Alert System**: would require the Texas Department of Public Safety to establish the Texas Active Shooter Alert System and allow local law enforcement agencies to request activation of the system when certain criteria are met.

**H.B. 118 (Ortega) – Private Firearms Transfers**: would impose regulations on a person who sells or otherwise transfers a firearm to another person, and provide criminal penalties for a failure to comply with such regulations.

**H.B. 127 (Ortega) – Firearms**: would, with certain exceptions, make it an offense for a person to intentionally, knowingly, or recklessly carry on or about his person a firearm, other than a handgun, at any time in which the firearm is in plain view.

**H.B. 132 (Canales) – Forfeiture Proceeding**: would: (1) raise the state’s burden of proof from preponderance of the evidence to clear and convincing evidence in proceedings related to the seizure of property and forfeiture hearings; (2) limit the transfer of forfeitable property to the federal government; and (3) limit law enforcement agency or Texas National Guard cooperation in federal forfeiture actions.

**H.B. 138 (Landgraf) – Disorderly Conduct**: would increase, to a Class B misdemeanor, the penalty for the offense of, for a lewd or unlawful purpose: (1) entering into property of another and looking into a dwelling on the property through any window or other opening in the dwelling; (2) while on the premises of a hotel or comparable establishment looking into a guest room not the person’s own through the window or other opening in the room; or (3) while on the premises of a public place, looking into an area such as a restroom or shower stall or changing or dressing room that is designed to provide privacy to a person using the area.

**H.B. 162 (Thierry) – Prostitution**: would: (1) provide that a child may not be referred to juvenile court for prostitution; (2) provide that a law enforcement officer taking possession of a child suspected of engaging in prostitution shall: (a) use best efforts to deliver the child to the child’s parent or another person entitled to take possession of the child; (b) in the event the officer cannot find an individual under (a), take the child to a local service provider who will facilitate the assignment of a caseworker; or (c) in the event an individual under (a) and (b) is unavailable, transfer possession of the child to the Department of Family Protective Services; and (3) provide that a person may not be prosecuted for prostitution that the person committed when younger than 17 years of age.

**H.B. 164 (Meza) – Extreme Risk Protective Orders**: would, among other things: (1) provide that, in certain circumstances, courts may issue an extreme risk protective order against a person exhibiting dangerous behavior or conduct as a result of a serious mental illness, including any behavior or conduct related to the person’s use of firearms, requiring the person to relinquish his or her firearms; (2) require local law enforcement agencies to: (a) take possession of a person’s firearms when a court issues an extreme risk protective order against that person and to immediately provide the person a written copy of the receipt for the firearm and written notice of
the procedure for return of the firearm; (b) if applicable, notify the court that issued the extreme risk protective order that the person who is the subject of the order has relinquished the firearm not later than seven days after the law enforcement agency receives the firearm; (c) conduct a check of state and national criminal history record information to verify whether the person may lawfully possess a firearm not later than 30 days after receiving notice from the court that the extreme risk protective order has expired; (d) if the check described in (c) verifies that the person may lawfully possess a firearm, provide written notice to the person by certified mail stating that the firearm may be returned to the person if the person submits a written request before the 121st day after the date of the notice; (3) provide that a local law enforcement agency in possession of a firearm relinquished because of an extreme risk protective order may not destroy the firearm but may sell the firearm to a licensed firearms dealer if the check in (2)(c) shows that the person may not lawfully possess a firearm or the person does not submit a written request as required by (2)(d); (4) provide that the proceeds from the sale of a firearm in (3), above, shall be paid to the owner of the seized firearm, less the cost of administering the bill with respect to the firearm; and (5) provide that a law enforcement officer or other employee of a law enforcement agency is subject to punishment for contempt of court if the officer or employee violates the bill with the intent to withhold a firearm from a person who, at the time the violation occurred: (a) was the subject of an extreme risk protective order that was rescinded or that expired; and (b) may lawfully possess the firearm. (Companion bill is H.B. 395 by Moody.)

H.B. 169 (S. Thompson) – Criminal Penalties for Drug Possession: would reduce the criminal penalties for possession of small amounts of Penalty Group 1 controlled substances and marihuana.

H.B. 170 (Ortega) – Alcoholic Beverages: would provide that the prohibition on the consumption of alcoholic beverages in a public place during certain hours applies to all public places, regardless of whether it is a licensed or permitted premises.

H.B. 175 (Thierry) – Arrest Without Warrant: would: (1) repeal a Code of Criminal Procedure provision that provides that a peace officer or any other person may arrest, without a warrant, an offender who commits a felony or offense against the public peace when the offense is committed in the presence or view of the officer or person; and (2) amend a Code of Criminal Procedure provision to allow a peace officer to arrest an offender without a warrant for any offense committed in the peace officer’s presence or within the peace officer’s view.

H.B. 177 (Bernal) – Immigration Enforcement: would provide that a law enforcement agency is not required to comply with, honor, or fulfill a detainer request provided by the federal government with respect to a person who is younger than 18 years of age.

H.B. 182 (Bernal) – Immigration Enforcement: would repeal certain provisions governing state and local enforcement of immigration laws and other provisions related to immigration law, such as the requirement that a law enforcement agency honor a detainer request.

H.B. 184 (Thierry) – Civilian Complaint Review Board: would create, in a city with a population of one million or more and in a county with a population of two million or more, a civilian complaint review board with, among other things, the authority to: (1) investigate
allegations of peace officer misconduct involving excessive use of force or abuse of authority; and (2) issue subpoenas.

**H.B. 196 (Meza) – Stand Your Ground**: would, among other things, amend current law to provide that: (1) a person is not justified in using deadly force against another individual: (a) if the person is able to safely retreat, unless the person is in his or her own habitation; or (b) to prevent the individual’s imminent commission of robbery or aggravated robbery.

**H.B. 229 (Meza) – Reporting Protective Orders and Convictions**: would: (1) provide that, on receipt of an original or modified protective order from the clerk of the court, a law enforcement agency must immediately, and not more than 48 hours later, enter the information into the statewide law enforcement information system; and (2) require a local entity to report a conviction that would prohibit a person from possessing a firearm under state or federal law to the Texas Department of Public Safety not later than 48 hours after the judgment of conviction is entered.

**H.B. 234 (Ortega) – Large-Capacity Magazines**: would: (1) create a criminal offense for the unlawful possession or transfer of a large-capacity magazine; and (2) provide that it is a defense to prosecution under (1) if the actor engaged in the conduct while in the discharge of official duties, or directly in route to an assignment, as a peace officer.

**H.B. 236 (Bernal) – Licensed Carry**: would provide that, in relation to the notice required to prohibit licensed carry (e.g., “30.06” and “30.07” signs): (1) the Department of Public Safety (DPS) shall adopt rules that prescribe the size of a sign and the lettering on the signs; (2) the rules may not require that the signs be larger than 8.5 inches by 11 inches for each language in which the sign must be posted; (3) DPS by rule shall adopted a Spanish translation of the language required to be on the signs; and (4) DPS shall make available on its website a printable copy of the English and Spanish versions of the signs.

**H.B. 238 (Meza) – Ammunition and Firearms**: would remove certain prohibitions against a city adopting regulations related to ammunition and firearms.

**H.B. 239 (Murr) – Drug Free Zones**: would increase certain controlled substance offenses to a felony of the first degree if it is shown at trial that the offense was committed in, on, or within 1,000 feet of any real property that is owned, rented, or leased to a school or school board, the premises of public or private youth center, a playground, or on a school bus.

**H.B. 241 (Ortega) – Assault Weapons**: would: (1) create a criminal offense for the unlawful possession or transfer of an assault weapon; (2) provide that it is a defense to prosecution under (1) if the actor engaged in the conduct while in the discharge of official duties, or directly in route to an assignment, as a peace officer; (3) except assault weapons from certain requirements when a law enforcement agency holds the weapon in connection with a seizure; (4) prohibit a peace officer or retired peace officer from purchasing an assault weapon from his/her department; and (5) amend certain use of force provisions.
**H.B. 251 (S. Thompson) – Asset Forfeiture**: would, with certain exceptions, repeal the law related to civil asset forfeiture and establish criminal asset forfeiture in this state, and among other things: (1) authorize a convicting court to order a person convicted of an offense subject to forfeiture to forfeit certain property, but only after the state establishes by clear and convincing evidence that the requirements for forfeiture are met or enters into a court-approved plea agreement for the forfeiture of the property; (2) provide that contraband is not subject to forfeiture, but is subject to seizure and must be disposed in accordance with state law; (3) establish procedures for the seizure of real and personal property and for the defendant to challenge the seizure; (4) provide that a forfeiture proceeding must be held following the trial of the related alleged offense; (5) authorize a defendant, at any time following a forfeiture determination, to petition the court to determine whether the forfeiture is unconstitutionally excessive; (6) prohibit the property of an innocent owner from being forfeited; (7) prohibit a law enforcement agency from: (a) retaining any forfeited or abandoned property for the agency’s use; or (b) selling any forfeited or abandoned property directly or indirectly to an employee, a person related to an employee, or another law enforcement agency; (8) require law enforcement agencies to report certain forfeiture information to the Department of Public Safety; (9) require a law enforcement agency to return property under certain circumstances and make the agency responsible for any damage, storage fees, and related costs applicable to the property; and (10) prohibit the transfer of seized property to the federal government, with some exceptions.

**H.B. 266 (S. Thompson) – Criminal Penalties for Drug Possession**: would reduce the criminal penalties for possession of small amounts of Penalty Group 1 controlled substances.

**H.B. 268 (Meza) – Prohibiting Chokeholds**: would provide that the use of any force, by any person, including a peace officer or person acting in and at the direction of an officer, in connection with the arrest of another person, is not a justified use of force if such force is used in a manner that impedes the normal breathing or circulation of the blood of the person by applying pressure to the person’s throat or neck or by blocking the person’s nose or mouth.

**H.B. 272 (Meza) – No-Knock Entries**: would, among other things, provide that not later than December 1, 2022, a law enforcement agency that employs peace officers who enter, for the purpose of executing a warrant, into a building or other place without giving notice of the officer’s authority or purpose before entering (no-knock entry) shall report to the Department of Public Safety, on a form prescribed by the department, the following information for the period beginning on November 1, 2021, and ending on October 31, 2022: (1) the number of no-knock entries performed by peace officers employed by the law enforcement agency; and (2) for each no-knock entry performed: (a) whether any peace officer suffered an injury or death as a result of the entry and a description of each injury and cause of death, as applicable; (b) whether any other person suffered an injury or death as a result of the entry and a description of each injury and cause of death, as applicable; (c) if the entry was performed for the purpose of executing a search warrant, a description of the property to be searched for and of any property seized; (d) if the entry was performed for the purpose of executing an arrest warrant, the name of the person whose arrest was ordered and the offense the person was accused of committing; and (e) the name of the person arrested.
**H.B. 274 (Meza) – Cite and Release:** would: (1) provide that each law enforcement agency, in consultation with judges, prosecutors, commissioners courts, city council, and residents located within the agency’s jurisdiction, shall adopt a written policy regarding the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only; (2) provide that such policy must: (a) provide a procedure for a peace officer, on a person’s presentation of appropriate identification, to verify the person’s identity and issue a citation to the person; (b) comply with current law; and (c) ensure judicial efficiency, law enforcement efficiency and effectiveness, and community safety; (3) provide that a peace officer or any other person may not, without a warrant, arrest an offender who commits only one or more offenses punishable by fine only, other than certain assaultive offense, public intoxication, or offenses related to alcohol and minors, unless the officer or person has probable cause to believe that: (a) the failure to arrest the offender creates a clear and immediate danger to the offender or the public; (b) the failure to arrest the offender will allow the continued breach of the public peace; or (c) the offender will not appear in court in accordance with the citation; (4) provide that, notwithstanding current law, a peace officer may not arrest, without a warrant, a person who commits one or more offenses punishable by fine only, other than certain assaultive offenses, public intoxication or offenses related to minors and alcohol, unless the officer has probable cause as described in (3), above; (5) amend current law to provide that a peace officer who is charging a person, including a child, with committing a misdemeanor punishable by fine only, other than for certain assaultive offenses, public intoxication or offenses related to minors and alcohol, shall instead of taking the person before a magistrate, issue a citation to the person; (6) provide that peace officer charging a person, including a child, with committing an offense that is a misdemeanor punishable by fine only for certain assaultive offenses or offenses related to minors and alcohol, may instead of taking such person before a magistrate, issue a citation to that person; (7) amend current law to provide that a peace officer may not arrest a person found committing only one or more misdemeanors, related to traffic offenses, punishable by fine only unless the person has probable cause as described in (3), above; and (8) amend current law to provide that unless authorized to arrest a person for violation of a traffic rule, an peace officer shall issue a citation to a person if the offense for violation of a traffic rule is a misdemeanor that is punishable by fine only.

**H.B. 307 (Collier) – Criminal Penalties for Marihuana Possession:** would provide a defense to possession of certain consumable hemp products containing a controlled substance or marihuana if: (1) the person possesses a product that purports by the product’s label to contain a consumable hemp product that is authorized under state or federal law; (2) the product described by (1), above, contains a controlled substance or marihuana, other than the substances extracted from hemp in the otherwise legal concentrations; and (3) the person purchased the product described by (1), above, from a retailer the person reasonably believed was authorized to sell a consumable hemp product.

**H.B. 312 (Collier) – Implicit Bias Training:** would provide that: (1) as part of the minimum curriculum requirements for law enforcement training, each officer shall complete an implicit bias training program developed by the State Board of Education and the Texas Commission on Law Enforcement not later than the second anniversary of the date the officer is licensed unless the officer completes the training as part of the officer’s basic training course; and (2) provide that the required police officer continuing education program shall include training that consists
of de-escalation techniques to facilitate interaction with members of the public, including techniques to recognize and address implicit bias.

**H.B. 313 (Collier) – Mental Health Police Certification**: would amend the requirements for certifying an peace officer as a special officer for offenders with mental impairments to include: (1) completion of a training program on acquired and traumatic brain injuries; (2) completion of a training program on veterans with combat-related trauma, post-traumatic stress, post-traumatic stress disorder, or a traumatic brain injury; and (3) passing an examination that includes knowledge and recognition of a person with the characteristics and symptoms of mental illness or an intellectual or developmental disability.

**H.B. 323 (P. King) – Accreditation Grant Program**: would, among other things, provide that the Governor’s criminal justice division shall establish and administer a grant program to provide financial assistance, in an amount that does not exceed $5,000, to a law enforcement agency for purpose of: (1) obtaining or maintaining recognition through the Texas Police Chiefs Association Law Enforcement Best Practices Recognition Program; (2) becoming accredited or maintaining accreditation by the Commission on Accreditation for Law Enforcement Agencies, Inc.; or (3) becoming accredited or maintaining accreditation by an association or organization designated by the division.

**H.B. 336 (Cain) – Prohibition of Extreme Risk Protective Orders**: would, among other things: (1) define an “extreme risk protective order” as a court order, warrant, or executive order issued against a person that is not issued based on the person’s conduct constituting an offense and has the primary purpose of reducing the risk of death or injury related to a firearm by: (a) prohibiting a person from owning, possessing, or receiving a firearm; or (b) requiring a person to surrender a firearm or otherwise removing a firearm from a person; (2) preempt cities from adopting a rule, ordinance, order, policy, or other similar measure relating to an extreme risk protective order unless state law specifically authorizes it; and (3) create a state jail offense if a person enforces or attempts to enforce an extreme risk protective order against another person in this state.

**H.B. 345 (Rose) – Authority of Peace Officers**: would: (1) amend current law to give a peace officer discretion to, if authorized: (a) interfere without warrant to prevent or suppress a crime; and (b) arrest offenders without warrant so that they may be taken before a magistrate and tried; (2) repeal current law requiring a peace officer to summon aid from a sufficient number of citizens of his county whenever such officer meets resistance in discharging any duty imposed upon him by laws; and (3) repeal current law requiring a peace officer to report to the district or county attorney any person who, after being summoned by the officer to assist the officer in performing any duty, refuses to obey the officer.

**H.B. 346 (Rose) – Prohibiting Chokeholds**: would provide that the use of any force, by any person, including a peace officer or person acting in and at the direction of an officer, in connection with the arrest of another person, is not justified if such force is used in a manner that impedes the normal breathing or circulation of the blood of the person by applying pressure to the person’s throat, neck, or torso or by blocking the person’s nose or mouth.
**H.B. 356 (Sherman) – Affidavit for Installation and Use of Mobile Tracking Device:** would, among other things, require a peace officer’s affidavit to provide facts and circumstances in his or her affidavit that show probable cause (instead of reasonable suspicion under current law) that criminal activity has been, is, or will be committed and the installation and use of a mobile tracking device is likely to produce information that is material to an ongoing criminal investigation of that criminal activity in order for a district judge to issue an order for the installation and use of a mobile tracking device. (Companion bill is S.B. 112 by West.)

**H.B. 367 (Sherman) – Hate Crimes:** would: (1) require a local law enforcement agency receiving notice of a judgment of a crime committed because of bias or prejudice promptly to enter the information into the National Crime Information Center and the Texas Crime Information Center; and (2) create a criminal offense for a person convicted of certain crimes based on bias or prejudice to possess a weapon before the fifth anniversary of the later of the date of the person’s release from confinement following the conviction or the date of the person’s release from supervision under community supervision, parole, or mandatory supervision, as applicable.

**H.B. 377 (R. Smith) – Alert for Missing Persons Experiencing Mental Health Crisis:** would: (1) add a missing person experiencing a mental health crisis to the list of persons for which a local law enforcement agency may request the Department of Public Safety to issue a statewide alert; and (2) define “person experiencing a mental health crisis” as a person who is experiencing a mental health crisis and, due to that crisis, poses a danger to the person or to others.

**H.B. 395 (Moody) – Extreme Risk Protective Orders:** would, among other things: (1) provide that, in certain circumstances, courts may issue an extreme risk protective order against a person exhibiting dangerous behavior or conduct as a result of a serious mental illness, including any behavior or conduct related to the person’s use of firearms, requiring the person to relinquish his or her firearms; (2) require local law enforcement agencies to: (a) take possession of a person’s firearms when a court issues an extreme risk protective order against that person and to immediately provide the person a written copy of the receipt for the firearm and written notice of the procedure for return of the firearm; (b) if applicable, notify the court that issued the extreme risk protective order that the person who is the subject of the order has relinquished the firearm not later than seven days after the law enforcement agency receives the firearm; (c) conduct a check of state and national criminal history record information to verify whether the person may lawfully possess a firearm not later than 30 days after receiving notice from the court that the extreme risk protective order has expired; (d) if the check described in (c) verifies that the person may not lawfully possess a firearm, provide written notice to the person by certified mail stating that the firearm may be returned to the person if the person submits a written request before the 121st day after the date of the notice; (3) provide that a local law enforcement agency in possession of a firearm relinquished because of an extreme risk protective order may not destroy the firearm but may sell the firearm to a licensed firearms dealer if the check in (2)(c) shows that the person may not lawfully possess a firearm or the person does not submit a written request as required by (2)(d); (4) provide that the proceeds from the sale of a firearm in (3), above, shall be paid to the owner of the seized firearm, less the cost of administering the bill with respect to the firearm; and (5) provide that a law enforcement officer or other employee of a law enforcement agency is subject to punishment for contempt of court if the officer or employee violates the bill with the
intent to withhold a firearm from a person who, at the time the violation occurred: (a) was the subject of an extreme risk protective order that was rescinded or that expired; and (b) may lawfully possess the firearm. (Companion bill is H.B. 164 by Meza.)

**H.B. 402 (Hernandez) – Asset Forfeiture:** would allow the head of a law enforcement agency to use any portion of the gross amount credited to the agency’s special forfeited property fund from the forfeiture of contraband gained from a human trafficking offense to cover the costs of a contract with a city program to provide services to domestic victims of trafficking.

**H. B. 418 (Sherman) - Prohibiting Chokeholds:** would provide that the use of any force, by any person, including a peace officer or person acting in and the direction of an officer, in connection with the arrest of another person, is not a justified use of force if such force is used in a manner that impedes the normal breathing or circulation of the blood of the person by applying pressure to the person’s throat, neck, or torso or by blocking the person’s nose or mouth. (This bill is identical to H.B. 346 and S.B. 69 by Rose and Miles, respectively.)

**H.B. 421 (Cortez) – Notice to Adult Victims of Family Violence:** would add to the notice of victim’s legal rights and remedies that a peace officer who investigates a family violence allegation or who responds to a disturbance call that may involve family violence gives to the victim: (1) information about terminating a lease; (2) information about retrieving important items of personal property from a residence; and (3) an instruction to consult a legal aid office, prosecuting attorney, or private attorney for assistance obtaining the proper document or court order to terminate a lease or enter a residents to get important personal property.

**H.B. 435 (Gervin-Hawkins) – Public Transportation System Vehicles:** would increase the criminal penalty for certain offenses committed in a vehicle operated by a public transportation system.

**H.B. 439 (Canales) – Marihuana Concentrate:** would: (1) define marihuana concentrate as the resin extracted from marihuana or a compound, manufacture, salt, derivative, mixture, or preparation of the resin; and (2) add marihuana concentrate as a controlled substance subject to criminal penalties for possession or delivery or marihuana concentrate. (Companion bill is S.B. 151 by N. Johnson.)

**H.B. 441 (Zwiener) – Criminal Penalties for Possession of Marihuana:** would: (1) reduce criminal penalties for the possession of one ounce or less of marihuana and possession of drug paraphernalia; (2) provide that a peace officer may not arrest an individual without a warrant for possession of one ounce or less of marihuana or possession of drug paraphernalia; and (3) provide that a person may apply and pay a fee to expunge a criminal complaint for possession of one ounce or less of marihuana or drug paraphernalia in certain circumstances.

**H.B. 446 (Allison) – Public Monuments:** would increase the criminal penalty for the offense of criminal mischief involving the damage or destruction of a public monument.

**H.B. 447 (Moody) – Cannabis:** would: (1) authorize the possession, use, cultivation, manufacture, distribution, sale, and testing of cannabis and cannabis products; (2) authorize the
licensing of dispensing organizations; (3) authorize an application fee for licenses to operate a dispensing organization; (4) preempt cities from enacting, adopting, or enforcing a rule, ordinance, order, resolution, or other regulation that prohibits or unreasonably restricts the cultivation, production, processing, dispensing, transportation, or possession of cannabis or cannabis products or the operation of a cannabis grower, cannabis establishment, cannabis secure transporter, or cannabis testing facility as authorized by the bill; (5) provide that cities may adopt regulations consistent with the bill governing the hours of operation, location, manner of conducting business, and number of cannabis growers, cannabis establishments, or cannabis testing facilities; (6) provide for certain criminal penalties; and (7) provide for a tax on cannabis or cannabis products, 10% of which would go to cities in which cannabis establishments are located in proportion to number of cannabis establishments.

**H.B. 459 (Shaheen) - Suspicious Activity:** would prohibit a civil lawsuit against a person who reports suspicious activity to an appropriate law enforcement authority if the person acted: (1) as a reasonable person would in the same or similar circumstances; and (2) with a reasonable belief that the suspicious activity constituted or was in furtherance of a crime, including an act of terrorism.

**H.B. 461 (Shaheen) – Super-Intensive Supervision Program:** would require a law enforcement agency to execute, as soon as practicable, a warrant: (1) that is directed to the agency; and (2) issued for the return of a releasee in the super-intensive supervision program based on a violation of a condition of parole or mandatory supervision related to the electronic monitoring of the releasee.

**H.B. 492 (Wu) – No-Knock Entries:** would prohibit a magistrate, including a municipal judge, from issuing an arrest or search warrant that authorizes a peace officer from entering, for the purpose of executing a warrant, into a building or other place without giving notice of the officer’s authority or purpose before entering (a no-knock entry). (Companion bill is S.B. 175 by Miles.)

**H.B. 496 (Wu) – Display of Identification:** provides that a peace officer: (1) who is discharging an official duty and not undercover shall: (a) display in a visible manner at all times the officer’s first and last name and badge number or other identification number; and (b) provide the officer’s first and last name and badge number of other identification number to any person on request; (2) wearing riot gear that includes a helmet or a shield is considered to have complied with (1), above, only if the officer displays the required information on each of those items, as applicable; and (3) commits an offense if the officer violates (1)(b), and such offense is a Class C misdemeanor.

**H.B. 498 (Wu) – Criminal Penalties for Possession of Marihuana:** would reduce criminal penalties for the possession of one ounce or less of marihuana.

**H.B. 558 (White) – Blood Specimen:** would, for certain arrests for an intoxication and alcoholic beverage offense involving the operation of a motor vehicle or a watercraft: (1) require the taking of a specimen of a person’s blood if at the time of the arrest, the arresting peace officer reasonably believes that as a direct result of the accident any individual has died or will die; and
(2) require the taking of a specimen of a person’s blood or breath at the time of the arrest, if the arresting peace officer reasonably does not believe that as a direct result of the accident any individual has died or will die, but believes as a direct result of the accident, an individual other than the person has: (a) suffered serious bodily injury; or (b) has suffered bodily injury and has been transported to a hospital or other medical facility.

**H.B. 562 (Meza) – De-escalation Policy:** would provide that, no later than January 1, 2022, each law enforcement agency adopt a detailed written policy regarding the use of force by its peace officers that must: (1) emphasize the use of conflict de-escalation techniques; and (2) authorize force to be used only after attempts to de-escalate a situation have failed.

**H.B. 563 (Meza) – Law Enforcement Intervention Policy:** would provide that, no later than January 1, 2022, each law enforcement agency shall adopt a detailed written policy requiring its peace officers to intervene to stop or prevent another peace officer from: (1) using excessive force against a person suspected of committing an offense, if an ordinary, prudent peace officer would intervene under the same or similar circumstances; or (2) committing an offense.

**H.B. 579 (Dutton) – SWAT Teams:** would provide that: (1) a law enforcement agency may not create or administer a SWAT team unless: (a) each law enforcement officer on that team is equipped with a body worn camera; and (b) the law enforcement agency establishes policies and procedures to ensure that body worn cameras: (i) are activated and recording during all team action; and (ii) continue recording until all suspects present at the scene have been arrested or released from custody or all law enforcement personnel have left the premises; (2) a law enforcement agency administering a SWAT team shall adopt a policy designed to limit the deployment of that team to situations involving an imminent threat of serious bodily injury to law enforcement officers or the public, except that the existence of a legally owned firearm in the home of an individual does not in itself constitute evidence of an imminent threat; (3) the decision to deploy a SWAT team must be based on consideration of: (a) any available evidence indicating an imminent threat to a person or officer; and (b) whether conditions are such that the suspect cannot reasonably be apprehended using routine methods; (4) when a SWAT team is deployed for a planned warrant service or for an incident not involving ongoing violence: (a) the basis for believing an imminent threat exists must be reviewed and approved by a supervisor at the level of captain or above before the deployment occurs; and (b) the supervisor described by (4)(a), above, must provide in advance of the deployment written justification for any execution of a warrant after sunset and before sunrise; (5) each law enforcement agency administering a SWAT team shall annually report, to the agency’s local governing body, information about team deployments and training that include: (a) each date on which the SWAT team was deployed; (b) the location for each incident involving the deployment of the SWAT team; (c) the specific reason for the deployment, including a short description of the evidence of an imminent threat or the existence of a tip by an undercover or anonymous informant; (d) a listing of military or forcible entry equipment used, if any; (e) if known, the age, gender, and race or ethnicity of each injured or deceased person involved in the incident; (f) list of any controlled substances, weapons, contraband, or other evidence of crime seized from the premises or from any persons; (g) whether any person used, exhibited, or carried a deadly weapon during the incident; (h) whether the incident occurred as a result of an investigation of an offense involving a controlled substance; and (i) the training and education completed by the SWAT team collectively and for
the SWAT team certified officers individually; (6) a person who suffers serious bodily injury as a result of a SWAT team action, or an immediate family member of a person who suffered serious bodily injury or died as a result of a SWAT team action, is entitled to receive a copy of any video or audio recording made by the team and containing footage of the action, and such person or family member must submit a request for the recording to the law enforcement agency administering the applicable SWAT team; and (7) the Texas Commission on Law Enforcement shall create, among other things, training curriculum and standards for certification as a SWAT team member.

**H.B. 585 (Cole) – Criminal Penalties for Possession of Marihuana**: would reduce criminal penalties for certain crimes involving the possession of marihuana.

**H.B. 600 (J. Johnson) – Psychological Examinations**: would: (1) provide that, once every 24 months, each peace officer shall be examined by a licensed psychologist or psychiatrist who can declare in writing that the officer is in satisfactory psychological and emotional health to serve as a peace officer; (2) provide that the Texas Commission on Law Enforcement (TCOLE) shall, by rule: (a) provide grounds for which a law enforcement agency may exempt a peace officer from the requirement described in (1), above; and (b) adopt procedures to ensure timely and accurate reporting by law enforcement agencies and peace officers of the results of a psychological examination; and (3) provide that TCOLE shall suspend the license of a peace officer who fails to comply with the requirements of (1), above.

**H.B. 616 (Dutton) – Criminal Penalties for Possession of Marihuana**: would, among other things: (1) reduce criminal penalties for the possession of two ounces or less of marihuana; (2) provide that an offense for possession of two ounces or less of marihuana is a Class B misdemeanor if it is shown on the trial of the offense that the defendant has been previously convicted three or more times of an offense involving the possession of marihuana and each prior offense was committed within the 24-month period preceding the date of the commission of the instant offense; and (3) require a judge to order a defendant who receives a deferral for possession of marihuana to successfully complete a drug awareness and education program.

**H.B. 638 (Krause) – Public Safety Funding**: would: (1) define “public safety service” to mean fire protection, law enforcement, or emergency medical service; (2) provide that a political subdivision may not adopt a budget unless the political subdivision allocates money in that budget to provide for each public safety service in an amount equal to or greater than the amount allocated to provide for that service in the preceding fiscal year; (3) allow a political subdivision to adopt a budget that does not meet the requirements of (2), above, if the political subdivision will not provide the public safety service in the fiscal year for which the budget is adopted; and (4) provide that the amount allocated in a budget to provide a public safety service includes all maintenance, operations, and debt service costs associated with providing the service.

**H.B. 656 (J. González) – Consent to Take Specimen**: would provide that if a person consents to an officer’s request to take a blood or breath specimen, the officer shall request the person to sign a statement providing that: (1) the officer requested that the person submit to the taking of a specimen; (2) the person was informed of the consequences of not submitting to the taking of a specimen; and (3) the person voluntarily consented to the taking of a specimen.
**H.B. 657 (J. González) – Evidence of Intoxication:** would, among other things, provide that in the prosecution of any offense involving a motor vehicle, only an analysis of a lawfully obtained specimen of the defendant’s blood, breath, or urine or other bodily substance is admissible to show the defendant’s alcohol concentration or the presence of a controlled substance, drug, dangerous drug, or other substance in the defendant’s body at the time of the offense.

**H.B. 667 (Dutton) – Asset Forfeiture:** would require: (1) a final conviction for an underlying offense in order to pursue forfeiture of contraband; and (2) a court to dismiss a contraband forfeiture proceeding on proof of a dismissal or acquittal of the underlying offense.

**H.B. 689 (Collier) – Appearance of Arrested Person before Magistrate:** would, among other things, provide that when an arrested person appears before a magistrate: (1) if the proceeding is conducted through videoconference, the magistrate shall ensure the arrested person is able to connect to and understand the image and sound of the videoconference; (2) if the magistrate is unable to ensure that the arrested person is able to understand and participate in the proceeding, the magistrate shall: (a) if the magistrate has appointing authority, appoint counsel for the person; or (b) if the magistrate does not have appointing authority, notify the appointing authority of the person’s inability to understand and participate in the proceeding; and (3) if the magistrate has reasonable cause to believe that the arrested person has a mental illness or is a person with an intellectual disability, the magistrate shall follow the required procedures for early identification of a defendant suspected of having mental illness or intellectual disability.

**H.B. 709 (P. King) – Law Enforcement Employment Records:** would provide that: (1) the Texas Commission on Law Enforcement (TCOLE) shall prescribe, by rule, the manner in which a law enforcement agency shall make a person’s employment records available to a hiring law enforcement agency; (2) a law enforcement agency that makes a person’s employment records available to a hiring law enforcement agency shall provide a copy of the records to the person; (3) a law enforcement agency that obtains a person’s employment records may not disclose any information contained in the records; (4) a law enforcement agency, agency head, or other law enforcement official is not liable for civil damages for making a person’s employment records available to a hiring law enforcement agency; and (5) a person licensed by TCOLE, including a peace officer, shall not enter into an agreement with a law enforcement agency employing the person that prohibits the law enforcement agency from making the person’s employment records available to another law enforcement agency.

**H.B. 715 (Reynolds) – Officer-Involved Death or Injury:** would, in relation to an officer-involved injury or death case: (1) disqualify a prosecuting attorney from prosecuting a peace officer who is employed by a political subdivision that is also served by the attorney, and require that the attorney general appoint a special prosecutor; and (2) require a law enforcement agency to report the incident to the attorney general as soon as practicable, and cooperate with a special prosecutor in the prosecution of any related offense. (See **H.J.R. 41**, below.)

**H.B. 718 (Gervin-Hawkins) – Certain Class B Misdemeanors:** would, among other things, provide that a peace officer may dispose of a case based on certain Class B misdemeanors without taking the alleged offender before a magistrate if: (1) the disposition is authorized by and
is performed in accordance with guidelines adopted by either: (a) the district criminal judges and county court criminal judges in the respective district and county where the alleged offender is arrested; or (b) the community justice council serving the county in which the alleged offender is arrested; and (2) the peace officer makes a written report of the officer's disposition to the law enforcement agency employing the officer, identifying the alleged offender and specifying the grounds for the disposition.

**H.B. 741 (Allison) – Public Safety Funding:** would: (1) define “public safety service” to mean fire protection, law enforcement, or emergency medical service; (2) provide that if a city or county adopts a budget in which the amount of money allocated to provide for a public safety service is less than the amount allocated to provide for that service in the preceding fiscal year by more than five percent, the registered voters of the city or county, as applicable, at an election held for that purpose, must determine whether to approve the amount allocated; (3) require the governing body of the city or county to order that the election be held in the city or county, as applicable, on the earliest date that allows sufficient time to comply with the legal requirements for holding the election, which would include an election date other than a uniform election date; (4) provide that if a majority of votes cast in the election favor approving the amount allocated for the public safety service, the budget is approved; (5) provide that if the amount allocated is not approved, the governing body shall amend the budget by allocating for the public safety service an amount for the current fiscal year that is not less than 95 percent of the amount allocated for that service in the preceding fiscal year; and (6) provide that the amount allocated in a budget to provide a public safety service includes all maintenance, operations, and debt service costs associated with providing the service.

**H.B. 744 (Collier) – Exculpatory Evidence:** would: (1) require a law enforcement agency filing a case with the attorney representing the state to submit to the attorney representing the state a written statement by an agency employee with knowledge of the case acknowledging that all documents, items, and information in the possession of the agency that are required to be disclosed to the defendant in the case have been transmitted to the attorney representing the state; and (2) provide that, if at any time after the case is filed with an attorney representing the state, the law enforcement agency discovers or acquires any additional information, item, or document required to be disclosed, an agency employee shall promptly submit it to the attorney representing the state. (Companion bill is S.B. 111 by West.)

**H.B. 747 (Dutton) – Spoliation:** would, among other things, in criminal proceedings: (1) require the state, except as permitted by other law, to preserve evidence in its possession, custody, or control and prevent the destruction, alteration, or loss of that evidence; and (2) after a hearing outside the presence of the jury, allow for the court to make a spoliation determination against the state for evidence that is destroyed, altered, or lost by an act or omission of the state.

**H.B. 757 (Dutton) – Community Supervision and Deferred Adjudication:** would: (1) provide that certain offenses for which a defendant received a dismissal and discharge may not be used as grounds for: (a) denying housing or employment to, or terminating the existing housing or employment of, an individual otherwise entitled to or qualified for the housing or employment; or (b) denying issuance of a professional or occupational license to, or suspending or revoking the professional or occupational license of, an individual otherwise entitled to or qualified for the
license; (2) provide that certain offenses may be used as grounds for denying or terminating housing or employment, including sexual assault, murder, and others; and (3) provide that certain offenses may be used as grounds for denying, suspending, or revoking a professional license, including offenses related to the activity or conduct for which the person seeks or holds the license.

**H.B. 763 (Toth) – Seized Alcoholic Beverages**: would provide that an alcoholic beverage, its container, and its package which has been seized by a peace officer shall be: (1) destroyed or disposed of by a peace officer; or (2) delivered to the Texas Alcoholic Beverage Commission (TABC) for immediate public or private sale in the manner TABC considers best.

**H.B. 786 (Oliverson) – CPR Training**: would require: (1) a state, county, special district, or municipal agency that employs telecommunicators to require each telecommunicator who provides dispatch for medical emergencies to receive training, including continuing education training, in telecommunicator cardiopulmonary resuscitation (CPR); (2) a telecommunicator to complete initial training not later than the 60th day after the telecommunicator’s first date of employment with the entity; and (3) the telecommunicator to complete continuing education training at least as often as recognized standards for telecommunicator CPR training are updated.

**H.B. 788 (Geren) – Court Program**: would expand the definition of a public safety employee, for the purpose of participating in a public safety employee treatment court program, to include an emergency service dispatcher.

**H.B. 791 (Goodwin) – Public Demonstrations**: would provide that: (1) a person commits the offense of disorderly conduct if the person intentionally or knowingly displays a firearm while attending or within 500 feet of a public demonstration; and (2) it is a defense to prosecution for an offense described in (1) if the person displays the firearm in discharging the person’s official duties as a peace officer, a member of the armed forces, or a security officer.

**H.B. 799 (Rosenthal) – Firearm Offense**: would provide that it is a Class C misdemeanor offense if a person, while intoxicated, carries on or about his or her person a firearm, including a handgun or long gun, in a public place.

**H.B. 809 (J. Johnson) – Medical Marihuana**: would: (1) authorize the possession, use, cultivation, distribution, transportation, and delivery of medical cannabis for medical use by patients with post-traumatic stress disorder; (2) authorize the licensing of dispensing organizations; (3) authorize an application fee for licenses to operate a dispensing organization; and (4) prevent cities from enacting, adopting, or enforcing a rule, ordinance, resolution, or other regulation that prohibits the cultivation, production, dispensing, or possession of medical cannabis as authorized by the bill.

**H.B. 810 (Collier) – Coin-Operated Machines**: would, in regard to the comptroller’s duty to regulate music and skill or pleasure coin-operated machines, require the comptroller to disclose confidential information, including information included in a license or registration certificate application, to a law enforcement agency that submits to the comptroller a written request for the information in connection with an investigation the agency is conducting.
**H.B. 821 (White) – Handgun License**: would make changes to the: (1) eligibility requirements for a license to carry a handgun; and (2) circumstances under which the Texas Department of Public Safety may revoke or suspend a license to carry a handgun.

**H.B. 827 (Huberty) – Disclosure of Vehicle Speed to Law Enforcement**: would provide that a toll project entity or a private entity that operates a toll project and collects information on the speed at which a vehicle is operated on the toll project may not disclose the information to a law enforcement agency for the purpose of proving a speeding violation.

**H.B. 829 (S. Thompson) – Progressive Disciplinary Matrix**: would, with respect to disciplinary procedures for police officers in certain cities: (1) require a civil service commission to implement a progressive disciplinary matrix for infractions committed by police officers that consists of a range of progressive disciplinary actions applied in a standardized way based on the nature of the infraction and the officer’s prior conduct record, and such matrix must include: (a) standards for disciplinary actions related to use of force against another person, including the failure to de-escalate force incidents in accordance with departmental policy; (b) standards for evaluating the level of discipline appropriate for uncommon infractions; and (c) presumptive actions to be taken for each type of infraction and any adjustment to be made based on a police officer’s previous disciplinary action; (2) make changes to the meet and confer provisions applicable to police officers to provide that certain cities that have adopted a meet and confer agreement but are not subject to civil service rules or collective bargaining shall implement a progressive disciplinary matrix as described in (1), above, for its police officers, and that such agreement may not conflict or supersede a rule concerning the disciplinary actions that may be imposed under the disciplinary matrix; (3) provide that a hearing examiner in a city subject to civil service rules must presume a disciplinary action applied to a police officer under a progressive disciplinary matrix is reasonable unless the facts indicate that the department inappropriately applied a category of offense to the particular violation; and (4) make changes to the collective bargaining statute to provide that a city that has adopted a collective bargaining agreement but is not subject to civil service rules shall implement a progressive disciplinary matrix as described in (1), above, for its police officers, and that such agreement may not conflict with an ordinance, order, statute, or rule related to disciplinary actions that may be imposed on its police officers under a disciplinary matrix implemented by the city.

**H.B. 830 (S. Thompson) – Cite and Release**: would, with respect to issuing citations in lieu of arrest for misdemeanor offenses, provide that: (1) the Texas Southern University, in consultation with other law enforcement organizations, shall publish a model policy related to the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only, that includes the procedure for a peace officer, upon a person’s presentation of appropriate identification, to verify the person’s identity and issue a citation to the person; (2) each law enforcement agency shall adopt a written policy regarding the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only, provided that such policy meets the requirements of the model policy described in (1), above; (3) a law enforcement agency may adopt the model policy developed under (1), above; (4) with the exception of certain assault offenses and for the offense of public intoxication, a peace officer or any other person may not, without a warrant, arrest an offender for a misdemeanor punishable by
fine only or arrest a person who commits one or more offenses punishable by fine only; (5) a peace officer who is charging a person, including a child, with committing an offense that is a misdemeanor punishable by fine only, other than an offense of public intoxication, shall, instead of taking the person before a magistrate, issue a citation to the person; (6) a peace officer who is charging a person, including a child, with committing certain assault offenses that are a misdemeanor, punishable by fine only, may, instead of taking the person before a magistrate, issue a citation to the person; and (7) a peace officer may not arrest, without warrant, a person found only committing one or more misdemeanors related to certain traffic offenses that are punishable by fine only, and in such instances shall issue a written notice to appear to the person.

**H.B. 831 (S. Thompson) – Prohibiting Chokeholds**: would provide that the use of any force by any person, including a peace officer or person acting in and at the direction of an officer, in connection with the arrest of another person, is not a justified use of force if such force is used in a manner that impedes the normal breathing or circulation of the blood of the person by applying pressure to the person’s throat or neck or by blocking the person’s nose or mouth. (Companion bill is H.B. 268 by Meza.)

**H.B. 832 (S. Thompson) – Police Officers**: would, with respect to the duties and powers of a peace officer: (1) amend current law to provide that a peace officer has the discretion on whether or not, if authorized, to: (a) interfere without a warrant to prevent or suppress a crime; or (b) arrest offenders without warrant so that they may be taken before the proper magistrate or court and be tried; and (2) provide that a peace officer shall: (a) identify as a peace officer before taking any action within the course and scope of the officer’s official duties unless the identification would render the action impracticable; and (b) intervene if the use of force by another peace officer: (i) violates state or federal law or a policy of any entity service by the other officer; (ii) puts any person at risk of bodily injury, unless the officer reasonably believes that the other officer’s use of force is immediately necessary to avoid imminent harm to a peace officer or other person; or (iii) is not required to apprehend or complete the apprehension of a suspect; and (c) provide aid immediately to any person who needs medical attention, including a person who needs medical attention as a result of the use of force by a peace officer.

**H.B. 833 (S. Thompson) – Use of Force**: would: (1) require each law enforcement agency to adopt a detailed written policy regarding the use of force by peace officers; (2) require the Texas Commission on Law Enforcement (TCOLE) to develop a model use of force policy and associated training, and allow a law enforcement agency to adopt the model policy developed by TCOLE; (3) make changes to the instances in which a peace officer, or a person acting in a peace officer's presence and at his direction, is justified in using force against another during a search or arrest; and (4) repeal the Penal Code provision that provides that a peace officer or a person other than a peace officer acting in the officer’s presence and direction has no duty to retreat before using deadly force in connection with making an arrest or preventing escape after arrest.

**H.B. 834 (S. Thompson) – Covert Law Enforcement Activity**: would provide that a defendant may not be convicted for an offense under the Texas Controlled Substances Act on the testimony of a person who is acting covertly on behalf of a law enforcement agency, regardless of whether that person is a licensed peace officer or special investigator, unless the testimony is corroborated by other evidence.
**H.B. 836 (Dutton) – Resisting Arrest**: would require the complaint, information, or indictment in the prosecution of a criminal case in which the sole allegation is that a person has resisted arrest to state the underlying offense for which the person was resisting arrest.

**H.B. 842 (Moody) – Criminal History Record Information**: would allow an attorney representing the state in a criminal case to: (1) disclose to the defendant, or attorney representing the defendant, the criminal history record information (CHRI) of the defendant or potential witness that was obtained from Department of Public Safety or the FBI; and (2) use the CHRI as notice to the defendant, or attorney representing the defendant, of the state’s intention to use the CHRI to introduce evidence of other crimes, wrongs, or acts committed by the defendant, or evidence of the prior criminal record of a potential witness in the case, if timely disclosed to the defendant or attorney representing the defendant.

**H.B. 919 (Leman) – Federal Firearms Regulations**: would: (1) prohibit a city council or an officer, employee, or other body that is part of a city (including a police department) from adopting a rule, order, ordinance, or policy under which the city enforces, or allows the enforcement of, a federal statute, order, rule, or regulation enacted on or after September 1, 2021, that purports to regulate a firearm, a firearm accessory, or firearm ammunition if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation, such as a capacity or size limitation, a registration requirement, or a background check, that does not exist under Texas law; and (2) provide that a violation of the prohibition in (1) may be enforced: (a) by denying state grant funds to the city; and (b) through court action by the attorney general.

**H.B. 929 (Sherman) – Body Worn Cameras**: This bill known as the “Botham Jean Act,” would, among things: (1) require a body worn camera policy include provisions related to collection of a body worn camera, including the applicable video and audio recorded by the camera, as evidence; (2) amend current law to provide that, other than in a non-confrontational encounter with a person, a peace officer who participates in an investigation of the offense of intentionally or knowingly deactivating a recording device being used in the investigation shall keep a body worn camera activated for the entirety of the investigation unless the camera has been collected as evidence by another peace officer in accordance with a body worn camera policy or applicable law; (3) provide that body worn camera recording is confidential and not subject to disclosure under the Public Information Act if: (a) the recording documents a victim of a crime expressing a clear and unambiguous desire to not be recorded or allow the recording to be made available to the public; (b) the recording documents a person providing assistance to a law enforcement investigation and expressing a clear and unambiguous desire to not be recorded or provide the assistance in an anonymous manner; (c) the recording documents a child younger than 17 years of age; or (d) the recording was made: (i) on the grounds of any public or private primary or secondary school; or (ii) inside a home by a peace officer who entered the home with either a warrant, with consent or under lawfully authorized exigent circumstances; (4) provide that a person commits a felony of the third degree if the person knows that an investigation (defined as an inquiry conducted by a law enforcement agency to determine whether a person has committed an offense or an employee of a law enforcement agency has violated policy, order, rule or other regulation of the agency) is ongoing and intentionally or knowingly deactivates, orders the deactivation of, or causes to be deactivated a recording device, including a
dash cam, a body worn camera, and an alarm system, being used in the investigation; and (5) provide that it is an affirmative defense to prosecution for an offense defined in (4), above, that: (a) a peace officer, other than the peace officer to whom the body worn camera was issued, deactivated the camera in accordance with any policy adopted by the employing law enforcement agency regarding collection of evidence and applicable law; or (b) a non-peace officer deactivated the recording device at the request or command of a peace officer and such request or command was made in accordance with any policy adopted by the employing law enforcement agency regarding collection of evidence and applicable law.

**H.B. 957 (Oliverson) – Federal Firearm Regulations**: would: (1) prohibit a city council or an officer, employee, or other body that is part of a city (including a police department) from adopting a rule, order, ordinance, or policy under which the city enforces, or allows the enforcement of, a federal statute, order, rule, or regulation that purports to regulate a firearm suppressor if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation that does not exist under Texas law; and (2) provide that a violation of the prohibition in (1) may be enforced: (a) by denying state grant funds to the city; and (b) through court action by the attorney general.

**H.B. 959 (Reynolds) – Civilian Complaint Board**: would create, in a city with a population of 500,000 or more, a civilian complaint review board with, among other things, the authority to: (1) investigate complaints alleging peace officer misconduct that involve: (a) excessive use of force; (b) improper use of power to threaten, intimidate, or otherwise mistreat a member of the public; (c) a threat of force; (d) an unlawful act, search, or seizure; or (e) other abuses of authority; and (2) issue subpoenas.

**H.B. 983 (Holland) – Alcohol To-Go**: would allow for the pickup and delivery of alcoholic beverages for off-premises consumption under certain circumstances.

**H.B. 1001 (Lucio III) – Medical Marihuana**: would add post-traumatic stress disorder as an authorized diagnosis for a prescription for low-THC cannabis. (Companion bill is **S.B. 327** by Lucio.)

**H.B. 1024 (Geren) – Alcohol To-Go**: would allow for the pickup and delivery of alcoholic beverages for off-premises consumption under certain circumstances. (Companion Bill is **S.B. 298** by Hancock.)

**H.B. 1035 (Dutton) – Use of Force**: would amend current law to provide that the standard for: (1) the justified use of force against a person by a peace officer, a person acting in a peace officer’s presence and at the officer’s direction or a person other than a peace officer is an objectively reasonable standard; (2) the justified use of deadly force against a person by a peace officer or a person acting in a peace officer’s presence and at the officer’s direction is an objectively reasonable standard; and (3) the justified use of any force, including deadly force, by a guard employed by a correctional facility or a peace officer to prevent the escape of a person from a correctional facility is an objectively reasonable standard.
H.B. 1039 (Goodwin) – Handgun License: would provide that: (1) a peace officer may seize a license holder’s suspended, revoked, or expired license and return it to the Department of Public Safety; and (2) if a handgun license holder is convicted of or charged with an offense or becomes the subject of a protective order and that conviction, charge, or order disqualifies the person from possessing a firearm or continuing to hold a license, an officer of the court shall accept voluntary surrender of the license or otherwise seize the license.

H.B. 1050 (Romero) – Mental Health Response Study: would, among other things: (1) require that the Health and Human Services Commission conduct a study to evaluate the availability, outcomes, and efficacy of using mental health response teams and mental health professionals to assist in reducing the number of incarcerations of individuals with mental illnesses, substance abuse disorders, or intellectual or developmental disabilities; (2) provide that in conducting such study, the commission shall: (a) include an assessment of whether the information suggests that municipalities would benefit from mental health response teams assisting traditional law enforcement officers in efforts to: (i) reduce the incarceration rates of persons with mental illness, substance abuse disorder, and intellectual or developmental disorders; (ii) increase the number of referrals to community resources and treatment for persons described in (2)(a)(i), above; (iii) reduce the use of force when responding to emergency calls that involve persons described in (2)(a)(i), above; and (iv) gain an understanding about persons described by (2)(a)(i), above; (b) evaluate the fiscal and staffing implications to a law enforcement agency for agency use of a mental health response team to respond remotely to emergency calls; and (c) evaluate the impact of certain funding sources on establishing mental health response teams across the state, especially the impact to the establishment, staffing, and maintenance of those teams; and (3) require the commission to gather information from the study from each city with a population greater than 100,000.

H.B. 1051 (Geren) – Court Program: would expand the definition of a public safety employee, for the purpose of participating in a public safety employee treatment court program, to include an emergency service dispatcher.

H.B. 1069 (Harris) – First Responders Carrying Handguns: would: (1) require the public safety director of the Department of Public Safety to establish a handgun training course for first responders who hold a license to carry a handgun; (2) prohibit a governmental entity from adopting a rule or regulation that prohibits a first responder who holds a license to carry a handgun and has completed the course described in (1) from: (a) carrying a concealed or holstered handgun while on duty; or (b) storing a handgun on the premises of or in a vehicle owned or operated by the governmental entity if the gun is properly secured; (3) provide that a first responder may discharge a handgun while on duty only in self-defense; (4) provide that a governmental entity that employs or supervises a first responder is not liable in civil action arising from the discharge of a handgun by a first responder who is licensed to carry a handgun; (5) provide that the discharge of a handgun by a first responder who is licensed to carry a handgun is outside the course and scope of the first responder’s duties; and (6) provide that the new law authorizing the discharge of a firearm by a first responder may not be construed to waive, under any law, immunity from suit or liability of a governmental entity that employs or supervises first responders.
**H.B. 1074 (Hernandez)** – Massage Establishments: would amend current law to provide that, for purposes of abatement of nuisances, a law enforcement agency that makes an arrest related to the offense of prostitution or violation of laws regulating the licensing of massage professionals that occurs at a property leased to a person operating a massage establishment, may provide written notice of the arrest, by certified mail, to the property owner.

**H.B. 1097 (Lozano)** – Kratom: would: (1) authorize the processing and sale of kratom and kratom products; (2) prohibit the sale or distribution of a kratom product to someone younger than 18 years of age; (3) authorize a civil penalty for violations of the bill; and (4) provide that the attorney general, the district or county attorney for the county, or the municipal attorney of the municipality in which the violation is alleged to have occurred may bring an action to recover a civil penalty.

**H.B. 1102 (Dominguez)** – Alcohol To-Go: would allow for the pickup and delivery of alcoholic beverages for off-premises consumption under certain circumstances.

**H.B. 1109 (Dominguez)** – Medical Cannabis for Veterans: would: (1) authorize the use of medical cannabis by veterans for post-traumatic stress disorder; (2) authorize the licensing of associated cultivating or dispensing organizations; (3) require a cultivating or dispensing license holder to annually donate at least five percent of the license holder’s net profit to a nonprofit organization that focuses on getting veterans access to treatment for post-traumatic stress disorder; and (4) provide that a cultivating or dispensing facility owned or operated by a license holder may not be located within 1,000 feet of a primary or secondary school or day-care center that exists on the date of the license holder’s initial application for licensure.

**H.B. 1119 (Lucio III)** – Uninsured Vehicle Enforcement Program: would provide that: (1) the Texas Department of Public Safety (department) by rule shall, in consultation with law enforcement agencies, establish the Texas Uninsured Vehicle Enforcement Program to use automatic license plate reader (ALPR) systems to help law enforcement agencies identify uninsured motor vehicles; (2) the department may: (a) install an ALPR system on appropriate infrastructure owned by this state or a political subdivision of this state, including traffic signals, highway signs, bridges, and overpasses; and (b) use infrastructure described in (2)(a), above, as necessary to ensure than an ALPR system has access to the necessary power to operate; (3) the department and law enforcement agencies may use ALPRs to collect captured plate data so as to enforce the financial responsibility requirements under state law; (4) the captured plate data may be accessed only by law enforcement agencies and individuals authorized by the department; (5) a peace officer may: (a) verify by sworn affidavit that a photograph generated by an ALPR system identifies a particular vehicle operating on a public roadway that was uninsured at the time the vehicle was being operated; and (b) issue a citation, based on the affidavit, to a person for operating a motor vehicle without meeting the financial responsibility requirements; (6) captured plate data collected or retained under this program through the use of an ALPR system must be retained by a law enforcement agency if the data is being used as evidence of a violation of the financial responsibility requirements, and if no longer needed as evidence of a violation, must be deleted or otherwise destroyed; and (7) captured plate data collected or retained by the department or a law enforcement agency through the use of the ALPR system may not be used for a purpose other than enforcing the motor vehicle financial responsibility requirement.
**H.B. 1125 (Anchia) – Disclosure of Information to Defendants:** This bill known as “the Richard Miles Act” would provide that: (1) a law enforcement agency filing a case with the attorney representing the state, including the district attorney, criminal district attorney, county attorney with criminal jurisdiction, or city or municipal attorney, shall include with the case file: (a) all documents, items, and information in the possession of the agency that are required to be disclosed during discovery, and (b) a written statement by a peace officer employed by the agency acknowledging that the documents, items, and information filed with the case constitute all of the documents, items, and information in the possession of the agency that are required to be disclosed to the defendant in the case under the discovery rules; (2) if at any time after the case is filed with the attorney representing the state, the law enforcement agency discovers or acquires any additional documents, item, or information required to be disclosed, a peace officer employed by the agency shall promptly transmit the document, item, or information to the attorney representing the state; and (3) a law enforcement agency shall promptly disclose to each attorney representing the state with whom the agency files cases, the identity of each peace officer or other employee of the agency for whom a finding of misconduct has been sustained if that finding would be required to disclosed to a defendant under the discovery rules.

**H.B. 1141 (Ramos) – Surrender of Firearms:** would: (1) provide that, on conviction of a person for certain family violence offenses or issuance of certain protective orders, a court shall provide written notice to the person convicted or subject to the protective order that he/she is: (a) prohibited from acquiring, possessing, or controlling a firearm; and (b) ordered to surrender all firearms the person owns; (2) provide that a person in (1) shall surrender a firearm by: (a) selling the firearm to a licensed dealer; or (b) surrendering the firearm to a law enforcement agency for holding or disposition; and (3) require a law enforcement agency that takes possession of a firearm under (2) to follow certain policies and procedures for collecting, storing, returning, selling, or destroying the firearm, and allows the agency to impose a reasonable fee for storing a firearm.

**H.B. 1157 (Vo) – Licensing Veterans as Peace Officers:** would: (1) allow a political subdivision, including a city, to employ, as a peace officer, a legal permanent resident of the United States who is an honorably discharged veteran of the armed forces of the United States; and (2) require that the Texas Commission on Law Enforcement issue a peace officer license to a person who is a legal permanent resident of the United States if the person: (a) meets the requirements to be a peace officer; and (b) is an honorably discharged veteran of the armed forces of the United States.

**H.B. 1172 (Howard) – Sexual Assault Victims:** would, among other things: (1) amend current law to provide that a peace officer or an attorney representing the state may not require, request, or take a polygraph examination of a person who charges or seeks to charge, in a complaint, the commission of certain sexual offenses; (2) repeal current law, which provides that a law enforcement agency that receives a report of a sexual assault within 96 hours of the assault may decline to request a forensic medical examination of the victim of the assault for use in the investigation or prosecution of the offense if: (a) the person reporting the sexual assault has made one or more false reports of sexual assault to any law enforcement agency; and (b) there is no other evidence to corroborate the current allegations of sexual assault; (3) provide that, before
conducting an interview with a victim reporting a sexual assault, the peace officer conducting the interview shall offer the victim the opportunity to have an advocate from a sexual assault program be present with the victim during the interview, if the advocate is available at the time; (4) provide that if the advocate described in (3), above, is not available at the time of the interview, the peace officer conducting the interview shall offer the victim the opportunity to have a crime victim liaison from the law enforcement agency or a victim’s assistance counselor from a state or local agency or other entity be present with the victim during the interview; and (5) provide that a peace officer or law enforcement agency that provides an advocate, liaison, or counselor with access to a victim reporting a sexual assault is not subject to civil or criminal liability for providing that access.

**H.B. 1178 (Crockett) – Possession of Drug Paraphernalia:** would repeal sections of the Texas Controlled Substances Act that make it a Class C misdemeanor if the person knowingly or intentionally uses or possesses with intent to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, or conceal a controlled substance or to inject, ingest, inhale, or otherwise introduce into the human body a controlled substance.

**H.B. 1194 (Wu) – Reporting of School Incidents:** would, among other things, provide that: (1) a school district that enters into a memorandum of understanding (MOU) with a local law enforcement agency for the provision of a regular police presence on campus shall designate in the MOU which entity shall be responsible for collecting the following data, which shall be reported to the Texas Education Agency by the school superintendent not later than the 60th day after the last day of classes for the academic year: (a) restraints administered to the student; (b) complaints filed against a student; and (c) certain incidents that occur on school property that result from a district employee’s request for intervention by a law enforcement agency, district peace officer, or school resource officer, including citations issued to a student and arrests made of a student; and (2) the report described in (1), above, shall not include information that identifies the peace officer who issued the citation, and the identity of such officer is confidential and not subject to disclosure under the Texas Public Information Act.

**H.B. 1212 (Toth) – Disposition of Abandoned or Unclaimed Personal Property:** would, among other things, provide that: (1) for purposes of any unclaimed or abandoned personal property, a person designated by the city to dispose of the property may, instead of sending a notice to the last known address of the owner of the property by certified mail, place a one-time notice on the internet website and social networking website of the law enforcement agency that seized the property; and (2) the notice described in (1), above, shall state that if the owner does not claim the property before the 90th day after the date of the notice, the property shall be disposed of, and the proceeds placed in the city treasury.

**H.B. 1233 (Crockett) – Low-THC Cannabis:** would: (1) provide that a physician is qualified to prescribe low-THC cannabis to alleviate the symptoms of a patient’s medical condition or the symptoms caused by other treatments for that medical condition if, among other things, the physician dedicates a significant portion of clinical practice to the evaluation and treatment of the patient’s particular medical condition, and the treatment of symptoms caused by that medical condition and symptoms caused by other treatments for that medical condition; (2) remove the
current limited list of diagnoses for which a patient may receive low-THC cannabis; (3) provide that a physician may prescribe low-THC cannabis if the physician certifies that the patient is diagnosed with a medical condition that produces symptoms, or the treatment of which produces symptoms, that are alleviated by medical use of low-THC cannabis; and (4) remove the definitions of incurable neurodegenerative disease and terminal cancer from the state law governing the use of low-THC cannabis.

**H.B. 1236 (Anchia) – Immigration:** would repeal certain provisions governing state and local enforcement of immigration laws and other provisions related to immigration law, such as the requirement that a law enforcement agency honor a detainer request. (Companion bill is **S.B. 92** by Menéndez.)

**H.B. 1238 (Biederman) – Firearms:** would provide, among other things that: (1) a person who is not otherwise prohibited from possessing a firearm under federal or state law may, without a license, openly or concealed carry a handgun; (2) a city may not regulate the carrying of a firearm at a public park or parade, rally, or political meeting in the city; and (3) the mere possession or carrying of a handgun shall not constitute reasonable belief for a peace officer to disarm or detain a person.

**H.B. 1253 (Moody) – Firearms Task Force:** would: (1) require each county commissioners court to establish a task force to develop policy recommendations, model forms, and best practice guidelines for the surrender, transfer, or other disposition of a firearm with regard to a person who is under a court order related to family violence; and (2) provide that the chief of police of the largest city in each county will serve on the task force in (1).

**H.B. 1254 (Shaheen) – Mental Health:** would modify current law to provide that: (1) a peace officer may, without a warrant, take a person into custody, regardless of the age of the person, if the officer: (a) has reason to believe and does believe that the person has a cognitive disability, including autism, down syndrome, traumatic brain injury, and dementia, and because of the cognitive disability there is a substantial risk of serious harm to the person or to others unless the person is immediately restrained; and (b) believes that there is not sufficient time to obtain a warrant before taking the person into custody; (2) a peace officer who takes a person with a cognitive disability into custody as described in (1), above, shall make a good faith effort to: (a) use the least restrictive available and appropriate means of transport; and (b) include in transporting the person the person’s parent, appointed guardian, managing conservator, or possessory conservator, as applicable; (3) the peace officer shall transport the individual to the nearest appropriate inpatient mental health facility, or if not available, a mental health facility deemed suitable by the local mental health authority; (4) a judge or magistrate that issues a warrant for emergency detention shall notify the applicable law enforcement agency of the warrant by: (a) e-mail, with the warrant attached as a secure document in PDF; or (b) secure electronic means, including satellite transmission, closed-circuit television transmission, or any other method of two-way electronic communication that is secure, available to the judge or magistrate, and provides for a simultaneous, compressed full-motion video and interactive communication of image and sound between the judge or magistrate and the agency; (5) a law enforcement agency that receives a warrant issued under (4), above, shall serve the warrant no later than 48 hours after the agency receives the warrant; (6) if a law enforcement agency that
has a memorandum of understanding with a mental health authority to use telehealth service, a peace officer who apprehends a person under the provisions (4), above, may arrange to have a physician conduct a telehealth appointment with the apprehended person to determine whether emergency detention is necessary before transporting a person to mental health facility; (7) if a physician conducting the telehealth appointment described in (6), above, determines that emergency detention is not required, the peace officer shall release the person; (8) if a peace officer releases an apprehended person as described in (7), above, the peace officer shall notify the judge or magistrate who issued the warrant not later than 24 hours after the peace officer released the person; and (9) if a peace officer is contacted to locate a person who has left a facility before the earlier of the time a preliminary examination is completed or the expiration of a 48-hour period, the peace officer must make a good faith effort to locate the person, and if located, the peace officer must: (a) reevaluate whether the person meets the criteria for apprehension as described in (1), above; and (b) if the person meets the criteria for apprehension, transport the person to an appropriate mental health facility.

**H.B. 1262 (Bowers) – Trauma-Informed Training:** would provide that: (1) as part of the minimum curriculum requirements, the Texas Commission on Law Enforcement shall establish and require a peace to complete a statewide comprehensive education and training program on trauma-informed techniques to facilitate interactions with homeless youth and adults and on the resources available to those individuals; and (2) a peace officer shall complete the program not later than the last day of the first full continuing education training period after the date the officer is licensed or the date the officer applies for an intermediate proficiency certificate, whichever date is later.

**H.B. 1265 (Price) – Criminal Offense for Obstructing or Interfering:** would: (1) provide that a person commits a state jail felony if the person recklessly obstructs or interferes with: (a) a first responder's ability to render aid to a person who is suffering serious bodily injury; or (b) the passage of an authorized emergency vehicle that is operating the vehicle's siren or emergency lighting system to or from the scene of an emergency where a person is suffering serious bodily injury; and (2) provide for an enhancement to a third degree felony for an offense described in (1), above, if shown that a person died as a result of the offense.

**H.B. 1272 (Crockett) – No-Knock Entries:** would prohibit a magistrate, including a municipal judge, from issuing an arrest or search warrant that authorizes a peace officer from entering, for the purpose of executing a warrant, into a building or other place without giving notice of the officer’s authority or purpose before entering (a no-knock entry). (This bill is identical to H.B. 492 by Wu and the companion bill is S.B. 175 by Miles.)

**H.B. 1275 (Crockett) – Prostitution:** would: (1) provide that a child may not be referred to juvenile court for prostitution; (2) provide that a law enforcement officer taking possession of a child suspected of engaging in prostitution shall: (a) use best efforts to deliver the child to the child’s parent or another person entitled to take possession of the child; (b) in the event the officer cannot find an individual under (a), take the child to a local service provider who will facilitate the assignment of a caseworker; or (c) in the event an individual under (a) and (b) is unavailable, transfer possession of the child to the Department of Family Protective Services;
and (3) provide that a person may not be prosecuted for prostitution that the person committed when younger than 17 years of age. (This bill is identical to H.B. 162 by Thierry.)

**H.B. 1287 (Meza) – DWI Blood Draws**: this bill, known as “Colten’s Law,” would provide that: (1) a peace officer shall require the taking a specimen of a person’s blood if: (a) the officer arrests the person for operating a motor vehicle while intoxicated; (b) the person refuses the officer’s request to submit to the taking of a specimen voluntarily; (c) the person was the operator of a motor vehicle involved in an accident involving a pedestrian; (d) the officer reasonably believes that the accident occurred as a result of the offense; and (e) at the time of the arrest, the officer reasonably believes that as a direct result of the accident the pedestrian died, will die, or has suffered a serious bodily injury.

**H.B. 1326 (Geren) – Expunction**: would, among other things, modify current law to provide that a peace officer, firefighter, detention officer, county jailer, or emergency medical services employee is eligible for an expunction of arrest records and files if: (1) such person has completed a public safety employees treatment court program; (2) the person has not previously received an expunction of arrest records and files for completion of a public safety employees treatment court program; and (3) the person submits an affidavit to the court attesting to the fact described in (2), above.

**H.B. 1331 (Canales) – Asset Forfeiture Proceedings**: would: (1) provide that contraband is not subject to seizure and forfeiture if the property is not otherwise unlawful to possess and the admissibility of the property as evidence would be prohibited in the prosecution of the underlying offense; and (2) limit the admissibility of evidence in an asset forfeiture proceeding.

**H.B. 1349 (Crockett) – Murder Offense**: would make the offense of murder committed by a peace officer acting under the authority of the state or a political subdivision of the state a felony of the first degree with a minimum term of imprisonment of 15 years.

**H.B. 1352 (Crockett) – Release of Defendant**: would reduce the amount of time a defendant may be detained in jail, before the defendant must be released on personal bond or by reducing the amount of bail, if the state is not ready for the trial of the criminal action: (1) from 90 days to 60 days from the commencement of the detention if the defendant is accused of a felony; (2) from 30 days to 10 days from the commencement of the detention if the defendant is accused of a misdemeanor punishable by a sentence of imprisonment in jail for more than 180 days; (3) from 15 days to five days from the commencement of the detention if the defendant is accused of a misdemeanor punishable by a sentence of imprisonment for 180 days or less; and (4) from five days to three days from the commencement of the detention if the defendant is accused of a misdemeanor punishable by a fine only.

**H.B. 1374 (Minjarez) – Sexual Assault Victims**: would provide, among other things, that: (1) any communication between an advocate and a survivor that is made in the course of advising, counseling, or assisting the survivor is confidential; (2) any record created by, provided to, or maintained by an advocate is confidential if the record relates to the services provided to a survivor or contains the identity, personal history, or background information of the survivor or information concerning the victimization of the survivor; (3) a survivor has, in any civil,
criminal, administrative, or legislative proceeding, the privilege to refuse to disclose and to prevent another from disclosing, for any purpose, a communication or record pertaining to the survivor that is confidential; (4) a communication or record that is made confidential under (1), (2), or (3), above, may only be disclosed if: (a) the communication or record is relevant to the claims or defense of an advocate or sexual assault program in a proceeding brought by the survivor against the advocate or program; (b) the survivor has waived the privilege established with respect to the communication or record; (c) the survivor or other appropriate person consents in writing to the disclosure; (d) an advocate determines that, unless the disclosure is made, there is a probability of: (i) imminent physical danger to any person; or (ii) immediate mental or emotional injury to the survivor; (e) the disclosure is necessary to comply with a child abuse or neglect investigation or an elderly or disabled person abuse investigation; (f) for a management audit, a financial audit, a program evaluation, or research, except that a report of the audit, evaluation, or research may not directly or indirectly identify a survivor; or (g) the disclosure is made to an employee or volunteer of the sexual assault program after an advocate or a person under the supervision of a counseling supervisor who is participating in the evaluation or counseling of or the provision of services to the survivor determines that the disclosure is necessary to facilitate the provision of services to the survivor. (Companion bill is S.B. 295 by Perry)

H.B. 1396 (White) – Police Misconduct: would provide that: (1) each law enforcement agency shall report to the Texas Commission on Law Enforcement (TCOLE) each incident of misconduct by a peace officer employed by the agency, including: (a) a conviction for a criminal offense committed in the course of performing the officer’s duties; or (b) the use of excessive against a person suspected of committing an offense; (2) a law enforcement agency shall also report, for each misconduct described in (1), above, whether the agency terminated or took disciplinary action against the officer or permitted the officer to retire or resign in lieu of termination for the misconduct; (3) TCOLE shall establish a database for information reported under (1) and (2), above, shall make such information accessible by all law enforcement agencies in the state, and may make said information regarding an incident of misconduct available to a federal law enforcement agency that is investigating the incident; (4) information maintained in the database described in (3), above, is confidential and not subject to disclosure under the Public Information Act; (5) no later than March 1 of each year, TCOLE shall make available on its internet website a report regarding incidents of misconduct reported during the preceding calendar year, including the total number of incidents reported to TCOLE, the most common types of misconduct reported, and the disciplinary action taken by the reporting law enforcement agency; (6) a report described in (5), above, may not include information identifying a specific peace officer; (7) TCOLE shall establish an advisory committee to advise TCOLE regarding law enforcement credentialing entities, and such committee shall include, among others, representatives of municipal agencies of varying sizes and from different areas of the state; (8) the advisory committee shall review entities that provide credentialing to law enforcement agencies and identify credentialing entities that, at a minimum, establish standards and processes for reviewing adherence to standards in the following aspects of a law enforcement agency’s operations: (a) policies and training regarding use of force and de-escalation techniques; (b) performance management tools; (c) procedures to ensure prompt identification of peace officers requiring intervention; and (d) best practices regarding community engagement; (9) to be eligible for a grant or other discretionary funding by the governor, a law enforcement agency must: (a)
consistently report incidents of misconduct as required by (1), above; and (b) maintain a current certification issued by a credentialing entity designated under (8), above, certifying that the agency’s policies: (i) regarding use of force by peace officers comply with all applicable laws; and (ii) prohibit the use of choke holds or other physical maneuvers to restrict a person’s ability to breathe for purpose of incapacitation unless the officer is justified in using deadly force against the person; and (10) TCOLE, in consultation with the Health and Human Services Commission and state and local law enforcement agencies, shall develop and make available, to all law enforcement agencies, a model policy and associated training regarding a “coordinated response program” in which a peace officer and a mental health professional jointly respond to a report of an alleged offense or other incident involving a person with a mental impairment, suffering from homelessness, or experiencing similar circumstances.

**H.B. 1407 (Schaefer) – Handguns**: would except a handgun that is visible, in a holster, and in a motor vehicle (along with the holder of the gun) from the prohibition against displaying a handgun in plain view of another person in a public place.

**H.B. 1419 (Hull) – Missing Persons**: this bill known as “John and Joseph’s law” would provide, among other things, that: (1) a law enforcement agency, on receiving a report of a missing person, shall, not later than the 30th day after the date the agency receives the report, enter the name of the person into the National Missing and Unidentified Persons System, with all available identifying features such as dental records, fingerprints, other physical characteristics, and a description of the clothing worn when last seen, and all available information describing any person reasonably believed to have taken or retained the missing person; (2) a law enforcement agency or their designee shall, not later than the 10th working day after which identifying features of the unidentified body have been determined, but not later than the 60th day after the date the death is reported to the agency, enter all available identifying features of the unidentified body into the National Missing and Unidentified Persons System; and (3) immediately after the return of a missing person or the identification of an unidentified body, the local law enforcement agency having jurisdiction of the investigation shall: (a) clear the entry in the National Crime Information Center database; and (b) notify the National Missing and Unidentified Persons System.

**H.B. 1426 (Shaheen) – Forensic Medical Examinations**: would provide, among other things, that: (1) if a sexual assault of a person other than a minor is reported to a law enforcement agency within 120 hours after the assault, the law enforcement agency, with the consent of the victim of the alleged assault, a person authorized to act on behalf of the victim, or an employee of the Department of Family and Protective Services, shall request a forensic medical examination of the victim for use in the investigation or prosecution of the offense; (2) if the sexual assault of a minor is reported at any time after the assault, a law enforcement agency shall request a forensic medical examination of the minor on receiving the consent of the minor’s parent or guardian, an employee of the Department of Family and Protective Services, or other person with the power to consent to the medical treatment of the minor, as applicable; and (3) a law enforcement agency may not decline to request a forensic medical examination of a minor described in (2), above.
**H.B. 1441 (Schaefer) – Forfeiture of Contraband:** would shift the burden of proof in a contraband forfeiture proceeding to provide that the state has the burden of proving by clear and convincing evidence that certain provisions do not apply to the owner or the interest holder’s interest in the property that is subject to seizure and forfeiture.

**H.B. 1442 (Lopez) – Trauma Affected Veterans Training:** would provide that not later than the last day of the first full continuing education training period that begins after the date a peace officer completes four cumulative years of service as a peace officer, the officer shall complete, in addition to the other required training, a training program established by the Texas Commission on Law Enforcement, in collaboration with the Texas Veterans Commission, that provides information on veterans with combat-related trauma, post-traumatic stress, post-traumatic stress disorder, or a traumatic brain injury.

**H.B. 1499 (White) – First Responders Carrying Handguns:** would: (1) require the public safety director of the Department of Public Safety to establish a handgun training course for first responders who hold a license to carry a handgun; (2) prohibit a governmental entity from adopting a rule or regulation that prohibits a first responder who holds a handgun license and has completed the course described in (1) from: (a) carrying a concealed or holstered handgun while on duty; or (b) storing a handgun on the premises of or in a vehicle owned or operated by the governmental entity if the gun is properly secured; (3) provide that a first responder may discharge a handgun while on duty only in self-defense; (4) provide that a governmental entity that employs or supervises a first responder is not liable in a civil action arising from the discharge of a handgun by a first responder who is licensed to carry a handgun; (5) provide that the discharge of a handgun by a first responder who is licensed to carry a handgun is outside the course and scope of the first responder’s duties; and (6) provide that the law authorizing the discharge of a firearm by a first responder may not be construed to waive, under any law, immunity from suit or liability of a governmental entity that employs or supervises first responders.

**H.B. 1513 (Zwiener) – Crowd Control:** would provide that each law enforcement agency shall adopt a policy on crowd control that prohibits its peace officer from using less lethal projectiles (ammunition commonly known as "rubber bullets," "wooden bullets," "sponge rounds," and "bean bag rounds") as a means to control the activity or movement of a gathering of people.

**H.B. 1519 (Beckley) – Alcohol To-Go:** would allow holders of package store permits, wine only package store permits, mixed beverage permits, and consumer delivery permits to deliver alcoholic beverages, within their permits, to a consumer in any destination in Texas.

**H.B. 1540 (S. Thompson) – Civil Remedies:** would provide, among other things, that: (1) if a law enforcement agency has reason to believe an activity related to prostitution or the violation of licensing requirements related to massage therapy or massage services has occurred at property that is leased to a person operating a massage establishment, the law enforcement agency may provide written notice by certified mail to each person maintaining the property of the alleged activity; (2) a person or enterprise commits racketeering if, for financial gain, the person or enterprise commits an offense related to trafficking of persons; and (3) a sex offender who is placed under community supervision may not go in, on, or within 1,000 feet of certain
child-care facilities that operate as residential treatment centers.  (Companion bill is S.B. 1036 by Huffman.)

**H.B. 1545 (Cyrier) – Commission on Jail Standards**: would continue the functions of the Commission on Jail Standards and, among other things, repeal the requirement that the chief jailer of each municipal lockup submit to the commission an annual report of persons under 17 years of age securely detained in the lockup. (Companion bill is S.B. 710 by Hall.)

**H.B. 1550 (Cyrier) – Texas Commission on Law Enforcement**: this is the Texas Commission on Law Enforcement (TCOLE) sunset bill. The bill, among other things, would:

1. continue TCOLE until 2023;
2. require that an applicant for a license submit, to TCOLE or the Department of Public Safety, complete and legible set of fingerprints, on a form prescribed by TCOLE, for the purpose of obtaining criminal history record information from DPS and the Federal Bureau of Investigation and conducting a criminal history record information check on each applicant;
3. provide that TCOLE may: (a) enter into an agreement with DPS to administer a criminal history record information check required under (2); and (b) authorize DPS to collect from each applicant the costs incurred by DPS in conducting the criminal history record information check under (2);
4. provide that TCOLE shall adopt rules specifying the circumstances under which TCOLE may issue, without a hearing, an emergency order suspending a person’s license for a period not to exceed 90 days after determining that the person constitutes an imminent threat to the public health, safety, or welfare;
5. provide that an order suspending a license under (4) must state the length of the suspension in the order, and – if an emergency order is issued without a hearing – TCOLE shall set the time and place for a hearing to be conducted not later than the 10th day after the date the order was issued; and
6. establish a 17-member panel to study the regulation of persons licensed by TCOLE and the entities authorized by law to employ those persons, and such study shall consider the following: (a) the standards of conduct applicable to licensed persons, including whether statewide standards should be developed and who should develop, review, and update those standards; (b) the education and training requirements for licensed persons, including: (i) the requirements for the issuance of each type of license and the frequency with which those requirements are reviewed and updated; and (ii) the continuing education requirements for each type of license and the frequency with which those requirements are reviewed and updated; (c) TCOLE’s regulation of training programs and schools; and (d) the accountability to the public of licensed persons and of entities authorized by law to employ such persons, including: (i) the need for statewide standards applicable to the entities and who should develop, review, and update those standards; (ii) changes to TCOLE’s authority to discipline a license holder for violations of law or other misconduct; (iii) appropriate procedures to protect a license holder’s rights during a disciplinary proceeding; and (iv) the reporting of terminations.
(Companion bill is S.B. 711 by Paxton.)

**H.B. 1587 (White) – Firearms Regulation:** would, among other things: (1) provide for carrying a handgun by certain persons regardless of whether the person is licensed to carry the handgun; (2) provide that a peace officer acting in the lawful discharge of the officer’s official duties may disarm a person who is carrying a handgun if, among other things, the person is not prohibited by law from carrying a handgun; (3) provide that a public or private employer may not prohibit an employee who is not otherwise prohibited by state or federal law from possessing a firearm or ammunition from transporting or storing a firearm or ammunition in the employee’s private, locked motor vehicle; and (4) provide that a city may regulate the carrying of an air gun or firearm, other than a handgun carried by a person not prohibited by state or federal law from carrying the handgun, at a public park, meeting, political rally, parade, or certain other events.

**H.B. 1609 (Crockett) – Criminal Penalties for Drug Possession:** would reduce the criminal penalties for possession of small amounts of marihuana.

**H.B. 1642 (Sherman) – Peer Reporting:** would provide that: (1) a law enforcement agency shall adopt a detailed written policy requiring peace officers employed by the agency to promptly make a detailed written report of any incident in which the peace officer witnesses another peace officer: (a) using more force against a person suspected of committing an offense than an ordinary, prudent peace officer would use under the same or similar circumstances; or (b) committing an offense of official oppression; (2) the policy must require the peace officer who makes a report described in (1), above, to deliver the report to the supervisor of: (a) the peace officer making the report; and (b) the peace officer who used the excessive force or committed official oppression; (3) a law enforcement agency shall ensure that each peace officer employed by the agency receives adequate training on the policy described in (1), above; (4) a law enforcement agency may not retaliate or discriminate against an employee of the agency for making a required report; and (5) a peace officer who fails to make and deliver a report under a policy adopted under (1), above, commits a Class A misdemeanor.

**H.B. 1643 (Sherman) – Implicit Bias Testing:** would: (1) make implicit bias testing an eligibility requirement for obtaining a peace officer or reserve law enforcement officer license; (2) provide that the Texas Commission on Law Enforcement (TCOLE) shall require a person applying for a peace officer license to complete implicit bias testing; (3) provide that TCOLE shall require a law enforcement agency that employs one or more peace officers to conduct implicit bias testing on each peace officer the agency employs at least once every five years; (4) require a law enforcement agency described in (3), above or that is hiring a person for whom a peace officer license is sought to report the implicit bias test results to TCOLE and maintain a copy of the results in the person’s personnel file; (5) provide that the test results described in (4), above, are confidential and not subject to disclosure under the Public Information Act; and (6) require a law enforcement agency’s training program to include, at least once every 12 months, training on the following topics: (a) civil rights, racial sensitivity, and cultural diversity; (b) de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments; (c) ethics and professionalism; and (d) implicit bias.
H.B. 1654 (Wilson) – Location Information Warrant: would provide, among other things, that: (1) a warrant is required to obtain the disclosure of location information that is held in electronic storage in the possession, care, custody, or control of a provider of an electronic communications service or a provider of a remote computing service; (2) a warrant issued to obtain the disclosure of location information is valid for a period not to exceed 60 days, and may be extended for 60 more days; (3) in each county, the prosecutor may designate in writing one or more peace officers in the county, other than a commissioned officer of the Department of Public Safety (DPS), who are permitted to require, without a warrant, the prompt disclosure of location information by a provider of an electronic communications service or a provider of a remote computing service; and (4) a prosecutor, assistant prosecutor, peace officer designated under (3), above, or a commissioned officer designated by DPS to use interception devices for DPS may require the prompt disclosure of location information without a warrant as described in (3), above, if the person reasonably believes: (a) an immediate life-threatening situation exists that: (i) is within the territorial jurisdiction of the person seeking the disclosure or of a peace officer that the person is assisting; and (ii) necessitates the required disclosure of location information before a warrant can, with due diligence, be obtained; and (b) there are sufficient and substantial facts to establish probable cause for obtaining a warrant for the disclosure of the information.

H.B. 1674 (Holland) – Mandatory Blood Draws: would provide that a peace officer shall require the taking of a specimen of blood from a person arrested for driving while intoxicated if: (1) the person was the operator of a motor vehicle involved in an accident; (2) the officer arrests the person for an offense in connection with the accident; (3) the person refuses the officer’s request to submit to the taking of a specimen voluntarily; (4) the officer reasonably believes that the accident occurred as a result of the offense for which the person is arrested; and (5) at the time of the arrest, the officer reasonably believes that as a direct result of the accident an individual other than the person arrested has died or will die.

H.B. 1686 (Cortez) – Residential Food Production: would, among other things: (1) prohibit a municipality from adopting or enforcing an ordinance that prohibits any of the following activities on a single-family residential lot: (a) the growing of fruits and vegetables; or (b) the raising or keeping of: (i) six or fewer domestic fowls; (ii) six or fewer rabbits; or (iii) three or fewer beehives; (2) allow a municipality, and a property owners’ association, to impose reasonable regulations on the raising or keeping of fowls, rabbits, or bees on a single-family residential lot that do not have the effect of prohibiting the raising or keeping of the fowls, rabbits, or bees, including: (a) a limit on the number of animals or beehives that is more than the minimum number allowed by state law; (b) a prohibition on raising or keeping of a rooster; or (c) the minimum distance between an animal shelter or beehive and a residential structure; and (3) provide that an ordinance adopted by a municipality, or a provision within a restrictive covenant, that violates state law is void.

H.B. 1692 (Tinderholt) – Public Safety Funding: would: (1) define “public safety service” to mean fire protection, law enforcement, or emergency medical service; (2) provide that a political subdivision, other than a school district, may not adopt a budget that allocates an amount of money to provide a public safety service that is less than the amount allocated to provide that service in the preceding fiscal year if: (a) the reduction in the amount of money allocated to provide the public safety service is greater than the reduction in the amount of money allocated
in that budget to provide other identifiable services; and (b) the percentage difference between the amount of money allocated in the budget to provide the public safety service and the amount allocated to provide that service in the preceding fiscal year is greater than the percentage difference between the amount of money allocated in the budget to provide other identifiable services and the amount allocated to provide other identifiable services in the preceding fiscal year; (3) allow a political subdivision to adopt a budget that does not meet the requirements of (2), above, if the political subdivision will not provide the public safety service in the fiscal year for which the budget is adopted; and (4) provide that the amount allocated in a budget to provide a public safety service includes all maintenance, operations, and debt service costs associated with providing the service.

**H.B. 1694 (Raney) – 911 Good Samaritan**: would: (1) provide a defense to prosecution for certain drug offenses if the actor: (a) was the first person to request emergency medical assistance in response to the possible overdose of another person and: (i) made the request for medical assistance during an ongoing medical emergency; (ii) remained on the scene until medical assistance arrived; and (iii) cooperated with medical assistance and law enforcement; or (b) was the victim of a possible overdose for which emergency medical assistance was requested by the actor or by another person during an ongoing medical emergency; (2) provide exceptions to the defense in (1) if: (a) at the time the request for emergency medical assistance was made: (i) a peace officer was in the process of arresting the actor or executing a search warrant describing the actor or the place from which the request for medical assistance was made, or (ii) the actor was committing certain other offenses other than one for which the defense is available; (b) the actor has previously been convicted or placed on deferred adjudication community supervision for certain offenses; or (c) the actor was acquitted in a previous proceeding in which the actor successfully used the defense in (1); and (3) provide that the defense in (1) does not preclude the admission of evidence obtained by law enforcement resulting from the request for emergency assistance if that evidence pertains to an offense for which the defense in (1) is not available.

**H.B. 1757 (Krause) – Peace Officers Recordings**: would provide that: (1) if during the performance of a peace officer’s official duties a peace officer makes a video or audio recording of the officer’s interaction with a person, the peace officer must immediately disclose to the person that the officer is recording the interaction and the method by which the officer is making the recording; (2) a peace officer is not required to make the disclosure described in (1), above: (a) if the peace officer’s interaction with a person occurs as part of an ongoing criminal investigation; (b) immediately, if making the disclosure immediately would be unsafe, unrealistic, or impracticable, provided that the failure to make such disclosure immediately is based on whether a reasonable officer under the same or similar circumstances would have made the same decision; (3) a peace officer or other employee of a law enforcement agency who alters, destroys, or conceals another person’s audio, visual, or photographic recording of a peace officer’s performance of official duties without obtaining that other person’s written consent commits a felony of the third degree; (4) it is a defense to prosecution for an offense of interrupting, disrupting, impeding, or otherwise interfering with a peace officer while the peace officer is performing a duty or exercising authority imposed or granted by law if the defendant’s conduct consisted only of filming, recording, photographing, documenting, or observing a peace officer, provide that if, before, or while engaging in the conduct, the defendant obeyed any reasonable and lawful order by a peace officer to change the defendant’s proximity or position;
and (5) a peace officer may not order or direct a person to cease filming, recording, photographing, documenting, or observing a peace officer while the officer is engaged in the performance of official duties, except that a peace officer may give the person a reasonable and lawful order or direction to change the person’s proximity or position relative to a peace officer who is engaged in the performance of official duties.

**H.B. 1779 (Jetton) – Alcohol To-Go**: would allow for the pickup and delivery of alcoholic beverages for off-premises consumption under certain circumstances.

**H.B. 1784 (Thierry) – Prohibiting Chokeholds**: would provide that the use of any force, by any person, including a peace officer or person acting in and the direction of an officer, in connection with the arrest of another person, is not a justified use of force if such force is used in a manner that impedes the normal breathing or circulation of the blood of the person by applying pressure to the person’s throat, neck, or torso or by blocking the person’s nose or mouth. (Companion bill is S.B. 69 by Miles.)

**H.B. 1837 (M. González) – Motorcycle Profiling**: would provide that: (1) a peace officer may not engage in a law enforcement-initiated action based, in whole or in part, on an individual operating a motorcycle or wearing motorcycle-related or motorcycle club-related paraphernalia rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity; (2) an individual against whom a peace officer has engaged in motorcycle profiling may bring an action against the peace officer or the governmental unit employing the peace officer to recover damages arising from the motorcycle profiling and for an injunction against future violations; (3) an individual who establishes that a peace officer engaged in motorcycle profiling against the individual is entitled to recover reasonable attorney's fees and litigation costs; (4) a governmental unit is vicariously liable under the doctrine of respondeat superior for damages arising from motorcycle profiling engaged in by a peace officer employed by the governmental unit; (5) a governmental unit's sovereign or governmental immunity to suit and from liability is waived to the extent of liability created; and (6) a peace officer may not assert official immunity as a defense to liability.

**H.B. 1838 (M. González) – Databases for Combinations and Criminal Gangs**: would, among other things: (1) provide that an agency that submits information relating to a person to an intelligence database for the purpose of investigating or prosecuting the criminal activities of combinations or criminal street gangs shall provide to the person by certified mail: (a) notification regarding the inclusion of the person's information in the intelligence database; (b) a description of the process for disputing the inclusion of information in the database, including associated costs or fees, processes, and timelines, and any potential evidence necessary for purposes of a dispute; and (c) a description of the process for removing information from the database following renunciation of criminal street gang membership; (2) increase the standard the agency must show to demonstrate the information that someone is a member of a combination or street gang is correct from reasonable suspicion to probable cause; and (3) provide that a person who is no longer a member of a criminal street gang may renounce membership and the information of that person must be removed from the applicable intelligence database on the second anniversary of the renunciation.
H.B. 1843 (Hefner) – Abandoned Children: would add a fire department and law enforcement agency to the list of emergency infant care providers who must take possession of certain abandoned children. (Companion bill is S.B. 443 by Hughes.)

H.B. 1845 (Canales) – Texas Commission on Fire Protection: this is the sunset bill for the Texas Commission on Fire Protection (Commission). The bill would: (1) provide that the Commission will continue until 2033; (2) provide that advisory members appointed by the Commission shall serve six-year staggered terms but may not be appointed to consecutive terms; (3) eliminate the provision that provides that, in adopting or amending a rule under the Commission’s authority or any other law, the Commission shall seek the input of the fire fighter advisory committee and permit the advisory committee to review and comment on any proposed rule, including a proposed amendment to a rule, before the rule is adopted; (4) provide that a certificate issued or renewed by the Commission is valid for one or two years as determined by Commission rule; and (5) provide that the Commission may: (a) waive any prerequisite to obtaining a certificate for an applicant who holds a license or certificate issued by another jurisdiction: (i) that has licensing or certification requirements substantially equivalent to those of Texas; or (ii) with which Texas has a reciprocity agreement; and (b) make an agreement with another state to allow for certification by reciprocity. (Companion bill is S.B. 709 by Hall.)

H.B. 1893 (Smithee) – Intoxication Offenses: would provide that a search warrant issued to collect a blood specimen from a person suspected of committing certain intoxication offense may be executed: (1) in any county adjacent to the county in which the warrant was issued; and (2) by any law enforcement officer authorized to make an arrest in the county of execution.

H.B. 1900 (Goldman) – Law Enforcement Funding: would:

1. characterize a “defunding local government” as a city or county: (a) that adopts a budget for a fiscal year that, in comparison to the local government’s preceding fiscal year, reduces: (i) the appropriation to the local government’s law enforcement agency; (ii) the number of peace officers the local government’s law enforcement agency is authorized to employ; (iii) funding for peace officer overtime compensation for the local government’s law enforcement agency; or (iv) funding for the recruitment and training of new peace officers to fill each vacant peace officer position in the local government’s law enforcement agency; and (b) for which the criminal justice division of the governor’s office issues a written determination finding that the local government has taken an action described by (a), above;

2. provide that, in making a determination of whether a local government is a “defunding local government” according to the budget adopted for the first fiscal year beginning on or after September 1, 2021, the criminal justice division of the governor’s office shall compare the funding and personnel in that budget to the funding and personnel in the budget of the preceding fiscal year or the second preceding fiscal year, whichever is greater;

3. provide that a local government is considered a defunding local government until the criminal justice division of the governor’s office issues a written determination finding that the local government has reversed the inflation-adjusted reductions described in Number 1(a), above;
require the criminal justice division of the governor’s office to: (a) compute the inflation rate used to make determinations under Number 3, above, each fiscal year using a price index that accurately reports changes in the purchasing power of the dollar for local governments in this state; and (b) publish the inflation rate in the Texas Register;

provide that a home rule city that is characterized as a “defunding municipality” may not annex an area during the period beginning on the date that the criminal justice division of the governor’s office issues the written determination that the city is a defunding local government and ending on the 10th anniversary of the date on which the criminal justice division of the governor’s office issues a written determination finding that the defunding municipality has reversed the reductions described in Number 1, above;

provide: (a) that a home rule city that is a defunding local government, on the next available uniform date that occurs after the date on which the criminal justice division of the governor’s office issues a written determination that a city is a defunding local government, the city shall hold a separate election in each area annexed in the preceding 30 years by the defunding city on the question of disannexing the area; (b) that if an area is disannexed pursuant to an election under (a), the city may not attempt to annex the area before the 10th anniversary of the date on which the criminal justice division of the governor’s office issues a written determination finding that the city has reversed the reductions described in Number 1, above; and (c) that a city holding a disannexation election under (a) may not use public funds on informational campaigns relating to the election;

prohibit the governing body of a defunding local government from adopting a property tax rate for the current tax year that exceeds the lesser of the city’s no-new-revenue tax rate or voter-approval tax rate for that tax year;

provide: (a) that the comptroller may not, before July 1 of each state fiscal year, send to a defunding city its share of city sales and use taxes collected by the comptroller during the state fiscal year; and (b) that before sending the defunding city its share of sales and use taxes, the comptroller shall deduct the amount reported to the comptroller for the defunding city under Number 9, below, and credit that deducted amount to the general revenue fund, which must be appropriated only to the Department of Public Safety;

provide that not later than August 1 of each state fiscal year, the criminal justice division of the governor’s office shall report to the comptroller for each defunding city the amount of money the state spent in that state fiscal year to provide law enforcement services in the defunding city; and

prohibit the governing body of a municipally-owned electric utility that is located in a city that is a defunding local government from charging a customer: (a) at a rate higher than the rate the customer was charged or would have been charged on January 1 of the year that the city was determined to be a defunding local government; (b) any customer fees in amounts higher than the customer fees the customer was charged or would have been charged on January 1 of the year that the city was determined to be a defunding local government; and (c) any types of customer fees that the customer was not charged or would not have been charged on January 1 of the year that the city was determined to be a defunding local government.

H.B. 1911 (White) – Firearms Regulation: would, among other things: (1) authorize certain persons to carry a handgun, regardless of whether the person is licensed to carry the handgun; (2)
provide that a peace officer acting in the lawful discharge of the officer’s official duties may disarm a person who is carrying a handgun under certain circumstances and must return the handgun if, among other things, the person is not prohibited by law from carrying a handgun; (3) provide that a public or private employer may not prohibit an employee who is not otherwise prohibited by state or federal law from possessing a firearm or ammunition from transporting or storing a firearm or ammunition in the employee’s private, locked motor vehicle; and (4) provide that a city may regulate the carrying of an air gun or firearm, other than a handgun carried by a person not prohibited by state or federal law from carrying the handgun, at a public park, meeting, political rally, parade, or certain other events.

H.B. 1927 (Schaefer) – Firearm Regulation: would, among other things, provide that a peace officer who is acting in the lawful discharge of the officer's official duties may temporarily disarm a person: (1) at any time the officer reasonably believes it is necessary for the protection of the person, officer, or another individual, but require the peace officer return the weapon to the person before discharging the person from the scene if the officer determines that the person is not a threat to the officer, person, or another individual and if the person has not committed a violation that results in the arrest of the person; and (2) when the person enters a nonpublic, secure portion of a law enforcement facility, if the law enforcement agency provides a gun locker where the peace officer can secure the weapon and returns the weapon to the person immediately after the person leaves the nonpublic, secure portion of the law enforcement facility.

H.B. 1928 (Wilson) – Peace Officer Employment Records: would provide that: (1) a person licensed by the Texas Commission on Law Enforcement (TCOLE), including a peace officer and a reserve law enforcement officer, may not enter into an agreement with a law enforcement agency employing the person under which the agency is prohibited from: (a) making the person’s employment records available to another law enforcement agency; or (b) disclosing information about the person’s employment to another law enforcement agency or a potential employer in a related field; (2) a law enforcement agency that obtains a consent form to view a person’s employment records shall make an electronic copy of the person’s employment records available to a hiring law enforcement agency on request; and (3) TCOLE, by rule, shall prescribe the manner by which a law enforcement agency shall make a person’s employment records electronically available to a hiring law enforcement agency, and such rules must provide appropriate security protections.

H.B. 1938 (Jetton) – Body Worn Camera Grants: would provide that a law enforcement agency that provides body worn cameras to its peace officers may apply to the office of the governor for a grant to defray the cost of data storage for recordings created with the body worn cameras.

H.B. 1943 (Crockett) – Firing at Moving Vehicles: would provide that: (1) a peace officer may not, while performing an official duty, discharge a firearm at or in the direction of a moving vehicle unless: (a) if the vehicle is occupied solely by the driver: (i) the peace officer discharges the firearm only when and to the degree the officer reasonably believes is immediately necessary to protect the officer or another person from the use of unlawful deadly force by the driver of the vehicle; and (ii) before discharging the firearm, the officer has exhausted all other reasonable
means of mitigating or preventing the deadly force by the driver or has determined that other means of mitigating or preventing the deadly force would be inappropriate under the circumstances; or (b) if the vehicle has one or more passengers: (i) the peace officer discharges the firearm only when and to the degree the officer reasonably believes is immediately necessary to protect the officer from unlawful deadly force by the driver by means of the vehicle; and (ii) the officer reasonably believes that the officer is unable to mitigate or prevent the deadly force by the officer moving out of the path of the vehicle; (2) a law enforcement agency shall adopt a policy regarding a peace officer’s use of force with respect to a moving vehicle; and (3) a peace officer commits an offense if the officer engages in conduct prohibited by (1), above in violation of a policy adopted under (2), above, and such offense is a felony of the third degree.

H.B. 1950 (Slawson) – Law Enforcement Funding: would, among other things:

1. characterize a “defunding local government” as a city or county: (a) that adopts a budget for a fiscal year that, in comparison to the local government’s preceding fiscal year, reduces: (i) the appropriation to the local government’s law enforcement agency; (ii) the number of peace officers the local government’s law enforcement agency is authorized to employ; (iii) funding for peace officer overtime compensation for the local government’s law enforcement agency; or (iv) funding for the recruitment and training of new peace officers to fill each vacant peace officer position in the local government’s law enforcement agency; and (b) for which the criminal justice division of the governor’s office issues a written determination finding that the local government has taken an action described by (a), above;

2. provide that in making a determination of whether a local government is a “defunding local government” according to the budget adopted for the first fiscal year beginning on or after September 1, 2021, the criminal justice division of the governor’s office shall compare the funding and personnel in that budget to the funding and personnel in the budget of the preceding fiscal year or the second preceding fiscal year, whichever is greater;

3. provide that a local government is considered a defunding local government until the criminal justice division of the governor’s office issues a written determination finding that the local government has reversed the inflation-adjusted reductions described in Number 1(a), above; and

4. require the criminal justice division of the governor’s office to: (a) compute the inflation rate used to make determinations under Number 3, above, each fiscal year using a price index that accurately reports changes in the purchasing power of the dollar for local governments in this state; and (b) publish the inflation rate in the Texas Register.

H.B. 1954 (Dutton) – Criminal Penalties for Drug Possession: would: (1) reduce the criminal penalties for possession of small amounts of certain controlled substances and marihuana; and (2) provide that a judge who grants community supervision to a person convicted of certain drug-related Class A misdemeanors may require, as a condition of community supervision, that the person successfully complete an educational program on substance abuse awareness approved by the Texas Department of Licensing and Regulation.
**H.B. 1955 (Dutton) – Justified Use of Deadly Force:** would provide that: (1) a peace officer is justified in using deadly force against another when and to the degree the peace officer reasonably believes the deadly force is immediately necessary to make an arrest, or to prevent escape after arrest, if: (a) the use of force would have been justified by the law; (b) the person to be arrested or attempting to escape after arrest possesses a deadly weapon; and (c) the peace officer reasonably believes: (i) the conduct for which arrest is authorized included the use or attempted use of deadly force; or (ii) there is a substantial risk that the person to be arrested or attempting to escape after arrest will cause death or serious bodily injury to the actor or another if the arrest or apprehension is delayed; and (2) a person other than a peace officer acting in a peace officer’s presence and at his direction is justified in using deadly force against another when and to the degree the person reasonably believes the deadly force is immediately necessary to make a lawful arrest, or to prevent escape after a lawful arrest, if: (a) the use of force would have been justified by the law; (b) the person to be arrested or attempting to escape after arrest possesses a deadly weapon; and (c) the actor reasonably believes: (i) the felony or offense against the public peace for which arrest is authorized included the use or attempted use of deadly force; or (ii) there is a substantial risk that the person to be arrested will cause death or serious bodily injury to another if the arrest or apprehension is delayed.

**H.B. 1982 (Pacheco) – Medical Cannabis:** would: (1) provide that medical cannabis may be dispensed to a patient only by a pharmacist; (2) provide that a person may not cultivate, produce, manufacture, or distribute medical cannabis without a license; and (3) authorize a fee for a license issued under (2).

**H.B. 2007 (Reynolds) – Law Enforcement Agencies:** would provide, among other things, that: (1) a law enforcement agency of a city or county shall adopt a policy requiring a peace officer to participate in at least eight hours of community events in the city or county not later than the 60th day after the date the peace officer begins employment with the agency; (2) a law enforcement agency may grant an extension of the period described in (1), above, based on reasonable grounds; (3) the Texas Commission on Law Enforcement (TCOLE) shall establish and administer a grant program through which eligible cities and counties may apply for a grant to provide increased compensation to peace officers employed by a law enforcement agency based on the extent to which the peace officers employed by the law enforcement agency of the applicant city or county: (a) hold a bachelor’s degrees or higher; (b) reside in the applicable city or county; and (c) have received certificates of distinction for certain achievements, including performing more than 40 hours of community service, completing more than 50 hours of continuing education programs, or providing more than 25 hours of instruction in continuing education programs; (4) TCOLE shall annually evaluate each law enforcement agency of a city or county for professionalism based on the following criteria and any additional criteria TCOLE adopts by rule: (a) whether at least half of the peace officers of the agency reside in the applicable city or county; (b) whether the peace officers of the agency in supervisory positions hold bachelor’s degrees or higher; (c) the peace officers of the agency each perform 30 or more hours of community service annually; (d) the agency has a citizens academy or youth enrichment program; and (e) the peace officers of the agency are certified as special officers for offenders with mental impairments; (5) TCOLE may establish and administer a grant program to award grants to agencies that receive positive evaluations; (6) as part of the minimum curriculum
requirements, TCOLE shall require an officer to complete a training program on implicit bias that consists of not less than eight hours of training; and (7) as part of the continuing education programs, a peace officer must complete a training and education program developed by the commission that includes not less than: (a) four hours of training on implicit bias; and (b) eight hours of training on de-escalation and crisis intervention techniques.

**H.B. 2008 (Reynolds)** – Peace Officer License Suspension: would amend current law to provide that the Texas Commission on Law Enforcement shall suspend a peace officer’s license upon notification that the officer has been dishonorably discharged. (Companion bill is **S.B. 352** by **Miles**.)

**H.B. 2009 (Reynolds)** – No Knock Entries: would prohibit a magistrate, including a municipal judge, from issuing an arrest or search warrant that authorizes a peace officer from entering, for the purpose of executing a warrant, into a building or other place without giving notice of the officer’s authority or purpose before entering (a no-knock entry). (Companion bill is **S.B. 175** by **Miles**.)

**H.B. 2011 (Reynolds)** – Duty to Intervene: would provide that: (1) a peace officer has a duty to intervene to stop or prevent another peace officer from using excessive force against a person suspected of committing an offense if an ordinary, prudent peace officer would intervene under the same or similar circumstances; and (2) a peace officer who witnesses the use of excessive force by another peace officer shall promptly make a detailed report of the incident and deliver the report to the supervisor of the peace officer making the report and the supervisor of the peace officer who used the excessive force. (Companion bill is **S.B. 68** by **Miles**.)

**H.B. 2028 (Lambert)** – Ungraded Eggs: would, among other things, prohibit a state agency or political subdivision from prohibiting the following from purchasing, reselling, or using ungraded eggs: (1) a hatchery buying eggs exclusively for hatching purposes; (2) a hotel, restaurant, or other public eating place where all eggs purchased are served by the establishment; (3) a food manufacturer purchasing eggs for use only in the manufacture of food products, except for a person who operates a plant for the purpose of breaking eggs for freezing, drying, or commercial food manufacturing; (4) an agent employed and paid a salary by a person licensed by the Texas Department of Agriculture; or (5) a retailer selling eggs to the ultimate consumer of the eggs.

**H.B. 2054 (Beckley)** – Sex Parlors: would: (1) redefine “massage parlor” as a “sex parlor” that is a business establishment that purports to provide services involving physical contact with a customer and that allows: (a) a person to engage in sexual contact for compensation; or (b) a person to provide services involving physical contact with a customer in a private or semiprivate location while nude or wearing clothing intended to arouse or gratify the sexual desire of any person; and (2) authorize the governing body of a municipality, by ordinance, to prohibit or otherwise regulate sex parlors.

**H.B. 2105 (Dutton)** – Firearms: would provide that a person commits a criminal offense if the person is carrying a partially or wholly visible firearm other than a handgun and the person intentionally: (1) refuses to give the person’s name, address, or date of birth to a peace officer
who requests the information; or (2) gives a false or fictitious name, address, or date of birth to a peace officer who has requested the information.

**H.B. 2106 (Perez) – Credit Card Fraud**: would, among other things: (1) provide that a law enforcement agency or the financial crimes intelligence center may disclose information regarding the discovery of a credit card skimmer—which would otherwise be confidential—to the public if the law enforcement agency or the chief intelligence coordinator for the center determines that the disclosure of the information furthers a law enforcement purpose; (2) remove the provision from law that allows law enforcement agencies or other governmental agencies designated by the attorney general to collaborate with the attorney general to establish a payment fraud fusion center; (3) provide that the Department of Public Safety may enter into agreements with law enforcement agencies or other governmental agencies for the operation of the financial crimes intelligence center; (4) provide that information a law enforcement agency or other governmental agency collects and maintains under an agreement entered into with DPS in (3) is the intellectual property of the center and on termination of the agreement, the contracting agency shall transfer the information to DPS in accordance with the terms of the agreement; and (5) provide that the center may, among other things, provide training and educational opportunities to law enforcement.

**H.B. 2143 (Rodriguez) – Sporting Rifle**: would allow a city with a population of 600,000 or more to regulate the carrying of a partially or wholly visible modern sporting rifle on or about a person in a public place.

**H.B. 2150 (Allison) – Obstructing a Highway**: would increase the criminal penalty for obstructing a highway or other passageway from a Class B misdemeanor to a felony of the third degree.

**H.B. 2154 (Dutton) - Training**: would create the officer training advisory committee to conduct a study of the Texas Commission on Law Enforcement’s training programs that are established and maintained for individuals seeking to be peace officers, county jailers, school marshals, public security officers, and telecommunicators.

**H.B. 2170 (Raymond) – Autopsy Reimbursement**: would, among other things, provide that the head of a law enforcement agency may use any portion of the gross amount credited to the agency’s special fund from money received under the felony forfeiture process to reimburse a county commissioners court for the reasonable costs of transporting a body for the purpose of an autopsy.

**H.B. 2232 (Bucy) – Alcohol Sales**: would authorize: (1) a local option election to be held on the proposition of whether to prohibit or legalize the sale of liquor for off-premise consumption on Sunday; and (2) in an area where the sale on Sunday of liquor for off-premises consumption has been approved by local option election: (a) the holder of a package store permit to sell, offer for sale, or deliver liquor on Sunday between 10 a.m. and 9 p.m.; (b) the holder of a wholesaler's permit to sell, offer for sale, or deliver liquor to a retailer anytime on Sunday; and (c) the holder of a local distributor's permit to sell, offer for sale, or deliver liquor to a retailer on Sunday between 5 a.m. and 9 p.m.
**H.B. 2233 (Ramos) – Cite and Release Policies:** would, among other things, provide that: (1) the Bill Blackwood Law Enforcement Management Institute of Texas and the Caruth Police Institute shall, in consultation with other appropriate entities, including law enforcement agencies, jointly develop, adopt, and disseminate to law enforcement agencies a model policy and associated training materials regarding the issuance of citations in lieu of arrest for misdemeanors; (2) each law enforcement agency shall adopt, implement, and as necessary amend a detailed written policy regarding the issuance of citations in lieu of arrest for misdemeanors, provided that such policy meets the applicable requirements of the model policy; and (3) not later than September 1 of each even-numbered year, each law enforcement agency shall review its adopted policy and modify the policy as appropriate.

**H.B. 2302 (White) – False Statement Offense:** would provide that: (1) a peace officer commits an offense if the officer files a report with the law enforcement agency employing the officer regarding the commission or investigation of an offense and intentionally or knowingly makes a false statement in the report; and (2) an offense described in (1), above, is a Class A misdemeanor, except it is not an offense if the peace officer attributes the false statement to another person in the report.

**H.B. 2334 (Crockett) – Crowd Control:** would provide that: (1) a peace officer may not use a less lethal device, including a less lethal chemical device or a less lethal projectile as a means to: (a) control the activity or movement of a nonviolent gathering of persons; or (b) disperse persons engaging in speech or expressive conduct protected by the United States Constitution or Texas Constitution; and (2) each law enforcement agency in this state shall adopt a policy that prohibits a peace officer employed by the agency from using less lethal devices for a purpose prohibited under (1), above.

**H.B. 2353 (Neave) – Evidence of Sexual Assault:** would require a law enforcement agency that fails to submit evidence it receives of a sexual assault or other sex offense to a public accredited crime laboratory for analysis within 30 days to provide to the Department of Public Safety written documentation of the failure, including a detailed explanation for the failure.

**H.B. 2358 (Reynolds) – False Statement Offense:** would provide that, if it is shown on the trial of an offense of making a false statement to a law enforcement officer that the false statement consisted of an allegation that another person engaged in conduct violating the Penal Code, the offense is the greater of: (1) the category of offense of the most serious offense falsely reported; or (2) a Class A misdemeanor.

**H.B. 2362 (Harris) – Law Enforcement Funding:** would:

1. characterize a “defunding local government” as a city or county: (a) that adopts a budget for a fiscal year that, in comparison to the local government’s preceding fiscal year, reduces: (i) the appropriation to the local government’s law enforcement agency; (ii) the number of peace officers the local government’s law enforcement agency is authorized to employ; (iii) funding for peace officer overtime compensation for the local government’s law enforcement agency; or (iv) funding for the recruitment and training of new peace officers to fill each vacant peace officer position in the local government’s law enforcement agency;
enforcement agency; and (b) for which the criminal justice division of the governor’s office issues a written determination finding that the local government has taken an action described by (a), above;

2. provide that in making a determination of whether a local government is a “defunding local government” according to the budget adopted for the first fiscal year beginning on or after September 1, 2021, the criminal justice division of the governor’s office shall compare the funding and personnel in that budget to the funding and personnel in the budget of the preceding fiscal year or the second preceding fiscal year, whichever is greater;

3. provide that a local government is considered a defunding local government until the criminal justice division of the governor’s office issues a written determination finding that the local government has reversed the inflation-adjusted reductions described in Number 1(a), above;

4. require the criminal justice division of the governor’s office to: (a) compute the inflation rate used to make determinations under Number 3, above, each fiscal year using a price index that accurately reports changes in the purchasing power of the dollar for local governments in this state; and (b) publish the inflation rate in the Texas Register;

5. prohibit a defunding local government’s total expenditures from all available sources of revenue in a fiscal year from exceeding the local government’s total expenditures from all available sources of revenue in the fiscal year immediately preceding the fiscal year during which the criminal justice division of the governor’s office issued the written determination declaring the local government to be a defunding local government;

6. provide that a local government is no longer considered to be a defunding local government when the criminal justice division of the governor’s office issues a written determination finding that the local government has reversed the reductions described by Number 1(a), above; and

7. provide that revenue received from the issuance of bonds approved by voters or from a grant, donation, or gift is not considered an available source of revenue for purposes of the expenditure limitation in Number 5, above.

**H.B. 2366 (Buckley) – Penal Offenses:** would provide, among other things, that: (1) the offense of directing a light from a laser pointer to a uniformed safety officer, including a peace officer, security guard, firefighter, emergency medical service worker, or other uniformed municipal, state, or federal officer is enhanced to: (a) a felony of the third degree if the conduct causes bodily injury to the officer; or (b) felony of the first degree if the conduct causes serious bodily injury to the officer; and (2) a person commits an offense if the person explodes or ignites fireworks with the intent to: (a) interfere with the lawful performance of an official duty by a law enforcement officer; or (b) flee from a person the actor knows is a law enforcement officer attempting to lawfully arrest or detain the actor.

**H.B. 2402 (Price) – Local Taxes and Fees on Firearms:** would, among other things, prohibit a city from imposing a tax, assessment, fee, or other charge, including an application, license, or registration fee, on a sale of or an authorization to obtain or possess ammunition, firearms, or firearm supplies other than a tax, assessment, fee, or other charge specifically authorized by state law in effect on January 1, 2021.
H.B. 2419 (Shaheen) – Rioting: would provide that: (1) the punishment for certain offenses related to assault, arson, criminal mischief, criminal trespass, robbery, burglary, and theft, is increased to the punishment prescribed for the next higher category of offense if it is shown on the trial of the offense that at the time of the offense the actor was participating in a riot, and (2) if the offense described in (1), above, is punishable: (a) as a Class A misdemeanor, the minimum term of confinement for the offense is increased to 180 days; and (b) as a felony of the first degree, the punishment of that offense may not be increased.

H.B. 2437 (Davis) – Peace Officers’ Oath: would provide that the Texas Commission on Law Enforcement (TCOLE) shall require each person who passes the required examination for the issuance of a license as a peace officer or reserve law enforcement officer to sign and submit to TCOLE a specific oath of office.

H.B. 2438 (Meyer) – Law Enforcement Funding: would:
1. characterize a “defunding local government” as a city or county: (a) that adopts a budget for a fiscal year that, in comparison to the local government’s preceding fiscal year, reduces: (i) the appropriation to the local government’s law enforcement agency; (ii) the number of peace officers the local government’s law enforcement agency is authorized to employ; (iii) funding for peace officer overtime compensation for the local government’s law enforcement agency; or (iv) funding for the recruitment and training of new peace officers to fill each vacant peace officer position in the local government’s law enforcement agency; and (b) for which the criminal justice division of the governor’s office issues a written determination finding that the local government has taken an action described by (a), above;
2. provide that in making a determination of whether a local government is a “defunding local government” according to the budget adopted for the first fiscal year beginning on or after September 1, 2021, the criminal justice division of the governor’s office shall compare the funding and personnel in that budget to the funding and personnel in the budget of the preceding fiscal year or the second preceding fiscal year, whichever is greater;
3. provide that a local government is considered a defunding local government until the criminal justice division of the governor’s office issues a written determination finding that the local government has reversed the inflation-adjusted reductions described in Number 1(a), above;
4. require the criminal justice division of the governor’s office to: (a) compute the inflation rate used to make determinations under Number 3, above, each fiscal year using a price index that accurately reports changes in the purchasing power of the dollar for local governments in this state; and (b) publish the inflation rate in the Texas Register;
5. prohibit the governing body of a defunding local government from adopting a property tax rate for the current tax year that exceeds the lesser of the city’s no-new-revenue tax rate or voter-approval tax rate for that tax year;
6. provide that, in a tax year in which a city is considered to be a defunding taxing unit, the difference between the city’s actual tax rate and voter-approval tax rate for purposes of calculating the city’s unused increment rate is considered to be zero; and
7. provide that a local government is no longer considered to be a defunding local government when the criminal justice division of the governor’s office issues a written
determination finding that the local government has reversed the reductions described by Number 1(a), above.

**H.B. 2452 (Campos) – Prohibited Motor Vehicle Stops:** would provide that each law enforcement agency shall adopt a policy prohibiting a peace officer of the agency from making a motor vehicle stop on the shoulder of a controlled access highway.

**H.B. 2462 (Neave) – Forensic Medical Examinations:** would provide that: (1) if a sexual assault is reported to a law enforcement agency within 120 hours after the assault, the law enforcement agency, with the consent of the victim of the reported assault, a person authorized to act on behalf of the victim, or an employee of the Department of Family and Protective Services, shall request a forensic medical examination of the victim for use in the investigation or prosecution of the offense; (2) if a sexual assault is not reported within the period described by (1), above, on receiving the consent described by (1), above, a law enforcement agency may request a forensic medical examination of a victim of a reported sexual assault for use in the investigation or prosecution of the offense if: (a) based on the circumstances of the reported assault, the agency believes a forensic medical examination would further that investigation or prosecution; or (b) after a medical evaluation by a physician, sexual assault examiner, or sexual assault nurse examiner, the physician or examiner notifies the agency that a forensic medical examination should be conducted; and (3) if a sexual assault is reported to a law enforcement agency as provided by (1) or (2), above, the law enforcement agency shall: (a) document, in the form and manner required by the attorney general, whether the agency requested a forensic medical examination; (b) provide the documentation of the agency’s decision regarding a request for a forensic medical examination to: (i) the health care facility and the physician, sexual assault examiner, or sexual assault nurse examiner, as applicable, who provides services to the victim that are related to the sexual assault; and (ii) the victim or the person who consented to the forensic medical examination on behalf of the victim; and (c) maintain the documentation of the agency’s decision in accordance with the agency’s record retention policies.

**H.B. 2464 (Neave) – Grant Funding:** would provide that the failure to comply with the requirements of collection, preservation, and tracking of evidence of a sex offense, including the analysis of evidence of sexual assault or other sex offenses, may be used to determine eligibility for receiving grant funds from the Texas Department of Public Safety, the office of the governor, or another state agency.

**H.B. 2496 (Buckley) – Firefighters:** would authorize the issuance of specialty license plates for certain volunteer firefighters and fire protection personnel, and provide that part of the fee for issuance of the plates be used only by the Texas Commission on Fire Protection to make grants to an organization of professional firefighters located in Texas that provides emergency relief and scholarship funds to professional firefighters and their dependents.

**H.B. 2517 (Meza) – Suicide Prevention in Jails:** would provide, among other things, that the Commission on Jail Standards (Commission) shall require each municipal jail or lockup to: (1) provide two hours of training to each jailer or person responsible for the supervision of a person confined in the jail or lockup on the procedures for identifying, documenting, and handling a person who is potentially suicidal or has a mental health condition; (2) conduct and document
mental health screenings during the intake process; (3) house in a cell with cameras any person that is identified as potentially suicidal or who discloses a previous diagnosis for a mental health condition; (4) regularly check on each person described by (3), above; and (5) report to the Commission, in the manner prescribed by the Commission, any incident involving the suicide or attempted suicide of a person confined in the jail or lockup not later than 48 hours after the incident.

H.B. 2572 (Reynolds) – Office of Law Enforcement Oversight: would, among other things: (1) create the Office of Law Enforcement Oversight (Office) as a state agency for the purpose of monitoring the operations of law enforcement agencies and the use of force practices of those agencies; (2) provide that the director of the Office shall: (a) review the complaints received by the Office regarding the use of force by peace officers of law enforcement agencies; and (b) if the director determines that, based on complaints and other evidence, there is a pattern of use of excessive force at a law enforcement agency, the director may conduct an investigation into the agency’s use of force practices; and (3) if the investigation substantiates the alleged pattern of use of excessive force, request the appropriate district or county attorney to bring an action to institute reforms to the agency’s use of force practices, including an action against the agency for: (a) appropriate equitable relief, including authority for the Office to require and monitor any changes to policies, procedures, and other measures necessary to end, to the extent practicable, the use of excessive force by the peace officers of the law enforcement agency; or (b) the appointment of the Office as receiver of the law enforcement agency for the purpose of instituting the changes described in (3)(a), above; (4) provide that a law enforcement agency shall allow the Office access to the agency’s records relating to an investigation conducted under (2), above, and in allowing access to such records, the law enforcement agency shall fully cooperate and collaborate with the Office in a prompt manner in order for the Office to carry out its duties and improve the agency’s operations and conditions; (5) the Office may inspect or review without notice any part of a facility of a law enforcement agency under investigation or any operation, policy, procedure, record, or log of the agency relating to: (a) a complaint received by the office; (b) the use of force against an individual; (c) the internal investigations process of the agency; and (d) employee or officer recruitment, training, supervision, or discipline; and (6) waive sovereign or governmental immunity, as applicable.

H.B. 2583 (Campos) – Failure to Report Offense: would provide that the penalty for the offense of failure to report that an elderly person or a person with a disability has been abused, neglected or exploited is enhanced to a state jail felony if it is shown on the trial of the offense that the actor is a peace officer who encountered the abused, neglected, or exploited person in the course of discharging his or her duties as a peace officer.

H.B. 2588 (Crockett) – Cite and Release: would provide that: (1) each law enforcement agency shall adopt a written policy regarding the issuance of citations for misdemeanor offenses, other than violent misdemeanors; (2) the policy must provide a procedure for a peace officer, on a person’s presentation of appropriate identification, to verify the person’s identity and issue a citation to the person and must comply with the provisions under (3), (4), (5), (6) and (7), below; (3) a peace officer or any other person may not, without a warrant, arrest an offender who commits only one or more misdemeanor offenses, other than a violent misdemeanor or an offense of public intoxication, unless the officer or person has probable cause to believe that: (a)
the failure to arrest the offender creates a clear and immediate danger to the offender or the public; or (b) the failure to arrest the offender will allow a continued breach of the public peace; (4) a peace officer who is charging a person, including a child, with committing an offense that is a misdemeanor, other than a violent misdemeanor or an offense of public intoxication shall, instead of taking the person before a magistrate, issue a citation to the person that contains certain information; (5) a peace officer who is charging a person, including a child, with committing an offense that is a violent misdemeanor and that is punishable by fine only may, instead of taking the person before a magistrate, issue to the person a citation that contains certain information; (6) any peace officer may arrest without warrant a person found committing a violation of the rules of the road, except that the officer may not arrest a person found committing only one or more misdemeanors, other than a violent misdemeanor, unless the officer has probable cause as described in (3), above; and (7) unless an officer is authorized to arrest a person as described under (6), above, the officer shall issue a written notice to appear if the offense is a misdemeanor under the rules of the road and the person makes a written promise to appear in court.

**H.B. 2622 (Holland) – Federal Firearms Regulation:** would: (1) prohibit a political subdivision of this state, and a law enforcement officer or other person employed by a political subdivision, from contracting with or providing assistance to a federal agency or official with respect to the enforcement of a federal statute, order, rule, or regulation purporting to regulate a firearm, a firearm accessory, or firearm ammunition if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation, such as a capacity or size limitation or a registration requirement, that does not exist under Texas law; (2) provide that the prohibition in (1) doesn’t apply to a federal statute, order, rule or regulation in effect on January 19, 2021; and (3) provide that a violation of the prohibition in (1) may be enforced: (a) by denying state grant funds to the city; and (b) through court action by the attorney general.

**H.B. 2650 (Jarvis Johnson) - Children in Custody:** would provide, among other things, that a law enforcement shall: (1) adopt a written policy regarding the safe placement of a child who is in the custody of a person that is arrested; and (2) enter into an agreement with the Department of Family and Protective Services (Department) that provides a procedure to release a child to the care of the Department.

**H.B. 2655 (Crockett) – Reporting Peace Officer Misconduct:** would provide that: (1) the Department of Public Safety (DPS) shall: (a) adopt a form for the reporting of allegations of misconduct concerning a peace officer employed by a law enforcement agency that includes the nature of the allegation, the results of the agency’s investigation of the allegation, and any disciplinary action taken by the agency as a result of the allegation; (b) establish a database for information concerning reports received under (1)(a), above; and (c) make the database accessible to law enforcement agencies; and (2) each law enforcement agency shall promptly report to DPS, for inclusion in the database established in (1), above, each allegation of misconduct concerning a peace officer employed by the agency.

**H.B. 2669 (Guillen) - Criminal Record of a Child:** would provide that all records, files, and information stored by electronic means or otherwise, from which a record or file could be generated, relating to a criminal case for a fine-only misdemeanor other than a traffic offense,
that is committed by a child and that is appealed are confidential and may not be disclosed to the public, except under limited circumstances.

**H.B. 2695 (Noble) – Law Enforcement Funding:** would:

11. characterize a “defunding local government” as a city or county: (a) that adopts a budget for a fiscal year that, in comparison to the local government’s preceding fiscal year, reduces: (i) the appropriation to the local government’s law enforcement agency; (ii) the number of peace officers the local government’s law enforcement agency is authorized to employ; (iii) funding for peace officer overtime compensation for the local government’s law enforcement agency; or (iv) funding for the recruitment and training of new peace officers to fill each vacant peace officer position in the local government’s law enforcement agency; and (b) for which the criminal justice division of the governor’s office issues a written determination finding that the local government has taken an action described by (a), above;

12. provide that in making a determination of whether a local government is a “defunding local government” according to the budget adopted for the first fiscal year beginning on or after September 1, 2021, the criminal justice division of the governor’s office shall compare the funding and personnel in that budget to the funding and personnel in the budget of the preceding fiscal year or the second preceding fiscal year, whichever is greater;

13. provide that a local government is considered a defunding local government until the criminal justice division of the governor’s office issues a written determination finding that the local government has reversed the inflation-adjusted reductions described in Number 1(a), above;

14. require the criminal justice division of the governor’s office to: (a) compute the inflation rate used to make determinations under Number 3, above, each fiscal year using a price index that accurately reports changes in the purchasing power of the dollar for local governments in this state; and (b) publish the inflation rate in the Texas Register;

15. provide that a defunding city may not increase the combined revenues of the city’s general fund, enterprise funds, and special revenue funds for a fiscal year above the combined revenues of the same funds for the immediately preceding fiscal year;

16. provide that the limitation in Number 5, above, does not apply to revenues used to repay voter-approved bonded indebtedness, excluding certificates of obligation;

17. require the chief fiscal officer of a defunding city to, before the city council may adopt a budget for a fiscal year, verify in writing that the budget complies with Number 5, above;

18. provide that if a defunding city adopts a budget that exceeds the combined revenues allowed under Number 5, above, a taxpayer of the defunding city may bring a lawsuit against the budget or the property tax rate adopted for the same fiscal year; and

19. provide that a city is no longer considered to be a defunding city for purposes of this section when the criminal justice division of the governor’s office issues a written determination finding that the city has reversed the reductions described in Number 1(a).
**H.B. 2733 (Tinderholt) – Alcohol Monitoring Devices:** would provide, among other things, that: (1) a peace officer shall make a report to the Department of Public Safety if the peace officer has reasonable cause to believe that a person has violated: (a) a condition of bond, a condition of community supervision, a condition of holding an occupational driver’s license, or a court order issued restricting the person to the operation of a motor vehicle equipped with an ignition interlock device; or (b) a condition of bond or a condition of community supervision requiring the person to submit to alcohol monitoring through the use of an alcohol monitoring device other than an ignition interlock device; and (2) a magistrate may require as a condition of release on bond that the defendant submit to alcohol monitoring through the use of an alcohol monitoring device other than an ignition interlock device, for a defendant charged with certain intoxication offenses.

**H.B. 2798 (Wilson) – Refusal to Consent:** would repeal the requirement that a peace officer take possession of a person's driver's license following the person's failure to pass or refusal to consent to a test for intoxication.

**H.B. 2844 (Goodwin) – TCOLE License:** would, among other things:

1. provide that, if a person licensed by the Texas Commission on Law Enforcement (TCOLE) retires or resigns, the police chief or the police chief’s designee must include in the explanation of the circumstances under which a person resigned or retired that is provided to TCOLE, information regarding any pending investigation known to internal affairs, supervisors, or management that was not completed due to the officer’s resignation or retirement;

2. amend the definition of the term “dishonorably discharged” to include a license holder who was terminated by a law enforcement agency or retired or resigned in lieu of termination by the agency in relation to the following conduct: (a) lack of competence in performing the license holder’s duties as an officer; (b) illegal drug use or an addiction that substantially impairs the license holder’s ability to perform the license holder’s duties as an officer; (c) lack of truthfulness in court proceedings or other governmental operations, including: (i) making a false statement in an offense report or other report as part of an investigation; (ii) making a false statement to obtain employment as an officer; (iii) making a false entry in court records or tampering with evidence, regardless of whether the license holder is prosecuted or convicted for the false entry or tampering; or (iv) engaging in conduct designed to impair the results or procedure of an examination or testing process associated with obtaining employment as an officer or a promotion to a higher rank; (d) failure to follow the lawful directives of a supervising officer or to follow the policies of the employing law enforcement agency; (e) discriminatory conduct, including engaging in a course of conduct or a single egregious act, based on the race, color, religion, sex, pregnancy, national origin, age, disability, or sexual orientation of another that would cause a reasonable person to believe that the license holder is unable to perform the license holder’s duties as an officer in a fair manner; or (f) conduct indicating a pattern of: (i) excessive use of force; (ii) abuse of official capacity; (iii) inappropriate relationships with persons in the custody of the license holder; (iv)
sexual harassment or sexual misconduct while performing the license holder’s duties as an officer; or (v) misuse of information obtained as a result of the license holder’s employment as an officer and related to the enforcement of criminal offenses;

3. eliminate the provision that provides that a peace officer or a reserve law enforcement officer must have previously been dishonorably discharged from another law enforcement agency before the Texas Commission on Law Enforcement (TCOLE) may suspend the license of the officer upon notification that the officer has been dishonorably discharged; and

4. provide that TCOLE by rule shall establish grounds under which TCOLE shall suspend or revoke an officer license on a determination by the commission that the license holder’s continued performance of duties as an officer constitutes a threat to the public welfare, and such grounds must include the conduct described in (2), above.

H.B. 2852 (Wu) – Toxicological Evidence: would provide, among other things, that: (1) a governmental or public entity or an individual, including a law enforcement agency, prosecutor's office, or crime laboratory, that is charged with the collection, storage, preservation, analysis, or retrieval of toxicological evidence shall ensure that toxicological evidence collected pursuant to an investigation or prosecution of intoxication and alcoholic beverage offenses is retained and preserved for the greater of two years or the period of the statute of limitations for the offense if the indictment or information charging the defendant has been dismissed without prejudice; (2) a person from whom toxicology evidence was collected shall be notified of the periods for which evidence may be retained and preserved, and the notice must be given by: (a) an entity or individual described by (1), above, that collects the evidence, if the entity or individual collected the evidence directly from the person or collected it from a third party; or (b) the court, if the records of the court do not show that the person was not given the notice described by (2)(a), above, and the toxicological evidence is subject to the certain retention periods; (3) before requesting a person to submit to the taking of a specimen, the officer shall, among other things, inform the person orally and in writing that: (a) if the person submits to the taking of a blood specimen, the specimen will be retained and preserved in accordance with (1), above; and (4) if a person consents to the request of an officer to submit to the taking of a specimen, the officer shall request the person to sign a statement that: (a) the officer requested that the person submit to the taking of a specimen; (b) the person was informed of the consequences of not submitting to the taking of a specimen; and (c) the person voluntarily consented to the taking of a specimen.

H.B. 2878 (Goodwin) – Extreme Risk Protective Orders: would, among other things: (1) provide that, in certain circumstances, courts may issue an extreme risk protective order against a person exhibiting dangerous behavior or conduct, including any behavior or conduct related to the person’s use of firearms, requiring the person to relinquish his or her firearms; (2) require local law enforcement agencies to: (a) take possession of a person’s firearms when a court issues an extreme risk protective order against that person and to immediately provide the person a written copy of the receipt for the firearm and written notice of the procedure for return of the firearm; (b) if applicable, notify the court that issued the extreme risk protective order that the person who is the subject of the order has relinquished the firearm not later than seven days after the law enforcement agency receives the firearm; (c) conduct a check of state and national...
criminal history record information to verify whether the person may lawfully possess a firearm not later than 30 days after receiving notice from the court that the extreme risk protective order has expired; (d) if the check described in (c) verifies that the person may lawfully possess a firearm, provide written notice to the person by certified mail stating that the firearm may be returned to the person if the person submits a written request before the 121st day after the date of the notice; (3) provide that a local law enforcement agency in possession of a firearm relinquished because of an extreme risk protective order may not destroy the firearm but may sell the firearm to a licensed firearms dealer if the check in (2)(c) shows that the person may not lawfully possess a firearm or the person does not submit a written request as required by (2)(d); and (4) provide that the proceeds from the sale of a firearm in (3) shall be paid to the owner of the seized firearm, less the cost of administering this article with respect to the firearm.

H.B. 2895 (Romero) – Family Violence: would provide that: (1) the Texas Commission on Law Enforcement (TCOLE) shall develop and make available to all law enforcement agencies in this state a model policy establishing procedures applicable to a peace officer who responds to a report of an offense involving family violence that was committed in the physical presence or within the hearing of a child younger than 18 years of age; (2) the model policy described in (1), above, must require the responding peace officer to: (a) document the child’s exposure to the family violence; (b) speak to the child at eye level and explain in an age-appropriate manner the applicable procedures for investigating the offense; (c) validate the child’s emotional response to the situation; (d) assist in comforting the child; (e) provide information to the child’s parent or other appropriate caregiver regarding: (i) services available to support the child; and (ii) the negative impacts of family violence on a child; and (3) identify and document any other children in the family or household; and (3) each law enforcement agency in this state shall adopt the model policy described in (1) and (2), above, regarding peace officer response to reports of certain offenses involving family violence.

H.B. 2900 (Hefner) – Firearms: would, among other things, allow for the legal carrying of a handgun, either concealed or openly in a holster, without a license by someone who is not otherwise prohibited from possessing the handgun under state or federal law.

H.B. 2911 (White) – Next Generation 9-1-1 Service: would provide that: (1) before September 1, 2025, all parts of the state must be covered by Next Generation 9-1-1 service; (2) the Commission on State Emergency Communications shall: (a) provide for the implementation and provision of next generation 9-1-1 service; and (b) shall impose a monthly 9-1-1 emergency service fee in the amount of either $0.75, $1.00, or $1.25 on each wireless telecommunications connection that has a place of primary use within the geographic area in which a regional planning commission provides 9-1-1 service, including in an area served by an emergency communication district participating in the state system; (3) an emergency communication district not participating in the state system shall impose a monthly 9-1-1 emergency service fee in an amount equal to either $0.75, $1.00 or $1.25 on each wireless telecommunications connection that has a place of primary use within the district’s jurisdiction; (4) a political subdivision may not impose a fee other than a fee described by (2) or (3) on a wireless service provider or subscriber for 9-1-1 service; (5) for a wireless telecommunications connection subject to a 9-1-1 emergency service fee under (3), above, a wireless service provider shall collect the fee for each wireless telecommunications connection from its subscribers and pay the
money collected to the comptroller not later than the 30th day after the last day of the month during which the fees were collected, but the wireless service provider may retain an administrative fee of two percent of the amount of fees collected; (6) not later than the 15th day after the end of the month in which the money is collected, the Commission shall distribute to each emergency communication district that does not participate in the state system the total amount of money remitted to the comptroller under (5), above, for wireless telecommunications connections within the geographic jurisdiction of that emergency communication district; (7) the following actions are required prior to the Commission or an emergency communication district imposing the 9-1-1 emergency service fee on each wireless telecommunications connection in their respective geographic jurisdiction: (a) the commission or the emergency communication district must consider and adopt at an open meeting a plan for implementation and provision of Next Generation 9-1-1 service and the imposition of the 9-1-1 emergency service fee on each wireless telecommunications connection; and (b) any individual plan for implementation and provision of Next Generation 9-1-1 service adopted by the Commission or an emergency communication district shall be reviewed periodically to confirm that the plan continues to meet increased consumer expectation for 9-1-1 service from modern communications technologies; (8) not later than the 15th day after the last day of the month in which the prepaid wireless 9-1-1 emergency services fee is collected, the Commission shall distribute to each emergency communication district that does not participate in the applicable regional plan a portion of the total money collected in the same proportion that the population of the area served by the district bears to the population of the state; (9) the comptroller shall provide to each of the emergency communication districts a monthly report that outlines the money collected and remitted to the comptroller by the wireless service provider from each wireless telecommunications connection within the geographic jurisdiction of these emergency communication districts; and (10) repeal the provision: (a) that provides that on receipt of an invoice from a wireless service provider for reasonable expenses for network facilities, including equipment, installation, maintenance, and associated implementation costs, the Commission or an emergency services district of a home-rule city or an emergency communication district created under state law shall reimburse the wireless service provider in accordance with state law for all expenses related to 9-1-1 service; and (b) funds collected under the equalization surcharge are not precluded from being used to cover costs under (10)(a), above, as necessary and appropriate, including for rural areas that may need additional funds for wireless 9-1-1.

H.B. 2922 (Buckley) – Alert System for Adolescents in Danger: would provide, among other things, that: (1) the Department of Public Safety shall develop and implement a system to allow a statewide alert to be activated on behalf of an individual 16 years of age or younger who is reported or suspected to be with a registered sex offender (an adolescent in danger); (2) A local law enforcement agency may notify DPS regarding an adolescent in danger if: (a) the local law enforcement agency believes that an adolescent is in danger and circumstances indicate that: (i) the adolescent is younger than 16 years of age; (ii) the adolescent is reported or suspected to be with a registered sex offender other than the adolescent’s parent or guardian; and (iii) regardless of whether the adolescent departed willingly with the other person, the adolescent has been taken from the care and custody of the adolescent’s parent or legal guardian without the permission of the parent or guardian or, if the parent or guardian is a registered sex offender, with or without the parent’s or guardian’s permission; (b) the local law enforcement agency believes that the adolescent is in immediate danger of suffering bodily injury or becoming the victim of certain
offenses; and (c) sufficient information is available to disseminate to the public that could assist in locating the adolescent in danger, a registered sex offender suspected of being with the adolescent in danger, or a vehicle suspected of being used by the registered sex offender or the adolescent in danger; (3) in determining whether to notify DPS, the local law enforcement agency shall consider all factors relevant to the safety of the adolescent in danger, including: (a) whether the registered sex offender has previously committed criminal acts of violence; and (b) whether the registered sex offender is more than three years older than the adolescent in danger; (4) when a local law enforcement agency notifies DPS as described in (2), above, DPS shall confirm the accuracy of the information and, if confirmed, immediately issue an alert; and (4) a local law enforcement agency that locates an adolescent in danger who is the subject of an alert shall notify DPS as soon as possible that the adolescent in danger has been located.

H.B. 3017 (Wu) – Swatting: would provide, among other things, that: (1) a person commits an offense if the person reports a crime or an emergency to a law enforcement officer, law enforcement agency, 9-1-1 service, official or volunteer agency, or any other governmental employee or contractor who is authorized to receive reports of a crime or emergency and: (a) the person knows that the report is false; (b) the report is reasonably likely to cause an emergency response from a law enforcement agency or other emergency responder; and (c) the person makes the report or causes the report to be made with reckless disregard about whether the emergency response by a law enforcement agency or other emergency responder may directly result in bodily harm to any individual; (2) an offense described in (1), above, is a Class A misdemeanor, except that: (a) the offense is a state jail felony if it is shown on the trial of the offense that the defendant has been previously convicted on two or more occasions of an offense under this section; or (b) the offense is a felony of the third degree if the false report results in an emergency response to a reported crime and a person is killed or suffers serious bodily injury as a proximate result of lawful conduct arising out of that response; and (3) a court may order a defendant convicted of an offense to make restitution to a public agency for the reasonable costs of the emergency response by that public agency resulting from the false report. (Companion is S.B. 1056 by Huffman.)

H.B. 3021 (Burns) – Law Enforcement Funding: would:

1. characterize a “defunding local government” as a city or county: (a) that adopts a budget for a fiscal year that, in comparison to the local government’s preceding fiscal year, reduces: (i) the appropriation to the local government’s law enforcement agency; (ii) the number of peace officers the local government’s law enforcement agency is authorized to employ; (iii) funding for peace officer overtime compensation for the local government’s law enforcement agency; or (iv) funding for the recruitment and training of new peace officers to fill each vacant peace officer position in the local government’s law enforcement agency; and (b) for which the criminal justice division of the governor’s office issues a written determination finding that the local government has taken an action described by (a), above;
2. provide that in making a determination of whether a local government is a “defunding local government” according to the budget adopted for the first fiscal year beginning on or after September 1, 2021, the criminal justice division of the governor’s office shall compare the funding and personnel in that budget to the funding and personnel in the
budget of the preceding fiscal year or the second preceding fiscal year, whichever is greater;

3. provide that a local government is considered a defunding local government until the criminal justice division of the governor’s office issues a written determination finding that the local government has reversed the inflation-adjusted reductions described in Number 1(a), above;

4. require the criminal justice division of the governor’s office to: (a) compute the inflation rate used to make determinations under Number 3, above, each fiscal year using a price index that accurately reports changes in the purchasing power of the dollar for local governments in this state; and (b) publish the inflation rate in the Texas Register;

5. provide that the comptroller may not, before July 1 of each state fiscal year, send to a defunding city its share of city sales and use taxes collected by the comptroller during the state fiscal year;

6. provide that before sending the defunding city its share of sales and use taxes, the comptroller shall deduct the amount reported to the comptroller for the defunding city under Number 7, below, and credit that deducted amount to the general revenue fund, which must be appropriated only to the Department of Public Safety;

7. provide that not later than August 1 of each state fiscal year, the criminal justice division of the governor’s office shall report to the comptroller for each defunding city the amount of money the state spent in that state fiscal year to provide law enforcement services in the defunding city; and

8. provide that a city is no longer considered to be a defunding city for purposes of this section when the criminal justice division of the governor’s office issues a written determination finding that the city has reversed the reductions described in Number 1(a).

**H.B. 3026 (Canales) – Dedicated Autonomous Vehicles**: would: (1) define "dedicated autonomous vehicle" as an automated motor vehicle that is incapable of operation by a human operator present in the vehicle; and (2) provide an exemption for certain required vehicle equipment and inspection screenings.

**H.B. 3087 (Smith) – Public Urination and Defecation**: would provide that a person commits a Class B misdemeanor if the person intentionally or knowingly urinates or defecates in a public place, other than a public restroom.

**H.B. 3123 (J. Turner) – Precious Metal Dealers**: would amend regulations related to crafted precious metal dealers, and provide that after an enforcement order against a dealer becomes final, the consumer credit commissioner shall provide notice of the order to the chief of police of the city in which the violation occurred or sheriff of the county in which the violation occurred, if the violation did not occur in a city. (Companion bill is **S.B. 1132** by Johnson.)

**H.B. 3136 (Beckley) – Alcohol Sales**: would authorize a commissioners court of a county and the governing body of a municipality, to order a local option election in the county, justice precinct, or within the municipality, as the case may be, to determine whether the sale of alcoholic beverages of one or more of the various types and alcoholic contents shall be prohibited or legalized within that jurisdiction.
H.B. 3151 (Leman) – Law Enforcement Funding:

1. characterize a “defunding local government” as a city or county: (a) that adopts a budget for a fiscal year that, in comparison to the local government’s preceding fiscal year, reduces: (i) the appropriation to the local government’s law enforcement agency; (ii) the number of peace officers the local government’s law enforcement agency is authorized to employ; (iii) funding for peace officer overtime compensation for the local government’s law enforcement agency; or (iv) funding for the recruitment and training of new peace officers to fill each vacant peace officer position in the local government’s law enforcement agency; and (b) for which the criminal justice division of the governor’s office issues a written determination finding that the local government has taken an action described by (a), above;

2. provide that in making a determination of whether a local government is a “defunding local government” according to the budget adopted for the first fiscal year beginning on or after September 1, 2021, the criminal justice division of the governor’s office shall compare the funding and personnel in that budget to the funding and personnel in the budget of the preceding fiscal year or the second preceding fiscal year, whichever is greater;

3. provide that a local government is considered a defunding local government until the criminal justice division of the governor’s office issues a written determination finding that the local government has reversed the inflation-adjusted reductions described in Number 1(a), above; and

4. require the criminal justice division of the governor’s office to: (a) compute the inflation rate used to make determinations under Number 3, above, each fiscal year using a price index that accurately reports changes in the purchasing power of the dollar for local governments in this state; and (b) publish the inflation rate in the Texas Register.

H.B. 3248 (J. González) – Cannabis: would, among other things: (1) authorize the cultivation, manufacture, processing, distribution, sale, testing, transportation, delivery, transfer, possession, use, and taxation of cannabis and cannabis products; (2) provide that a person may prohibit or restrict the possession, consumption, cultivation, distribution, processing, sale, or display of cannabis or cannabis products on property the person owns, occupies, or manages; (3) establish a cannabis sales tax at the rate of 10 percent of the sales price of cannabis or a cannabis product; (4) create a cannabis establishment regulation and oversight local share account that consists of 20 percent of the cannabis sales tax in (3); (5) provide that money in the cannabis establishment regulation and oversight local share account may be used by the comptroller only to make a cannabis establishment regulation assistance payment to a qualifying local government, which is a municipality or county in which at least one cannabis establishment is located during any portion of the applicable fiscal year; (6) provide that to serve the state purpose of ensuring that local governments in which cannabis establishments are located may effectively participate in the regulation and oversight of those establishments, a qualifying local government is entitled to a cannabis establishment regulation assistance payment from the state equal to the cost incurred by the local government to enforce regulations under the bill for each fiscal year that the local government is a qualifying local government; (7) provide that a license holder to operate as a cannabis grower, cannabis establishment, cannabis secure transporter, or cannabis testing facility may not operate in a county or municipality without an order or ordinance adopted by the county
or municipality, as applicable, authorizing the operation of cannabis growers, cannabis establishments, cannabis secure transporters, or cannabis testing facilities in the county or municipality; (8) provide that a county or municipality that authorizes the operation of cannabis growers, cannabis establishments, or cannabis testing facilities in the county or municipality may adopt regulations consistent with the bill governing the hours of operation, location, manner of conducting business, and number of cannabis growers, cannabis establishments, cannabis secure transporters, or cannabis testing facilities; (9) provide that a health authority may, on presenting appropriate credentials to the license holder or employee of the cannabis establishment: (a) enter at reasonable times the premises of a cannabis establishment; (b) enter a vehicle being used to transport cannabis; or (c) inspect at reasonable times, within reasonable limits, and in a reasonable manner, the establishment or vehicle and all equipment, finished and unfinished materials, containers, and labeling of any item; (10) provide that a county, municipality, or health authority, as applicable, shall maintain a record of any complaints made regarding the operations of a cannabis establishment and investigate a complaint or refer the complaint to the Texas Department of Licensing and Regulation, as appropriate; (11) require a license to operate as a cannabis grower, cannabis establishment, cannabis secure transporter, or cannabis testing facility; and (12) create a criminal offense.

**H.B. 3251 (E. Thompson) – Unmanned Aircraft:** would: (1) define the terms “capture” and “surveillance” for purposes of certain state law related to unmanned aircraft; (2) limit the circumstances under which law enforcement may capture an image using an unmanned aircraft; and (3) expand certain law enforcement reporting requirements regarding the use or operation of an unmanned aircraft.

**H.B. 3288 (Neave) – Backlog Sexual Assault Kits:** would provide that: (1) each law enforcement agency shall submit a quarterly report to the Department of Public Safety (DPS) identifying the number of sexual assault evidence collection kits in the agency’s possession that have not yet been submitted to a public accredited crime laboratory; and (2) each public accredited crime laboratory shall submit a quarterly report to DPS identifying the number of sexual assault evidence collection kits for which the crime laboratory has not yet compiled analysis, including the number of those evidence collection kits that have been in the possession of the laboratory for more than 90 days.

**H.B. 3336 (Bowers) – Fireworks:** would prohibit a home-rule municipality that regulates fireworks from confiscating fireworks in the possession of a person if the person possesses only packaged, unopened fireworks.

**H.B. 3342 (Bowers) – Fireworks:** would amend the definition of “illegal fireworks” in current state law to add that a firework device is one that is manufactured, distributed, or sold in violation of an ordinance or order enacted by a county or municipality prohibiting or further regulating fireworks.

**H.B. 3361 (Murr) – Firearms:** would, among other things, provide that: (1) certain entities (including a city) may not adopt a rule, order, ordinance, or policy under which the entity enforces, or by consistent action allows the enforcement of, a federal statute, order, rule, or regulation enacted on or after January 1, 2021, that purports to regulate a firearm, a firearm
accessory, or firearm ammunition if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation, such as a capacity or size limitation, a registration requirement, or a background check, that does not exist under Texas law; (2) a violation of the prohibition in (1) may be enforced: (a) by denying state grant funds to the entity; and (b) through court action by the attorney general; and (3) a person commits a Class A misdemeanor offense if, in the person's official capacity as an officer of an entity, or as a person employed by or otherwise under the direction or control of the entity, or under color of law, the person knowingly enforces or attempts to enforce any federal statute, order, rule, or regulation described in (1).

H.B. 3520 (Hunter) – Sexually Oriented Businesses: would, among other things: (1) provide that an individual younger than 18 years of age may not be on the premises covered by permit or license issued by the Texas Alcoholic Beverage Commission (TABC) if a sexually oriented business operates on the premise; (2) provide that the holder of a license or permit covering a premises described in (1), above, may not knowingly or recklessly allow an individual younger than 18 years to be on the premises; (3) provide that if a permit or license holder is found to violate (1), above, TABC shall suspend the permit or license for the first and second violation, and cancel the permit or license for the third violation; (4) prohibit a sexually oriented business from allowing an individual younger than 18 years of age to enter the premises of the business; (5) provide that a sexually oriented business commits an offense if it violates (4), above; (6) amend current law to provide that it is a common nuisance to: (i) employ or enter into a contract for the performance of work or the provision of services with an individual younger than 21 years of age for work or services performed at a sexually oriented business; or (ii) permit an individual younger than 18 years of age to enter the premises of a sexually oriented business; (7) amend current law to provide that a sexually oriented business may not hire or enter into a contract with an individual younger than 21 years of age for the performance of work or the provision of services other than a contract to perform repairs, maintenance or construction services at the business; and (8) amend current law to provide that a child is a person younger than 21 years of age for purposes of the criminal offense of employing, authorizing, or inducing a child to work in a sexually oriented commercial activity or in any place of business permitting, requesting or requiring a child to work nude or topless. (Companion bill is S.B. 315 by Huffman.)

H.B. 3553 (Neave) - Mobile Outreach Crisis Grant: would provide that: (1) the Health and Human Services Commission (Commission) shall establish and administer a mobile crisis outreach team grant program to grant money to cities and counties to establish local agencies that, in partnership with local law enforcement and local mental health authorities, provide an alternate response program under which a mobile crisis outreach team may be deployed in the city or county to appropriate situations determined not to require police intervention, for the purpose of reducing the number of incarcerations by the municipality or county of individuals with: (a) mental illness; (b) substance use disorders; or (c) intellectual or developmental disabilities; (2) a grant application from a municipality or county to the Commission must be submitted on a form prescribed by the Commission and include a statement from the governing body of the municipality or county regarding the municipal or county proposal to establish an alternate response program that includes various requirements; and (3) a grant awarded under (1), above, may not exceed $5 million, and a city or county that receives a grant is required to leverage funds in an amount: (a) equal to 50 percent of the grant amount if: (i) the county has a
population of less than 250,000; or (ii) the municipality is located in a county with a population of less than 250,000; (b) equal to 100 percent of the grant amount if: (i) the county has a population of 250,000 or more; or (ii) the municipality is located in a county with a population of 250,000 or more; and (c) equal to the percentage of the grant amount otherwise required for the largest county in which a mobile crisis outreach team is located if the mobile crisis outreach team is located in more than one county.

**H.B. 3555 (Moody) – Asset Forfeiture**: would, among other things, prohibit the transfer of forfeited property or the proceeds from the sale of forfeited property to a law enforcement agency.

**H.B. 3589 (Toth) – Immigration**: would, among other things, provide that an individual who holds an elective or appointive office of a local entity and who directs the entity to violate state law relating to policies and actions regarding immigration enforcement is liable in the official’s personal capacity to a person for the person’s damages that were incurred as a result of the violation, and prohibit the official from asserting official immunity or other forms of immunity as a defense.

**H.B. 3602 (Reynolds) – Police Reform**: this bill – known as the “Thurgood Marshall Criminal Justice Reform Act” – would provide, among other things, that:

1. A person may bring an action for any appropriate relief, including legal or equitable relief, against a peace officer who, under the color of law, deprived the person of or caused the person to be deprived of a right, privilege, or immunity secured by the Texas Constitution, provided that the person must bring such action not later than two years after the day the cause of action accrues;

2. A statutory immunity or limitation on liability, damages, or attorney’s fees does not apply to an action brought under (1), and – regardless of any other law – qualified immunity or a defendant’s good faith but erroneous belief in the lawfulness of the defendant’s conduct is not a defense to an action;

3. In an action brought under (1), a court shall award reasonable attorney’s fees and costs to a prevailing plaintiff, but if a judgment is entered in favor of a defendant, the court may award reasonable attorney’s fees and costs to the defendant only for defending claims the court finds frivolous;

4. A public entity, including a city, shall indemnify a peace officer employed by the entity for liability incurred by and a judgment imposed against the officer in an action brought under (1), except a public entity is not required to indemnify a peace officer employed by the entity if the officer was convicted of a criminal violation for the conduct that is the basis for the action brought under (1);

5. The foreperson of grand jury shall prevent a person present during a session of the grand jury from displaying, through any visible means, support for another person who would likely be involved in the prosecution of an offense subject to indictment by the grand jury;

6. Grand jury proceedings conducted in the course of the grand jury’s official duties are secret, and a witness who reveals, before the end of the grand jury’s term, any matter about which the witness is examined or that the witness observes during a
grand jury proceeding, other than when the witness is required to give evidence on that matter in due course, may be punished by a fine not to exceed $500, and for contempt of court, and by a term of confinement not to exceed six months;

(7) a police department shall, before hiring an applicant for a position with the department as a peace officer, require the applicant to take and pass an examination on implicit bias;

(8) a police department shall collaborate with an accredited institution of higher education or other nonprofit research institution in: (a) creating or selecting the examination described in (7); (b) setting the minimum passing score; and (c) setting a score that exceeds the minimum passing score but below which an applicant is required to receive individualized counseling on implicit bias before being hired for a peace officer position;

(9) a police department may not hire, as a peace officer, an applicant who does not meet or exceed the passing score set under (8)(b), and may only hire such person after the applicant receives individualized counseling on implicit bias;

(10) to be eligible for a position with a police department as a peace officer, an applicant hired on or after September 1, 2021, must: (a) for a home-rule municipality located wholly or partly in a county with a population of 500,000 or more, hold at least a baccalaureate degree or equivalent from an accredited institution of higher education; or (b) for a home-rule municipality not described by (10)(a), hold at least an associate’s degree or equivalent from an accredited institution of higher education;

(11) a police department may not hire, as a peace officer, a former peace officer who was terminated or resigned in lieu of termination for the unjustified use of deadly force;

(12) a city and a police officer association recognized as a bargaining agent may not adopt a collective bargaining, meet and confer, or other similar agreement unless the parties have solicited participation by local community members, including allowing an organization of local community members to review and comment on any proposed agreement;

(13) a peace officer, or a person acting in a peace officer’s presence and at the officer’s direction, is justified in using nonlethal force against another person, if: (a) the actor reasonably believes the arrest or search is lawful or, if the arrest or search is made under a warrant, the actor reasonably believes the warrant is valid; (b) before using force, the actor: (i) manifests the actor’s purpose to arrest or search and identifies the actor as a peace officer or as a person acting at a peace officer’s direction, unless the actor reasonably believes the actor’s purpose and identity are already known by or cannot reasonably be made known to the person for whom the arrest or search is authorized; (ii) attempts to de-escalate the situation; and (iii) issues a warning that force will be used; (c) the force used is proportionate to the threat posed and to the seriousness of the alleged offense; (d) the actor immediately terminates the use of force the moment the person against whom force is used becomes compliant or is subdued; and (e) the use of force does not present a serious risk of injury to any person other than the actor or the person against whom the force is used;
(14) a peace officer is only justified in using deadly force against another when and to the degree the deadly force is immediately necessary to make an arrest, or to prevent escape after arrest, if the use of force would have been justified under (13) and: (a) the person for whom arrest is authorized poses an imminent threat of death or serious bodily injury to the actor or another; (b) the deadly force is used only against the person for whom arrest is authorized; (c) the actor immediately terminates the use of deadly force the moment the imminent threat of death or serious bodily injury is eliminated; and (d) no lesser degree of force could have eliminated the imminent threat of death or serious bodily injury; and

(15) the provision that provides that there is no duty to retreat before using justified force is repealed.

**H.B. 3631 (Bucy) – Substance and Addiction Treatment**: would provide: (1) that the Health and Human Services Commission shall endeavor to use and encourage the use of the most recently published standards on substance use and addiction treatment by the American Society of Addiction Medicine in relation to the provision of substance use and addiction treatment, including the designation of appropriate levels of care, the transfer or discharge of a patient, and the utilization management review of care and treatment provided to individuals suffering from a substance use, mental health, or co-occurring disorder; and (2) that the commission may adopt a memorandum of understanding with other state agencies and local governmental entities to coordinate the use of and authorize the payment for services delivered in accordance with those standards.

**H.B. 3654 (Rodriguez) – TCOLE**: would provide, among other things, that:

(1) the Texas Commission on Law Enforcement (TCOLE) shall establish a fee for the issuance of a license as follows: (a) $80 for a peace officer license; and (b) $25 for a license other than a peace officer license;

(2) TCOLE shall develop and make available, to all law enforcement agencies, a model policy and associated training materials regarding the use of force by peace officers, and such policy must: (a) be designed to minimize the number and severity of incidents in which peace officers use force and include an emphasis on conflict de-escalation and the use of force in a manner proportionate to the threat posed and to the seriousness of the alleged offense; and (b) be consistent with the guiding principles on the use of force issued by the Police Executive Research Forum;

(3) in developing a model policy described under (2), TCOLE shall consult with: (a) law enforcement agencies and organizations, including the Police Executive Research Forum and other national experts on police management and training; and (b) community organizations;

(4) on request of a law enforcement agency, TCOLE shall provide the agency with training regarding the policy developed under (2);

(5) TCOLE, by rule, shall establish grounds under which it shall suspend or revoke a peace officer license on a determination that the license holder’s continued performance of duties as a peace officer constitutes a threat to the public welfare;
the grounds under (5) must include: (a) lack of competence in performing the license holder’s duties as a peace officer; (b) illegal drug use or an addiction that substantially impairs the license holder’s ability to perform the license holder’s duties as a peace officer; (c) lack of truthfulness in court proceedings or other governmental operations; (d) failure to follow the directives of a supervising officer or to follow the policies of the employing law enforcement agency; (e) discriminatory conduct; or (f) conduct indicating a pattern of: (i) excessive use of force; (ii) abuse of official capacity; (iii) inappropriate relationships with persons in the custody of the license holder; (iv) sexual harassment or sexual misconduct while performing the license holder’s duties as a peace officer; or (v) misuse of information obtained as a result of the license holder’s employment as a peace officer and related to the enforcement of criminal offenses;

(7) a body worn camera policy does not have to require that an officer be provided access to any recording of an incident involving the officer before the officer is required to make a statement about the incident;

(8) a recording created with a body worn camera and documenting an incident that involves the use of deadly force by a peace officer or that is otherwise related to an administrative or criminal investigation of an officer may be released to the public regardless of whether criminal matters have been finally adjudicated and all related administrative investigations have concluded;

(9) a law enforcement agency shall permit a person who is depicted in a recording of an incident described by (8) or, if the person is deceased, the person’s authorized representative, to view the recording, on request of the applicable person, provided any authorized representative who is permitted to view the recording was not a witness to the incident; and

(10) a law enforcement agency shall adopt a policy for releasing to the public a recording described by (8) that prioritizes access to the recording in the following order: (a) the civilian oversight system associated with the law enforcement agency, if any; (b) the officer who used deadly force or is under investigation and the individual who is the subject of the recording, or if the individual is deceased, the individual’s authorized representative, and any attorney representing the officer, individual, or representative; and (c) the public.

(Companion bill is S.B. 1472 by Eckhardt.)

**H.B. 3671 (Julie Johnson) – Protective Orders**: would, among other things, require a law enforcement agency to immediately – but not later than the third business day after the date certain protective orders are received – enter certain information into the statewide law enforcement information system maintained by the Department of Public Safety.

**H.B. 3723 (Crockett) – TCOLE Standards of Conduct**: would provide that:

1. the chief administrator of a law enforcement agency shall report to the Texas Commission on Law Enforcement (TCOLE) each allegation that a person licensed by TCOLE and employed by the agency engaged in any improper or unlawful acts, including: (a) being convicted of, placed on deferred adjudication for, or entering a
plea of guilty or nolo contendere to any offense other than a misdemeanor punishable by fine only; (b) engaging in conduct that would constitute any offense other than a misdemeanor punishable by fine only; (c) falsifying a police report or evidence in a criminal investigation; (d) destroying evidence in a criminal investigation; (e) using excessive force on multiple occasions; (f) accepting a bribe; (g) engaging in fraud; (h) unlawfully using a controlled substance; (i) engaging in an act for which the officer is liable under Section 1983; (j) committing perjury; (k) making, submitting, or filing, or causing to be submitted or filed, a false report to the TCOLE; (k) misusing an official position or misappropriating property; (l) engaging in an unprofessional relationship with an individual arrested or detained, or in the custody of a correctional facility; (m) committing sexual harassment involving physical contact; or (n) misusing criminal history record information;

2. the report required under (1), above, must be in writing in a form prescribed by TCOLE and submitted not later than the 15th day after the date the law enforcement agency is made aware of the allegation;

3. the chief administrator of the law enforcement agency shall update any report submitted under (1), above, after the agency’s investigation into the allegation is concluded, and the updated report must include any disciplinary action taken against the license holder, including whether the license holder was terminated or if the license holder resigned, retired, or separated in lieu of termination;

4. on a finding by TCOLE that the chief administrator of a law enforcement agency intentionally failed to submit a report required under (1), above, TCOLE shall begin disciplinary proceedings against the chief administrator;

5. TCOLE shall establish an electronic database for information concerning license holder misconduct to provide for the collection and analysis of information by the TCOLE, and shall: (a) allow law enforcement agencies to electronically access the database for purposes of obtaining information related to the following concerning a license holder: (i) hiring; (ii) disciplinary actions; (iii) resignations or terminations; and (iv) certification and training; (b) adopt policies and procedures under which specified personnel of a law enforcement agency may access the database for a purpose described by (5)(a), including establishing qualifications for access; and (c) distribute the policies and procedures adopted (5)(b) to law enforcement agencies;

6. TCOLE shall include in the database described in (5), above, the reports submitted to TCOLE under (1), above;

7. TCOLE shall prescribe and make available to law enforcement agencies a form to be used for submitting a report of an allegation of misconduct to the database described in (5), above, and the form must require the law enforcement agency to report: (a) the license holder’s: (i) date of hire; (ii) position; and (iii) identifying characteristics; and (b) detailed information concerning the nature of the misconduct and the disposition of the allegation;

8. a law enforcement agency, agency head, or other law enforcement official is not liable for civil damages for submitting a report to the database if the report is made in good faith;

9. any allegation of misconduct reported to the database is not considered final until all applicable appeals have been exhausted or waived by the license holder named in the allegation;
10. information maintained in the database is confidential and not subject to disclosure under the Texas Public Information Act;

11. TCOLE, by rule, shall prescribe standards of conduct for peace officers, reserve law enforcement officers, county jailers, and school marshals, and such standards must establish best practices with respect to the following as appropriate for the type of license: (a) professionalism; (b) sexual harassment; (c) sexual assault; (d) domestic violence; (e) any criminal offense against a minor; (f) the use of alcohol or controlled substances; (g) the use of force; (h) the use of tactical teams; (i) the use of invasive surveillance techniques; (j) the use of brief, noninvasive stops of persons suspected of committing an offense; (k) arrests; (l) the issuance of citations in lieu of arrest for misdemeanor offenses punishable by fine only; (m) the release of recordings taken by body worn cameras; and (n) conduct of interrogations of persons suspected of committing an offense;

12. before a law enforcement agency may hire a person licensed by TCOLE, the agency head or the agency head’s designee must, among other things, review any information regarding the person that is maintained in the database under (5), above and submit to TCOLE, on the form prescribed by TCOLE confirmation that the agency reviewed the information in the database; and

13. each law enforcement agency shall adopt the standards of conduct for peace officers or county jailers, as applicable, developed by TCOLE under (11), above, and a law enforcement agency may tailor the contents of the applicable standards as necessary based on the agency’s size, jurisdiction, and resources.

(Companion bill is S.B. 988 by Hinojosa.)

**H.B. 3725 (Gervin-Hawkins) – Passing School Bus**: would, among other things: (1) define a "school bus monitoring system" as a camera installed on a school bus for the purpose of detecting passing school bus violations; and (2) provide an exception to the prohibition of using photographic traffic signal enforcement systems, in order for a local authority or a school district to issue a civil or criminal charge or citation, as applicable, for a passing school bus violation based on a recorded image produced by a school bus monitoring system.

**H.B. 3756 (Goldman) – Airport Police Force**: would provide that: (1) the governing body of a joint board, or the governing body of a political subdivision, including a city, that operates an airport served by an air carrier certified by the Federal Aviation Administration or the United States Department of Transportation may: (a) establish an airport police force; and (b) commission and employ a peace officer, if the employee takes and files the oath required of peace officers. (Companion bill is S.B. 1550 by Nelson.)

**H.B. 3772 (White) – Marijuana**: would, among other things: (1) reduce the criminal penalties for certain drug offenses; (2) provide that records of a person charged with certain drug offenses relating to a complaint may be expunged in certain circumstances; (3) require a court that dismisses a complaint to which (2) applies to provide written notice to the person of the person’s right to expunction under the bill as soon as practicable after the date the person becomes eligible for expunction; and (4) provide the justice or municipal judge shall require a person who
requests expungement under the bill to pay a fee in the amount of $30 to defray the cost of notifying state agencies of orders of expungement. (Companion bill is S.B. 1175 by Johnson.)

**H.B. 3832 (Wilson) – Law Enforcement Funding:** would:

20. characterize a “defunding local government” as a city or county: (a) that adopts a budget for a fiscal year that, in comparison to the local government’s preceding fiscal year, reduces: (i) the appropriation to the local government’s law enforcement agency; (ii) the number of peace officers the local government’s law enforcement agency is authorized to employ; (iii) funding for peace officer overtime compensation for the local government’s law enforcement agency; or (iv) funding for the recruitment and training of new peace officers to fill each vacant peace officer position in the local government’s law enforcement agency; and (b) for which the criminal justice division of the governor’s office issues a written determination finding that the local government has taken an action described by (a), above;

21. provide that in making a determination of whether a local government is a “defunding local government” according to the budget adopted for the first fiscal year beginning on or after September 1, 2021, the criminal justice division of the governor’s office shall compare the funding and personnel in that budget to the funding and personnel in the budget of the preceding fiscal year or the second preceding fiscal year, whichever is greater;

22. provide that a local government is considered a defunding local government until the criminal justice division of the governor’s office issues a written determination finding that the local government has reversed the inflation-adjusted reductions described in Number 1(a), above;

23. require the criminal justice division of the governor’s office to: (a) compute the inflation rate used to make determinations under Number 3, above, each fiscal year using a price index that accurately reports changes in the purchasing power of the dollar for local governments in this state; and (b) publish the inflation rate in the Texas Register;

24. provide that a home rule city that is characterized as a “defunding municipality” may not annex an area during the period beginning on the date that the criminal justice division of the governor’s office issues the written determination that the city is a defunding local government and ending on the 10th anniversary of the date on which the criminal justice division of the governor’s office issues a written determination finding that the defunding municipality has reversed the reductions described in Number 1, above; and

25. provide: (a) that a home rule city that is a defunding local government, on the next available uniform date that occurs after the date on which the criminal justice division of the governor’s office issues a written determination that a city is a defunding local government, the city shall hold a separate election in each area annexed in the preceding 30 years by the defunding city on the question of disannexing the area; (b) that if an area is disannexed pursuant to an election under (a), the city may not attempt to annex the area before the 10th anniversary of the date on which the criminal justice division of the governor’s office issues a written determination finding that the city has reversed the reductions described in Number 1, above; and (c) that a city holding a disannexation election under (a) may not use public funds on informational campaigns relating to the election.
H.B. 3935 (Slawson) – Law Enforcement Funding: would:

1. characterize a “defunding local government” as a city: (a) that adopts a budget for a fiscal year that, in comparison to the local government’s preceding fiscal year, reduces the total amount of funding for use by the city’s law enforcement agency, adjusted for inflation; and (b) for which the criminal justice division of the governor’s office issues a written determination finding that the local government has taken an action described by (a), above, and the action creates a public safety hazard that requires the state to intervene and provide additional law enforcement services for the city;
2. provide that a local government is considered a defunding local government until the criminal justice division of the governor’s office issues a written determination finding that the local government has reversed the inflation-adjusted reductions described in Number 1(a), above;
3. require the criminal justice division of the governor’s office to: (a) compute the inflation rate each fiscal year using a price index that accurately reports changes in the purchasing power of the dollar for local governments in this state; and (b) publish the inflation rate in the Texas Register;
4. provide that the comptroller may not, before July 1 of each state fiscal year, send to a defunding city its share of city sales and use taxes collected by the comptroller during the state fiscal year;
5. provide that before sending the defunding city its share of sales and use taxes, the comptroller shall deduct 150 percent of the amount reported to the comptroller for the defunding city under Number 6, below, and credit that deducted amount to the general revenue fund, which must be appropriated only to the Department of Public Safety;
6. provide that not later than August 1 of each state fiscal year, the criminal justice division of the governor’s office shall report to the comptroller for each defunding city the amount of money the state spent in that state fiscal year to provide law enforcement services in the defunding city; and
7. provide that a city is no longer considered to be a defunding city for purposes of this section when the criminal justice division of the governor’s office issues a written determination finding that the city has reversed the reductions described in Number 1(a).

H.B. 3967 (Cortez) – Regulating Fireworks: would prohibit a municipality from prohibiting or restricting the sale of fireworks.

H.B. 4052 (Jetton) – Public Safety Funding: would, among other things: (1) provide, except for municipal departments that employ 20 or fewer public safety personnel for a public safety service, that – if a city or county adopts a budget in which the amount of money allocated for public safety personnel expenses for a public safety service is less that the amount allocated for those expenses in the preceding fiscal year by more than the sum of the percentage by which the city or county’s total revenue is reduced from the preceding fiscal year and five percent – the registered voters of the city or county, as applicable, must determine whether to approve the amount allocated at an election held for that purpose; and (2) authorize an election under (1) to be held on a date other than a uniform election date.
**H.B. 4089 (Talarico) – Cannabis**: would, among other things: (1) authorize the cultivation, manufacture, processing, distribution, sale, testing, transportation, delivery, transfer, possession, use, and taxation of cannabis and cannabis products; (2) preempt a political subdivision from enacting, adopting, or enforcing a rule, ordinance, order, resolution, or other regulation that prohibits or unreasonably restricts the cultivation, production, processing, dispensing, transportation, or possession of cannabis or cannabis products or the operation of a cannabis grower, cannabis establishment, cannabis secure transporter, or cannabis testing facility as authorized by the bill; (3) provide that a political subdivision may adopt regulations consistent with the bill governing the hours of operation, location, manner of conducting business, and number of cannabis growers, cannabis establishments, or cannabis testing facilities; (4) provide that a person may prohibit or restrict the possession, consumption, cultivation, distribution, processing, sale, or display of cannabis or cannabis products on property the person owns, occupies, or manages; (5) establish a cannabis sales tax at the rate of 10 percent of the sales price of cannabis or a cannabis product; (6) create a cannabis establishment regulation and oversight local share account that consists of 20 percent of the cannabis sales tax in (5); (7) provide that money in the cannabis establishment regulation and oversight local share account may be used by the comptroller only to make a cannabis establishment regulation assistance payment to a qualifying local government, which is a municipality or county in which at least one cannabis establishment is located during any portion of the applicable fiscal year; (8) provide that to serve the state purpose of ensuring that local governments in which cannabis establishments are located may effectively participate in the regulation and oversight of those establishments, a qualifying local government is entitled to a cannabis establishment regulation assistance payment from the state equal to the cost incurred by the local government to enforce regulations under the bill for each fiscal year that the local government is a qualifying local government; (9) require a license to operate as a cannabis grower, cannabis establishment, cannabis secure transporter, or cannabis testing facility; and (10) create a criminal offense.

**H.B. 4141 (White) – Training Requirements**: would provide that: (1) as part of the minimum curriculum requirements, TCOLE shall require an officer to complete a four-hour statewide education and training program developed by TCOLE on techniques to facilitate interaction with persons with Alzheimer’s disease and other dementias, including techniques for recognizing symptoms, communicating effectively, employing alternatives to physical restraints, and identifying signs of abuse, neglect, or exploitation.

**H.B. 4145 (Coleman) – Criminal Justice**: would provide, among other things, that: (1) a magistrate shall release on personal bond a defendant who is not charged with and has not been previously convicted of a violent offense unless the magistrate finds good cause to justify not releasing the defendant on personal bond; (2) an officer may not conduct a search based solely on a person's consent to the search unless: (a) the officer verbally and in writing informs the person of the person's right to refuse the search; and (b) the person signs an acknowledgment that the person: (i) received the information described by (2)(a); and (ii) consents to the search; (3) an officer may not make a stop for an alleged violation of a traffic law or ordinance as a pretext for investigating a violation of another penal law; (4) the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing motor vehicle stop reports to ensure that they are complete and accurate; (5) each law enforcement agency shall adopt and implement a detailed written policy regarding the
administration of a motor vehicle stop investigation, including the administrative penalties for violations of the policy, or may adopt the model policy promulgated by the Texas A&M System’s Institute for Predictive Analytics in Criminal Justice; (6) a peace officer may not: (a) conduct a roadside investigation during a motor vehicle stop for an offense other than the traffic violation, without suspicion based on a preponderance of the evidence that the driver has committed the other offense; (b) continue a roadside investigation during a motor vehicle stop into an offense other than the traffic violation after the driver has refused to consent to be searched unless the peace officer has additional suspicion based on a preponderance of the evidence that the driver has committed the other offense; or (c) arrest a driver during a motor vehicle stop for a traffic violation to conduct a search incident to arrest unless the officer has probable cause to believe that the driver has committed an offense more serious than a Class C misdemeanor; (7) a peace officer who is charging a person, including a child, with committing an offense that is a misdemeanor punishable by a fine only, other than the offense of public intoxication, Penal Code, an offense of sale, purchase or consumption of alcohol to a minor, or an offense for which the officer reasonably believes it is necessary to take the person before a magistrate to prevent a foreseeable injury or an altercation, shall, instead of taking the person before a magistrate, issue a citation to the person; (8) an officer shall issue a written notice to appear if the offense charged is a traffic misdemeanor offense that is punishable by fine only; and (9) as part of the minimum curriculum requirements, the Texas Commission on Law Enforcement shall require an officer to complete a statewide education and training program on tactical communication, and implicit bias training. (Companion bill is S.B. 1775 by Whitmire.)

H.B. 4233 (Raymond) – E-cigarettes: would: (1) not preempt or supersede a local ordinance, rule, or regulation adopted by a political subdivision of this state that prohibits or restricts the use of e-cigarettes to a greater degree; (2) prohibit the use of e-cigarettes in a: (a) bar; (b) restaurant; or (c) place of employment; (3) require an owner, manager, or operator of a bar or restaurant or an employer in a place of employment to conspicuously post a sign in and at each entrance to the bar, restaurant, or place of employment that clearly states the use of an e-cigarette is prohibited in the bar, restaurant, or place of employment, as applicable; (4) require an agency of this state or a political subdivision of this state that issues a license, certificate, registration, or other authority or permit to a bar or restaurant or to an owner, operator, or other person in control of a bar or restaurant, to provide notice to each applicant for the authority or permit of the provisions of these regulations; and (5) create various criminal offenses for a violation under these regulations.

H.B. 4248 (Harris) – Failure to Identify: would provide that: (1) if an officer has lawfully arrested or detained a person, or has good cause to believe that a person is a witness to a criminal offense, the officer may request that the person provide the officer with the person's name, residence address, and date of birth, and the person may not refuse to provide the requested information to the officer; (2) a person who refuses to give to an officer information requested under (1) commits the offense of failure to identify; and (3) each law enforcement agency shall adopt a written policy regarding the collection of information described in (1).

H.B. 4281 (Sherman) – Bonds: would, among other things: (1) provide that a prisoner may not be required to deposit money with the court or provide financial security for purposes of being released on bail; (2) provide that, with limited exceptions, a peace officer who is charging a person, including a child, with committing a misdemeanor offense shall, instead of taking the
person before a magistrate, issue a citation to the person; and (3) make numerous changes to the
process of releasing defendants on personal bond.

**H.B. 4286 (K. King)** – Police Reform: would, among other things: (1) provide that a member or
annuitant of a public retirement system is not eligible to receive a service retirement annuity
under the retirement system if the person is a dishonorably discharged peace officer; (2) provide
that a person licensed by TCOLE is considered dishonorably discharged if: (a) the person was
terminated by a law enforcement agency or retired or resigned in lieu of termination by the
agency: (i) after receiving notice from the attorney representing the state that the attorney will no
longer accept cases submitted for prosecution by the license holder due to conduct by the license
holder that would be required to be disclosed to a defendant; or (ii) for engaging in conduct that
would constitute grounds for the attorney representing the state to provide a notice described by
(2)(a)(i); (3) provide that the chief of police or his or her designee shall include in the
employment termination report provided to TCOLE, a statement on whether the license holder
was honorably discharged, generally discharged, or dishonorably discharged and, for a license
holder who was generally discharged or dishonorably discharged an explanation of the
circumstances under which the person resigned, retired, or was terminated, including a
description of any disciplinary or performance issues for which the person was discharged; (4)
provide that a person required to submit an employment termination report to TCOLE commits
an offense if the person, with respect to a license holder who was generally discharged or
dishonorably discharged, knowingly submits a report that does not indicate that the license
holder was generally discharged or dishonorably discharged, as applicable, in the required
statement, and such offense is a Class B misdemeanor; (5) eliminate the provision that provides
that TCOLE may only suspend the license of a peace officer or reserve law enforcement officer
if such officer has previously been dishonorably discharged from another law enforcement
agency; (6) provide that a law enforcement agency shall maintain a complete and unredacted
copy of each report and statement submitted to TCOLE regarding a license holder who was
generally discharged or dishonorably discharged, until at least the 20th anniversary of the date of
the discharge; and (7) provide that information submitted to TCOLE is not confidential if the
person was generally discharged or honorably discharged. (Companion bill is S.B. 1819 by
Bettencourt.)

**H.B. 4314 (Kacal)** – 911 Good Samaritan: would: (1) provide a defense to prosecution for
certain drug offenses if the actor: (a) was the first person to request emergency medical
assistance in response to the possible overdose of another person and: (i) made the request for
medical assistance during an ongoing medical emergency; (ii) remained on the scene until
medical assistance arrived; and (iii) cooperated with medical assistance and law enforcement; or
(b) was the victim of a possible overdose for which emergency medical assistance was requested
by the actor or by another person during an ongoing medical emergency; (2) provide exceptions
to the defense in (1) if: (a) at the time the request for emergency medical assistance was made: (i)
a peace officer was in the process of arresting the actor or executing a search warrant describing
the actor or the place from which the request for medical assistance was made, or (ii) the actor
was committing certain other offenses other than one for which the defense is available; (b) the
actor has previously been convicted or placed on deferred adjudication community supervision
for certain offenses; or (c) the actor was acquitted in a previous proceeding in which the actor
successfully used the defense in (1); and (3) provide that the defense in (1) does not preclude the
admission of evidence obtained by law enforcement resulting from the request for emergency assistance if that evidence pertains to an offense for which the defense in (1) is not available.

**H.B. 4363 (Spiller)** – **Alcoholic Beverages:** would authorize a board of trustees of a school district to petition the commissioners court of the county in which the district is located or the governing board of an incorporated city or town in which the district is located to adopt a 1,000-foot zone. [Note: current law only allows a board of trustees if a majority of the area of a school district is located in a municipality with a population of 900,000 or more.]

**H.B. 4398 (Coleman)** – **Asset Forfeiture Funds:** would, among other things, (1) reduce the percentage of asset forfeiture proceeds that are allocated to police departments to be used solely for law enforcement purposes from 40 percent to 35 percent; (2) provide that 30 percent of asset forfeiture proceedings shall be allocated to the general revenue fund for the dedicate purpose of community restoration, as defined below; (3) provide that the chief of police may use, as an official purpose of the law enforcement agency, asset forfeiture funds to make a donation to an entity that assists in the provision of services for the purposes of community restoration, as defined below; and (4) define the term “for the purposes of community restoration” as an expenditure that is made for an activity by the state or municipal government that relates to community quality-of-life enhancement and proactive crime reduction following the guidelines for the social determinants of health as specified by the Centers for Disease Control and Prevention, including an expenditure made by the government or by contract with non-governmental agencies to improve: (a) economic stability; (b) education; (c) social and community; (d) neighborhood and environment; or (e) healthcare.

**H.B. 4441 (Sanford)** – **Genetic Material:** would: (1) prohibit a person from: (a) obtaining an individual’s genetic material or genetic information; (b) performing a genetic analysis of the individual; (c) retaining the individual’s genetic material or genetic information; or (d) disclosing, including through sale or donation, the individual’s genetic material or genetic information; (2) provide various exceptions to the prohibition in (1), including genetic information or material obtained or otherwise necessary for use for an authorized law enforcement purpose, to identify a deceased individual, and to provide emergency medical services; (3) provide that the use of an individual’s genetic material or genetic information permitted under the bill is, with some exceptions, restricted to only that permitted use and the material or information must be destroyed or returned to the individual or the individual’s authorized representative immediately on completion of the permitted use; (4) provide criminal penalties for a violation of the provisions in the bill; (5) authorize the attorney general to seek injunctive relief and civil penalties for a violation of the provisions in the bill; and (6) waive immunity and provide a private right of action to enjoin or restrain a violation of the provisions of the bill. (Companion bill is **S.B. 962** by Hughes.)

**H.B. 4463 (Deshotel)** – **Peace Officer Complaints:** would provide that: (1) a law enforcement agency shall retain a copy of each written complaint filed against a peace officer until at least the fifth anniversary of the date of the officer’s separation from employment with the agency; (2) the head of a law enforcement agency shall report each written complaint filed against a peace officer
that alleges the officer engaged in racial profiling or racially discriminatory misconduct to the Texas Commission on Law Enforcement (TCOLE) not later than the 15th day after the date the complaint is filed; (3) TCOLE shall maintain a record of the number of complaints regarding a peace officer that have been reported to TCOLE under (2) in a 12-month period, and shall require a peace officer with respect to whom 10 or more complaints have been reported in a 12-month period to complete the applicable number of hours of racial profiling and cultural diversity training as follows: (a) for an officer who has 10 or more but fewer than 20 complaints, 16 hours; (b) for an officer who has 20 or more but fewer than 30 complaints, the number of hours required under (3)(a) plus an additional 16 hours; and (c) for an officer who has 30 or more complaints, the number of hours required under (3)(b) plus an additional 16 hours; (4) a law enforcement agency that makes a person’s employment records available to a hiring law enforcement agency shall provide a copy of the records to the person; (5) a hiring law enforcement agency that reviews a person’s employment records from another law enforcement agency must, before the hiring agency makes a determination regarding the person’s employment, provide the person an opportunity to comment on the content of the records in the manner prescribed by the hiring agency; and (6) a complaint required to be retained under (1) is an employment record for purposes (4) and (5).

**H.B. 4464 (Deshotel) – No-Knock Entries:** would prohibit a magistrate, including a municipal judge, from issuing an arrest or search warrant that authorizes a peace officer to enter, for the purpose of executing a warrant, into a building or other place without giving notice of the officer’s authority or purpose before entering (a no-knock entry). (Companion bill is S.B. 175 by Miles.)

**H.B. 4468 (Deshotel) – Peace Officer License:** would provide that: (1) the Texas Commission on Law Enforcement (TCOLE) shall revoke the license of a peace officer if TCOLE determines that the officer: (a) has participated in a riot or an insurrection against the United States or Texas; or (b) has been convicted of the offenses of sedition, sabotage, or rioting; (2) a person whose license has been revoked under (1) is disqualified from receiving any license issued by TCOLE; and (3) TCOLE, by rule, shall establish grounds under which TCOLE shall suspend or revoke an peace officer’s license on a determination that the license holder’s continued performance of duties as an officer constitutes a threat to the public welfare.

**H.B. 4485 (Guillen) – Bonds:** would provide that magistrate may release without bond an accused person charged with a misdemeanor punishable by fine only even if the accused person has previously been convicted of a felony or a misdemeanor other than a misdemeanor punishable by fine only.

**H.B. 4486 (Guillen) – Mental Illness:** would, among other things, provide that not later than 12 hours after the sheriff or municipal jailer having custody of a defendant receives credible information that may establish reasonable cause to believe that the defendant has a mental illness or is a person with an intellectual disability, the sheriff or municipal jailer shall provide written or electronic notice to the magistrate who shall take action in compliance with laws regarding a person who is incompetent to stand trial.
**H.B. 4506 (Morales Shaw) – Firefighting Products:** would, among other things: (1) prohibit a person from discharging or otherwise using a firefighting foam designed to extinguish flammable liquid fires that contains intentionally added perfluoroalkyl and polyfluoroalkyl chemicals, including the discharge or use of a firefighting foam during or for the training of firefighters; (2) require the Department of State Health Services to develop and implement a process to provide purchasing assistance to governmental entities to ensure the entities: (a) avoid purchasing firefighting foam designed to extinguish flammable liquid fires that contains intentionally added perfluoroalkyl and polyfluoroalkyl chemicals; and (b) are encouraged to purchase firefighting personal protective equipment that does not contain those chemicals; and (3) provide civil penalties for a violation of the prohibitions in the bill. (Companion bill is **S.B. 2073 by Menéndez**.)

**H.B. 4516 (White) – Arrests:** would provide, among other things, that any person may, without a warrant, arrest an offender for an offense classified as a felony or as an offense against the public peace if the offense is committed in the person’s presence or within the person’s view.

**H.B. 4541 (Cain) – Criminal Warnings:** would provide that: (1) a peace officer who takes a person into custody without a warrant shall immediately inform the person orally in simple, nontechnical terms: (a) a warning that: (i) he has the right to remain silent and not make any statement at all and that any statement he makes may be used against him at his trial; (ii) any statement he makes may be used as evidence against him in court; (iii) he has the right to have a lawyer present to advise him prior to and during any questioning; (iv) if he is unable to employ a lawyer, he has the right to have a lawyer appointed to advise him prior to and during any questioning; and (v) he has the right to terminate the interview at any time; and (b) that a staff member of the facility will inform the person of the person’s rights at the time the person is admitted to a facility and before questioning, assessing, or examining the person; and (2) a person apprehended, detained, or transported for emergency detention shall be informed of certain rights orally in simple, nontechnical terms, at the time the person is admitted to a facility and before the person is questioned, assessed, or examined, and in writing in the person’s primary language if possible.

**H.J.R. 11 (Reynolds) – Medical Marihuana:** would amend the Texas Constitution to provide that the legislature shall authorize and regulate the possession, cultivation, and sale of cannabis for medical use in Texas.

**H.J.R. 13 (Canales) – Legalization of Marihuana:** would amend the Texas Constitution to provide that the legislature shall authorize and regulate the possession, cultivation, and sale of cannabis in Texas.

**H.J.R. 28 (Larson) – Medical Marihuana:** would amend the Texas Constitution to provide that the legislature by law shall authorize and regulate the possession, cultivation, and sale of cannabis for medical use in Texas. (Companion bill is **H.J.R. 11 by Reynolds**.)

**H.J.R. 41 (Reynolds) – Officer-Involved Death or Injury:** would amend the Texas Constitution to provide that the attorney general shall appoint a special prosecutor to perform the duties of a prosecuting attorney in any prosecution of a peace officer for an offense arising out of
an officer-involved injury or death, from which the prosecuting attorney is disqualified. (See H.B. 715, above.)

**S.B. 23 (Huffman) – Law Enforcement Funding:** would:

1. require a city or county to hold an election if the city or county proposes to adopt a budget for a fiscal year that, compared to the budget adopted by the city or county for the preceding fiscal year: (a) reduces for a law enforcement agency: (i) the appropriation to the agency as a percentage of the total budget; (ii) the number of peace officers the agency is authorized to employ per 1,000 city or county residents, as applicable; (iii) the total amount of funding per peace officer for peace officer overtime compensation; or (iv) the amount of funding per peace officer for the recruitment or training of new peace officers to fill vacant and new peace officer positions in the department; or (b) reallocates funding or resources from one law enforcement agency to another;
2. provide that a city or county may not adopt a budget with a proposed reduction or reallocation described by Number 1, above, until the city or county receives voter approval for the proposed reduction or reallocation at an election held for that purpose;
3. require a city or county holding an election under Number 1, above, to ensure that the ballot proposition for the election includes, as applicable: (a) a detailed explanation of each proposed reduction; (b) the amount of each proposed reduction; (c) the recipient of reallocated funding or resources; (d) the impact on the local tax rate, if any; and (e) the expected length of time that the proposed reduction or reallocation will remain in effect;
4. prohibit a city or county holding an election under Number 1, above, from using public money on informational campaigns or advocacy related to the proposed reduction or reallocation;
5. authorize a person to file a complaint with the governor’s criminal justice division if the person believes that a city or county has violated Numbers 1-4, above; and
6. provide if the comptroller determines that a city or county violated Numbers 1-4, above, the city or county may not adopt a tax rate for the subsequent city or county fiscal year that exceeds the city or county’s tax rate on the date of the violation.

**S.B. 42 (Zaffirini) – Cell Phone Ban:** would provide: (1) that a vehicle operator commits an offense if the operator uses a portable wireless communication device while operating a motor vehicle, unless the vehicle is stopped outside a lane of travel; and (2) for an affirmative defense (except for a person under 18 years of age or by a person operating a school bus with a minor passenger on the bus) for the use of a portable wireless communications device: (a) in conjunction with a hands-free device; (b) to contact emergency services; or (c) that was mounted in or on the vehicle solely to continuously record or broadcast video inside or outside of the vehicle.

**S.B. 64 (Nelson) – Mental Health Programs:** would require: (1) the executive commissioner of the Health and Human Services Commission to develop a mental health intervention program for peace officers that includes, among other things, peer-to-peer counseling, access to licensed mental health professionals, training, including suicide prevention training, technical assistance, and coordination of mental health first aid for law enforcement officers and their immediate family members; and (2) require the commission submit an annual report to the governor and
legislature that includes the number of peace officers who received services through the program, the number of peers and peer service coordinators trained, an evaluation of the services provided, and any recommendations for program improvements.

**S.B. 66 (Miles) – Retention and Disclosure of Police Complaints**: would, among other things, provide that: (1) a complaint that alleges conduct by a peace officer employed by a municipality constitutes official oppression by the police officer must be retained on file by the city for at least five years after the officer’s employment with the city ends; (2) an abstract of the complaint described in (1), above, must be created and retained indefinitely once the original complaint is destroyed; and (3) such complaint is not excepted from disclosure under a discretionary exception or the law enforcement exception of the Public Information Act.

**S.B. 67 (Miles) – Civilian Complaint Review Boards**: would create, in cities with a population of 200,000 or more a municipal civilian complaint review board with, among other things, the authority to: (1) investigate a complaint of alleged misconduct by a peace officer involving: (a) excessive use of force; (b) improper use of power to threaten, intimidate, or otherwise mistreat a member of the public; (c) threat of force; (d) an unlawful act, search or seizure; or (e) other abuses of authority; and (2) issue subpoenas.

**S.B. 68 (Miles) – Excessive Force Reporting**: would provide that: (1) a peace officer has a duty to intervene to stop or prevent another peace officer from using excessive force against a person suspected of committing an offense if an ordinary, prudent peace officer would intervene under the same or similar circumstances; and (2) a peace officer who witnesses the use of excessive force by another peace officer shall promptly make a detailed report of the incident and deliver the report to the supervisor of the peace officer making the report and the supervisor of the peace officer who used the excessive force.

**S.B. 69 (Miles) – Prohibiting Chokeholds**: would provide that the use of any force, by any person, including a peace officer or person acting in and the direction of an officer, in connection with the arrest of another person, is not a justified use of force if such force is used in a manner that impedes the normal breathing or circulation of the blood of the person by applying pressure to the person’s throat, neck, or torso or by blocking the person’s nose or mouth. (This bill is identical to H.B. 346 and H.B. 418 by Rose and Sherman, respectively.)

**S.B. 70 (Miles) – Use of Force Reporting**: would provide that: (1) a law enforcement agency, including an agency of a political subdivision, authorized by law to employ peace officers shall require each police officer employed by the agency to submit a detailed report to the agency regarding each incident in which the officer uses force, or witnesses another officer use force, against a person suspected of committing an offense; and (2) the report described in (1), above, must include: (a) a description of the force used by the peace officer; (b) an explanation as to why the degree of force used was necessary; and (c) if applicable, a description of any attempt that was made by the officer to de-escalate the situation before the force was used.

**S.B. 71 (Miles) – Use of Force Policy**: would provide that: (1) no later than January 1, 2022, a law enforcement agency, including an agency of a political subdivision authorized by law to employ police officers, shall adopt a detailed written policy regarding the use of force by police
officers; and (2) such policy must provide peace officers employed by the agency with explicit
guidelines for the use of force that ensure that force will only be used against a person in a
manner proportionate to the threat posed by the person.

**S.B. 72 (Miles) – Discharge of Firearms Policy:** would provide that: (1) a law enforcement
agency, including an agency of a political subdivision authorized by law to employ police
officers, shall adopt a policy regarding the discharge of a firearm by a peace officer at or in the
direction of a moving vehicle; and (2) such policy must prohibit a peace officer from discharging
a firearm at or in the direction of a moving vehicle unless the peace officer discharges the
firearm only when and to the degree the officer reasonably believes is immediately necessary to
protect the officer or another person from the use of unlawful deadly force by an occupant of the
vehicle by means other than by using the moving vehicle to strike any person. (Companion bill is
H.B. 95 by Meza.)

**S.B. 84 (Miles) – Extreme Risk Protective Orders:** would, among other things: (1) provide
that, in certain circumstances, courts may issue a lethal violence protective order against a person
exhibiting dangerous behavior or conduct, including any behavior or conduct related to the
person’s use of firearms, requiring the person to relinquish his or her firearms; (2) require local
law enforcement agencies to: (a) take possession of a person’s firearms when a court issues an
lethal violence protective order against that person and to immediately provide the person a
written copy of the receipt for the firearm and written notice of the procedure for return of the
firearm; (b) if applicable, notify the court that issued the lethal violence protective order that the
person who is the subject of the order has relinquished the firearm not later than seven days after
the law enforcement agency receives the firearm; (c) conduct a check of state and national
criminal history record information to verify whether the person may lawfully possess a firearm
not later than 30 days after receiving notice from the court that the lethal violence protective
order has expired; (d) if the check described in (c) verifies that the person may lawfully possess a
firearm, provide written notice to the person by certified mail stating that the firearm may be
returned to the person if the person submits a written request before the 121st day after the date of
the notice; (3) provide that a local law enforcement agency in possession of a firearm
relinquished because of a lethal violence protective order may not destroy the firearm but may
sell the firearm to a licensed firearms dealer if the check in (2)(c) shows that the person may not
lawfully possess a firearm or the person does not submit a written request as required by (2)(d);
and (4) provide that the proceeds from the sale of a firearm in (3) shall be paid to the owner of
the seized firearm, less the cost of administering this article with respect to the firearm.

**S.B. 90 (Menéndez) – Medical Marihuana:** would: (1) authorize the possession, use,
cultivation, distribution, transportation, and delivery of medical cannabis for medical use by
qualifying patients with certain debilitating medical conditions; (2) provide for medical cannabis
registry identification cards; (3) authorize the licensing of dispensing organizations and testing
facilities; and (4) authorize an application fee for licenses to operate a dispensing organization.
(Companion bill is H.B. 94 by Reynolds.)

**S.B. 92 (Menéndez) – Immigration:** would repeal certain provisions governing state and local
enforcement of immigration laws and other provisions related to immigration law, such as the
requirement that a law enforcement agency honor a detainer request.
**S.B. 110 (West) – Extreme Risk Protective Orders:** would, among other things: (1) provide that, in certain circumstances, courts may issue an extreme risk protective order against a person exhibiting dangerous behavior or conduct as a result of a serious mental illness, including any behavior or conduct related to the person’s use of firearms, requiring the person to relinquish his or her firearms; (2) require local law enforcement agencies to: (a) take possession of a person’s firearms when a court issues an extreme risk protective order against that person and to immediately provide the person a written copy of the receipt for the firearm and written notice of the procedure for return of the firearm; (b) if applicable, notify the court that issued the extreme risk protective order that the person who is the subject of the order has relinquished the firearm not later than seven days after the law enforcement agency receives the firearm; (c) conduct a check of state and national criminal history record information to verify whether the person may lawfully possess a firearm not later than 30 days after receiving notice from the court that the extreme risk protective order has expired; (d) if the check described in (c) verifies that the person may lawfully possess a firearm, provide written notice to the person by certified mail stating that the firearm may be returned to the person if the person submits a written request before the 121st day after the date of the notice; (3) provide that a local law enforcement agency in possession of a firearm relinquished because of an extreme risk protective order may not destroy the firearm but may sell the firearm to a licensed firearms dealer if the check in (2)(c) shows that the person may not lawfully possess a firearm or the person does not submit a written request as required by (2)(d); (4) provide that the proceeds from the sale of a firearm in (3) shall be paid to the owner of the seized firearm, less the cost of administering this article with respect to the firearm; and (5) provide that a law enforcement officer or other employee of a law enforcement agency is subject to punishment for contempt of court if the officer or employee violates the bill with the intent to withhold a firearm from a person who, at the time the violation occurred: (a) was the subject of an extreme risk protective order that was rescinded or that expired; and (b) may lawfully possess the firearm.

**S.B. 111 (West) – Duties of Law Enforcement Agency:** would provide: (1) that a law enforcement agency filing a case with an attorney representing the state in a criminal case, including a city attorney, shall submit to the attorney a written statement by an employee of such agency with knowledge of the case acknowledging that all documents, items, and information in the possession of the agency that are required to be disclosed to the defendant as discovery have been transmitted to the attorney; and (2) that at any time after the case is filed with the attorney representing the state the law enforcement agency discovers or acquires any additional document, item, or information required to be disclosed to the defendant, an employee of the agency shall promptly transmit such document to the attorney. (Companion bill is H.B. 744 by Collier.)

**S.B. 112 (West) – Affidavit for Installation and Use of Mobile Tracking Device:** would, among other things, require a peace officer’s affidavit to provide facts and circumstances in his or her affidavit that show probable cause (instead of reasonable suspicion under current law) that criminal activity has been, is, or will be committed and the installation and use of a mobile tracking device is likely to produce information that is material to an ongoing criminal investigation of that criminal activity in order for a district judge to issue an order for the installation and use of a mobile tracking device. (Companion bill is H.B. 356 by Sherman.)
S.B. 140 (Gutierrez) – Marihuana: would, among other things: (1) authorize the cultivation, manufacture, distribution, sale, testing, possession, and use of cannabis and cannabis products; (2) authorize the possession, use, cultivation, distribution, transportation, and delivery of medical cannabis and the licensing of medical cannabis dispensing organizations; (3) prohibit a political subdivision from enacting, adopting, or enforcing a rule, ordinance, order, resolution, or other regulation that prohibits or unreasonably restricts the cultivation, production, processing, dispensing, transportation, or possession of cannabis or cannabis products or the operation of a cannabis grower, cannabis establishment, cannabis secure transporter, or cannabis testing facility; (4) provide that a political subdivision may adopt regulations consistent with the bill governing the hours of operation, location, manner of conducting business, and number of cannabis growers, cannabis establishments, or cannabis testing facilities; (5) provide that a city, county, or other political subdivision may not enact, adopt, or enforce a rule, ordinance, order, resolution, or other regulation that prohibits the cultivation, production, dispensing, or possession of medical cannabis; (6) authorize the imposition of taxes and fees on the sale of cannabis; (7) require an occupational license to operate as a cannabis grower, cannabis establishment, cannabis secure transporter, or cannabis testing facility; (8) allocate the net revenue derived from a tax on the sale of cannabis as follows: (a) five percent to the Border Security Enhancement Fund; (b) five percent to the Municipal Security Enhancement Fund; (c) one percent to the cannabis testing and quality control fund; (d) an amount certified to the comptroller by the commission to the Cannabis Regulation Fund; and (e) the remainder to the Foundation School Program; (9) provide that in determining the local share for each municipality in which one or more cannabis establishments are located, the comptroller shall allocate funds under Subsection (8)(b) in proportion to the number of cannabis establishments located in each municipality; and (10) create a fund to pay for border security enhancement projects including: (a) the Border Security Fund, which the governor shall administer and dispense money in the fund to local law enforcement authorities in counties located on an international border or municipalities located within 50 miles of an international border for certain purposes, including the pay and salary of peace officers and other law enforcement personnel; and (b) the Municipal Security Fund, which the governor shall administer and dispense money in this fund to local law enforcement authorities in municipalities with a population of at least 1.2 million for the following purposes: (i) the prevention and investigation of violent crimes, family violence, and intoxication offenses; and (ii) the pay and salary of peace officers and other law enforcement personnel.

S.B. 151 (N. Johnson) – Marihuana Concentrate: would: (1) define marihuana concentrate as the resin extracted from marihuana or a compound, manufacture, salt, derivative, mixture, or preparation of the resin; and (2) add marihuana concentrate as a controlled substance subject to criminal penalties for possession or delivery or marihuana concentrate. (Companion bill is H.B. 439 by Canales.)

S.B. 161 (West) – Police Reform: this bill, known as the “George Floyd Act,” would make numerous changes related to interactions between peace officers and individuals detained or arrested on the suspicion of the commission of crimes, peace officer liability for those interactions, and the disciplinary of peace officers in certain cities. Of primary importance to cities, the bill would:
1. With respect to officer liability:
   a. provide that a person may bring an action for any appropriate relief against a peace officer who, under the color of law, deprived the person or caused the person to be deprived of any rights under the Texas Constitution, provided that such action is brought not later than two years after the day the cause of action accrues;
   b. provide that statutory immunity or a limitation on liability, damages, or attorney’s fees does not apply to the action described in (1)(a), above, and a court shall award reasonable attorney’s fees and court costs to a prevailing plaintiff and if judgment is entered in favor of the defendant, the court may award reasonable attorney’s fees and costs to the defendant only for defending claims the court finds frivolous;
   c. provide that qualified immunity or the defendant’s good faith but erroneous belief in the lawfulness of the defendant’s conduct is not a defense to an action brought under (1)(a), above; and
   d. require a public entity, including a city, to indemnify a peace officer employed by the entity for liability incurred by and a judgement imposed against the officer in an action brought under (1)(a), above, except that the entity shall not be required to indemnify the peace officer if the officer was convicted for the conduct that is the basis for the action;

2. With respect to the duties and powers of a peace officer:
   a. amend current law to provide that a peace officer has the discretion on whether or not, if authorized, to:
      i. interfere without a warrant to prevent or suppress a crime; or
      ii. arrest offenders without warrant so that they may be taken before the proper magistrate or court and be tried;
   b. provide that a peace officer shall:
      i. identify as a peace officer before taking any action within the course and scope of the officer’s official duties unless the identification would render the action impracticable;
      ii. intervene if the use of force by another peace officer:
         1. violates state or federal law or a policy of any entity service by the other officer;
         2. puts any person at risk of bodily injury, unless the officer reasonably believes that the other officer’s use of force is immediately necessary to avoid imminent harm to a peace officer or other person; or
         3. is not required to apprehend or complete the apprehension of a suspect; and
         4. shall provide aid immediately to any person who needs medical attention, including a person who needs medical attention as a result of the use of force by a peace officer;
   c. provide that a defendant may not be convicted of an offense related to controlled substances on the testimony of person acting covertly on behalf of a law enforcement agency unless the testimony is corroborated by evidence tending to connect the defendant with the offense committed;

3. With respect to issuing citations in lieu of arrest for misdemeanor offenses:
a. provide that the Texas Southern University, in consultation with other law enforcement organizations, shall publish a model policy related to the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only, that includes the procedure for a peace officer, upon a person’s presentation of appropriate identification, to verify the person’s identity and issue a citation to the person;
b. provide that each law enforcement agency shall adopt a written policy regarding the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only, provided that such policy meets the requirements of the model policy described in (3)(a), above;
c. provide that a law enforcement agency may adopt the model policy developed under (3)(a), above;
d. provide that, with the exception of certain assault offenses and for the offense of public intoxication, a peace officer or any other person may not, without a warrant, arrest an offender for a misdemeanor punishable by fine only or arrest a person who commits one or more offenses punishable by fine only;
e. provide that a peace officer who is charging a person, including a child, with committing an offense that is a misdemeanor punishable by fine only, other than an offense of public intoxication, shall, instead of taking the person before a magistrate, issue a citation to the person;
f. provide that a peace officer who is charging a person, including a child, with committing certain assault offenses that are a misdemeanor, punishable by fine only, may, instead of taking the person before a magistrate, issue a citation to the person;
g. provide that a peace officer may not arrest, without warrant, a person found only committing one or more misdemeanors related to certain traffic offenses that are punishable by fine only, and in such instances shall issue a written notice to appear to the person;

4. With respect to de-escalation and proportionate response:
a. provide that a law enforcement agency shall adopt a detailed written policy regarding the use of force by peace officers that must:
   i. emphasize the use of force in a manner proportionate to the threat posed and to the seriousness of the alleged offense;
   ii. mandate that deadly force is only to be used by peace officers as a last resort; and
   iii. affirm the sanctity of human life and the importance of treating all persons with dignity and respect;
b. provide that a law enforcement agency may adopt the model policy on use of force developed by the Texas Commission on Law Enforcement and described in (6)(a), below;

5. With respect to disciplinary procedures in certain cities:
a. require a civil service commission to implement a progressive disciplinary matrix for infractions committed by police officers that consists of a range of progressive disciplinary actions applied in a standardized way based on the nature of the infraction and the officer’s prior conduct record, and such matrix must include:
i. standards for disciplinary actions related to use of force against another person, including the failure to de-escalate force incidents in accordance with departmental policy;
ii. standards for evaluating the level of discipline appropriate for uncommon infractions; and
iii. presumptive actions to be taken for each type of infraction and any adjustment to be made based on a police officer’s previous disciplinary action;
b. make changes to the meet and confer provisions applicable to police officers to provide that certain cities that have adopted a meet and confer agreement but are not subject to civil service rules or collective bargaining shall implement a progressive disciplinary matrix as described in (5)(a), above, for its police officers, and that such agreement may not conflict or supersede a rule concerning the disciplinary actions that may be imposed under the disciplinary matrix;
c. provide that a hearing examiner in a city subject to civil service rules must presume a disciplinary action applied to a police officer under a progressive disciplinary matrix is reasonable unless the facts indicate that the department inappropriately applied a category of offense to the particular violation; and
d. make changes to the collective bargaining statute to provide that a city that has adopted a collective bargaining agreement but is not subject to civil service rules shall implement a progressive disciplinary matrix as described in (5)(a), above, for its police officers, and that such agreement may not conflict with an ordinance, order, statute, or rule related to disciplinary actions that may be imposed on its police officers under a disciplinary matrix implemented by the city;

6. With respect to use of force:
a. provide that the Texas Commission on Law Enforcement shall develop and make available to all law enforcement agencies a model policy and associated training materials regarding the use of force by peace officers;
b. make changes to the instances in which a person, including a peace officer and a person in the presence of and at the direction of a peace officer, may be justified in using nonlethal force in connection with making or assisting in making an arrest or search, or preventing or assisting in preventing escape after an arrest,
c. make changes to instances in which a peace officer or a person in the presence of and at the direction of a peace officer may be justified in using deadly force in connection to making an arrest or preventing escape after an arrest;
d. provide that the use of force against a person in connection with making or assisting in making an arrest or search, or preventing or assisting in preventing an escape after an arrest, is not justified if the force is used in a manner that impedes the normal breathing or circulation of the blood of the person by applying pressure to the person’s throat or neck or by blocking the person’s nose or mouth; and
e. repeal the Penal Code provision that provides that a peace officer or a person other than a peace officer acting in the officer’s presence and direction has no duty to retreat before using deadly force in connection with making an arrest or preventing escape after arrest.

(Companion bill is H.B. 88 by Thompson.)
**S.B. 175 (Miles) – No-Knock Entries:** would prohibit a magistrate, including a municipal judge, from issuing an arrest or search warrant that authorizes a peace officer from entering, for the purpose of executing a warrant, into a building or other place without giving notice of the officer’s authority or purpose before entering (a no-knock entry). (Companion bill is H.B. 492 by Wu.)

**S.B. 223 (Whitmire) – Police Reality TV Shows:** would prohibit a law enforcement department that employs peace officers from authorizing a television crew to film peace officers while acting in the line of duty for the purpose of creating a reality television show. (Companion bill is H.B. 54 by Talarico.)

**S.B. 250 (Alvarado) – Medical Marihuana:** would: (1) authorize the possession, use, cultivation, distribution, transportation, and delivery of medical cannabis for medical use by patients for whom a physician determines medical use is the best available treatment for the patient’s medical condition or symptoms; (2) authorize the licensing of dispensing organizations; (3) authorize an application fee for licenses to operate a dispensing organization; and (4) prevent political subdivisions from enacting, adopting, or enforcing a rule, ordinance, resolution, or other regulation that prohibits the cultivation, production, dispensing, or possession of medical cannabis as authorized by the bill.

**S.B. 269 (West) – Marihuana:** would: (1) authorize the cultivation, manufacture, processing, distribution, sale, testing, transportation, delivery, transfer, possession, and use of cannabis and cannabis products; (2) allocate tax revenue derived from cannabis and cannabis products as follows: (a) 33 percent to the cannabis regulation account, (b) 33 percent to the cannabis testing and quality control account, and (c) the remainder the Public School Teacher Salary Support Account; (3) authorize the imposition of licensing and application fees; (4) require an occupational license; (5) create a criminal offense relating to distribution of cannabis to a minor; (6) prevent political subdivisions from enacting, adopting, or enforcing a rule, ordinance, resolution, or other regulation that prohibits or unreasonably restricts the cultivation, production, processing, dispensing, transportation or possession of cannabis or cannabis products or the operation of a cannabis grower, cannabis establishment, cannabis secure transporter, or cannabis testing facility as authorized by the bill; and (7) allow a political subdivision to adopt regulations consistent with the bill governing the hours of operation, location manner of conducting business, and number of cannabis growers, cannabis establishments, or cannabis testing facilities.

**S.B. 298 (Hancock) – Alcohol To-Go:** would allow for the pickup and delivery of alcoholic beverages for off-premises consumption under certain circumstances. (Companion Bill is H.B. 1024 by Geren.)

**S.B. 301 (Hinojosa) – Covert Law Enforcement Activity:** would provide that a defendant may not be convicted for an offense under the Texas Controlled Substances Act on the testimony of a person who is acting covertly on behalf of a law enforcement agency, regardless of whether that person is a licensed peace officer or special investigator, unless the testimony is corroborated by other evidence. (Companion bill is H.B. 834 by Thompson.)
**S.B. 311 (Eckhardt) – Public Demonstrations**: would provide that: (1) a person commits the offense of disorderly conduct if the person intentionally or knowingly displays a firearm while attending or within 500 feet of a public demonstration; and (2) it is a defense to prosecution for an offense described in (1) if the person displays the firearm in discharging the person’s official duties as a peace officer, a member of the armed forces, or a security officer. (Companion bill is H.B. 791 by Goodwin.)

**S.B. 327 (Lucio) – Medical Marihuana**: would add post-traumatic stress disorder as an authorized diagnosis for a prescription for low-THC cannabis. (Companion bill is H.B. 1001 by Lucio III.)

**S.B. 343 (Kolkhorst) – Family Violence Bond Conditions**: would provide, among other things, that: (1) as soon as possible, but not later than the next business day after the date a magistrate issues an order imposing a condition of bond or modifying or removing a condition of release on bond, the magistrate shall send a copy of the order to the appropriate attorney representing the state and either to the police chief in the city where the victim of the offense resides, if the victim resides in a city, or to the sheriff of the county where the victim resides, if the victim does not reside in a city; (2) the court clerk shall send a copy of the order to the victim at the victim's last known address as soon as possible but not later than the next business day after the date the order is issued; (3) the magistrate or clerk may delay sending a copy of the order described in (1), above, only if the magistrate or clerk lacks information necessary to ensure service and enforcement; (4) a copy of the order and any related information may be send electronically or in another manner that can be accessed by the recipient; (5) if the victim of the offense is not present when an order is issued, the magistrate shall order a peace officer to make a good faith effort to provide notice of the order to the victim within 24 hours by calling the victim’s last known phone number; (6) not later than the third business day after the date of the receipt of the copy of an order described in (1), above, by the applicable law enforcement agency, the law enforcement agency shall enter specified information in the statewide law enforcement information system maintained by the Department of Public Safety or modify or remove that information, as appropriate.

**S.B. 349 (Miles) – Criminal Offenses Recordkeeping**: would require the Department of Public Safety and all local law enforcement agencies that use an incident-based reporting system to report information and statistics concerning criminal offenses committed in Texas to the Federal Bureau of Investigation, as a part of the Uniform Crime Reporting Program of the Federal Bureau of Investigation, to include the ethnicity of an arrestee in the reported incident.

**S.B. 352 (Miles) – Peace Officer License Suspension**: would amend current law to provide that the Texas Commission on Law Enforcement shall suspend a peace officer’s license upon notification that the officer has been dishonorably discharged.

**S.B. 375 (Perry) – CPR Training**: would require: (1) a state, county, special district, or municipal agency that employs telecommunicators to require each telecommunicator who provides dispatch for medical emergencies to receive training, including continuing education training, in telecommunicator cardiopulmonary resuscitation (CPR); (2) a telecommunicator to
complete initial CPR training not later than the 60th day after the telecommunicator’s first date of employment with the entity; and (3) a telecommunicator to complete continuing education training at least as often as recognized standards for telecommunicator CPR training are updated. (Companion bill is H.B. 786 by Oliverson.)

**S.B. 380 (West) – Body Worn Cameras:** This bill known as the “Botham Jean Act,” would, among things: (1) require a body worn camera policy include provisions related to collection of a body worn camera, including the applicable video and audio recorded by the camera, as evidence; (2) amend current law to provide that, other than in a non-confrontational encounter with a person, a peace officer who participates in an investigation of the offense of intentionally or knowingly deactivating a recording device being used in the investigation shall keep a body worn camera activated for the entirety of the investigation unless the camera has been collected as evidence by another peace officer in accordance with a body worn camera policy or applicable law; (3) provide that body worn camera recording is confidential and not subject to disclosure under the Public Information Act if: (a) the recording documents a victim of a crime expressing a clear and unambiguous desire to not be recorded or allow the recording to be made available to the public; (b) the recording documents a person providing assistance to a law enforcement investigation and expressing a clear and unambiguous desire to not be recorded or provide the assistance in an anonymous manner; (c) the recording documents a child younger than 17 years of age; or (d) the recording was made: (i) on the grounds of any public or private primary or secondary school; or (ii) inside a home by a peace officer who entered the home with either a warrant, with consent or under lawfully authorized exigent circumstances; (4) provide that a person commits a felony of the third degree if the person knows that an investigation (defined as an inquiry conducted by a law enforcement agency to determine whether a person has committed an offense or an employee of a law enforcement agency has violated policy, order, rule or other regulation of the agency) is ongoing and intentionally or knowingly deactivates, orders the deactivation of, or causes to be deactivated a recording device, including a dash cam, a body worn camera, and an alarm system, being used in the investigation; and (5) provide that it is an affirmative defense to prosecution for an offense defined in (4), above, that: (a) a peace officer, other than the peace officer to whom the body worn camera was issued, deactivated the camera in accordance with any policy adopted by the employing law enforcement agency regarding collection of evidence and applicable law; or (b) a non-peace officer deactivated the recording device at the request or command of a peace officer and such request or command was made in accordance with any policy adopted by the employing law enforcement agency regarding collection of evidence and applicable law. (This bill is identical to H.B. 929 by Sherman.)

**S.B. 404 (N. Johnson) – Missing Child:** would, among other things: (1) amend the definition of a "missing child" to include the child voluntarily leaving the child's home without the consent of the custodian for a substantial length of time or without intent to return, by repealing the prior definition that included engaging in conduct indicating a need for supervision; (2) add the definition of "status offense" to include certain conduct committed by a child that would not be considered a crime if committed by an adult; (3) provide the place and conditions of detainment if the child is accused only of a status offense; (4) require that a child not be detained at a place of non-secure custody for longer than six hours, or at a non-secure correctional facility for longer than 24 hours, after the time the child arrived at the place of detention; (5) provide that if the child is not released before the sixth hour after the time the child arrived at the place of
detention, the child is entitled to a detention hearing that must be held before the 24th hour after the time the child arrived at the place of detention, excluding weekends and holidays; and (6) repeal current law authorizing a law enforcement officer to fingerprint or photograph the child to establish the child's identity under certain circumstances.

**S.B. 443 (Hughes) – Abandoned Children:** would add a fire department and law enforcement agency to the list of emergency infant care providers who must take possession of certain abandoned children.

**S.B. 451 (West) – Release of a Child:** would provide, among other things, that: (1) unless it is inconsistent with the health and safety of a child, a law enforcement agency who takes, without a court order, emergency possession of a child pursuant to a report of child abuse or neglect, shall use due diligence to arrange for the release of the child to the child’s parent, legal guardian, or parent’s or legal guardian’s designee; (2) before a law enforcement officer may release the child described in (1), above, the officer shall verify with the National Crime Information Center (NCIC) that the child is not a missing child; (3) before a law enforcement officer may release a child described in (1), above, to a person other than a governmental entity or a residential child-care facility, the officer shall call the Department of Family and Protective Services Statewide Intake Texas Abuse Hotline to request that a child abuse or neglect history check be completed on the person to whom the child is being released; (4) each law enforcement agency shall adopt a written policy that complies with the provisions described in (1), (2), and (3), above, regarding the safe placement of a child who is in the care, custody, or control of a person at the time the person is arrested; and (5) a law enforcement officer, during a criminal investigation relating to a child’s custody, shall verify with the NCIC that the child is not a missing child.

**S.B. 485 (Hinojosa) – TCOLE:** would provide, among other things, that: (1) the Texas Commission on Law Enforcement (TCOLE) shall develop and implement policies specifying the circumstances in which conduct by a license holder is to be investigated by TCOLE staff for disciplinary action or investigated by peace officers commissioned by TCOLE for that purpose; (2) TCOLE shall suspend the license of a peace officer or a reserve law enforcement officer licensed by the Commission on notification that the officer has been dishonorably discharged if the discharge was in relation to allegations of criminal misconduct by the officer; (3) TCOLE shall revoke or suspend a license, place on probation a person whose license has been suspended, or reprimand a license holder if the license holder has: (a) engaged in any improper or unlawful acts in connection with employment as peace officer or a reserve law enforcement officer that could result in a miscarriage of justice or discrimination, including: (i) being convicted of, placed on deferred adjudication for, or entering a plea of guilty or nolo contendere to a felony or a misdemeanor involving moral turpitude; (ii) falsifying a police report or evidence in a criminal investigation; (iii) destroying evidence in a criminal investigation; (iv) using excessive force on multiple occasions; (v) accepting a bribe; (vi) engaging in fraud; (vii) unlawfully using a controlled substance; (viii) engaging in an act for which the officer is liable under Section 1983; (ix) committing perjury; or (x) making a misrepresentation for the purpose of obtaining or renewing a license, including falsifying any educational requirements; (4) TCOLE shall temporarily suspend the license of a person if TCOLE determines from the evidence or information presented to it that continued practice by the person would constitute a continuing and imminent threat to the public welfare; (5) a license may be temporarily suspended as
described in (4), above, without notice or hearing on the complaint if: (a) action is taken to initiate proceedings for a hearing before the State Office of Administrative Hearings (SOAH) simultaneously with the temporary suspension; and (b) a hearing is held as soon as practicable; (6) SOAH shall hold a preliminary hearing not later than the 10th day after the date of the temporary suspension to determine if there is probable cause to believe that a continuing and imminent threat to the public welfare still exists, and a final hearing on the matter shall be held not later than the 61st day after the date of the temporary suspension; (7) TCOLE, by rule, shall adopt a sanctions schedule that lists: (a) the most common violations; (b) the types of sanctions, including administrative penalties, that may be imposed for those violations; and (c) the factors used to determine the sanction that may be imposed for each violation, including: (i) the seriousness of the violation; (ii) any previous violation by the license holder; and (iii) any other factor TCOLE considers appropriate; (8) TCOLE may issue a subpoena, and may request, and, if necessary, compel by subpoena: (a) the production for inspection and copying of records, documents, and other evidence relevant to the investigation of an alleged violation of the law or TCOLE rule, including any document prepared or maintained by a law enforcement agency in connection with disciplinary action taken by the agency against a license holder; and (b) attendance of a witness for examination under oath; (9) TCOLE, acting through the attorney general, may bring an action to enforce a subpoena issued against a person who fails to comply with the subpoena; and (10) the statutory provisions that limit TCOLE from reviewing disciplinary action taken by a law enforcement agency against a person licensed by TCOLE or to issue a subpoena to compel the production of a document prepared or maintained by the agency in connection with a disciplinary matter are repealed.

**S.B. 499 (Kolkhorst) – Firearms Regulation:** would: (1) prohibit a city council or an officer, employee, or other body that is part of a city (including a police department) from adopting a rule, order, ordinance, or policy under which the city enforces, or allows the enforcement of, a federal statute, order, rule, or regulation enacted on or after September 1, 2021, that purports to regulate a firearm, a firearm accessory, or firearm ammunition if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation, such as a capacity or size limitation, a registration requirement, or a background check, that does not exist under Texas law; and (2) provide that a violation of the prohibition in (1) may be enforced: (a) by denying state grant funds to the city; and (b) through court action by the attorney general. (Companion bill is H.B. 919 by Leman.)

**S.B. 513 (Hall) – Firearms Regulation:** would: (1) prohibit a city from adopting a rule, order, ordinance, or policy under which the city enforces certain federal provisions enacted after January 1, 2021, that regulate a firearm, a firearm accessory, or firearm ammunition; and (2) provide that a violation of the prohibition in (1) may be enforced: (a) by denying state grant funds to the city; (b) through court action by the attorney general; and (c) by imposing criminal penalties against officials, employees, and persons acting under control of the city. (Companion bill is H.B. 112 by Toth.)

**S.B. 529 (Huffman) – Toxicological Evidence:** would provide, among other things, that: (1) a governmental or public entity or an individual, including a law enforcement agency, prosecutor’s office, or crime laboratory, that is charged with the collection, storage, preservation, analysis, or retrieval of toxicological evidence shall ensure that toxicological evidence collected pursuant to
an investigation or prosecution of offenses related to intoxication and alcoholic beverages, is
retained and preserved for certain time periods; (2) a person from whom toxicological evidence
was collected must be notified of the periods for which the evidence may be retained and
preserved, and the notice must be given by: (a) the entity or individual described in (1), above, if
the entity or individual collected the evidence directly from the person or collected it from a third
party; or (b) the court, if the records of the court do not show that the person was not given
notice as described in (2)(a), above, and the toxicological evidence is subject to certain
conditions; (3) notice must be given in writing, as soon as practicable, by hand delivery, by
electronic mail or first class mail to the person’s last known email or mailing address, or by a
peace officer, orally and in writing, in the required statement the officer must provide to a person
who is arrested for operating a motor vehicle or watercraft while intoxicated before requesting
the person to submit to the taking of a specimen; and (4) if a person who is arrested for operating
a motor vehicle or watercraft while intoxicated consents to the request of a peace officer to
submit to the taking of a specimen of the person’s breath or blood, the officer shall request the
person to sign a statement that: (a) the officer requested that the person submit to the taking of
the specimen; (b) the person was informed of the consequences of not submitting to the taking of
the specimen; and (c) the person voluntarily consented to the taking of the statement.

S.B. 539 (Blanco) - Mental Health Response Study: would, among other things: (1) require
that the Health and Human Services Commission conduct a study to evaluate the availability,
outcomes, and efficacy of using mental health response teams and mental health professionals to
assist in reducing the number of incarcerations of individuals with mental illnesses, substance
abuse disorders, or intellectual or developmental disabilities; (2) provide that in conducting such
study, the commission shall: (a) include an assessment of whether the information suggests that
municipalities would benefit from mental health response teams assisting traditional law
enforcement officers in efforts to: (i) reduce the incarceration rates of persons with mental
illness, substance abuse disorder, and intellectual or developmental disorders; (ii) increase the
number of referrals to community resources and treatment for persons described in (2)(a)(i), above; (iii)
reduce the use of force when responding to emergency calls that involve persons described in
(2)(a)(i), above; and (iv) gain an understanding about persons described by (2)(a)(i), above; (b)
evaluate the fiscal and staffing implications to a law enforcement agency for agency use of a
mental health response team to respond remotely to emergency calls; and (c) evaluate the impact
of certain funding sources on establishing mental health response teams across the state, especially the
impact to the establishment, staffing, and maintenance of those teams; and (3) require the
commission to gather information from the study from each city with a population greater than
100,000. (Companion bill is H.B. 1050 by Romero.)

S.B. 541 (Springer) – Firearms Regulation: would: (1) prohibit an agency of this state or a
political subdivision of this state, and a law enforcement officer or other person employed by an
agency of this state or a political subdivision of this state, from contracting with, or in any other
manner providing assistance to, a federal agency or official with respect to the enforcement of a
federal statute, order, rule, or regulation purporting to regulate a firearm, a firearm accessory, or
firearm ammunition if the statute, order, rule, or regulation imposes a prohibition, restriction, or
other regulation, such as a capacity or size limitation or a registration requirement, that does not
exist under Texas law; (2) except from the prohibition in (1) a contract or agreement to provide assistance in the enforcement of a federal statute, order, rule, or regulation in effect before January 19, 2021; and (3) provide that a violation of the prohibition in (1) may be enforced: (a) by denying certain state grant funds to the city; and (b) through court action by the attorney general.

**S.B. 543 (Springer) – Firearms Regulation**: would: (1) prohibit a city council or an officer, employee, or other body that is part of a city (including a police department) from adopting a rule, order, ordinance, or policy under which the city enforces, or allows the enforcement of, a federal statute, order, rule, or regulation that purports to regulate a firearm suppressor if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation that does not exist under Texas law; and (2) provide that a violation of the prohibition in (1) may be enforced: (a) by denying state grant funds to the city; and (b) through court action by the attorney general. (Companion bill is **H.B. 957 by Oliverson**.)

**S.B. 548 (Springer) – Prohibition of Extreme Risk Protective Orders**: would, among other things: (1) define an “extreme risk protective order” as a court order, warrant, or executive order issued against a person that is not issued based on the person’s conduct constituting an offense and has the primary purpose of reducing the risk of death or injury related to a firearm by: (a) prohibiting a person from owning, possessing, or receiving a firearm; or (b) requiring a person to surrender a firearm or otherwise removing a firearm from a person; (2) preempt cities from adopting a rule, ordinance, order, policy, or other similar measure relating to an extreme risk protective order unless state law specifically authorizes it; and (3) create a state jail offense if a person enforces or attempts to enforce an extreme risk protective order against another person in this state. (Companion bill is **H.B. 336 by Cain**.)

**S.B. 561 (Miles) – Alcoholic Beverage Permit**: would require notice of, and provide standing to protest, certain alcoholic beverage permit and license applications within 1,000 feet of any property line of the affected premises, or of any property line of the premises for which the permit is sought.

**S.B. 652 (Eckhardt) – Criminal Penalties for Drug Possession**: would: (1) reduce the criminal penalties for possession of small amounts of marihuana; (2) provide that a peace officer or any other person may not arrest an offender without a warrant for certain drug offenses that are misdemeanors punishable by a fine only; and (3) provide, with certain exceptions, that a peace officer who is charging a person with committing certain Class C misdemeanor drug offenses may not arrest the person and shall issue the person a citation.

**S.B. 664 (Powell) – Strangulation**: would provide that: (1) a peace officer who responds to a call for service that involves an alleged or suspected act of strangulation shall: (a) request assistance from emergency medical services personnel to evaluate and render aid to the victim of strangulation; (b) use the checklist described in (4), below, in providing appropriate assistance to the victim; and (c) provide the victim with referral information to the appropriate support agency for purposes of receiving additional assistance; (2) a peace officer’s report regarding the incident must thoroughly document the following: (a) the name, identification number, employment agency, and unit number of all emergency medical services personnel providing assistance under
(1), above; (b) victim and witness accounts of the suspect’s behavior, actions, and any comments made during the act of strangulation; (c) the officer’s observations regarding the suspect’s behavior, actions, and any comments made after the officer’s arrival on the scene; and (d) the referral information given to the victim under (1)(c), above; (3) emergency medical services personnel providing assistance under (1), above, shall conduct a medical evaluation and assessment of the victim; and (4) the Texas Commission on Law Enforcement shall develop and make available a checklist to assist peace officers in evaluating an alleged or suspected act of strangulation and providing assistance to the victim of strangulation.

**S.B. 709 (Hall)** – Texas Commission on Fire Protection Sunset: would: (1) provide that the Texas Commission on Fire Protection (Commission) is continued until 2033; (2) provide that advisory members appointed by the Commission shall serve six-year staggered terms but may not be appointed to consecutive terms; (3) eliminate the provision that provides that, in adopting or amending a rule under the Commission’s authority or any other law, the Commission shall seek the input of the fire fighter advisory committee, and that the Commission shall permit the advisory committee to review and comment on any proposed rule, including a proposed amendment to a rule, before the rule is adopted; (4) provide that a certificate issued or renewed by the Commission is valid for one or two years as determined by Commission rule; and (5) provide that the Commission may: (a) waive any prerequisite to obtaining a certificate for an applicant who holds a license or certificate issued by another jurisdiction: (i) that has licensing or certification requirements substantially equivalent to those of Texas; or (ii) with which Texas has a reciprocity agreement; and (b) make an agreement with another state to allow for certification by reciprocity.

**S.B. 710 (Hall)** – Commission on Jail Standards: would continue the functions of the Commission on Jail Standards and, among other things, repeal the requirement that the chief jailer of each municipal lockup submit to the commission an annual report of persons under 17 years of age securely detained in the lockup.

**S.B. 711 (Paxton)** – Texas Commission on Law Enforcement: this is the Texas Commission on Law Enforcement (TCOLE) sunset bill. The bill, among other things, would:

1. continue TCOLE until 2023;
2. require that an applicant for a license submit, to TCOLE or the Department of Public Safety, complete and legible set of fingerprints, on a form prescribed by TCOLE, for the purpose of obtaining criminal history record information from DPS and the Federal Bureau of Investigation and conducting a criminal history record information check on each applicant;
3. provide that TCOLE may: (a) enter into an agreement with DPS to administer a criminal history record information check required under (2) ; and (b) authorize DPS to collect from each applicant the costs incurred by DPS in conducting the criminal history record information check under (2);
4. provide that TCOLE shall adopt rules specifying the circumstances under which TCOLE may issue, without a hearing, an emergency order suspending a person’s license for a period not to exceed 90 days after determining that the person constitutes an imminent threat to the public health, safety, or welfare;
(5) provide that an order suspending a license under (4) must state the length of the suspension in the order, and if an emergency order is issued without a hearing, TCOLE shall set the time and place for a hearing to be conducted not later than the 10th day after the date the order was issued; and

(6) establish a 17-member panel to study the regulation of persons licensed by TCOLE and the entities authorized by law to employ those persons, and such study shall consider the following: (a) the standards of conduct applicable to licensed persons, including whether statewide standards should be developed and who should develop, review, and update those standards; (b) the education and training requirements for licensed persons, including: (i) the requirements for the issuance of each type of license and the frequency with which those requirements are reviewed and updated; and (ii) the continuing education requirements for each type of license and the frequency with which those requirements are reviewed and updated; (c) TCOLE’s regulation of training programs and schools; and (d) the accountability to the public of licensed persons and of entities authorized by law to employ such persons, including: (i) the need for statewide standards applicable to the entities and who should develop, review, and update those standards; (ii) changes to TCOLE’s authority to discipline a license holder for violations of law or other misconduct; (iii) appropriate procedures to protect a license holder’s rights during a disciplinary proceeding; and (iv) the reporting of terminations.

(Companion bill is H.B. 1550 by Cyrier.)

**S.B. 737 (Birdwell)** – First Responders Carrying Handguns: would: (1) require the public safety director of the Department of Public Safety to establish a handgun training course for first responders who hold a license to carry a handgun; (2) prohibit a governmental entity from adopting a rule or regulation that prohibits a first responder who holds a license to carry a handgun and has completed the course described in (1) from: (a) carrying a concealed or holstered handgun while on duty; or (b) storing a handgun on the premises of or in a vehicle owned or operated by the governmental entity if the gun is properly secured; (3) provide that a first responder may discharge a handgun while on duty only in self-defense; (4) provide that a governmental entity that employs or supervises a first responder is not liable in civil action arising from the discharge of a handgun by a first responder who is licensed to carry a handgun; (5) provide that the discharge of a handgun by a first responder who is licensed to carry a handgun is outside the course and scope of the first responder’s duties; and (6) provide that the new law authorizing the discharge of a firearm by a first responder may not be construed to waive, under any law, immunity from suit or liability of a governmental entity that employs or supervises first responders. (Companion bill is H.B. 1069 by Harris.)

**S.B. 747 (Miles)** – Use of Chemical Devices: would require each law enforcement agency to adopt a policy prohibiting a peace officer of the agency from using, against a person younger than 18 years of age, a chemical device that for the purpose of incapacitating or substantially diminishing the capacity of a person causes chemical irritation of the eyes, throat, lungs, or skin.

**S.B. 748 (Miles)** – Radio Communications: would require each law enforcement agency to make radio communications sent by the agency for a law enforcement purpose readily accessible
to the general public, except for radio communications sent by designated units in the agency that perform special operations or the gathering and analyzing of information for the purpose of generating intelligence.

**S.B. 752 (Miles) – Alcoholic Beverage Permit**: would provide standing to protest certain alcoholic beverage permit and license applications if a sexually oriented business is to be operated on the premises covered by the permit and a petition is signed by 50 percent of the residents who reside within 1,000 feet of any property line of the affected premises.

**S.B. 811 (Schwertner) – 911 Good Samaritan**: would provide: (1) a defense to prosecution for certain drug offenses if the actor: (a) was the first person to request emergency medical assistance in response to the possible overdose of another person and: (i) made the request for medical assistance during an ongoing medical emergency; (ii) remained on the scene until medical assistance arrived; and (iii) cooperated with medical assistance and law enforcement; or (b) was the victim of a possible overdose for which emergency medical assistance was requested by the actor or by another person during an ongoing medical emergency; (2) exceptions to the defense in (1) if: (a) at the time the request for emergency medical assistance was made: (i) a peace officer was in the process of arresting the actor or executing a search warrant describing the actor or the place from which the request for medical assistance was made, or (ii) the actor was committing certain other offenses other than one for which the defense is available; (b) the actor has previously been convicted or placed on deferred adjudication community supervision for certain offenses; or (c) the actor was acquitted in a previous proceeding in which the actor successfully used the defense in (1); and (3) that the defense in (1) does not preclude the admission of evidence obtained by law enforcement resulting from the request for emergency assistance if that evidence pertains to an offense for which the defense in (1) is not available. (Companion bill is H.B. 1694 by Raney.)

**S.B. 837 (Alvarado) – Licensing Certain Veterans as Peace Officers**: would provide that: (1) a political subdivision, including a city, that commissions and employs peace officers may commission and employ as a peace officer a legal permanent resident of the United States who is an honorably discharged veteran of the armed forces of the United States with at least two years of service before discharge; and (2) the Texas Commission on Law Enforcement (TCOLE) shall issue a peace officer license to a person who is a legal permanent resident of the United States if the person: (a) meets the requirements to obtain a license and TCOLE’s rules; and (b) is an honorably discharged veteran of the armed forces of the United States with at least two years of service before discharge.

**S.B. 842 (Menéndez) – Community-Based Policing**: would provide that: (1) as part of the minimum curriculum requirements, the Texas Commission on Law Enforcement shall establish a statewide comprehensive education and training program that includes community-based policing for peace officers and reserve law enforcement officers; (2) the program described in (1), above, shall contain a component in which officers and members of the community the officers serve meet and share their perspectives on issues covered by the training.

**S.B. 899 (Alvarado) – Missing Persons**: would provide, among other things, that: (1) a law enforcement agency on receiving a report of a missing child or missing person shall, not later
than the 30th day after receiving the report, enter the name of the child or person into the National Missing and Unidentified Persons System, with all available identifying features and all available information describing any person reasonably believe to have taken or retained the missing child or missing person; (2) a law enforcement agency or the agency’s designee shall, not later than the 10th working day after the date one or more identifying features of the unidentified body are determined and reported to the agency or the 30th day after the date the death is reported to the agency, whichever is earlier, enter all available identifying features of the unidentified body into the National Missing and Unidentified Persons System; and (3) immediately after the return of a missing child or missing person or identification of an unidentified body, the local law enforcement agency having jurisdiction of the investigation shall notify the National Missing and Unidentified Persons System.

**S.B. 912 (Buckingham) – Rioting:** would provide that: (1) the penalty for an offense of rioting is enhanced to a state jail felony if it is shown on the trial of the offense that the actor, while participating in the riot, knowingly committed or attempted to certain assault offenses against a person the actor knew was a first responder while the person was performing a duty as a first responder; and (2) a court shall order a defendant convicted of an offense of rioting to make restitution for any damage to or loss or destruction of property by reimbursing the owner of the property for the cost of restoring or replacing the property.

**S.B. 913 (Buckingham) – Law Enforcement Funding:** would: (1) prohibit a city from receiving a grant awarded by the criminal justice division of the governor’s office if the division determines that: (a) the city has adopted a budget for a fiscal year for the city police department that, in comparison to the preceding fiscal year, reduces the budget of the department by five percent or more and the reduction is not due to a similar decrease in the amount of tax revenue collected by the city; and (b) the reduction will have a significant, adverse effect on public safety within the city; (2) require a city that is receiving money under a grant awarded by the criminal justice division of the governor’s office to notify the division of any reduction described in (1)(a), above, not later than the 15th day after the date the reduction takes effect; (3) provide that, at the request of the criminal justice division, the city must provide a description of the reduction and any anticipated effects on public safety; (4) require the governor’s criminal justice division to require a city applying for a grant to: (a) disclose whether the most recent budget of the city constitutes a reduction under (1)(a), above; and (b) provide a description of the reduction and any anticipated effects on public safety.

**S.B. 932 (Creighton) – Border Operations Training Program:** would, among other things, provide that: (1) the Department of Public Safety (DPS), in coordination with local law enforcement agencies, shall establish and administer a border operations training program for peace officers employed by local law enforcement agencies that will prepare the officers to: (a) collaborate and cooperate with and assist any law enforcement agency in the interdiction, investigation, and prosecution of criminal activity in the Texas-Mexico border region; and (b) collaborate and cooperate with and assist district attorneys, county attorneys, the border prosecution unit, and other prosecutors in the investigation and prosecution of allegations of criminal activity in the Texas-Mexico border region.
**S.B. 949 (Hinojosa) – Asset Forfeiture:** would provide, among other things, that: (1) property that is contraband is not subject to seizure and forfeiture if: (a) the property is not otherwise unlawful to possess; and (b) the admissibility of the property as evidence would be prohibited in the prosecution of the underlying offense because it was obtained in violation of state or federal law or the Texas Constitution or United States Constitution; and (2) in all forfeiture cases the state has the burden of proving by clear and convincing evidence that property is subject to seizure.

**S.B. 950 (Hinojosa) – Cite and Release:** would, with respect to issuing citations in lieu of arrest for misdemeanor offenses, provide that: (1) the Texas Southern University, in consultation with other law enforcement organizations, shall publish a model policy related to the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only, that includes the procedure for a peace officer, upon a person’s presentation of appropriate identification, to verify the person’s identity and issue a citation to the person; (2) each law enforcement agency shall adopt a written policy regarding the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only, provided that such policy meets the requirements of the model policy described in (1), above; (3) a law enforcement agency may adopt the model policy developed under (1), above; (4) with the exception of certain assault offenses and for the offense of public intoxication, a peace officer or any other person may not, without a warrant, arrest an offender for a misdemeanor punishable by fine only or arrest a person who commits one or more offenses punishable by fine only; (5) a peace officer who is charging a person, including a child, with committing an offense that is a misdemeanor punishable by fine only, other than an offense of public intoxication, shall, instead of taking the person before a magistrate, issue a citation to the person; (6) a peace officer who is charging a person, including a child, with committing certain assault offenses that are a misdemeanor, punishable by fine only, may, instead of taking the person before a magistrate, issue a citation to the person; and, (7) a peace officer may not arrest, without warrant, a person found only committing one or more misdemeanors related to certain traffic offenses that are punishable by fine only, and in such instances shall issue a writing notice to appear to the person. (Companion bill is H.B. 830 by S. Thomas.)

**S.B. 958 (Zaffirini) – Active Shooter Alert System:** would require the Texas Department of Public Safety to establish the Texas Active Shooter Alert System and allow local law enforcement agencies to request activation of the system when certain criteria are met. (Companion bill is H.B. 103 by Landgraf.)

**S.B. 964 (Zaffirini) – Credit Card Fraud:** would, among other things: (1) provide that a law enforcement agency or the financial crimes intelligence center may disclose information regarding the discovery of a credit card skimmer—which would otherwise be confidential—to the public if the law enforcement agency or the chief intelligence coordinator for the center determines that the disclosure of the information furthers a law enforcement purpose; (2) remove the provision from law that allows law enforcement agencies or other governmental agencies designated by the attorney general to collaborate with the attorney general to establish a payment fraud fusion center; (3) provide that the Department of Public Safety may enter into agreements with law enforcement agencies or other governmental agencies for the operation of the financial crimes intelligence center; (4) provide that information a law enforcement agency or other
The governmental agency collects and maintains under an agreement entered into with DPS in (3) is the intellectual property of the center and on termination of the agreement, the contracting agency shall transfer the information to DPS in accordance with the terms of the agreement; and (5) provide that the center may, among other things, provide training and educational opportunities to law enforcement. (Companion bill is H.B. 2106 by Perez.)

S.B. 988 (Hinojosa) – TCOLE Standards of Conduct: would provide that:

1. The chief administrator of a law enforcement agency shall report to the Texas Commission on Law Enforcement (TCOLE) each allegation that a person licensed by TCOLE and employed by the agency engaged in any improper or unlawful acts, including: (a) being convicted of, placed on deferred adjudication for, or entering a plea of guilty or nolo contendere to any offense other than a misdemeanor punishable by fine only; (b) engaging in conduct that would constitute any offense other than a misdemeanor punishable by fine only; (c) falsifying a police report or evidence in a criminal investigation; (d) destroying evidence in a criminal investigation; (e) using excessive force on multiple occasions; (f) accepting a bribe; (g) engaging in fraud; (h) unlawfully using a controlled substance; (i) engaging in an act for which the officer is liable under Section 1983; (j) committing perjury; (k) making, submitting, or filing, or causing to be submitted or filed, a false report to the TCOLE; (k) misusing an official position or misappropriating property; (l) engaging in an unprofessional relationship with an individual arrested or detained, or in the custody of a correctional facility; (m) committing sexual harassment involving physical contact; or (n) misusing criminal history record information;

2. The report required under (1), above, must be in writing in a form prescribed by TCOLE and submitted not later than the 15th day after the date the law enforcement agency is made aware of the allegation;

3. The chief administrator of the law enforcement agency shall update any report submitted under (1), above, after the agency ’s investigation into the allegation is concluded, and the updated report must include any disciplinary action taken against the license holder, including whether the license holder was terminated or if the license holder resigned, retired, or separated in lieu of termination;

4. On a finding by TCOLE that the chief administrator of a law enforcement agency intentionally failed to submit a report required under (1), above, TCOLE shall begin disciplinary proceedings against the chief administrator;

5. TCOLE shall establish an electronic database for information concerning license holder misconduct to provide for the collection and analysis of information by the TCOLE, and shall: (a) allow law enforcement agencies to electronically access the database for purposes of obtaining information related to the following concerning a license holder: (i) hiring; (ii) disciplinary actions; (iii) resignations or terminations; and (iv) certification and training; (b) adopt policies and procedures under which specified personnel of a law enforcement agency may access the database for a purpose described by (5)(a), including establishing qualifications for access; and (c) distribute the policies and procedures adopted (5)(b) to law enforcement agencies;

6. TCOLE shall include in the database described in (5), above, the reports submitted to TCOLE under (1), above;
7. TCOLE shall prescribe and make available to law enforcement agencies a form to be used for submitting a report of an allegation of misconduct to the database described in (5), above, and the form must require the law enforcement agency to report: (a) the license holder’s: (i) date of hire; (ii) position; and (iii) identifying characteristics; and (b) detailed information concerning the nature of the misconduct and the disposition of the allegation;

8. a law enforcement agency, agency head, or other law enforcement official is not liable for civil damages for submitting a report to the database if the report is made in good faith;

9. any allegation of misconduct reported to the database is not considered final until all applicable appeals have been exhausted or waived by the license holder named in the allegation;

10. information maintained in the database is confidential and not subject to disclosure under the Texas Public Information Act;

11. TCOLE, by rule, shall prescribe standards of conduct for peace officers, reserve law enforcement officers, county jailers, and school marshals, and such standards must establish best practices with respect to the following as appropriate for the type of license: (a) professionalism; (b) sexual harassment; (c) sexual assault; (d) domestic violence; (e) any criminal offense against a minor; (f) the use of alcohol or controlled substances; (g) the use of force; (h) the use of tactical teams; (i) the use of invasive surveillance techniques; (j) the use of brief, noninvasive stops of persons suspected of committing an offense; (k) arrests; (l) the issuance of citations in lieu of arrest for misdemeanor offenses punishable by fine only; (m) the release of recordings taken by body worn cameras; and (n) conduct of interrogations of persons suspected of committing an offense;

12. before a law enforcement agency may hire a person licensed by TCOLE, the agency head or the agency head’s designee must, among other things, review any information regarding the person that is maintained in the database under (5), above and submit to TCOLE, on the form prescribed by TCOLE confirmation that the agency reviewed the information in the database; and

13. each law enforcement agency shall adopt the standards of conduct for peace officers or county jailers, as applicable, developed by TCOLE under (11), above, and a law enforcement agency may tailor the contents of the applicable standards as necessary based on the agency’s size, jurisdiction, and resources.

**S.B. 1013 (Buckingham) – Alcohol Sales**: would authorize: (1) a local option election to be held on the proposition of whether to prohibit or legalize the sale of liquor for off-premise consumption on Sunday; and (2) in an area where the sale on Sunday of liquor for off-premises consumption has been approved by local option election: (a) the holder of a package store permit to sell, offer for sale, or deliver liquor on Sunday between 10 a.m. and 9 p.m.; (b) the holder of a wholesaler's permit to sell, offer for sale, or deliver liquor to a retailer anytime on Sunday; and (c) the holder of a local distributor's permit to sell, offer for sale, or deliver liquor to a retailer on Sunday between 5 a.m. and 9 p.m. (Companion Bill is H.B. 2232 by Bucy.)

**S.B. 1025 (Birdwell) – Emergency Declarations**: would provide that: (1) during a declared state of disaster that exists in at least two-fifths of the counties, affects at least half of the
population according to the most recent federal decennial census, or affects at least two-thirds of the counties in three or more trauma service areas as designated by the appropriate state agency, only the legislature has the authority to: (a) suspend a provision in the Code of Criminal Procedure, Election Code, or Penal Code to appropriately respond to the disaster; (b) restrict or impair the operation or occupancy of businesses or places of worship in this state by category or region to appropriately respond to the disaster; or (c) renew or extend the governor’s state of disaster declaration; (2) the governor by proclamation shall convene the legislature in special session to respond to a declared state of disaster if the governor finds that the authority of the legislature described in (1), above, should be exercised and the legislature is not convened in regular or special session; (3) if the governor finds that a state of disaster described by (1), above, requires renewal and the legislature is not convened in regular or special session, the governor by proclamation shall convene the legislature in special session to renew, extend, or otherwise respond to the state of disaster; (4) the governor may not declare a new state of disaster based on the same or a substantially similar finding as a prior state of disaster that is subject to (1), above, that was terminated or not renewed by the legislature. (See S.J.R. 45, below.)

S.B. 1036 (Huffman) – Civil Remedies: would provide, among other things, that: (1) if a law enforcement agency has reason to believe an activity related to prostitution or violation of massage therapy or massage services’ licensing requirements has occurred at property leased to a person operating a massage establishment, the law enforcement agency may provide written notice by certified mail to each person maintaining the property of the alleged activity; (2) a person or enterprise commits racketeering if, for financial gain, the person or enterprise commits an offense related to trafficking of persons; and (3) a sex offender who is placed under community supervision may not go in, on, or within 1,000 feet of certain child-care facilities that operate as residential treatment centers. (Companion bill is H.B. 1540 by S. Thompson.)

S.B. 1047 (Seliger) – Intoxication Offenses: would provide that a search warrant issued to collect a blood specimen from a person suspected of committing certain intoxication offense may be executed: (1) in any county adjacent to the county in which the warrant was issued; and (2) by any law enforcement officer authorized to make an arrest in the county of execution. (Companion bill is H.B. 1893 by Smithee.)

S.B. 1056 (Huffman) – Swatting: would provide, among other things, that: (1) a person commits an offense if the person reports a crime or an emergency or causes any report of a crime or an emergency to be made to a law enforcement officer, law enforcement agency, 9-1-1 service, official or volunteer agency, or any other governmental employee or contractor who is authorized to receive reports of a crime or emergency and: (a) the person knows that the report is false; (b) the report is reasonably likely to cause an emergency response from a law enforcement agency or other emergency responder; and (c) the person makes the report or causes the report to be made with reckless disregard about whether the emergency response by a law enforcement agency or other emergency responder may directly result in bodily harm to any individual; (2) an offense described in (1), above, is a Class A misdemeanor, except that: (a) the offense is a state jail felony if it is shown on the trial of the offense that the defendant has been previously convicted on two or more occasions of an offense under this section; or (b) the offense is a felony of the third degree if the false report results in an emergency response to a reported crime
and a person is killed or suffers serious bodily injury as a proximate result of lawful conduct arising out of that response; and (3) a court may order a defendant convicted of an offense to make restitution to a public agency for the reasonable costs of the emergency response by that public agency resulting from the false report. (Companion bill is H.B. 3017 by Wu.)

**S.B. 1067 (Blanco) – Alcoholic Beverages:** would provide that the prohibition on the consumption of alcoholic beverages in a public place during certain hours applies to all public places, regardless of whether it is a licensed or permitted premises. (Companion bill is H.B. 170 by Ortega.)

**S.B. 1125 (Perry) – Controlled Substance Disposition:** would provide, among other things, that certain controlled substance property or plants subject to summary destruction by a law enforcement agency or ordered destroyed by a court may be disposed of in the following manner: (1) a law enforcement agency may transfer the controlled substance property or plants to a crime laboratory to be used for the purposes of laboratory research, testing results validation, and training of analysts; and (2) the crime laboratory to which the controlled substance property or plants are transferred under (1)(b), above, shall destroy or otherwise properly dispose of any unused quantities of the controlled substance property or plants.

**S.B. 1132 (Johnson) – Precious Metal Dealers:** would amend regulations related to crafted precious metal dealers, and provide that after an enforcement order against a dealer becomes final, the consumer credit commissioner shall provide notice of the order to the chief of police of the city in which the violation occurred or sheriff of the county in which the violation occurred, if the violation did not occur in a city. (Companion bill is H.B. 3123 by J. Turner.)

**S.B. 1175 (Johnson) – Marihuana:** would, among other things: (1) reduce the criminal penalties for certain drug offense; (2) provide that records of a person charged with certain drug offenses relating to a complaint may be expunged in certain circumstances; (3) require a court that dismisses a complaint to which (2) applies to provide written notice to the person of the person’s right to expunction under the bill as soon as practicable after the date the person becomes eligible for expunction; and (4) provide the justice or municipal judge shall require a person who requests expungement under the bill to pay a fee in the amount of $30 to defray the cost of notifying state agencies of orders of expungement.

**S.B. 1224 (West) – Police Reform:** this bill known as the – “George Floyd Law Enforcement Accountability Act” – would make numerous changes related to interactions between peace officers and individuals detained or arrested on the suspicion of the commission of crimes, peace officer liability for those interactions, and the disciplinary of peace officers in certain cities. Of primary importance to cities, the bill would:

1. With respect to qualified immunity, provide that:
   
   a. a person may bring an action for any appropriate relief, including legal or equitable relief, against a peace officer who, under the color of law, deprived the person of or caused the person to be deprived of a right, privilege, or immunity secured by the Texas Constitution;
b. a person must bring an action under (1)(a) not later than two years after the day the cause of action accrues;

c. regardless of any other law, a statutory immunity or limitation on liability, damages, or attorney’s fees does not apply to an action brought under (1)(a), and qualified immunity or a defendant’s good faith but erroneous belief in the lawfulness of the defendant’s conduct is not a defense to an action brought under (1)(a);

d. in an action brought under (1)(a): (i) a court shall award reasonable attorney’s fees and costs to a prevailing plaintiff; and (ii) if a judgment is entered in favor of a defendant, the court may award reasonable attorney’s fees and costs to the defendant only for defending claims the court finds frivolous;

e. regardless of any other law, a public entity, including a city, shall indemnify a peace officer employed by the entity for liability incurred by and a judgment imposed against the officer in an action brought under (1)(a), except that an entity is not required to indemnify a peace officer employed by the entity if the officer was convicted of a criminal violation for the conduct that is the basis for the action brought under (1)(a);

2. With respect to the duties and powers of a peace officer, provide that:

a. an officer shall: (i) make an identification as a peace officer before taking any action within the course and scope of the officer’s official duties, unless the identification would render the action impracticable; (ii) intervene if the use of force by another peace officer: (A) violates state or federal law or a policy of any entity served by the other officer; (B) puts any person at risk of bodily injury, unless the officer reasonably believes that the other officer’s use of force is immediately necessary to avoid imminent harm to a peace officer or other person; or (C) is not required to apprehend or complete the apprehension of a suspect; and (iii) provide aid immediately to any person who needs medical attention, including a person who needs medical attention as a result of the use of force by a peace officer;

3. With respect to cite and release, provide that:

a. the Texas Southern University, in consultation with other law-enforcement related entities shall publish a written model policy regarding the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only, and such policy must provide a procedure for a peace officer, on a person’s presentation of appropriate identification, to verify the person’s identity and issue a citation to the person;

b. each law enforcement agency shall adopt a written policy regarding the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only, and such policy must meet the requirements for the model policy described under (3)(a); and
c. a law enforcement agency may adopt the model policy published under (3)(a);

4. With respect to de-escalation and proportionate response, provide that:

a. each law enforcement agency shall adopt a detailed written policy regarding the use of force by peace officers, and such policy must: (i) emphasize conflict de-escalation and the use of force in a manner proportionate to the threat posed and to the seriousness of the alleged offense; (ii) mandate that deadly force is only to be used by peace officers as a last resort; and (iii) affirm the sanctity of human life and the importance of treating all persons with dignity and respect;

b. a law enforcement agency may adopt the model policy developed by the Texas Commission on Law Enforcement (TCOLE) under (4)(f), below, or may adopt its own policy;

c. a peace officer or any other person may not, without a warrant, arrest an offender for a misdemeanor punishable by fine only, other than certain assault offenses or public intoxication;

d. a peace officer may not, without a warrant, arrest a person who only commits one or more offenses punishable by fine only, other than certain assault offenses or public intoxication;

e. a peace officer who is charging a person, including a child, with committing an offense that is a misdemeanor punishable by fine only, other than public intoxication, shall instead of taking the person before a magistrate, issue a citation, except for certain assault offenses that are misdemeanors punishable by fine only, the officer may, instead of taking the person before a magistrate, issue a citation to the person;

f. TCOLE shall develop and make available to all law enforcement agencies a model policy and associated training materials regarding the use of force by peace officers, and the model policy must: (i) be designed to minimize the number and severity of incidents in which peace officers use force; and (ii) be consistent with the requirements of (4)(a) and the guiding principles on the use of force issued by the Police Executive Research Forum; and

g. on request of a law enforcement agency, TCOLE shall provide the agency with training regarding the policy developed under (4)(f).

5. With respect to disciplinary procedures for police officers in cities with a population of over 50,000, have adopted civil service, or have not adopted collective bargaining, provide that:

a. the city shall implement a progressive disciplinary matrix for its police officers if the city has not adopted civil service, and shall adopt rules necessary to implement the matrix; and

b. a meet and confer agreement: (i) must implement the progressive disciplinary matrix established under (5)(a) or (6); and (ii) may not conflict with and does not supersede a statute, ordinance, order, civil
service provision, or rule concerning the disciplinary actions that may be imposed on a police officer under the progressive disciplinary matrix;

6. With respect to certain cities that are subject to civil service, provide that:

a. the civil service commission shall implement a progressive disciplinary matrix for infractions committed by police officers that consists of a range of progressive disciplinary actions applied in a standardized way based on the nature of the infraction and the officer’s prior conduct record, including removal, suspension, change of duty or assignment, demotion, deduction of points from a promotional examination grade, retraining, a written warning, or a written reprimand;

b. the progressive disciplinary matrix must include: (i) standards for disciplinary actions relating to the use of force against another person, including the failure to de-escalate force incidents in accordance with departmental policy; (ii) standards for evaluating the level of discipline appropriate for uncommon infractions; and (iii) presumptive actions to be taken for each type of infraction and any adjustment to be made based on a police officer’s previous disciplinary record;

c. a hearing examiner must presume a disciplinary action applied to a police officer under a progressive disciplinary matrix is reasonable unless the facts indicate that the police department inappropriately applied a category of offense to the particular violation;

7. With respect to police officers in cities that are subject to collective bargaining, provide that:

a. a city shall implement a progressive disciplinary matrix, as described by (6), for its police officers if the city has not adopted civil service;

b. the city shall adopt rules necessary to implement the progressive disciplinary matrix; and

c. a collective bargaining agreement may not with an ordinance, order, statute, or rule concerning the disciplinary actions that may be imposed on police officers under a progressive disciplinary matrix implemented by the city;

8. With respect to justified use of force, provide that:

a. a peace officer, or a person acting in a peace officer’s presence and at the officer’s direction, is justified in using nonlethal force against another when and to the degree the force is immediately necessary to make or assist in making an arrest or search, or to prevent or assist in preventing escape after arrest, if: (i) before using force, the actor: (A) manifests the actor’s purpose to arrest or search and identifies the actor as a peace officer or as a person acting at a peace officer’s direction, unless the actor reasonably believes the actor’s purpose and identity are already known by
or cannot reasonably be made known to the person for whom the arrest or search is authorized; (B) attempts to de-escalate the situation; and (C) issues a warning that force will be used; (ii) the force used is proportionate to the threat posed and to the seriousness of the alleged offense; (iii) the actor immediately terminates the use of force the moment the person against whom force is used becomes compliant or is subdued; and (iv) the use of force does not present a serious risk of injury to any person other than the actor or the person against whom the force is used;

b. a person who is not a peace officer or acting at a peace officer’s direction is justified in using nonlethal force against another when and to the degree the force is immediately necessary to make or assist in making a lawful arrest, or to prevent or assist in preventing escape after lawful arrest if: (i) before using force, the actor: (A) manifests the actor’s purpose to arrest and the reason for the arrest or reasonably believes the actor’s purpose and the reason are already known by or cannot reasonably be made known to the person for whom arrest is authorized; (B) attempts to de-escalate the situation; and (C) issues a warning that force will be used; (ii) the force used is proportionate to the threat posed and to the seriousness of the alleged offense; (iii) the actor immediately terminates the use of force the moment the person against whom force is used becomes compliant or is subdued; and (iv) the use of force does not present a serious risk of injury to any person other than the actor or the person against whom the force is used;

c. a peace officer is only justified in using deadly force against another when and to the degree the deadly force is immediately necessary to make an arrest, or to prevent escape after arrest, if the use of force would have been justified under 8(a) and: (i) the person for whom arrest is authorized poses an imminent threat of death or serious bodily injury to the actor or another; (ii) the deadly force is used only against the person for whom arrest is authorized; (iii) the actor immediately terminates the use of deadly force the moment the imminent threat of death or serious bodily injury is eliminated; and (iv) no lesser degree of force could have eliminated the imminent threat of death or serious bodily injury;

d. A person who is not a peace officer but is acting in a peace officer’s presence and at the officer’s direction is justified in using deadly force against another when and to the degree the deadly force is immediately necessary to make a lawful arrest, or to prevent escape after a lawful arrest, if the use of force would have been justified under (8)(b) and: (i) the person for whom arrest is authorized poses an imminent threat of death or serious bodily injury to another; (ii) the deadly force is used only against the person for whom arrest is authorized; (iii) the actor immediately terminates the use of deadly force the moment the imminent threat of death or serious bodily injury is eliminated; and (iv) no lesser degree of force could have eliminated the imminent threat of death or serious bodily injury; and
e. the provision that provides that there is no duty to retreat before using justified deadly force is repealed;

9. Provide that the use of force or deadly force against a person is not justified if the force or deadly force is used in a manner that impedes the normal breathing or circulation of the blood of the person by applying pressure to the person’s throat or neck or by blocking the person’s nose or mouth; and

10. Provide that a peace officer may not arrest a person found only committing one or more misdemeanors related to traffic offenses that are punishable by fine only, and shall issue a written notice to appear if the person makes a written promise to appear in court.

**S.B. 1268 (West)** – **Termination Report:** would: (1) provide that the head of a law enforcement agency or the head’s designee shall: (a) submit a report to the Texas Commission on Law Enforcement (TCOLE) on a form prescribed by the TCOLE regarding a person licensed by TCOLE who separates from the law enforcement agency for any reason; (b) indicate in the report required under (1)(a) whether the license holder was suspected of misconduct, including engaging in criminal conduct, regardless of whether the license holder was arrested for, charged with, or convicted of an offense, even if the license holder was not terminated for misconduct; and (3) repeal the provision that provides: (a) that information related to employment records that are submitted to TCOLE is confidential and is not subject to disclosure under the Texas Public Information Act, unless the person resigned or was terminated due to substantiated incidents of excessive force or violations of the law other than traffic offenses; and (b) a TCOLE member or other person may not release employment records that are submitted to TCOLE.

**S.B. 1324 (Hinojosa)** – **Investigation of Fire Fighters:** would provide that: (1) a city, regardless of whether the city is covered by a meet and confer or collective bargaining agreement, shall not take punitive action (suspension, indefinite suspension, demotion, reprimand, or any combination of these actions) against a paid employee of a city fire department unless an administrative investigation has been conducted by the city in accordance with specific investigation procedures that apply to the investigation of police officers and fire fighters in civil service cities or other applicable law; and (2) a copy of a signed complaint against a fire fighter shall be given to the fire fighter in accordance with the procedures adopted under (1), above. (Companion bill is H.B. 1973 by Canales.)

**S.B. 1345 (Eckhardt)**  – **Cannabis:** would, among other things: (1) authorize the cultivation, manufacture, processing, distribution, sale, testing, transportation, delivery, transfer, possession, use, and taxation of cannabis and cannabis products; (2) provide that a person may prohibit or restrict the possession, consumption, cultivation, distribution, processing, sale, or display of cannabis or cannabis products on property the person owns, occupies, or manages; (3) provide that a commissioners court of a county may order an election to approve the operation of cannabis growers, cannabis establishments, or cannabis testing facilities in the county; (4) provide that a county that authorizes the operation of cannabis growers, cannabis establishments or cannabis testing facilities in the county may adopt regulations consistent with the bill governing the hours of operation, location, manner of conducting business, and number of
cannabis growers, cannabis establishments, or cannabis testing facilities; (5) require a license to operate as a cannabis grower, cannabis establishment, cannabis secure transporter, or cannabis testing facility; and (6) create a criminal offense.

**S.B. 1358 (Hughes) – Mental Health Resources:** would provide that: (1) the Department of State Health Services may develop resources to provide to the heads of law enforcement agencies to assist in addressing mental health issues experienced by a law enforcement officer; and (2) the materials developed under (1) may include: (a) resources to assist the head of a law enforcement agency in identifying a law enforcement officer who would benefit from mental health services; (b) methods to reduce the stigma associated with a law enforcement officer experiencing mental health issues; and (c) local resources to assist the head of a law enforcement agency in locating and contacting a licensed mental health professional.

**S.B. 1386 (Creighton) – EMS Body Worn Cameras:** would: (1) require an emergency services provider that elects to operate a body worn camera program to adopt a policy for the use of the cameras by emergency medical services personnel; (2) require the policy described in (1) meet certain requirements and that certain training be provided to EMS personnel; (3) provide that EMS personnel providing emergency medical services for an emergency medical services provider may only use a body worn camera issued by the provided and may not use a privately owned body worn camera or other recording device while providing those services; and (4) provide certain exceptions under the Public Information Act in relation to a recording from a body worn camera worn by EMS personnel.

**S.B. 1390 (West) – Mental Health Crisis Response Teams:** would, among other things: (1) require the executive commissioner of the Health and Human Services Commission to establish and administer a grant program to grant money to municipalities and counties for the purpose of operating a mental health crisis response team program to: (a) operate one or more mental health crisis response teams in the municipality or county; and (b) employ one or more mental health professionals to: (i) screen calls made to a 9-1-1 emergency call center dispatcher for law enforcement or emergency medical assistance; (ii) determine whether to dispatch a mental health crisis response team to service a call; and (iii) consult with and provide information to the dispatched mental health crisis response team.; (2) provide that in addition to funding received under a grant, a municipality or county may contribute local funds to the operation of the municipality's or county's mobile crisis response team program; and (3) provide that HHSC may use any available state and federal money and may accept gifts, grants, and donations from any source for the purpose of providing grants under the bill.

**S.B. 1405 (Buckingham) – Reduction of Police Force:** would prohibit a city with a population of 950,000 or more from reducing the number of peace officers the city’s police department is authorized to employ per 1,000 residents if the reduction rate exceeds the rate by which the city lost population in the preceding calendar year.

**S.B. 1406 (Buckingham) – Police Officer Training Academies:** would, for a city with a population of 950,000 or more that operates or sponsors a police officer training academy, require a city whose police department has more than 50 police officer vacancies to hold a police cadet training class to begin not later than the earlier of: (1) the date of a class scheduled to
begin; or (2) a date that will ensure that the cadets graduate not later than one year after the first
date the number of vacancies was more than 50.

**S.B. 1472 (Eckhardt) – TCOLE:** would provide, among other things, that:

1. the Texas Commission on Law Enforcement (TCOLE) shall establish a fee for the
   issuance of a license as follows: (a) $80 for a peace officer license; and (b) $25
   for a license other than a peace officer license;

2. TCOLE shall develop and make available, to all law enforcement agencies, a
   model policy and associated training materials regarding the use of force by peace
   officers, and such policy must: (a) be designed to minimize the number and
   severity of incidents in which peace officers use force and include an emphasis on
   conflict de-escalation and the use of force in a manner proportionate to the threat
   posed and to the seriousness of the alleged offense; and (b) be consistent with the
   guiding principles on the use of force issued by the Police Executive Research
   Forum;

3. in developing a model policy described under (2), TCOLE shall consult with: (a)
   law enforcement agencies and organizations, including the Police Executive
   Research Forum and other national experts on police management and training;
   and (b) community organizations;

4. on request of a law enforcement agency, TCOLE shall provide the agency with
   training regarding the policy developed under (2);

5. TCOLE, by rule, shall establish grounds under which it shall suspend or revoke a
   peace officer license on a determination that the license holder’s continued
   performance of duties as a peace officer constitutes a threat to the public welfare;
   the grounds under (5) must include: (a) lack of competence in performing the
   license holder’s duties as a peace officer; (b) illegal drug use or an addiction that
   substantially impairs the license holder’s ability to perform the license holder’s
duties as a peace officer; (c) lack of truthfulness in court proceedings or other
   governmental operations; (d) failure to follow the directives of a supervising
   officer or to follow the policies of the employing law enforcement agency; (e)
   discriminatory conduct; or (f) conduct indicating a pattern of: (i) excessive use of
   force; (ii) abuse of official capacity; (iii) inappropriate relationships with persons
   in the custody of the license holder; (iv) sexual harassment or sexual misconduct
   while performing the license holder’s duties as a peace officer; or (v) misuse of
   information obtained as a result of the license holder’s employment as a peace
   officer and related to the enforcement of criminal offenses;

7. a body worn camera policy does not have to require that an officer be provided
   access to any recording of an incident involving the officer before the officer is
   required to make a statement about the incident;

8. a recording created with a body worn camera and documenting an incident that
   involves the use of deadly force by a peace officer or that is otherwise related to
   an administrative or criminal investigation of an officer may be released to the
   public regardless of whether criminal matters have been finally adjudicated and
   all related administrative investigations have concluded;
(9) a law enforcement agency shall permit a person who is depicted in a recording of an incident described by (8) or, if the person is deceased, the person’s authorized representative, to view the recording, on request of the applicable person, provided any authorized representative who is permitted to view the recording was not a witness to the incident; and

(10) a law enforcement agency shall adopt a policy for releasing to the public a recording described by (8) that prioritizes access to the recording in the following order: (a) the civilian oversight system associated with the law enforcement agency, if any; (b) the officer who used deadly force or is under investigation and the individual who is the subject of the recording, or if the individual is deceased, the individual’s authorized representative, and any attorney representing the officer, individual, or representative; and (c) the public.

(Companion bill is H.B. 3654 by Rodriguez.)

S.B. 1487 (Hughes) – School Attendance Officers: would provide that, for services performed by a peace officer as an school attendance officer, compensation shall be paid from the funds of the county, independent school district, or open-enrollment charter school at a rate commensurate with the regular wages of the peace officer.

S.B. 1544 (West) – No Knock Warrants: would provide that: (1) only a district court judge may issue an arrest warrant or a search warrant that authorizes a no-knock entry; (2) an applicant for a no-knock warrant that authorizes a no-knock entry must state in the complaint that: (a) the applicant has personal knowledge of facts that support the necessity of a no-knock entry; and (b) the applicant’s supervisor has approved the complaint; (3) a warrant described in (1) that authorizes a no-knock entry must: (a) state the building or other place for which the no-knock entry is authorized; and (b) require each officer executing the warrant to: (i) be equipped with a body worn camera; (ii) activate the camera before executing the warrant; and (iii) not deactivate the camera or allow the camera to be deactivated until execution of the warrant is completed; (4) before a warrant described by (1) that authorizes a no-knock entry may be executed: (a) the law enforcement agency intending to execute the warrant must provide at least 24 hours’ notice before execution to the judge who issued the warrant; and (b) the supervisor described by Subsection (2)(b) must confirm: (i) the illegal activity alleged in the complaint is ongoing or has taken place during the preceding 24-hour period at the building or other place stated in the warrant; and (ii) the accused is frequently present at the building or other place and has been identified as being present at that location in the preceding 12-hour period; and (5) a warrant described in (1) that authorizes a no-knock entry does not apply if the accused is alleged to have committed or if the property to be seized is alleged to be related to the commission of, as applicable: (a) an offense punishable as a felony that involves causing or attempting to cause serious bodily injury to a person; or (b) the offense of aggravated kidnapping, aggravated assault, aggravated sexual assault or aggravated robbery.

S.B. 1545 (West) – Police Interactions: would provide that: (1) the Texas Commission on Law Enforcement (TCOLE) shall develop and make available to all law enforcement agencies in this state a model policy and associated training materials regarding the use of force by peace officers and other officer interactions, and such policy must: (a) emphasize conflict de-escalation and the
use of force in a manner proportionate to the threat posed and to the seriousness of the alleged offense; (b) require a peace officer to intervene if the use of force by another peace officer: (i) violates state or federal law or a policy of any entity served by the other officer; (ii) puts any person at risk of bodily injury, unless the officer reasonably believes that the other officer’s use of force is immediately necessary to avoid imminent harm to a peace officer or another person; or (iii) is not required to apprehend or complete the apprehension of a suspect; (c) require a peace officer to provide aid immediately to any person who needs medical attention, including a person who needs medical attention as a result of the use of force by a peace officer, unless providing the aid puts the officer at risk of bodily injury; (d) prohibit a peace officer from using a choke hold, a carotid artery hold, or any other force against a person in a manner that impedes the normal breathing or circulation of the blood of the person by applying pressure to the person’s throat or neck or by blocking the person’s nose or mouth, unless the peace officer is engaged in a physical altercation with the person and the use of force is immediately necessary to defend the officer from an imminent threat of bodily injury or death; (e) prohibit a peace officer from discharging a firearm at a moving vehicle, unless: (i) the vehicle is being used as a weapon against the officer or another person involved in the incident; or (ii) an occupant of the vehicle is using or threatening to use deadly force by means other than by means of the vehicle itself against the officer or another person involved in the incident; (f) prohibit the use of deadly force or the use of force to a degree greater than is necessary to protect a person who poses a danger only to the person and not to others, as based on the situation; (g) require the law enforcement agency to provide training to peace officers of the agency on identifying behavior that indicates a person is not a threat to others but is a person with an intellectual disability or experiencing a mental health crisis, a mental illness, or an extreme reaction to a controlled (h) prohibit the use of deadly force that presents a high risk of bodily injury to a bystander against whom the use of force is not justified, unless no lesser degree of force could have eliminated an imminent threat of death or serious bodily injury; (i) require that a peace officer who interacts with a member of the public to make an identification as a peace officer before taking any action within the course and scope of the officer’s official duties, unless the identification would render the action impracticable; (j) require that, to the extent practicable, a peace officer issue a warning to a person that force will be used before the officer uses force against the person; (k) prohibit the use of deadly force unless the use of deadly force is immediately necessary to prevent serious bodily injury to or the death of the officer or another; (l) require the law enforcement agency to make available and provide regular training on the use of less lethal weapons to the peace officers of the agency to support the use of de-escalation techniques by the officers, especially for officers who regularly interact with members of the public or who are assigned to duties involving regular interaction with persons with a mental illness or an intellectual disability; and (m) provide guidance on best practices in pursuing a suspect fleeing arrest; (2) each law enforcement agency shall adopt and implement the model policy developed by the TCOLE under (1); and (3) on arriving to the residence of a person who is the subject of a call of service requesting a peace officer to inquire into the health and safety of a person at the person’s residence (a “welfare check”), the peace officer performing the welfare check shall: (a) call the telephone number associated with the residence, the person who is the subject of the requested welfare check, or another person who lives at the residence; and (b) document the result of the call.
**S.B. 1550 (Nelson) – Airport Police Force:** would provide that: (1) the governing body of a joint board, or the governing body of a political subdivision, including a city, that operates an airport served by an air carrier certified by the Federal Aviation Administration or the United States Department of Transportation may: (a) establish an airport police force; and (b) commission and employ a peace officer, if the employee takes and files the oath required of peace officers. (Companion bill is **H.B. 3756** by Goldman.)

**S.B. 1573 (Paxton) – Sexual Assault Reports:** would provide, among other things, that: (1) if a sexual assault is reported to a law enforcement agency within 120 hours after the assault, the law enforcement agency, with the consent of the victim of the reported assault, a person authorized to act on behalf of the victim, or an employee of the Department of Family and Protective Services, shall request a forensic medical examination of the victim for use in the investigation or prosecution of the offense; (2) if a sexual assault is not reported within the period described by (1) and the victim is a minor, on receiving the required consent, a law enforcement agency shall request a forensic medical examination of the victim for use in the investigation or prosecution of the offense; (3) if a sexual assault is not reported within the period described by (1) or in the manner described in (2), on receiving consent, a law enforcement agency may request a forensic medical examination of a victim of a reported sexual assault for use in the investigation or prosecution of the offense if: (a) based on the circumstances of the reported assault, the agency believes a forensic medical examination would further that investigation or prosecution; or (b) after a medical evaluation by a physician, sexual assault examiner, or sexual assault nurse examiner, the physician or examiner notifies the agency that a forensic medical examination should be conducted; and (4) if a sexual assault is reported to a law enforcement agency as provided by (1), (2), or (3), the law enforcement agency shall document, in the form and manner required by the attorney general, whether the agency requested a forensic medical examination.

**S.B. 1600 (Huffman) – Choke Holds:** would provide that a peace officer may not intentionally use a choke hold, carotid artery hold, or similar neck restraint in searching or arresting a person unless the restraint is necessary to prevent serious bodily injury to or the death of the officer or another person.

**S.B. 1601 (Huffman) – Duty to Intervene:** would provide that a peace officer: (1) has a duty to intervene to stop or prevent another peace officer from using force against a person suspected of committing an offense if the amount of force exceeds that which is reasonable under the circumstances; and (2) who witnesses the use of excessive force by another peace officer shall promptly make a detailed report of the incident and deliver the report to the supervisor of the peace officer making the report.

**S.B. 1626 (Miles) – Cite and Release:** would, with respect to issuing citations in lieu of arrest for misdemeanor offenses, provide that: (1) the Texas Southern University, in consultation with other law enforcement organizations, shall publish a model policy related to the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only, that includes the procedure for a peace officer, upon a person’s presentation of appropriate identification, to verify the person’s identity and issue a citation to the person; (2) each law enforcement agency shall adopt a written policy regarding the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only, provided that
such policy meets the requirements of the model policy described in (1), above; (3) a law enforcement agency may adopt the model policy developed under (1), above; (4) with the exception of certain assault offenses and for the offense of public intoxication, a peace officer or any other person may not, without a warrant, arrest an offender for a misdemeanor punishable by fine only or arrest a person who commits one or more offenses punishable by fine only; (5) a peace officer who is charging a person, including a child, with committing an offense that is a misdemeanor punishable by fine only, other than an offense of public intoxication, shall, instead of taking the person before a magistrate, issue a citation to the person; (6) a peace officer who is charging a person, including a child, with committing certain assault offenses that are a misdemeanor, punishable by fine only, may, instead of taking the person before a magistrate, issue a citation to the person; and (7) a peace officer may not arrest, without warrant, a person found only committing one or more misdemeanors related to certain traffic offenses that are punishable by fine only, and in such instances shall issue a written notice to appear to the person. (Companion bill is H.B. 830 by S. Thompson.)

S.B. 1741 (Birdwell) – Criminal Offenses: would provide, among other things, that a person commits an offense if the person explodes or ignites fireworks with the intent to: (1) interfere with the lawful performance of an official duty by a law enforcement officer; or (2) flee from a person the actor knows is a law enforcement officer attempting to lawfully arrest or detain the actor.

S.B. 1742 (Whitmire) – Extreme Risk Protective Orders: would, among other things: (1) provide that, in certain circumstances, courts may issue an extreme risk protective order against a person exhibiting dangerous behavior or conduct, including any behavior or conduct related to the person’s use of firearms, requiring the person to relinquish his or her firearms; (2) require local law enforcement agencies to: (a) take possession of a person’s firearms when a court issues an extreme risk protective order against that person and to immediately provide the person a written copy of the receipt for the firearm and written notice of the procedure for return of the firearm; (b) if applicable, notify the court that issued the extreme risk protective order that the person who is the subject of the order has relinquished the firearm not later than seven days after the law enforcement agency receives the firearm; (c) conduct a check of state and national criminal history record information to verify whether the person may lawfully possess a firearm not later than 30 days after receiving notice from the court that the extreme risk protective order has expired; (d) if the check described in (c) verifies that the person may lawfully possess a firearm, provide written notice to the person by certified mail stating that the firearm may be returned to the person if the person submits a written request before the 121st day after the date of the notice; (3) provide that a local law enforcement agency in possession of a firearm relinquished because of an extreme risk protective order may not destroy the firearm but may sell the firearm to a licensed firearms dealer if the check in (2)(c) shows that the person may not lawfully possess a firearm or the person does not submit a written request as required by (2)(d); and (4) provide that the proceeds from the sale of a firearm in (3) shall be paid to the owner of the seized firearm, less the cost of administering this article with respect to the firearm. (Companion bill is H.B. 2878 by Goodwin.)

S.B. 1775 (Whitmire) – Criminal Justice: would provide, among other things, that: (1) a magistrate shall release on personal bond a defendant who is not charged with and has not been
previously convicted of a violent offense unless the magistrate finds good cause to justify not releasing the defendant on personal bond; (2) an officer may not conduct a search based solely on a person's consent to the search unless: (a) the officer verbally and in writing informs the person of the person's right to refuse the search; and (b) the person signs an acknowledgment that the person: (i) received the information described by (2)(a); and (ii) consents to the search; (3) an officer may not make a stop for an alleged violation of a traffic law or ordinance as a pretext for investigating a violation of another penal law; (4) the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing motor vehicle stop reports to ensure that they are complete and accurate; (5) each law enforcement agency shall adopt and implement a detailed written policy regarding the administration of a motor vehicle stop investigation, including the administrative penalties for violations of the policy, or may adopt the model policy promulgated by the Texas A&M System’s Institute for Predictive Analytics in Criminal Justice; (6) a peace officer may not: (a) conduct a roadside investigation during a motor vehicle stop for an offense other than the traffic violation, without suspicion based on a preponderance of the evidence that the driver has committed the other offense; (b) continue a roadside investigation during a motor vehicle stop into an offense other than the traffic violation after the driver has refused to consent to be searched unless the peace officer has additional suspicion based on a preponderance of the evidence that the driver has committed the other offense; or (c) arrest a driver during a motor vehicle stop for a traffic violation to conduct a search incident to arrest unless the officer has probable cause to believe that the driver has committed an offense more serious than a Class C misdemeanor; (7) a peace officer who is charging a person, including a child, with committing an offense that is a misdemeanor punishable by a fine only, other than the offense of public intoxication, Penal Code, an offense of sale, purchase or consumption of alcohol to a minor, or an offense for which the officer reasonably believes it is necessary to take the person before a magistrate to prevent a foreseeable injury or an altercation, shall, instead of taking the person before a magistrate, issue a citation to the person; (8) an officer shall issue a written notice to appear if the offense charged is a traffic misdemeanor offense that is punishable by fine only; and (9) as part of the minimum curriculum requirements, the Texas Commission on Law Enforcement shall require an officer to complete a statewide education and training program on tactical communication, and implicit bias training. (Companion bill is H.B. 4145 by Coleman.)

S.B. 1819 (Bettencourt) – Police Reform: would, among other things: (1) provide that a member or annuitant of a public retirement system is not eligible to receive a service retirement annuity under the retirement system if the person is a dishonorably discharged peace officer; (2) provide that a person licensed by TCOLE is considered dishonorably discharged if: (a) the person was terminated by a law enforcement agency or retired or resigned in lieu of termination by the agency: (i) after receiving notice from the attorney representing the state that the attorney will no longer accept cases submitted for prosecution by the license holder due to conduct by the license holder that would be required to be disclosed to a defendant; or (ii) for engaging in conduct that would constitute grounds for the attorney representing the state to provide a notice described by (2)(a)(i); (3) provide that the chief of police or his or her designee shall include in the employment termination report provided to TCOLE, a statement on whether the license holder was honorably discharged, generally discharged, or dishonorably discharged and, for a license holder who was generally discharged or dishonorably discharged an explanation of the circumstances under which the person resigned, retired, or was terminated, including a
description of any disciplinary or performance issues for which the person was discharged; (4) provide that a person required to submit an employment termination report to TCOLE commits an offense if the person, with respect to a license holder who was generally discharged or dishonorably discharged, knowingly submits a report that does not indicate that the license holder was generally discharged or dishonorably discharged, as applicable, in the required statement, and such offense is a Class B misdemeanor; (5) eliminate the provision that provides that TCOLE may only suspend the license of a peace officer or reserve law enforcement officer if such officer has previously been dishonorably discharged from another law enforcement agency; (6) provide that a law enforcement agency shall maintain a complete and unredacted copy of each report and statement submitted to TCOLE regarding a license holder who was generally discharged or dishonorably discharged, until at least the 20th anniversary of the date of the discharge; and (7) provide that information submitted to TCOLE is not confidential if the person was generally discharged or honorably discharged. (Companion bill is H.B. 4286 by K. King.)

**S.B. 1844 (Eckhardt) – Arrest Reports:** would provide, among other things, that: (1) a peace officer who arrests a person the peace officer has reasonable cause to believe is a person with a mental illness or intellectual disability or detains a person under an emergency detention, shall: (a) report to the officer’s law enforcement agency certain information; and (b) provide the report described by (1)(a) to the sheriff or municipal jailer at the time the defendant is transferred into the custody of the sheriff or jailer; (2) the chief administrator of a law enforcement agency shall be responsible for auditing reports under (1)(a) to ensure the agency complies with reporting all the required information; (3) a law enforcement agency shall compile and analyze the information contained in the report described in (1)(a) and provide such report to the Texas Commission on Law Enforcement; (4) the report described in (3) must include a comparative analysis of the information compiled under (1)(a) to: (a) examine the initial reason that a peace officer arrested a person the officer had reasonable cause to believe is a person with a mental illness or intellectual disability; (b) examine discrepancies between attempted diversions of persons with a mental illness or intellectual disability from criminal justice involvement that were not successful and attempted diversions that were successful; and (c) evaluate the peace officer’s use of restraints and use of force against persons who the officer has reasonable cause to believe are persons with a mental illness or intellectual disability. (Companion bill is H.B. 3075 by Coleman.)

**S.B. 1848 (Powell) – Family Violence:** would provide that: (1) the Texas Commission on Law Enforcement (TCOLE) shall develop and make available to all law enforcement agencies in this state a model policy establishing procedures applicable to a peace officer who responds to a report of an offense involving family violence that was committed in the physical presence or within the hearing of a child younger than 18 years of age; (2) the model policy described in (1), above, must require the responding peace officer to: (a) document the child’s exposure to the family violence; (b) speak to the child at eye level and explain in an age-appropriate manner the applicable procedures for investigating the offense; (c) validate the child’s emotional response to the situation; (d) assist in comforting the child; (e) provide information to the child’s parent or other appropriate caregiver regarding: (i) services available to support the child; and (ii) the negative impacts of family violence on a child; and (3) identify and document any other children in the family or household; and (3) each law enforcement agency in this state shall adopt the
model policy described in (1) and (2), above, regarding peace officer response to reports of certain offenses involving family violence. (Companion bill is H.B. 2895 by Romero.)

**S.B. 1952 (Paxton) – Biometric Identifiers**: would, among other things: (1) provide that a peace officer may, by obtaining a warrant or by obtaining the consent of the customer, require certain businesses that collect and analyze genetic information to provide the genetic information of a customer of the business; (2) provide that unless a court issues the warrant in (1) along with an order not to disclose the existence of the warrant, a peace officer who executes a warrant must notify the customer of the existence of the warrant; (3) prohibit a governmental body from capturing, possessing, or requiring a biometric identifier as a prerequisite for providing a governmental service unless certain requirements are met; (4) require a governmental body to promptly destroy a sample of genetic materials obtained from an individual for a genetic test after the purpose for which the sample was obtained is accomplished, unless certain criteria are met; and (5) provide that, with certain exceptions, a governmental body that holds an individual’s genetic information may not disclose or be compelled to disclose that information unless the disclosure is authorized by the individual as provided in the bill.

**S.B. 1972 (Gutierrez) – Definition of Marihuana**: would provide that: (1) “marihuana” includes edible marihuana products and any compound used in e-cigarettes; and (2) criminal provisions for Penalty Group 2 and Penalty Group 2-A drug offenses do not apply to a substance or material that contains Tetrahydrocannabinol or its synthetic equivalents and is also contained in an edible product or for use in an e-cigarette.

**S.B. 1989 (Miles) – Criminal Penalties for Possession of Marihuana**: would reduce criminal penalties for the possession of one ounce or less of marihuana. (Companion bill is H.B. 498 by Wu.)

**S.B. 2020 (Powell) – Coin-Operated Machines**: would, in regard to the comptroller’s duty to regulate music and skill or pleasure coin-operated machines, require the comptroller to disclose confidential information, including information included in a license or registration certificate application, to a law enforcement agency that submits to the comptroller a written request for the information in connection with an investigation the agency is conducting. (Companion bill is H.B. 810 by Collier.)

**S.B. 2040 (Menéndez) – Medical Cannabis**: would, among other things: (1) authorize the possession, use, cultivation, distribution, delivery, sale, and research of medical cannabis for medical use by patients with certain medical conditions; (2) provide for the issuance of a medical cannabis research license; (3) authorize fees for a license under (2); (4) provide that the Department of Public Safety shall use revenue from fees to establish a cannabis testing and quality control fund for the purpose of assisting law enforcement, including accredited crime laboratories, to purchase instruments, establish methods, and obtain resources needed to conduct forensic analysis necessary to enforce the bill and to protect the health and safety of medical cannabis patients and the public; and (5) preempt a municipality, county, or other political subdivision from enacting, adopting, or enforcing a rule, ordinance, order, resolution, or other regulation that prohibits the cultivation, production, dispensing, researching, testing, or possession of medical cannabis.
**S.B. 2055 (Menéndez) – Misconduct:** would provide that: (1) the Texas Commission on Law Enforcement on Law Enforcement (TCOLE) shall establish a database for information concerning peace officers who have been disciplined by a law enforcement agency for misconduct; (2) a law enforcement agency that takes disciplinary action against a peace officer for misconduct shall promptly report the misconduct and disciplinary action taken to TCOLE for inclusion in the database described in (1); and (3) before a law enforcement agency may hire a person licensed by TCOLE, the agency head or the agency head’s designee must review any information regarding the person that is maintained in the database.

**S.B. 2073 (Menéndez) – Firefighting Products:** would, among other things: (1) prohibit a person from discharging or otherwise using a firefighting foam designed to extinguish flammable liquid fires that contains intentionally added perfluoroalkyl and polyfluoroalkyl chemicals, including the discharge or use of a firefighting foam during or for the training of firefighters; (2) require the Department of State Health Services to develop and implement a process to provide purchasing assistance to governmental entities to ensure the entities: (a) avoid purchasing firefighting foam designed to extinguish flammable liquid fires that contains intentionally added perfluoroalkyl and polyfluoroalkyl chemicals; and (b) are encouraged to purchase firefighting personal protective equipment that does not contain those chemicals; and (3) provide civil penalties for a violation of the prohibitions in the bill. (Companion bill is **H.B. 4506 by Morales Shaw**.)

**S.B. 2086 (Lucio) - Uninsured Vehicle Enforcement Program:** would provide that: (1) the Texas Department of Public Safety (department) by rule shall, in consultation with law enforcement agencies, establish the Texas Uninsured Vehicle Enforcement Program to use automatic license plate reader (ALPR) systems to help law enforcement agencies identify uninsured motor vehicles; (2) the department may: (a) install an ALPR system on appropriate infrastructure owned by this state or a political subdivision of this state, including traffic signals, highway signs, bridges, and overpasses; and (b) use infrastructure described in (2)(a), above, as necessary to ensure than an ALPR system has access to the necessary power to operate; (3) the department and law enforcement agencies may use ALPRs to collect captured plate data so as to enforce the financial responsibility requirements under state law; (4) the captured plate data may be accessed only by law enforcement agencies and individuals authorized by the department; (5) a peace officer may: (a) verify by sworn affidavit that a photograph generated by an ALPR system identifies a particular vehicle operating on a public roadway that was uninsured at the time the vehicle was being operated; and (b) issue a citation, based on the affidavit, to a person for operating a motor vehicle without meeting the financial responsibility requirements; (6) captured plate data collected or retained under this program through the use of an ALPR system must be retained by a law enforcement agency if the data is being used as evidence of a violation of the financial responsibility requirements, and if no longer needed as evidence of a violation, must be deleted or otherwise destroyed; and (7) captured plate data collected or retained by the department or a law enforcement agency through the use of the ALPR system may not be used for a purpose other than enforcing the motor vehicle financial responsibility requirement. (Companion bill is **H.B. 1119 by Lucio III**.)
**S.B. 2141 (Blanco) – Motorcycle Profiling:** would provide that: (1) a peace officer may not engage in a law enforcement-initiated action based, in whole or in part, on an individual operating a motorcycle or wearing motorcycle-related or motorcycle club-related paraphernalia rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity; (2) an individual against whom a peace officer has engaged in motorcycle profiling may bring an action against the peace officer or the governmental unit employing the peace officer to recover damages arising from the motorcycle profiling and for an injunction against future violations; (3) an individual who establishes that a peace officer engaged in motorcycle profiling against the individual is entitled to recover reasonable attorney's fees and litigation costs; (4) a governmental unit is vicariously liable under the doctrine of respondeat superior for damages arising from motorcycle profiling engaged in by a peace officer employed by the governmental unit; (5) a governmental unit's sovereign or governmental immunity to suit and from liability is waived to the extent of liability created; and (6) a peace officer may not assert official immunity as a defense to liability. (Companion bill is H.B. 1837 by M. González.)

**S.J.R. 16 (Eckhardt) – Legalization of Marihuana:** would amend the Texas Constitution to provide that the legislature by law shall authorize and regulate the possession, cultivation, and sale of cannabis in Texas. (Companion bill is H.J.R. 13 by Canales.)

**Sales Tax**

**H.B. 89 (Canales) – Sales Tax Exemption:** would exempt the following from sales and use taxes as “emergency preparation items”: (1) medical or other face masks used to protect the nose and mouth of a person wearing the mask from potential contaminants, or from transmission of particles from the person wearing the mask; (2) disposable gloves the primary purpose of which is to act as a protective barrier to prevent the possible transmission of disease; and (3) disinfectant cleaning supplies, including bleach products and sanitizing wipes.

**H.B. 174 (Canales) – Sales Tax Exemption:** would exempt the sale, use, or consumption of college textbooks from sales taxes during two seven-day periods, one beginning in August and one beginning in January.

**H.B. 321 (Howard) – Sales Tax Exemption:** would exempt feminine hygiene products from the sales tax.

**H.B. 322 (Howard) – Sales Tax Exemption:** would exempt child and adult diapers from the sales tax.

**H.B. 387 (Pacheco) – Sales Tax Exemption:** would exempt child and adult diapers from the sales tax.

**H.B. 388 (Pacheco) – Sales Tax Exemption:** would exempt feminine hygiene products from the sales tax.
H.B. 406 (Hernandez) – Sales Tax Exemption: would exempt the sale, use, or consumption of college textbooks from sales taxes during two seven-day periods, one beginning in August and one beginning in January.

H.B. 490 (Wu) – Sales Tax Exemption: would exempt feminine hygiene products from the sales tax.

H.B. 524 (Rosenthal) – Sales Tax Exemption: would exempt firearm safety equipment from sales taxes.

H.B. 592 (C. Turner) – Sales Tax Exemption: would exempt the sale of an animal by an animal rescue group from sales and use taxes.

H.B. 940 (Raymond) – Sales Tax Exemption: would exempt the sale of malt beverages on July 4 from sales taxes if the seller holds a wine and malt beverage retailer’s off-premise permit.

H.B. 950 (Raymond) – Sales Tax Elections: would: (1) authorize cities that have adopted sales taxes to support venue projects and that have outstanding bonded indebtedness relating to those projects to hold elections to convert all or a portion of their sales taxes dedicated to the venue project to a Type A or Type B economic development corporation; and (2) provide that a conversion under (1), above, takes effect on the first day after the date all bonds in support of the venue project, including refunding bonds, have been paid in full or the full amount of money, exclusive of guaranteed interest, necessary to pay the bonds in full has been set aside in a trust account dedicated to the payment of the bonds.

H.B. 1389 (Guillen) – Sales Tax Collection: would, among other things, authorize a taxpayer to deduct and withhold 2.5 percent of the amount of sales taxes due for purchases made by credit card as reimbursement for the cost of collecting sales taxes.

H.B. 1445 (Oliverson) – Sales Tax Exemption: would exempt from sales tax a medical billing service performed prior to the original submission of an insurance claim related to health coverage.

H.B. 1538 (Julie Johnson) – Street Maintenance Sales Tax: would, among other things, provide that: (1) for a city in which a majority of the voters voting in each of the last two consecutive elections concerning the adoption or reauthorization of the street maintenance sales tax favored adoption or reauthorization and in which the tax has not expired since the first of those two consecutive elections, the city may call an election to reauthorize the tax for a period of eight or ten years, instead of four years; and (2) revenue from the street maintenance sales tax may be used to maintain and repair: (a) a city street or sidewalk; and (b) a city water, wastewater, or stormwater system located in the width of a way of a city street. (Companion bill is S.B. 402 by Johnson.)

H.B. 1696 (Raney) – Remote Sales Taxes: would provide that the comptroller may not except a remote seller or marketplace provider from collecting sales and use taxes, among other statutory requirements, based on: (1) revenue or sales in an amount greater than $100,000 in a 12-month
period; or (2) transactions in a number greater than 200 in a 12-month period. (Note: this legislation would supersede the comptroller’s “safe harbor” rule providing that remote sellers with total Texas revenue of less than $500,000 in the preceding 12 calendar months are not required to collect state and local sales and use taxes in Texas.)

**H.B. 1992 (Thierry) – Sales Tax Exemption**: would exempt the following from sales and use taxes as “emergency preparation items”: (1) medical or other face masks used to protect the nose and mouth of a person wearing the mask from potential contaminants, or from transmission of particles from the person wearing the mask; (2) disposable gloves the primary purpose of which is to act as a protective barrier to prevent the possible transmission of disease; and (3) disinfectant cleaning supplies, including bleach products and sanitizing wipes. (Companion is S.B. 438 by Blanco.)

**H.B. 2088 (Julie Johnson) – Street Maintenance Sales Tax**: would, in addition to authorizing certain cities that are members of a subregion of a specific transportation authority to adopt the street maintenance sales tax up to a maximum local sales tax rate of 2.25 percent at any location in the city, generally authorize any city to use the street maintenance sales tax to maintain and repair a city: (1) street or sidewalk; or (2) water, wastewater, or stormwater system located in the width of a way of a city street.

**H.B. 2410 (Dean) – Local Sales Tax Sourcing**: would: (1) define “Internet order” as an order placed by a purchaser through a website, software application, or other method using the Internet using a computer or mobile device that does not belong to the seller, and provide that the term does not include an order placed by telephone call, regardless of whether the call is completed using Voice over Internet Protocol or a mobile device; and (2) provide that, for purposes of the local sales and use tax, a sale of a taxable item is consummated at the location in this state to which the item is shipped or delivered or at which possession is taken by the purchaser if the sale is made through an Internet order.

**H.B. 2510 (Noble) – Sales Tax Exemption**: would exempt the sale of an animal by a nonprofit animal welfare organization from sales and use taxes. (Companion bill is S.B. 197 by Nelson.)

**H.B. 2625 (Noble) – Sales Tax Exemption**: would exempt the furnishing of an academic transcript from sales taxes. (Companion bill is S.B. 478 by Nelson.)

**H.B. 2626 (Noble) – Imposition of Use Tax**: would provide that state and local use taxes are imposed on the sales price paid by the purchaser of tangible personal property that is shipped or brought into the state by an affiliate of the producer.

**H.B. 3189 (Jetton) – Sales Tax Exemption**: would exempt certain school supplies purchased by a teacher from sales and use taxes.

**H.B. 3195 (Meza) – Sales Tax Exemption**: would exempt taxable items used to assist persons with intellectual, developmental, or cognitive disabilities from the sales and use tax.
**H.B. 3538 (Shine) – Local Sales Tax Sourcing:** would, among other things: (1) modify the definition of a “place of business of the retailer” for purposes of city sales tax sourcing to mean an established outlet, office, or location operated by a retailer, or operated by the retailer’s agent or employee, for the purpose of receiving orders, regardless of the method by which orders are transmitted or received, for taxable items and including any location at which three or more orders are received by the retailer during a calendar year; (2) provide that if a retailer has only one place of business in the state, all of the retailer’s retail sales of taxable items, regardless of the method by which orders for the taxable items are transmitted or received, are consummated at that place of business; and (3) provide as an exception to (2), above, that the sale of a taxable item purchased by the retailer from a related entity, including a related entity acting as a third-party drop shipper of taxable items, is consummated at the place of business of the related entity where the order for the taxable item is fulfilled or from which the taxable item is shipped if: (a) the retailer has only one place of business in the state; (b) the retailer purchases the taxable item from the related entity using a resale certificate; and (c) the order for the taxable item is fulfilled at, or the taxable item is shipped from, a place of business of the related entity in the state that would constitute a place of business of the retailer if the related entity were the retailer.

**H.B. 3573 (Sanford) – Sales Tax Exemption:** would exempt from sales taxes data processing services designed to process payment made by credit card or debit card. (Companion bill is S.B. 153 by Perry.)

**H.B. 3779 (Holland) – Sales Tax Exemption:** would exempt firearms and hunting supplies from sales taxes during the last full weekend in August. (Companion bill is S.B. 934 by Creighton.)

**H.B. 3799 (Metcalf) – Sales Tax Exemption:** would exempt items sold by a nonprofit organization at a county fair from sales taxes.

**H.B. 4013 (Rodriguez) – Sales Tax Reduction:** would authorize a taxpayer to deduct and withhold 1.25 percent of the amount of sales and use tax liability for a quarter or month in which a payment is made if: (1) at least half of the taxpayer’s employees are tipped employees; and (2) the taxpayer pays each tipped employee a cash wage in an amount that is not less than the federal minimum wage for an employee who is not a tipped employee.

**H.B. 4032 (Herrero) – Sales Tax Reallocations:** would authorize a local governmental entity, including a city, to access the comptroller’s audit reports and audit working papers in the comptroller’s possession filed by not more than five individual taxpayers doing business in the city or local governmental entity that are included and identified by the city or local governmental entity relating to a sales tax reallocation or refund. (Companion bill is S.B. 778 by Hinojosa.)

**H.B. 4072 (Meyer) – Sales Tax Sourcing:** would, among other things, generally provide that for purposes of city sales and use taxes, all sales of taxable items are consummated at the location in the state to which the item is shipped or delivered or at which possession is taken by the purchaser.
**H.B. 4098 (Talarico) – Sales Tax Exemption**: would exempt from sales and use taxes certain educational materials purchased by a teacher.

**H.B. 4114 (Burrows) – Sales Tax Exemption**: would: (1) provide that certain qualifying businesses that at any time in 2020 were required to cease operations as a result of an order, proclamation, or other instrument issued by the governor or an official of a political subdivision in response to a disaster, are authorized to retain the sales and use taxes imposed by the state on sales made during the period beginning September 1, 2021 and ending August 31, 2023; and (2) provide that a qualifying retailer must continue to remit to the comptroller sales taxes imposed by a political subdivision.

**H.B. 4199 (Guillen) – Sales Tax Refund Pilot Program**: would establish a sales tax refund pilot program for a person who employs at least one apprentice in a qualified apprenticeship position for at least seven months during a calendar year. (Companion bill is **S.B. 1524** by Hughes.)

**H.B. 4260 (Talarico) – Local Sales Tax Sourcing**: would provide that: (1) a location that, under the law in effect on August 31, 2019, was a place of business of the retailer for purposes of certain economic development agreements, entered into by a retailer and a city on or before August 31, 2019, remains a place of business of the retailer for the term of the agreement; and (2) during the term of the agreement, the sale of a taxable item is consummated at that place of business if the sale would have been consummated at that place of business under the law in effect on August 31, 2019. (Companion bill is **S.B. 1417** by Schwertner.)

**H.B. 4261 (Talarico) – Local Sales Tax Sourcing**: would provide that, for purposes of the city sales and use tax, a sale is consummated regardless of the method the purchaser uses to communicate the order to the retailer.

**H.B. 4263 (Talarico) – Place of Business of a Retailer**: would: (1) modify the definition of “place of business of the retailer” for city sales tax sourcing purposes to mean an established outlet, office, or location operated by the retailer or the retailer’s agent or employee for the purpose of receiving orders for taxable items and including any location at which three or more orders are received by the retailer during a calendar year and at which at least four primary selling activities occur; and (2) define “primary selling activity” as: (a) any of the following actions, if performed by a retailer or the agent of a retailer: (i) exercising discretion and independent authority to solicit customers on behalf of the retailer and to bind the retailer to a sale; (ii) taking an action that binds the retailer to a sale, including accepting a purchase order or submitting an offer to a buyer that is subject to the buyer’s unilateral acceptance; (iii) receiving a payment or issuing an invoice; (iv) engaging in marketing and solicitation activities on behalf of the retailer; (v) procuring goods for sale by the retailer; (vi) receiving and accepting purchase orders or, if the retailer’s purchase orders are accepted, processed, or fulfilled in another location, receiving and accepting contracts and other documents; (vii) transferring title to an item to a buyer; or (viii) displaying goods for sale to prospective customers; or (b) the use of a structure owned or leased by a retailer to: (i) store or otherwise hold the retailer’s inventory; (ii) house the retailer’s business headquarters, meaning the location from which the retailer directs or manages the retailer’s business; or (iii) provide office space for the retailer’s officers, executives, or other
employees who have authority to set prices and determine the terms of a sale. (Companion bill is S.B. 1038 by Schwertner.)

**H.B. 4357 (Schaefer)** – Sales Tax Exemption: would subject internet technology consulting and technical support services to sales taxes.

**H.B. 4457 (Schofield)** – Local Sales Tax Sourcing: would generally provide that a sale of a taxable item is consummated at the location in the state where the item was stored immediately before shipment, deliver, or transfer of possession to the customer.

**S.B. 61 (Zaffirini)** – Sales Tax Exemption: would exempt the sale, storage, use, or other consumption of firearm safety supplies from the sales tax.

**S.B. 148 (Powell)** – Sales Tax Exemption: would exempt feminine hygiene products from the sales tax.

**S.B. 153 (Perry)** – Sales Tax Exemption: would exempt from sales taxes data processing services designed to process payment made by credit card or debit card.

**S.B. 197 (Nelson)** – Sales Tax Exemption: would exempt the sale of an animal by a nonprofit animal welfare organization from sales and use taxes.

**S.B. 200 (Nelson)** – Sales Tax Exemption: would exempt internet access service from sales and use taxes. (Note: this legislation brings state law into conformity with federal law, which already preempts the ability of state and local governments to collect sales taxes on internet access.)

**S.B. 227 (Paxton)** – Sales Tax Exemption: would exempt the sale of an animal by an animal rescue group from sales and use taxes. (Companion bill is H.B. 592 by C. Turner.)

**S.B. 313 (Huffman)** – Sales Tax Exemption: would exempt firearm safety equipment from sales taxes. (Companion bill is H.B. 524 by Rosenthal.)

**S.B. 402 (Johnson)** – Street Maintenance Sales Tax: would, among other things, provide that: (1) for a city in which a majority of the voters voting in each of the last two consecutive elections concerning the adoption or reauthorization of the street maintenance sales tax favored adoption or reauthorization and in which the tax has not expired since the first of those two consecutive elections, the city may call an election to reauthorize the tax for a period of eight or ten years, instead of four years; and (2) revenue from the street maintenance sales tax may be used to maintain and repair: (a) a city street or sidewalk; and (b) a city water, wastewater, or stormwater system located in the width of a way of a city street.

**S.B. 438 (Blanco)** – Sales Tax Exemption: would exempt the following from sales and use taxes as “emergency preparation items”: (1) medical or other face masks used to protect the nose and mouth of a person wearing the mask from potential contaminants, or from transmission of particles from the person wearing the mask; (2) disposable gloves the primary purpose of which is to act as a protective barrier to prevent the possible transmission of disease; and (3)
disinfectant cleaning supplies, including bleach products and sanitizing wipes. (Companion is H.B. 89 by Canales.)

S.B. 478 (Nelson) – Sales Tax Exemption: would exempt the furnishing of an academic transcript from sales taxes.

S.B. 775 (Nichols) – Sales Tax Exemption: would exempt from sales tax a medical billing service.

S.B. 778 (Hinojosa) – Sales Tax Reallocations: would authorize a local governmental entity, including a city, to access the comptroller’s audit reports and audit working papers in the comptroller’s possession filed by not more than five individual taxpayers doing business in the city or local governmental entity that are included and identified by the city or local governmental entity relating to a sales tax reallocation or refund.

S.B. 934 (Creighton) – Sales Tax Exemption: would exempt firearms and hunting supplies from sales taxes during the last full weekend in August.

S.B. 1038 (Schwertner) – Place of Business of a Retailer: would: (1) modify the definition of “place of business of the retailer” for city sales tax sourcing purposes to mean an established outlet, office, or location operated by the retailer or the retailer’s agent or employee for the purpose of receiving orders for taxable items and including any location at which three or more orders are received by the retailer during a calendar year and at which at least four primary selling activities occur; and (2) define “primary selling activity” as: (a) any of the following actions, if performed by a retailer or the agent of a retailer: (i) exercising discretion and independent authority to solicit customers on behalf of the retailer and to bind the retailer to a sale; (ii) taking an action that binds the retailer to a sale, including accepting a purchase order orsubmitting an offer to a buyer that is subject to the buyer’s unilateral acceptance; (iii) receiving a payment or issuing an invoice; (iv) engaging in marketing and solicitation activities on behalf of the retailer; (v) procuring goods for sale by the retailer; (vi) receiving and accepting purchase orders or, if the retailer’s purchase orders are accepted, processed, or fulfilled in another location, receiving and accepting contracts and other documents; (vii) transferring title to an item to a buyer; or (viii) displaying goods for sale to prospective customers; or (b) the use of a structure owned or leased by a retailer to: (i) store or otherwise hold the retailer’s inventory; (ii) house the retailer’s business headquarters, meaning the location from which the retailer directs or manages the retailer’s business; or (iii) provide office space for the retailer’s officers, executives, or other employees who have authority to set prices and determine the terms of a sale.

S.B. 1332 (Hinojosa) – Local Sales Tax Sourcing: would: (1) define “Internet order” as an order placed by a purchaser through a website, software application, or other method using the Internet using a computer or mobile device that does not belong to the seller, and provide that the term does not include an order placed by telephone call, regardless of whether the call is completed using Voice over Internet Protocol or a mobile device; and (2) provide that, for purposes of the local sales and use tax, a sale of a taxable item is consummated at the location in this state to which the item is shipped or delivered or at which possession is taken by the purchaser if the sale is made through an Internet order. (Companion bill is H.B. 2410 by Dean.)
**S.B. 1417 (Schwertner) – Local Sales Tax Sourcing:** would provide that: (1) a location that, under the law in effect on August 31, 2019, was a place of business of the retailer for purposes of certain economic development agreements, entered into by a retailer and a city on or before August 31, 2019, remains a place of business of the retailer for the term of the agreement; and (2) during the term of the agreement, the sale of a taxable item is consummated at that place of business if the sale would have been consummated at that place of business under the law in effect on August 31, 2019. (Companion bill is **H.B. 4260 by Talarico**.)

**S.B. 1513 (Zaffirini) – Sales Tax Collection:** would, among other things, authorize a taxpayer to deduct and withhold 2.5 percent of the amount of sales taxes due for purchases made by credit card as reimbursement for the cost of collecting sales taxes. (Companion bill is **H.B. 1389 by Guillen**.)

**S.B 1524 (Hughes) – Sales Tax Refund Pilot Program:** would establish a sales tax refund pilot program for a person who employs at least one apprentice in a qualified apprenticeship position for at least seven months during a calendar year. (Companion bill is **H.B. 4199 by Guillen**.)

**S.B. 1803 (Johnson) – Street Maintenance Sales Tax:** would, in addition to authorizing certain cities that are members of a subregion of a specific transportation authority to adopt the street maintenance sales tax up to a maximum local sales tax rate of 2.25 percent at any location in the city, generally authorize any city to use the street maintenance sales tax to maintain and repair a city: (1) street or sidewalk; or (2) water, wastewater, or stormwater system located in the width of a way of a city street. (Companion bill is **H.B. 2088 by Julie Johnson**.)

**S.B. 1853 (Powell) – Sales Tax Exemption:** would exempt personal protective equipment from sales and use taxes through January 1, 2022.

**Community and Economic Development**

**H.B. 5 (Ashby) – Broadband Development Office:** would, among other things:

1. require the governor’s broadband development council to: (a) research the progress of deployment of broadband statewide and the purchase of broadband by residential and commercial customers; and (b) study industry and technology trends in broadband;
2. establish a broadband development office within the comptroller’s office;
3. for purposes of the broadband development office, define “broadband service” as internet service with the capability of providing: (a) a download speed of 25 megabits per second or faster; and (b) an upload speed of three megabits per second or faster;
4. authorize the comptroller by rule to adjust the threshold speeds for broadband services defined in Number 3, above, if the Federal Communications Commission adopts upload or download threshold speeds for advanced telecommunications capability that are different from those listed in Number 3, above;
5. require the broadband development office to: (a) serve as a resource for information regarding broadband service in the state; (b) engage in outreach to communities regarding the expansion and adoption of broadband service and the programs administered by the...
office; and (c) serve as an information clearinghouse in relation to federal programs providing assistance to local entities with respect to broadband service;

6. require the broadband development office to create, update annually, and publish on the comptroller’s website a map classifying each designated area in the state as: (a) an eligible area, if fewer than 80 percent of the addresses in the designated area have access to broadband service; or (b) an ineligible area, if 80 percent or more of the addresses in the designated area have access to broadband service;

7. require the map described in Number 6, above, to display: (a) the number of broadband service providers that serve each designated area; (b) for each eligible area, an indication of whether the area has access to Internet service that is not broadband service, regardless of the technology used to provide the service; and (c) each public school in the state and an indication of whether the area has access to broadband service;

8. provide that if information available from the Federal Communications Commission is not sufficient for the broadband development office to create or update the map, the office may request the necessary information from a political subdivision or broadband service provider, and the subdivision or provider may report the information to the office;

9. establish a petition process, under which a political subdivision or broadband service provider may petition the broadband development office to re-designate designated area on the map as an eligible area or ineligible area;

10. require the broadband development office to establish a program to award grants, low-interest loans, and other financial incentives to applicants for the purpose of expanding access to, and adoption of, broadband service in designated areas determined to be eligible areas;

11. require the broadband development office to establish and publish eligibility criteria for award recipients under Number 10, above, limiting grants, loans, and other financial incentives awarded to the program for use on capital expenses, purchase or lease of property, and other expenses, including backhaul and transport that will facilitate the provision or adoption of broadband service;

12. provide that the office may not award a grant, loan, or other financial incentive to a noncommercial provider of broadband service for an eligible area if a commercial provider of broadband service has submitted an application for the eligible area;

13. provide that an award granted under the broadband development program does not affect distributions received by a broadband provider from the state universal service fund;

14. require the broadband development office to prepare, update, and publish on the comptroller’s Internet website a state broadband plan that establishes long-term goals for greater access to and the adoption of broadband service in Texas;

15. require the broadband development office, in developing the state broadband plan, to: (a) to the extent possible, collaborate with state agencies, political subdivisions, broadband industry stakeholders and representatives, and community organizations that focus on broadband services; (b) consider the policy recommendations of the governor’s broadband development council; (c) favor policies that are technology-neutral and protect all members of the public; and (d) explore state and regional approaches to broadband development; and

16. establish the broadband development account in the state’s general revenue fund consisting of: (a) appropriations of money to the account by the legislature; (b) gifts,
donations, and grants, including federal grants; and (c) interest earned on the investment of the money in the account.

**H.B. 84 (Hinojosa)** – **Home and Residential Lot Sales Price**: would repeal the provision in current state law that prohibits a city from adopting a requirement that establishes a maximum sales price for a privately produced housing unit or residential building lot.

**H.B. 128 (Landgraf)** – **Economic Development Corporations**: would: (1) expand the definition of “primary job” for purposes of Type A and Type B EDC projects to include certain health care and mental health care facilities; and (2) expand the scope of projects related to the creation or retention of primary jobs to include facilities for the provision of health care or mental health care to the public.

**H.B. 149 (Reynolds)** – **Group Homes Study**: would direct the Texas Health and Human Services Commission to conduct a study on the regulation of group homes, and provide that the study analyze, among other things: (1) city authority to enforce boarding home regulations; and (2) whether the prohibition against a city excluding board homes from residential areas prevents cities from regulating boarding homes.

**H.B. 206 (Bernal)** – **Payday and Auto Title Lending**: would provide for the statewide regulation of payday and auto title lenders. Of primary importance for cities, the bill would: (1) provide that a municipal ordinance regulating credit access businesses is not preempted by state law; and (2) provide that, if a municipal ordinance conflicts with a provision of state law, the more stringent regulation controls.

Additionally, the bill would, among other things:

(1) require the contract and other documents provided by a credit access business to be written wholly in English or the language in which the contract is negotiated, and read in their entirety in the language in which the contract is negotiated to any consumer who cannot read; (2) prohibit a credit services organization from assisting a consumer in obtaining an extension of consumer credit in any form other than a single-payment payday loan, multiple-payment payday loan, single payment auto title loan, or multiple-payment auto title loan; (3) provide that each day of a continuing violation of a provision related to state notice and disclosure requirements or state licensing and regulation requirements by a credit services organization constitutes a separate offense; (4) provide that the general limitations on payday and auto title loans in the bill apply to any consumer physically located in this state at the time the loan is made, regardless of whether the loan was made in person in this state; (5) require a credit access business to require certain types of documentation to establish a consumer’s income for purposes of extending credit; (6) provide specific limitations on the structure of single-payment and multiple-payment payday and auto title loans; (7) require any refinance of a payday or auto title loan to: (a) be authorized by state law; (b) be in the same form as the original loan; and (c) meet all requirements applicable to the original loan; and (8) require a credit access business to maintain a complete set of records of all loans and retain the records until the third anniversary of the date of the loan.
**H.B. 233 (Murr) – Building Materials and Methods:** would provide that the prohibition on city regulation of building products, materials, or methods passed by H.B. 2439 in 2019 does not apply to a city with a population of less than 25,000.

**H.B. 258 (Bernal) – Broadband:** would provide, among other things, that a governmental entity (including a city) may not contract with a broadband Internet access service provider, unless the contract contains a written verification from the provider that the provider does not: (a) block lawful content, applications, or services or the use of non-harmful devices; (b) impair or degrade lawful Internet traffic for the purpose of discriminating against or favoring certain Internet content, applications, or services or the use of non-harmful devices; or (c) engage in paid prioritization.

**H.B. 417 (Walle) – Payday Lending:** would provide that a credit services organization or a representative of a credit services organization may not, unless the credit services organization or representative of the credit services organization has evidence sufficient to prove that the consumer has committed theft or issued a bad check: (1) file a criminal complaint or threaten to file a criminal complaint related to an extension of consumer credit or provision of credit services against the consumer; or (2) refer or threaten to refer a consumer to a prosecutor for the collection and processing of a check or similar sight order that was issued in relation to an extension of consumer credit.

**H.B. 425 (K. King) – Rural Broadband:** would, among other things: (1) create a rural broadband service program; and (2) require the Public Utility Commission to provide financial assistance from the universal service fund for broadband service providers who elect to participate in the rural broadband service program for the purpose of offering retail broadband service in underserved rural areas of the state at rates comparable to the benchmark rates established by the Federal Communications Commission.

**H.B. 467 (J. González) – Tax Increment Financing:** would, among other things: (1) require a city, before adopting an ordinance designating a tax increment reinvestment zone, to prepare or have prepared an affordable housing impact statement; (2) require the statement in (1), above, to be made available to the public and posted on the city’s Internet website at least 60 days before the city holds the hearing on the tax increment reinvestment zone; and (3) provide that the statement under (1), above, must include estimates of the impact on the availability of affordable housing in the area of the proposed zone for the 30-year period following designation of the proposed zone.

**H.B. 539 (Patterson) – Economic Development Corporation:** would authorize an economic development corporation, by election, to spend on a project for: (1) general infrastructure, limited to the development, improvement, maintenance, or expansion of streets and roads, water supply facilities, or sewage facilities; or (2) improving, enhancing, or supporting public safety, including: (a) expenditures for improving public safety facilities; (b) expenditures for public safety equipment and for first responders and other personnel; and (c) other expenditures that enhance the level of services provided by public safety facilities.
**H.B. 544 (Minjarez) – Recovery Housing**: would, among other things: (1) define the term “recovery house” as a shared living environment that promotes sustained recovery from substance use disorders by integrating residents into the surrounding community and providing a setting that connects residents to supports and services promoting sustained recovery from substance use disorders, is centered on peer support, and is free from alcohol and drug use; (2) prohibit a city or county from adopting or enforcing an ordinance, order, or other regulation that prevents a recovery house from operating in a residential community; and (3) require the Health and Human Services Commission to adopt minimum standards for certification as a recovery house that are consistent with standards from the National Alliance for Recovery Residences and authorize one or more credentialing organizations to develop and administer a voluntary certification program for recovery housing.

**H.B. 545 (E. Thompson) – Annexation**: would authorize a city to annex a portion of the state highway system or right-of-way of a portion of the state highway system if the city receives consent for the annexation from the Texas Department of Transportation.

**H.B. 639 (White) – Emergency Services District**: would allow an emergency services district to provide public health services, contract with a local government to provide those services, and charge a reasonable fee for performing those services for or on behalf of a person or entity.

**H.B. 662 (Collier) – Homeless Housing**: would expand the ability of the Texas Department of Housing and Community Affairs to administer a homeless housing and services program in each city in the state with a population of 285,500 or more to include programs to prevent homelessness resulting from displacement due to economic development activities.

**H.B. 707 (Moody) – Recovery Housing**: would require the Health and Human Services Commission to conduct a study regarding group housing for those recovering from substance use disorders.

**H.B. 738 (Paul) – Building Codes**: would, with regard to the provision in current law making the International Residential Code the residential building code for this state: (1) update the version from 2001 to 2012; (2) provide that a city may establish procedures to adopt local amendments “that may add, modify, or remove requirements set by the code,” but only if the city: (a) holds a public hearing on the local amendment before adopting the local amendment; and (b) adopts the local amendment by ordinance; and (3) provide that (2), above, does not affect the prohibition on cities enacting an ordinance, bylaw, order, building code, or rule requiring the installation of a multipurpose residential fire protection sprinkler system or any other fire sprinkler protection system in a new or existing one- or two-family dwelling.

**H.B. 749 (Middleton) – Community Advocacy**: would: (1) prohibit a political subdivision from spending public funds to: (a) hire an individual required to register as a lobbyist for the purpose of lobbying a member of the Texas legislature; or (b) pay a nonprofit state association or organization that: (i) primarily represents political subdivisions; and (ii) hires or contracts with an individual required to register as a lobbyist; (2) provide that if a political subdivision engages in activity prohibited by (1), above, a taxpayer or resident of the political subdivision is entitled to injunctive relief to prevent any further prohibited activity or any further payments of public
funds; and (3) provide that a taxpayer or resident who prevails in an action under (2), above, is entitled to recover reasonable attorney’s fees and costs from the political subdivision. (Companion bill is S.B. 234 by Hall.)

**H.B. 778 (Lozano) – School Property Tax Limitations**: would extend the expiration date of the Texas Economic Development Act from December 31, 2022, to December 31, 2032. (Companion bill is S.B. 144 by Powell.)

**H.B. 819 (White) – Occupational Licenses**: would require the Texas Department of Licensing and Regulation, in cooperation with the secretary of state, the comptroller, the Texas Commission on Environmental Quality, other state agencies, and political subdivisions of the state that provide occupational licenses to establish a pilot program creating special economic zones in eligible counties for the purpose of reducing barriers and costs of entry to occupations and entrepreneurship for residents of, and new and existing businesses located in, or relocating to, a special economic zone.

**H.B. 861 (Thierry) – Homelessness**: would require the Texas Interagency Council for the Homeless to conduct a study to evaluate the feasibility, methods, and costs of establishing and implementing a program that provides financial assistance to property owners who offer housing to veterans at risk of homelessness.

**H.B. 875 (Lopez) – Housing Discrimination**: would: (1) prohibit housing discrimination under the Texas Fair Housing Act on the basis of age or housing needs; and (2) prohibit the Texas Workforce Commission from deferring proceedings and referring a complaint about discrimination described in (1) to a city if the city does not have laws prohibiting the alleged discrimination.

**H.B. 891 (Bernal) – Homelessness**: would provide that upon request of a homeless individual, the state registrar, a local registrar, or a county clerk must issue, without fee, a certified copy of the individual’s birth record.

**H.B. 1048 (Anchia) – City Parks Funding**: would authorize local hotel occupancy taxes and short-term motor vehicle rental tax associated with a venue project to be used to finance a venue project expenditure relating to a city parks and recreation system.

**H.B. 1086 (Gates) – Public Facility Corporations**: would repeal the law providing that a leasehold or other possessory interest in real property that is exempt to the owner of the interest encumbered by the possessory interest shall be listed in the name of the owner of the possessory interest for a leasehold or other possessory interest granted by a public facility corporation during the period the corporation owns projects on behalf of the authorizing municipality.

**H.B. 1196 (Hinojosa) – Homelessness**: would require: (1) a state registrar, a local registrar, or a county clerk to issue a homeless individual’s birth record to the homeless individual without a fee; (2) the Department of State Health Services to adopt a process to verify a person’s status as a homeless individual and prescribe the documentation necessary for the issuance of a certified copy of a birth record; (3) the Department of Public Safety (DPS) to adopt a process to verify a
person is a homeless individual; and (4) DPS to exempt a homeless individual from the payment of fees for the issuance of a driver’s license or personal identification certificate only if there is a sufficient amount in the identification fee exemption account to waive the fees.

**H.B. 1200 (C. Morales) – Historic Districts:** would provide that a city that has not established a process to designate historic landmarks may adopt and enforce an ordinance, order, or other regulation the primary purpose of which is to protect or maintain historic or culturally significant structures, objects, sites, or districts.

**H.B. 1219 (Gates) – Municipal Management Districts:** would, among other things, provide that the board of a municipal management district shall dissolve the district on written petition filed with the board by: (1) in a district created on or after September 1, 2017, the owners of at least two-thirds of the assessed value of the property subject to assessment or taxation by the district based on the most recent certified county property tax rolls; and (2) in a district created before September 1, 2017, the owners of at least 55 percent of the assessed value of the property subject to assessment or taxation by the district based on the most recent certified county property tax rolls.

**H.B. 1226 (Campos) – Homelessness:** would, among other things: (1) provide that the Department of Housing and Community Affairs may implement and administer a pilot program to solicit donations made by text message for the benefit of local programs that provide services to homeless individuals and families in municipalities with a population of 285,000 or more; and (2) provide that of any money donated under the program, the department shall allocate: (a) not less than 65 percent for costs associated with housing homeless individuals and families; (b) not less than 20 percent for transportation costs; (c) not less than five percent for the promotion of the program; and (d) not more than 10 percent for overhead and administrative costs.

**H.B. 1241 (Shine) – Annexation of Rights-of-Way:** would provide that: (1) a city annexing an area on request of the owners, an area with less than 200 population by petition, an area with at least 200 population by election, or certain special districts may also annex with the area: (a) the right-of-way of a street, highway, alley or other public way or of a railway line spur, or roadbed that is contiguous to the city’s boundaries and the area being annexed or a right-of-way described in (b); or (b) the right-of-way of a public road or highway connecting the area being annexed to the city by the most direct route; (2) a city may only annex a right-of-way described under (1) if the city: (a) provides written notice of the annexation to the owner of the right-of-way not later than the 61st day before the date of the proposed annexation; and (b) the owner of the right-of-way does not submit a written objection to the city before the date of the proposed annexation; and (3) certain width requirements do not apply to the annexation of a right-of-way under (1). (Companion bill is S.B. 374 by Seliger.)

**H.B. 1260 (Bowers) – Homelessness Study:** would: (1) require the Texas Interagency Council for the Homeless to conduct a study on the feasibility of establishing a centralized homelessness crisis response data system through which state agencies, local governmental entities including law enforcement agencies, court systems, school districts, and emergency service providers, and other relevant persons are able to share and access information related to individuals who experience chronic homelessness in order to connect or refer those individuals to services,
including affordable housing opportunities; (2) provide that, when conducting the study in (1), above, the council shall: (a) consult with representatives of the entities described by (1), above, to determine the challenges faced by those entities in addressing chronic homelessness and how best to improve the responses to those challenges; and (b) assess the feasibility of the centralized homelessness crisis response data system described by (1), above, to collect data from other homelessness crisis response data systems maintained or operated by a state agency, local law enforcement agency, or other entity of this state; and (c) collect, aggregate, analyze, and share homelessness information with entities that have access to the system; and (3) require the council to prepare and submit a report to the Texas Department of Housing and Community Affairs that summarizes the results of the study required by the bill by November 1, 2022.

**H.B. 1277 (Campos) – Homelessness**: would, among other things: (1) provide that the Texas Department of Housing and Community Affairs (TDHCA) may: (a) operate the transitional housing pilot program in coordination with one or more cities or counties; and (b) provide a grant from the Ending Homelessness fund to a city or county with which TDHCA coordinates to operate the program; and (2) require TDHCA to give priority in issuing grants from the Ending Homelessness fund to cities and counties that coordinate with TDHCA in the operation of the transitional housing pilot program.

**H.B. 1278 (Campos) – Homelessness**: would require the Interagency Council for the Homeless to hold annual public hearings in at least one county located in a rural area of Texas and one county located in an urban area of Texas.

**H.B. 1286 (Rosenthal) – Public Facility Corporations**: would, among other things: (1) provide for beneficial tax treatment relating to a leasehold or other possessory interest in a public facility only if the local government sponsoring a public facility corporation, the public facility corporation, the public facility user, and the housing development meet certain requirements; (2) require a sponsoring local government, including a city, to identify goals for public facilities used for housing developments and establish selection criteria based on the goals to be used by public facility corporations for scoring proposals from developers of housing developments; and (3) require a sponsoring local government that leases a public facility used as a housing development to a public facility user to submit an annual report to the Texas Department of Housing and Community Affairs and the comptroller that includes: (a) a copy of all contracts and other agreements between the public facility user and the sponsor of the public facility corporation relating to the housing development; and (b) statistics describing the demographics of the residents of the housing development, including incomes and family sizes.

**H.B. 1295 (Rodriguez) – Housing Tax Credits**: would authorize the Texas Department of Housing and Community Affairs to allocate housing tax credits to more than one development in a single community only if: (1) one of the developments will be located wholly within a census tract in which the median value of owner-occupied homes has increased by 15 percent or more within the five years preceding the date of the application; (2) the governing body of the municipality containing the development or, if located outside a municipality, the county containing the development, adopts a resolution that authorizes an allocation of housing tax credits for the development; and (3) the applicant for the development includes in the
application a copy of the resolution adopted under (2), above. (Companion bill is S.B. 400 by Zaffirini.)

H.B. 1335 (Dutton) – Tax Preferences: would: (1) require a select commission to review all state and local “tax preferences” and develop a review schedule under which tax preferences are reviewed once during each six-year period; (2) require the commission in (1) to file a final report on tax preferences to the governor and the presiding officers of the Senate Finance Committee and the House Ways and Means Committee not later than September 1 of each even-numbered year; (3) provide that a tax preference included in a final report under (2) expires on the second anniversary of the date the final report is filed, unless reauthorized by law; and (4) provide that each tax preference enacted by the legislature that becomes law on or after September 1, 2022, expires six years after the date it takes effect, unless the legislature provides an earlier or later expiration date.

H.B. 1347 (Goodwin) – Linkage Fees: would repeal the prohibition against linkage fees.

H.B. 1348 (Deshotel) – Charter Schools: would: (1) require a city to consider an open-enrollment charter school a school district for purposes of zoning, permitting, code compliance, and development, including land development standards in territory that a city has annexed for limited purposes; (2) prohibit a city from enacting or enforcing an ordinance or regulation that prohibits an open-enrollment charter school from operating at any location or within a zoning district in the city; (3) provide that an open-enrollment charter school is not required to pay impact fees unless the school’s governing body consents to the payment; and (4) provide that an open-enrollment charter school may be exempt from utility drainage ordinances and regulations, and that any such exemption granted to a school district before the effective date of the bill automatically extends to all open-enrollment charter schools located in a city.

H.B. 1431 (Campos) – Statewide Homeless Management Information System: would require the Texas Interagency Council for the Homeless to: (1) evaluate, encourage, incentivize, and monitor the participation by service providers to the homeless throughout this state in a regional or statewide homeless management information system; and (2) prepare quarterly reports to the Texas Department of Housing and Community Affairs on, among other things: (a) the rate of participation by service providers to the homeless in a homeless management information system, aggregated by region and participation trends throughout Texas; (b) feedback from participating and nonparticipating service providers to the homeless on: (i) the ease of access to participate in a homeless management information system and (ii) the local oversight of homeless management information system administrators; and (c) data-driven scenarios that have improved the provision of services to the homeless throughout Texas.

H.B. 1446 (Ashby) – Broadband Development Office: would, among other things:
1. establish a broadband development office within the comptroller’s office;
2. require the broadband development office to: (a) serve as a resource for information regarding broadband service in the state; and (b) engage in outreach to communities regarding the expansion and adoption of broadband service and the programs administered by the office;
3. require the broadband development office to create, update annually, and publish on the comptroller’s website a map designating each census block in the state as: (a) an eligible area, if fewer than 80 percent of the addresses in the block have access to broadband service; or (b) an ineligible area, if 80 percent or more of the addresses in the block have access to broadband service;
4. require the map described in (3), above, to display: (a) the number of broadband service providers that serve each census block; and (b) for each eligible area, an indication of whether the area has access to Internet service that is not broadband service, regardless of the technology used to provide the service;
5. provide that if information available from the Federal Communications Commission is not sufficient for the broadband development office to create or update the map, the office may request the necessary information from a political subdivision or broadband service provider, and the subdivision or provider must report the information to the office;
6. establish a petition process, under which a political subdivision or broadband service provider may petition the broadband development office to re-designate a census block on the map as an eligible area or ineligible area;
7. require the broadband development office to establish a program to award grants, low-interest loans, and other financial incentives to applicants for the purpose of expanding access to, and adoption of, broadband service in census blocks determined to be eligible areas;
8. require the broadband development office to establish and publish eligibility criteria for award recipients under (7), above, limiting grants, loans, and other financial incentives awarded to the program for use on capital expenses, purchase or lease of property, and other expenses, including backhaul and transport that will facilitate the provision or adoption of broadband service;
9. provide that the office may not award a grant, loan, or other financial incentive to a noncommercial provider of broadband service for an eligible area if a commercial provider of broadband service has submitted an application for the eligible area;
10. provide that an award granted under the broadband development program does not affect distributions received by a broadband provider from the state universal service fund; and
11. establish the broadband development account in the state’s general revenue fund consisting of: (a) appropriations of money to the account by the legislature; (b) gifts, donations, and grants, including federal grants; and (c) interest earned on the investment of the money in the account.

(Companion is S.B. 506 by Nichols.)

**H.B. 1470 (Rodriguez) – Housing Discrimination:** would: (1) prohibit housing discrimination under the Texas Fair Housing Act on the basis of source of income; and (2) prohibit the Texas Workforce Commission from deferring proceedings and referring a complaint about discrimination described in (1) to a city if the city does not have laws prohibiting the alleged discrimination.

**H.B. 1472 (Bucy) – Major Events Reimbursement Program:** would add the Confederation of North, Central America and Caribbean Association Football Gold Cup to the list of events eligible for funding under the Major Events Reimbursement Program.
H.B. 1474 (Cyrier) – Historic Landmark: would provide that a city that has more than one zoning, planning, or historical commission shall designate one of those commissions as the entity with the exclusive authority to approve the designations of properties as local historic landmarks.

H.B. 1475 (Cyrier) – Board of Adjustment: would provide that, in exercising its authority to grant or deny a variance, a board of adjustment may consider the following as grounds to determine whether compliance with the zoning ordinance as applied to a structure would result in an unnecessary hardship: (1) whether the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent certified appraisal roll; (2) whether compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur; (3) whether compliance would result in the structure not being in compliance with a requirement of a city ordinance, building code, or other requirement; (4) whether compliance would result in the unreasonable encroachment on an adjacent property or easement; or (5) whether the city considers the structure to be a nonconforming structure.

H.B. 1502 (Deshotel) – School Property Tax Limitations: would extend the expiration date of the Texas Economic Development Act from December 31, 2022, to December 31, 2032. (Companion bill is S.B. 144 by Powell.)

H.B. 1505 (Paddie) – Broadband: would establish a process by which a broadband provider may apply for and attach an affixture of cables, strands, wires, and associated equipment used in the provision of a broadband provider’s services to a pole owned and controlled by an electric cooperative.

H.B. 1511 (Button) – Broadband Connectivity Office: would: (1) establish the connectivity office within the office of the governor; (2) require the connectivity office to collaborate with the governor’s broadband development council and any interested parties to develop a statewide connectivity plan to expand access to high-speed Internet service; (3) require the connectivity office to create, update annually, and publish a broadband development map that displays: (i) areas of the state that have sufficient infrastructure to support high-speed Internet service; (ii) areas of the state that do not have sufficient infrastructure to support high-speed Internet service; and (iii) planned Internet service infrastructure projects; and (4) authorize the connectivity office to consult with the governor’s broadband development council and any interested parties for the purpose of creating and updating the broadband development map.

H.B. 1512 (Zwiener) – Commercial Signs: would authorize the commissioners court of a county to require county approval for the construction or reconstruction of a commercial sign located: (1) in a county that contains more than one area that is certified as a Dark Sky Community as part of the International Dark Sky Places Program; and (2) adjacent to and visible from a farm-to-market or ranch-to-market road.

H.B. 1543 (Parker) – Public Improvement Districts: would, among other things: (1) provide that the resolution adopted by a city council authorizing the creation of a public improvement district (PID) takes effect on the date the resolution is adopted; (2) require a city to file a copy of
a PID creation resolution with the county clerk of each county in which all or part of the PID is located not later than the seventh day after the date the city council adopts the resolution; (3) require a city council to approve a PID service plan, or amend or update the plan, only by ordinance; (4) require a city to file a copy of the initially-adopted or amended PID service plan with the county clerk of each county in which all or part of the PID is located not later than the seventh day after the date the city council approves the service plan; (5) revise the language of the mandatory notice of obligations related to a PID used in a real estate transaction to include, among other things, additional information about the PID assessment levied against the property; (6) authorize the city or county that created the PID to provide additional information regarding the district in the PID obligation notice described in (5), above, including whether an assessment has been levied, the amount of the assessment, and the payment schedule for assessments; (7) require the PID obligation notice described in (5), above, to be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract; (8) provide that in the event a contract of purchase and sale is entered into without the seller providing the required notice of PID obligations, the purchaser is entitled to terminate the contract; and (9) provide that it shall be conclusively presumed that the purchaser has waived all rights to terminate the contract under (8), above, or recover damages or other remedies or rights, if the seller furnishes the notice of PID obligations at or before closing the purchase and sale contract and the purchaser elects to close even though the notice was not timely furnished before execution of the contract.

**H.B. 1554 (Rogers) – Municipal Development Districts**: would authorize a municipal development district to use money in the development project fund to pay the costs of planning, acquiring, establishing, developing, constructing, or renovating one or more development projects located outside the district if: (1) the board determines that the development project will provide an economic benefit to the district; and (2) the following entities, as applicable, approve the development project by resolution: (a) the city that created the district; (b) each city in whose corporate limits or extraterritorial jurisdiction the project is located; and (c) the commissioners court of the county in which the project is located, if the project is not located in the corporate limits or extraterritorial jurisdiction of a city. (Companion bill is **S.B. 565** by Buckingham.)

**H.B. 1556 (Murphy) – School Property Tax Exemptions**: would, among other things, extend the expiration date of the Texas Economic Development Act from December 31, 2022, to December 31, 2032.

**H.B. 1604 (Murphy) – Public Facility Corporations**: would provide that beneficial tax treatment for a multifamily residential development which is owned by a public facility corporation created by a housing authority and which does not have at least 20 percent of its units reserved for public housing units applies only if, among other factors, the governing body of each governmental unit authorized by law to impose taxes on the property containing the development adopts a resolution approving the development. (Companion bill is **S.B. 591** by Bettencourt.)

**H.B. 1634 (Lucio) – Call Centers**: would, among other things: (1) require a city to give preference to a vendor, bidder, or contractor that does not appear on a list maintained by the Texas Department of Insurance identifying businesses that relocate customer service employee
positions; (2) prohibit a city (with some exceptions) from awarding or providing a public subsidy to a business that appears on a certain list identifying businesses that relocate customer service employee positions; and (3) require certain businesses that relocate customer service employee positions to repay any public subsidies awarded after the business is placed on the list of businesses that relocate customer service employee positions maintained by the Texas Department of Insurance.

**H.B. 1653 (Craddick) – Disannexation:** would: (1) provide for the disannexation of an area that: (a) does not receive full municipal services and was exempt from municipal taxation for more than 20 years under an ordinance that provided that the area was exempt from taxation until full municipal services were provided; or (b) was annexed for limited purposes before certain laws were enacted and has not received at any time full municipal services; and (2) provide that if, after receiving a valid petition, a city fails to disannex property described in (1), the person filing the petition may bring an action against the city to compel disannexation and potentially recover attorney’s fees and court costs.

**H.B. 1785 (Thierry) – Operating Boarding Home without License:** would: (1) create a Class B misdemeanor offense when a person operates a boarding home facility without a local permit; and (2) provide that (1) only applies when a county or municipality requires a permit to operate a boarding home facility. (Companion bill is S.B. 500 by Miles.)

**H.B. 1803 (Wilson) – Homelessness:** would: (1) prohibit a municipality from purchasing a property to house homeless individuals unless the commissioners court of the county in which the property is located approves a plan described in (4), below; (2) provide that a municipality may not convert the use of a property owned by the municipality to enable the property to house homeless individuals unless the commissioners court of the county in which the property is located approves a plan described in (4), below; (3) for the purposes of the plan in (4), below, define “proposed new residents” as homeless individuals the municipality intends to house at the purchased or converted property; (4) require a plan to house homeless individuals to describe: (a) the availability of local health care for proposed new residents, including access to Medicaid services and mental health services; (b) the availability of indigent services for proposed new residents; (c) the availability of reasonably affordable public transportation for proposed new residents; (d) local law enforcement resources in the area of the property; and (e) what steps the municipality has taken to coordinate with the local mental health authority to provide for any proposed new residents; (5) require a municipality to respond to any reasonable requests for additional information made by the commissioners court regarding the proposed property purchase or use conversion; and (6) require a municipality that intends to purchase or convert a property to house homeless individuals to: (a) post notice of the proposed use of the property at the property not later than the 61st day before the proposed date of purchase or conversion; and (b) publish notice of the proposed purchase or conversion of the property for 10 consecutive days in a newspaper of general circulation in the county in which the property is located. (Companion bill is S.B. 646 by Schwertner.)

**H.B. 1885 (Harris) – Regulation:** would, with certain exceptions, prohibit a city from regulating an activity or structure in an area in which the residents are ineligible or have only limited eligibility to vote in municipal elections.
**H.B. 1897 (Sanford) – Annexation:** would: (1) require that, at the time a municipality makes an offer to a landowner to enter into an agreement in which the landowner consents to annexation, the municipality must provide the landowner with a written disclosure: (a) that the landowner is not required to enter into the agreement; (b) of the authority under which the municipality may annex the land with references to relevant law; (c) with a plain-language description of the annexation procedures applicable to the land; and (d) regarding whether the procedures require the landowner's consent; and (2) provide that a failure to provide the disclosure in (1) makes the annexation agreement void.

**H.B. 1916 (C. Turner) – Credit Access Business:** would prohibit a credit access business from making a telemarketing call to a consumer whose name and telephone number are on the Texas no-call list.

**H.B. 1925 (Capriglione) – Camping in Public:** would: (1) create a Class C misdemeanor criminal offense for a person who intentionally or knowingly camps in a public place without the consent of the officer or agency having the legal duty or authority to manage the public place; (2) provide that consent given by an officer or agency of a political subdivision is not effective for the purposes of (1), above; (3) provide that the bill does not preempt an ordinance, order, rule, or other regulation adopted by a state agency or political subdivision relating to prohibiting camping in a public place or affect the authority of a state agency or political subdivision to adopt or enforce an ordinance, order, rule, or other regulation relating to prohibiting camping in a public place if the ordinance, order, rule, or other regulation: (a) is compatible with and equal to or more stringent than the offense in (1), above; or (b) relates to an issue not specifically addressed by the bill; (4) provide that a local entity may not adopt or enforce a policy under which the entity prohibits or discourages the enforcement of any public camping ban; (5) provide that, in compliance with (4), a local entity may not prohibit or discourage a peace officer or prosecuting attorney who is employed by or otherwise under the direction or control of the entity from enforcing a public camping ban; (6) provide that the attorney general may bring an action in a district court in Travis County or in a county in which the principal office of the entity is located to enjoin a violation of (4) and may recover reasonable expenses, including court costs, reasonable attorney’s fees, investigative costs, witness fees, and deposition costs; (7) provide that a local entity may not receive state grant funds for the state fiscal year following the year in which a final judicial determination in an action brought under (6) is made that the entity has intentionally violated (4), above; and (8) provide that a local entity that has not violated (4) may not be denied state grant funds, regardless of whether the entity is a part of another entity that is in violation of (4).

**H.B. 1929 (Wilson) – ETJ Development Agreements:** would, except in the extraterritorial jurisdiction (ETJ) of a city with a population of 1.9 million or more, provide that: (1) a city that enters into an ETJ development agreement waives immunity from suit for the purpose of adjudicating a claim for breach of contract; and (2) actual damages, specific performance, or injunctive relief (but not consequential or exemplary damages) may be granted in an adjudication brought against a city for breach of an ETJ development agreement.
H.B. 1931 (Walle) – Public Facility Corporations: would, among other things, provide for beneficial tax treatment relating to a leasehold or other possessory interest in a public facility only if the public facility user with a leasehold or other possessory interest in a public facility used to provide multifamily housing meets the following requirements: (1) the public facility user reserve at least 10 percent of the residential units in a housing development for individuals or families participating in the housing choice voucher program if the development is located: (a) in the attendance zone of an elementary school that has passed accountability standards for the most recent school year; (b) in the attendance zone of a high school with a graduation rate of at least 85 percent; and (c) in a census tract in which fewer than 10 percent of the households have a household income equal to or less than the federal poverty line and the median income for households is equal to or greater than 80 percent of area median income; and (2) the public facility user may not: (a) refuse to rent a residential unit in a housing development to an individual or family because the individual or family participates in the housing choice voucher program; or (b) use a financial or minimum income standard that requires an individual or family participating in the housing choice voucher program to have a monthly income of more than 250 percent of the individual’s or family’s share of the total monthly rent payable for a residential unit.

H.B. 1937 (Pacheco) – Deferred Presentment Transactions: would provide that: (1) the maximum rate or amount of interest that may be contracted for, charged, or received from a borrower for a deferred presentment transaction (which includes a payday or auto title loan) is 36 percent a year, unless otherwise provided by law; (2) the annual percentage rate of an extension of consumer credit in the form of a deferred presentment transaction is calculated including total charges charged to the consumer in connection with the extension of consumer credit, including interest, lender charges, and any fees or any other valuable consideration received by the credit access business or a representative of the credit access business; (3) the annual percentage rate of an extension of consumer credit in the form of a deferred presentment transaction that a credit access business obtains for a consumer or assists a consumer in obtaining may not exceed 36 percent; and (4) a deferred presentment transaction entered into in violation of (1), (2), or (3), above, is void and unenforceable.

H.B. 1968 (Reynolds) – Municipal Management Districts: would provide that: (1) the board of a municipal management district may declare that a position on the board is a civil office of emolument for purposes of the constitutional dual office holding prohibition if the city council of the city in which the district is located consents by resolution or ordinance; and (2) a director of a municipal management district whose position is made a civil office of emolument under (1) is entitled to receive fees of office and reimbursement of eligible expenses in the manner available to other districts in state law.

H.B. 2027 (Cortez) – Low Income Housing Tax Credit Program: would eliminate: (1) the requirement for a city council to hold a public hearing and adopt a resolution in order for the Texas Department of Housing and Community Affairs (TDHCA) to approve an application for housing tax credits for developments financed through the private activity bond program; (2) the requirement that TDHCA score and rank applications using a point system that prioritizes criteria in a particular order; and (3) the ability of TDHCA to provide incentives through the qualified allocation plan to reward applicants for low income housing tax credits for locating a
housing development in a census tract in which there are no other existing developments supported by housing tax credits.

**H.B. 2076 (Shaheen) – Property Owners’ Association**: would provide that a city in which a subdivision with a property owners’ association is located shall require the association to file with the city a copy of the policy regarding the enforcement of fines assessed by the association, and provide a copy of the policy to an owner of each property in the subdivision.

**H.B. 2251 (Hernandez) – Community Collaborative Program**: would provide that the Texas Department of State Health Services shall require each entity awarded a community collaborative program grant to leverage additional funding or in-kind contributions from private sources or local governmental sources in an amount that is at least equal to the amount of the grant awarded.

**H.B. 2261 (Wu) – Municipal Management Districts**: would authorize a municipal management district to establish an improvement project or provide services related to the construction, acquisition, improvement, relocation, operation, maintenance, or provision of public education facilities.

**H.B. 2323 (Schofield) – Emergency Services Districts**: would require an emergency services district board to remove territory from a district on request of a city, only if the city has secured an alternative emergency service provider for the portions of territory located in the city’s extraterritorial jurisdiction.

**H.B. 2371 (Shaw) – Affordable Housing**: would require that: (1) the pre-application and application procedures relating to certain applications for housing funds administered by the Texas Department of Housing and Community Affairs (TDHCA) provide for written notice to any neighborhood organization that is on record with the state or county in which the development described in the application is to be located and that has boundaries containing the proposed development site or has a boundary located not more than one mile from the proposed site; and (2) TDHCA score and rank certain applications using a point system that considers quantifiable community participation with respect to the development, evaluated on the basis of written statements from any neighborhood organization that is on record with the state or county in which the development is to be located and that has boundaries containing the proposed development site or has a boundary located not more than one mile from the proposed site.

**H.B. 2372 (Slaton) – Solar Facility Decommissioning**: would, among other things, prohibit: (1) the governing body of a taxing unit from entering into a tax abatement agreement to exempt a portion of the value of real property on which a solar facility is located or is planned to be located during the term of the agreement, or of tangible personal property that is located or is planned to be located on the real property during that term; and (2) the Public Utility Commission from authorizing a person who operates a solar facility to interconnect the facility to the ERCOT transmission grid unless the person has entered into an agreement with the county in which the facility is located providing that the operator is responsible for decommissioning the solar facility. (Companion bill is S.B. 829 by Hall.)
**H.B. 2394 (Campos) – Homelessness**: would: (1) require the Texas Department of Public Safety to establish and administer a homeless impact grant program to provide grants for the provision of additional security and sanitation services for homeless individuals in areas for which a public improvement district has been created; and (2) authorize a city or county that has created a public improvement district to apply for and use a grant under the program if: (a) the district is located in a county with an unsheltered homeless individual count that exceeds 500 according to the most recent point-in-time homeless census; and (b) the services for which the grant will be made are an authorized public improvement project of the district.

**H.B. 2404 (Meyer) – Chapter 380 Economic Development Agreements**: would, among other things:

1. require the comptroller to create and make accessible on the Internet a database, to be known as the Chapter 380 and 381 Agreement Database, that contains information regarding all city and county economic development agreements under Chapters 380 and 381 of the Local Government Code, respectively;
2. for each local economic development agreement described in Number 1, above, the database must include: (a) the name of the local government that entered into the agreement; (b) a numerical code assigned to the local government by the comptroller; (c) the address of the local government’s administrative offices and public contact information; (d) the name of the appropriate officer or other person representing the local government and that person’s contact information; (e) the name of any entity that entered into the agreement with the local government; (f) the date on which the agreement went into effect and the date on which the agreement expires; (g) the focus or scope of the agreement; (h) an electronic copy of the agreement; and (i) the name and contact information of the individual reporting the information to the comptroller;
3. require a city to, not later than the seventh day after entering into, amending, or renewing an economic development agreement under Chapter 380 of the Local Government Code, submit to the comptroller the information described by Number 2, above, in the form and manner prescribed by the comptroller in addition to providing a direct link on the city’s website to the location of the agreement information published on the comptroller’s website;
4. authorize the comptroller to consult with the appropriate officer of, or other person representing, each local government that enters into a local economic development agreement to obtain the information necessary to operate and update the database;
5. require the comptroller to enter the relevant information into the database not later than the 15th business day after the date the comptroller receives the information from the providing local government;
6. require the information, including a copy of the agreement, to remain accessible to the public through the database during the period the agreement is in effect;
7. provide that if a local government that enters into a local economic development agreement described in Number 1, above, does not comply with the requirement to provide information to the comptroller, the comptroller shall send a written notice to the local government describing the information that must be submitted to the comptroller and inform the local government that if the information is not provided on or before the 30th day after the date the notice is provided, the local government will be subject to a civil penalty of $1,000;
8. provide that if a local government does not report the required information to the comptroller, the local government is liable to the state for a civil penalty of $1,000 and the attorney general may sue to collect a civil penalty; and
9. create a defense to an action brought under Number 8, above that the local government provided the required information or documents to the extent the information or documents are not exempt from disclosure or confidential under the Public Information Act.

**H.B. 2405 (Rodriguez) – Homeless**: would provide that: (1) a city zoning or land use ordinance may not prohibit a religious organization from using the organization’s facility as housing for homeless individuals, or from having housing units for the homeless on the organization’s property; and (2) a city may adopt or enforce an ordinance that imposes reasonable health and safety regulations on housing for homeless individuals provided on a religious organization’s property, including requirements that the organization provide electricity and heat for each housing unit, and at least one kitchen and bathroom on the property. (Companion bill is S.B. 46 by Zaffirini.)

**H.B. 2531 (Anderson) – Broadband in State Rights-of-Way**: would require the Texas Transportation Commission to promulgate rules: (1) establishing an accommodation process that authorizes broadband-only providers to use state highway rights-of-way, subject to highway purposes, for: (a) new broadband facility installations; (b) additions to or maintenance of existing broadband facility installations; (c) adjustments or relocations of broadband facilities; and (d) existing broadband facilities retained within the rights-of-way; and (2) prescribing minimum requirements for the accommodation, method, materials, and location for the installation, adjustment, and maintenance of broadband facilities under the accommodation process. (Companion bill is SB 507 by Nichols.)

**H.B. 2571 (Slaton) – Monuments and Memorials**: would, among other things: (1) provide that a monument or memorial located on city property: (a) for at least 40 years may not be removed, relocated, or altered; (b) for at least 20 years but less than 40 years may be removed, relocated, or altered only by approval of a majority of the voters of the city at an election held for that purpose; or (c) for less than 20 years may be removed, relocated, or altered only by the governing body; and (2) define “monument or memorial” as used in (1) to mean a permanent monument, memorial, or other designation, including a statute, portrait, plaque, seal, symbol, cenotaph, building name, bridge name, park name, area name, or street name, that honors an event or person of historic significance.

**H.B. 2597 (Paul) – Homeless Camping**: would create a Class C misdemeanor criminal offense if a person intentionally or knowingly camps under: (1) a controlled access highway, or (2) the frontage road of a controlled access highway.

**VETOED H.B. 2667 (Smithee) – Broadband**: would: (1) expand the definition of “telecommunication provider” for purposes of who is subject to the uniform charge that funds the universal service fund to include a provider of Voice over Internet Protocol service; (2) provide that the uniform charge to fund the universal service fund may be in the form of a fee or an assessment on revenues; (3) prohibit the Public Utility Commission from assessing the charge
in a manner that is not technology neutral or grants an unreasonable preference based on technology; and (4) define “high cost rural area” for purposes of the universal service fund as: (a) an area served by a small provider; and (b) any exchange receiving support under the universal service fund as of December 31, 2020 where: (i) the population has not since increased by more than 100 percent since the year 2000; and (ii) there are less than 30 customers per route mile of plant in service.

**H.B. 2713 (Hefner) – Monuments and Memorials**: would, among other things: (1) provide that a monument or memorial located on city property: (a) for at least 40 years may not be removed, relocated, or altered; (b) for at least 20 years but less than 40 years may be removed, relocated, or altered only by approval of a majority of the voters of the city at an election held for that purpose; or (c) for less than 20 years may be removed, relocated, or altered only by the governing body; (2) define “monument or memorial” as used in (1) to mean a permanent monument, memorial, or other designation, including a statute, portrait, plaque, seal, symbol, cenotaph, building name, bridge name, park name, area name, or street name, that honors an event or person of historic significance; (3) authorize a resident of a city to file a complaint with the attorney general if the resident asserts facts supporting an allegation that the city has violated (1), and authorize the attorney general to file a petition for a writ of mandamus or apply for other appropriate equitable relief to compel the city to comply with (1); (4) provide that a city that is found by a court as having intentionally violated (1) is subject to a civil penalty in an amount of: (a) not less than $1,000 and not more than $1,500 for the first violation; and (b) not less than $25,000 and not more than $25,500 for each subsequent violation; and (5) waive and abolish governmental immunity to suit for a city to the extent of liability under in a suit filed under (3), above.

**H.B. 2720 (Lucio) – Type A Economic Development Corporations**: would: (1) authorize a Type A economic development corporation (EDC) that is wholly or partly located in an area declared to be in a state of disaster by the governor to participate in a project that includes a program to provide grants and loans to small businesses during a declared state of disaster to promote recovery from the disaster; (2) require a Type A EDC that provides a grant or loan under (1) to establish criteria to be used in determining which businesses may receive the grant or loan and the permitted uses of the grant or loan; and (3) prohibit a Type A EDC from spending more than 10 percent of the sales and use tax revenue received by the EDC to establish and operate a project authorized by (1).

**H.B. 2726 (Martinez Fischer) – Public Improvement Districts**: would provide that, if the population of a public improvement district is more than 1,000, to be eligible to serve as a director a person may be a resident of the district, but is not required to reside in the district if the person meets other specified criteria.

**H.B. 2776 (Deshotel) – Disannexation**: would: (1) authorize registered voters in a certain area to petition for release of the area from a city’s extraterritorial jurisdiction; and (2) authorize registered voters in a certain area to petition a city for disannexation of the area.

**H.B. 2777 (Pacheco) – Reroofing Contractors**: would require the Texas Department of Licensing and Regulation to establish a reroofing contractor registration system and, among
other things, provide that a city building official may not grant or approve a building or construction permit for a reroofing project unless the applicant for the permit is a registered reroofing contractor or exempt from registration.

**H.B. 2907 (Raymond) – Broadband**: would require the governor’s broadband development council to request from each provider of broadband Internet access service in the state a report on broadband speeds provided by the provider based on a reasonable sample.

**H.B. 2971 (Cason) – School Property Tax Limitations**: would repeal the Texas Economic Development Act in Chapter 313 of the Tax Code.

**H.B. 2978 (Hull) – Event Reimbursement Programs**: would: (1) require the office of governor, in consultation with the human trafficking prevention coordinating council, to develop signs with information on services and assistance available to victims of human trafficking; and (2) require any agreement between the Texas Economic Development and Tourism Office and an endorsing county, city, or local organizing committee and a site selection organization relating to an event reimbursement program that includes a financial commitment by the state or a city or county to contain a written verification that the site selection organization will prominently post throughout the location of the game or events the signs developed under (1), above.

**H.B. 2989 (Cyrier) – Zoning**: would provide that: (1) the governing body of a municipality wishing to exercise the authority relating to zoning regulations and zoning district boundaries shall establish procedures for adopting, revising, and enforcing the regulations and boundaries; (2) the adoption of initial zoning regulations and zoning district boundaries, a comprehensive revision of the regulations or boundaries, or an amendment of a regulation that applies uniformly across boundaries or areas of the municipality is not effective until after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard; (3) a proposed change to a regulation or boundary that only affects an individual lot or a limited area of contiguous lots or land may be protested as provided by certain law, and, if protested, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body; and (4) before the 10th day before the hearing date, written notice of each public hearing before the zoning commission on a proposed change in a zoning classification of an individual property or a limited area of contiguous properties shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the property or area on which the change in classification is proposed. (Companion bill is S.B. 1120 by Johnson.)

**H.B. 2997 (Gates) – Development Plats**: would provide that, when a city decides to regulate the development of tracts of land via development plats, the city may define and classify the developments and need not require platting for every development of a tract of land otherwise within the scope of the state law regarding development plats. (Companion bill is S.B. 1172 by Kolkhorst.)
**H.B. 3023 (K. King)** – **Major Events Reimbursement Program**: would add the Professional Bull Riders World Finals to the list of events eligible for funding under the Major Events Reimbursement Program.

**H.B. 3032 (Oliverson)** – **Refrigerants**: would provide that a building code or other requirement applicable to commercial or residential buildings or construction may not prohibit the use of certain substitutes for hydrofluorocarbon refrigerants authorized under federal law. (Companion bill is **S.B. 1210** by **Johnson**.)

**H.B. 3034 (Campos)** – **Homelessness Data System**: would: (1) require the Texas Interagency Council on Homelessness to collaborate with a state agency designated by the council to establish a statewide homelessness data system through which: (a) state agencies, local governmental entities, including law enforcement agencies, court systems, school districts, and emergency service providers, and other relevant persons are able to share information related to individuals experiencing homelessness; and (b) the persons described by (a) and members of the public are able to access information related to individuals experiencing homelessness in order to connect or refer those individuals to services, including affordable housing opportunities; (2) provide that, in developing the data system, the council and the state agency designated by the council shall, among other things, consult with representatives of the entities in (1)(a) to determine the challenges faced by those entities in addressing homelessness and how best to improve the responses to those challenges; and (3) require the data system established in (1) to: (a) to the extent permitted by a data sharing agreement, collect data from other homelessness data systems maintained or operated by a state agency, local law enforcement agency, or other entity of Texas; and (b) collect, aggregate, analyze, and share homelessness information submitted to the data system with entities that have access to the system.

**H.B. 3040 (Morrison)** – **School Property Tax Limitations**: would, among other things, extend the expiration date of the Texas Economic Development Act from December 31, 2022, to December 31, 2032.

**H.B. 3091 (Vasut)** – **Hotel Occupancy Tax Uses**: would: (1) authorize a city to use revenue from the city hotel occupancy tax to promote tourism and the convention and hotel industry by: (a) acquiring, constructing, repairing, remodeling, or expanding certain qualified infrastructure that is owned by the city and that is located not more than one mile from a hotel; and (b) making improvements to a public park that is owned by the city and that is located not more than one mile from a hotel; (2) provide that the amount of city hotel occupancy tax revenue a city may use in a fiscal year as provided by (1), above, may not exceed 20 percent of the amount of revenue the city collected from that tax during the preceding fiscal year; and (3) provide that a city that uses city hotel occupancy tax revenue in accordance with (1), above: (a) may reserve not more than 20 percent of the revenue from that tax collected in a fiscal year for use for the same purposes during the succeeding three fiscal years; and (b) may not reduce the percentage of revenue from the tax allocated for the purposes of advertising and promotional programs to attract tourists and convention delegates or registrants to the city or its vicinity to a percentage that is less than the average percentage of the revenue from that tax allocated by the city for the same purposes during the 36-month period preceding the date the city begins using revenue for the purposes described in (1), above.
**H.B. 3097 (Stephenson) – Qualified Hotel and Convention Center Projects**: would: (1) extend the date before which an eligible city must commence a qualified hotel and convention center project to receive certain state funding for the project from September 1, 2023 to September 1, 2025; and (2) provide that an eligible city commences a qualified hotel and convention center project on the date the city, by ordinance or resolution: (a) authorized the issuance of bonds or other obligations related to the qualified project; or (b) executes or amends: (i) an economic development agreement under Chapter 380 of the Local Government Code related to the project; or (ii) an interlocal agreement related to the project.

**H.B. 3215 (Geren) – Energy Efficiency Building Standards**: would provide that the following accredited energy efficiency programs are in compliance with certain state law: (1) Standard 301 of the American National Standard for the Calculation and Labeling of the Energy Performance of Dwelling and Sleeping Units using an Energy Rating Index, commonly cited as ANSI/RESNET/ICC 301; and (2) Standard 380 of the American National Standard for Testing Airtightness of Building, Dwelling Unit, and Sleeping Unit Enclosures, Airtightness of Heating and Cooling Air Distribution Systems, and Airflow of Mechanical Ventilation Systems, commonly cited as ANSI/RESNET/ICC 380.

**H.B. 3223 (Zwiener) – Hotel Occupancy Tax Uses**: would: (1) authorize cities with a populations under 200,000 to use a portion of the revenue derived from their city hotel occupancy taxes to promote tourism and the convention and hotel industry by enhancing and maintaining public parks owned by the city; (2) provide that the amount of city hotel occupancy tax revenue a city may use in a fiscal year to enhance and maintain all public parks may not exceed ten percent of the amount of revenue the city collected from that tax during the preceding fiscal year; (3) provide that the amount of city hotel occupancy tax revenue a city may use in a fiscal year to enhance and maintain an individual public park may not exceed the amount of area hotel revenue in the preceding fiscal year that was directly attributable to tourists who attended events held at that park or otherwise visited that park; (4) require a city to, before the city uses city hotel occupancy tax revenue to enhance or maintain a park, make a good faith estimate of the annual amount of area hotel revenue directly attributable to tourists who visited that park; and (5) provide that a city that uses city hotel occupancy tax revenue in accordance with (1), above: (a) may reserve not more than ten percent of the revenue from that tax collected in a fiscal year for use for the same purposes during the succeeding three fiscal years; and (b) may not reduce the percentage of revenue from the tax allocated for the purposes of advertising and promotional programs to attract tourists and convention delegates or registrants to the city or its vicinity to a percentage that is less than the average percentage of the revenue from that tax allocated by the city for the same purposes during the 36-month period preceding the date the city begins using revenue for the purposes described in (1), above.

**H.B. 3229 (Moody) – Transfer of Real Property**: would: (1) for an entity and a city that have entered into an economic development agreement under Chapter 380 of the Local Government Code, authorize a city to transfer to an entity real property or an interest in real property; (2) provide that consideration for a transfer authorized in (1), above, is in the form of an agreement between the parties that requires the entity to use the property in a manner that primarily promotes a public purpose of the city relating to economic development; (3) require an economic
development agreement involving the transfer of real property to include provisions under which
the city is granted sufficient control to ensure that the public purpose is accomplished and the
city receives the return benefit; (4) prohibit a city from transferring for consideration real
property or an interest in real property the city owns, holds, or claims as a public square or park;
(5) require a city, before making a transfer under an economic development agreement, to
provide notice to the general public in a newspaper of general circulation in the county in which
the property is located, or if there is no such newspaper, by any means for the city to provide
specific public notice authorized by statute or by ordinance of the city; and (6) provide that a city
may transfer real property acquired by the city from the previous owner by the exercise of
eminent domain authority or the threat of the exercise of eminent domain authority in a Chapter
380 economic development agreement only if: (a) the city offers the previous owner an
opportunity to repurchase the real property at the current market value and the previous owner
deployes; or (b) the city cannot locate the previous owner with reasonable effort. (Companion bill
is S.B. 848 by Blanco.)

**H.B. 3230 (Moody) – School Property Tax Limitations:** would, among other things, extend
the expiration date of the Texas Economic Development Act from December 31, 2022, to
December 31, 2034.

**H.B. 3279 (Dutton) – Schools:** would, among things, provide that: (1) a city must consider an
open-enrollment charter school a school district for purposes of zoning, permitting, plat
approvals, fees or other assessments, construction or site development work, code compliance,
development, and approve in the same manner and following the same timelines as if a charter
school were a school district or state-owned facility; (2) in territory annexed for limited purposes
and on request of an open-enrollment charter school, a city shall enter an agreement with the
governing body of the open-enrollment charter school to establish review fees, review periods,
and land development standards ordinances and to provide alternative water pollution control
methodologies for school buildings constructed by the open-enrollment charter school; (3) the
definition of the term “land development standards” in (2) includes, among other things, building
heights, traffic impact analyses, vehicle queuing, parking requirements, and signage
requirements; (4) a local governmental entity may not enact or enforce an ordinance, order,
regulation, resolution, rule, or policy or take action that prohibits an open-enrollment charter
school from operating a public school campus, educational support facility, or administrative
office in the entity’s jurisdiction or on any specific property in the jurisdiction of the local
governmental entity; and (5) an open-enrollment charter school is not required to pay impact fees
unless the governing body of the charter school consents to the payment. (Companion bill is S.B.
28 by Bettencourt.)

**H.B. 3328 (Bernal) – Tax Preferences:** would, among other things: (1) require the comptroller
to identify each state and local tax preference and develop a review schedule under which tax
preferences are reviewed once during each six-year period; (2) require the Legislative Budget
Board (LBB) to periodically review each state and local tax preference according to the schedule
created by the comptroller; (3) require the LBB to file a preliminary report on tax preferences to
the Senate Finance Committee and the House Ways and Means Committee not later than
September 1 of each even-numbered year; (4) require the Senate Finance Committee and the
House Ways and Means Committee to review the preliminary report and, not later than
December 1 of each even-numbered year, provide to the governor, lieutenant governor, and speaker of the house a final report on the reviews of tax preferences; (5) provide that each tax preference enacted by the legislature that becomes law on or after January 1, 2022, expires six years after the date it takes effect, unless the legislature provides an earlier or later expiration date; and (6) provide that a tax preference that became law before January 1, 2022, and that remains in effect on that date, expires January 1, 2028, unless the legislature provides for an earlier or later expiration date. (See H.J.R. 134, below.)

**H.B. 3339 (Meyer) – Major Events Reimbursement Program**: would add the Ladies Professional Golf Association Championship, the Professional Golfers’ Association Championship, the Ryder Cup, and the Senior Professional Golfers’ Association Championship to the list of events eligible for funding under the Major Events Reimbursement Program.

**H.B. 3378 (Leman) – National Anthem**: would provide that an agreement between the Texas Economic Development and Tourism Office, an endorsing city or county, or a local organizing committee and a site selection organization under an event reimbursement program that includes a financial commitment of the state or a city or county of the state must contain a written verification from the site selection organization guaranteeing the national anthem of the United States will be performed at the beginning of the game or event for which funds are committed under the agreement.

**H.B. 3414 (Holland) – Special District Assessments**: would require a seller of a newly constructed residential real property that is located in a special district to provide a written notice to the first purchaser of the property advising of the obligation to pay assessments to the municipality or county.

**H.B. 3417 (Fierro) – Manufactured Homes**: would, among other things, provide that: (1) during a declared emergency that exceeds a period of 14 days, the executive director of the manufactured housing division of the Texas Department of Housing and Community Affairs: (a) shall waive all licensing requirements to ensure the continued and adequate supply of professionals to build, sell, transport, insure, finance, and install manufactured homes; and (b) may require a person to register with the DHCA before engaging in any activity regulated regarding manufactured homes; (2) following the cessation of a declared emergency, the director may require a person registered with the DHCA under (1)(b) to comply with the criminal history background check requirements and other licensing requirements; (3) all actions regulated by state law on manufactured housing and actions needed to construct, transport, install, sell, finance, rent, and insure manufactured homes are essential services that must be allowed to continue to operate at a statewide level during a declared emergency; and (4) the license requirement for a person to sell or exchange, or offer to sell or exchange, two or more manufactured homes to consumers in Texas in a 12-month period does not apply to a person if all manufactured homes sold or offered for sale by the person are: (a) located in a manufactured home community; and (b) sold or offered for sale to the same purchaser in connection with a sale of a lot or parcel of real property located in the community.

**H.B. 3464 (Shaw) – Public Facility Corporation**: would provide that a tax exemption for a multifamily residential development which is owned by a public facility corporation applies only
if the operator of the development does not base any refusal to rent a unit to an individual or family on the individual’s or family’s participation in the federal Section 8 Housing Choice Voucher Program.

**H.B. 3519 (Deshotel) – Extraterritorial Jurisdiction**: would: (1) allow a resident of an area with a population of less than 200 and in a municipality’s extraterritorial jurisdiction (ETJ) to file a petition for the area to be released from the ETJ if the area has been in the ETJ for at least one year; (2) require the petition in (1) be signed by more than 50 percent of the registered voters of the area described by the petition as of the date of the preceding uniform election date, and if it is valid, require the city to release the area from its ETJ immediately; (3) allow a resident of an area with a population of 200 or more and that has been in a municipality’s ETJ for at least one year to request to hold an election to vote on the question of whether to release the area from the municipality’s ETJ 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; (4) require, if it receives a valid petition under (3), a city to hold and pay for the costs of an election in the area described by the petition, and require the city to immediately release the area from the ETJ if a majority of voters approve the proposed release. (Companion bill is **S.B. 1992** by Bettencourt.)

**H.B. 3546 (Cortez) – Tourism Public Improvement Districts**: would: (1) authorize a city council to include property in a tourism public improvement district after establishment of the district if: (a) the property is a hotel; and (b) a sufficient number of the record owners of the real property currently included and proposed to be included in the district have consented to be included in the district by signing the original petition to establish the district or by signing a petition or written consent to include property in the district; and (2) provide that for purposes of (1)(b), above, the number of consenting record owners is sufficient if the record owners own more than 60 percent of the appraised value of taxable real property liable for assessment in the district and: (a) constitute more than 60 percent of all record owners of taxable real property liable for assessment in the district; or (b) own, in aggregate, more than 60 percent of the area of all taxable real property liable for assessment in the district. (Companion bill is **S.B. 804** by Menéndez.)

**H.B. 3634 (Thierry) – Building Codes/Pipe Insulation**: would require a city to adopt a building code regulation that requires certain pipe be insulated in a certain manner, and require that the regulation be applied to new residential construction on or after January 1, 2022.

**H.B. 3798 (Minjarez) – Housing Authority**: would require any housing authority policy permitting tenant ownership of a pet to comply with all applicable county or municipal restrictions on dangerous dogs imposed under the Health and Safety Code.

**H.B. 3853 (Anderson) – Middle Mile Broadband Service**: would: (1) define “middle mile broadband service” as the provision of broadband service to an Internet service provider on a wholesale basis, and provide that the term does not include the provision of Internet service to end-use customers on a retail basis; (2) authorize certain electric utilities, not including a municipally owned utility, to own, construct, maintain, and operate fiber optic cables and other facilities for providing middle mile broadband service; and (3) establish a system by which an
electric utility that plans a project to deploy middle mile broadband must submit a written plan to the Public Utility Commission (PUC) for PUC approval. (Companion bill is S.B. 1650 by Perry.)

**H.B. 4005 (Romero) – Zoning Change:** would provide that, if a proposed change in zoning classification is a city-initiated zoning change, the notice of the public hearing required under certain state law must be: (1) sent to each owner of real property within 500 feet of the properties for which the change in classification is proposed; and (2) delivered by telephone call, text message, e-mail, or mail unless the notice is required to be made in a specific manner provided by certain other law.

**H.B. 4086 (C. Turner) – Certificate of Occupancy:** would, among other things, provide that a city may withhold a certificate of occupancy for a dwelling or for the installation or alteration of “equipment” (defined to mean an elevator, escalator, chairlift, platform lift, automated people mover operated by cables, or moving sidewalk, or related equipment) until the owner provides a copy of the inspection report required under state law.

**H.B. 4119 (Guillen) – Small and Rural Community Success Fund:** would establish the Texas small and rural community success fund to make loans to economic development corporations (EDCs) for eligible EDC projects. (Companion bill is S.B. 1465 by Hinojosa.)

**H.B. 4121 (Guillen) – Land Development Applications:** would, among other things: (1) require a political subdivision to approve, approve with conditions, or disapprove a land development application within 30 days after the date the land development application is filed; (2) define the term “land development application” broadly to include an application for a subdivision development plan, subdivision development, construction of subdivision improvements, site plan development, development of on-site or off-site improvements, and any endeavor over which a regulatory agency exerts its jurisdiction and for which one or more permits are required to initiate, continue, or complete the endeavor; and (3) provide various circumstances in which a court could award a person court costs and attorney’s fees against a city and a city officer.

**H.B. 4242 (Meyer) – School Property Tax Limitations:** would extend the expiration date of the Texas Economic Development Act from December 31, 2022, to December 31, 2026.

**H.B. 4328 (Campos) – Mobile Showers:** would require: (1) a municipality with a population of 250,000 or more to provide to homeless individuals residing in the municipality access to mobile showers; (2) a sufficient number of showers to allow daily shower access by each homeless individual residing in the municipality; and (3) the municipality to ensure that the access is sufficient to address the hygienic needs of and the prevention of a hygiene-related illnesses in the municipality's homeless population.

**H.B. 4370 (Rodriguez) – Broadband:** would, among other things: (1) expand the definition of “basic local telecommunications service” to include access to facilities with data transmission capability; and (2) provide that the universal service fund is funded by a statewide uniform
charge payable by each telecommunications provider and provider of Voice over Internet Protocol as a service that has access to the customer base.

**H.B. 4373 (Rodriguez) – Broadband:** would, among other things, provide that the first $200 million of the proceeds received in a state fiscal year from the collection of state sales taxes on telecommunications services shall be deposited to the credit of the universal service fund sales tax receipts account in the state’s general revenue fund.

**H.B. 4375 (Rodriguez) – Broadband Development Office:** would, among other things:

1. require the governor’s broadband development council to: (a) research the progress of deployment of broadband statewide and the purchase of broadband by residential and commercial customers; and (b) study industry and technology trends in broadband;
2. establish a broadband development office within the governor’s office;
3. for purposes of the broadband development office, define “broadband service” as internet service with the capability of providing: (a) a download speed of 25 megabits per second or faster; and (b) an upload speed of three megabits per second or faster;
4. authorize the governor by rule to adjust the threshold speeds for broadband services defined in Number 3, above, if the Federal Communications Commission adopts upload or download threshold speeds for advanced telecommunications capability that are different from those listed in Number 3, above;
5. require the broadband development office to: (a) serve as a resource for information regarding broadband service in the state; (b) engage in outreach to communities regarding the expansion and adoption of broadband service and the programs administered by the office; and (c) serve as an information clearinghouse in relation to federal programs providing assistance to local entities with respect to broadband service;
6. require the broadband development office to create, update annually, and publish on the governor’s website a map classifying each designated area in the state as: (a) an eligible area, if fewer than 80 percent of the addresses in the designated area have access to broadband service; or (b) an ineligible area, if 80 percent or more of the addresses in the designated area have access to broadband service;
7. require the map described in Number 6, above, to display: (a) the number of broadband service providers that serve each designated area; (b) for each eligible area, an indication of whether the area has access to Internet service that is not broadband service, regardless of the technology used to provide the service; and (c) each public school in the state and an indication of whether the area has access to broadband service;
8. provide that if information available from the Federal Communications Commission is not sufficient for the broadband development office to create or update the map, the office may request the necessary information from a political subdivision or broadband service provider, and the subdivision or provider may report the information to the office;
9. establish a petition process, under which a political subdivision or broadband service provider may petition the broadband development office to re-designate designated area on the map as an eligible area or ineligible area;
10. require the broadband development office to establish a program to award grants, low-interest loans, and other financial incentives to applicants for the purpose of expanding access to, and adoption of, broadband service in designated areas determined to be eligible areas;

11. require the broadband development office to establish and publish eligibility criteria for award recipients under Number 10, above, limiting grants, loans, and other financial incentives awarded to the program for use on capital expenses, purchase or lease of property, and other expenses, including backhaul and transport that will facilitate the provision or adoption of broadband service;

12. require the broadband development office to prepare, update, and publish on the governor’s Internet website a state broadband plan that establishes long-term goals for greater access to and the adoption of broadband service in Texas;

13. require the broadband development office, in developing the state broadband plan, to: (a) to the extent possible, collaborate with state agencies, political subdivisions, broadband industry stakeholders and representatives, and community organizations that focus on broadband services; (b) consider the policy recommendations of the governor’s broadband development council; (c) favor policies that are technology-neutral and protect all members of the public; and (d) explore state and regional approaches to broadband development; and

14. establish the broadband development account in the state’s general revenue fund consisting of: (a) appropriations of money to the account by the legislature; (b) gifts, donations, and grants, including federal grants; and (c) interest earned on the investment of the money in the account.

**H.B. 4412 (Wilson) – Recreational Vehicle Parks**: would provide that a recreational vehicle park is not a subdivision subject to county subdivision regulations and, among other things, provide that a city may not provide utility services to a recreational vehicle park that is subject to a county infrastructure development plan unless the owner provides the utility a certificate of compliance.

**H.B. 4423 (Cyrier) – Public Improvement Districts**: would provide that a public improvement project may include: (1) expenses related to the operation and maintenance of a geothermal water conveyance facility or improvement; and (2) the acquisition, by purchase or otherwise of a right-of-way or easement in connection with an authorized improvement.

**H.B. 4447 (Oliverson) – Land Development Applications**: would: (1) prohibit a municipal planning commission or the governing body of the municipality from requiring a person to submit or obtain approval of a required planning document or fulfill any other prerequisites or conditions before the person files a copy of the plan or plat with the municipal planning commission or governing body; (2) except from the prohibition in (1) certain subdivision plats for which the source of the water supply intended for the subdivision is groundwater; (3) allow a municipal planning commission or the governing body of the municipality to approve a plan or plat on the condition that the applicant must also submit or obtain approval of certain required planning documents after the plat application is filed; (4) require that, if the municipal planning
commission or the governing body of the municipality conditionally approves a plan or plat as
described in (3), the municipality’s approval process for each individual required planning
document shall be subject to the same procedures and timelines as those prescribed for certain
other plans or plats (except that an individual required planning document may not be
conditionally approved); and (5) in certain circumstances, require a city to establish a bifurcated
approval procedure, including a phased approach to the approval of a preliminary plan or plat
and a final plan or plat, and allow an applicant to opt-in to the bifurcated approval procedure.
(Companion bill is S.B. 1667 by Hughes.)

**H.B. 4448 (Israel) – Public Improvement Districts**: would provide that a public improvement
project may include: (1) expenses related to the operation and maintenance of a geothermal water
conveyance facility or improvement; and (2) the acquisition, by purchase or otherwise of a right-
of-way or easement in connection with an authorized improvement.

**H.B. 4496 (Hinojosa) – Building Codes**: would, among other things, provide that: (1) on
January 1, 2022, the energy efficiency chapter of the International Residential Code, as it existed
on May 1, 2021, is adopted as the energy code in this state for single-family residential
construction and all other residential, commercial, and industrial construction; (2) the
International Residential Code, as it existed on May 1, 2021, is adopted as a municipal
residential building code in this state; (3) the National Electrical Code, as it existed on May 1,
2021, is adopted as the municipal electrical construction code in this state and applies to all
residential and commercial electrical construction applications; and (4) the Internal Building
Code, as it existed on May 1, 2021, is adopted as a municipal commercial building code in this
state.

**H.B. 4503 (Cain) – Natural Gas**: would prohibit a city from adopting or enforcing an
ordinance, order, or other regulation that prohibits the use of natural gas utility service in a
building as a condition to receive a permit or other approval required to construct or improve the
building.

**H.J.R. 74 (Dutton) – Tax Preferences**: would amend the Texas Constitution to require the
periodic review of state and local tax preferences. (See H.B. 1335, above.)

**H.J.R. 134 (Bernal) – Tax Preferences**: would amend the Texas Constitution to require the
periodic review and expiration of state and local tax preferences. (See H.B. 3328, above.)

**S.B. 4 (Buckingham) – National Anthem**: would provide that a governmental entity, including
a city, may not enter into an agreement with a professional sports team that requires a financial
commitment by the state or any governmental entity unless the agreement includes: (1) a written
verification that the professional sports team will play the United States national anthem at the
beginning of each team sporting event held at the team’s home venue or other facility controlled
by the team for the event; (2) a provision providing that failure to comply with the written
verification requirement for any team sporting event at the team’s home venue or other facility:
(a) constitutes a default of the agreement; (b) immediately subjects the team to any penalty the
agreement authorizes for default; and (c) may subject the team to debarment from contracting
with the state.
S.B. 5 (Nichols) – Broadband Development Office: would, among other things:

1. require the existing governor’s broadband development council to: (a) research the progress of deployment of broadband statewide; and (b) study industry and technology trends in broadband;

2. establish the state broadband development office within the University of Texas System;

3. for purposes of the state broadband development office, define “broadband service” as internet service provided directly to end user retail customers and capable of providing: (a) a download speed of 25 megabits per second or faster; and (b) an upload speed of three megabits per second or faster;

4. require the state broadband development office to: (a) serve as a resource for information regarding broadband service in the state; and (b) engage in outreach to communities regarding the expansion and adoption of broadband service and the programs administered by the office;

5. establish a board of advisors for the state broadband development office consisting of 11 appointed members;

6. require the office to create, update annually, and publish on the office’s website a map designating each census block in the state as: (a) an eligible area, if fewer than 80 percent of the addresses in the block have access to broadband service; or (b) an ineligible area, if 80 percent or more of the addresses in the block have access to broadband service;

7. require the map described in Number 6, above, to display: (a) the number of broadband service providers that serve each census block; and (b) for each eligible area, an indication of whether the area has access to Internet service that is not broadband service, regardless of the technology used to provide the service;

8. provide that if information available from the Federal Communications Commission is not sufficient for the office to create or update the map, the office may request the necessary information from a political subdivision or broadband service provider, and the subdivision or provider must report the information to the office;

9. establish a petition process, under which a political subdivision or broadband service provider may petition the office to re-designate a census block on the map as an eligible area or ineligible area;

10. require the office to establish a program to award grants, low-interest loans, and other financial incentives to applicants for the purpose of expanding access to, and adoption of, broadband service in census blocks determined to be eligible areas;

11. require the office to establish and publish eligibility criteria for award recipients under Number 10, above, limiting grants, loans, and other financial incentives awarded to the program for use on capital expenses, purchase or lease of property, and other expenses, including backhaul and transport that will facilitate the provision or adoption of broadband service;

12. provide that the office may not: (a) favor a particular broadband technology in awarding grants, loans, or other financial incentives; (b) award grants, loans, or other financial incentives to a broadband provider that does not report information requested by the office; (c) award a grant, loan, or other financial incentive to a noncommercial provider of broadband service for an eligible area if a commercial provider of broadband service has submitted an application for the eligible area; or (d) take into consideration...
distributions from the state universal service fund when deciding to award grants, loans, or other financial incentives;
13. provide that an award granted under the broadband development program does not affect distributions received by a broadband provider from the state universal service fund; and
14. establish the broadband development account in the state’s general revenue fund consisting of: (a) appropriations of money to the account by the legislature; (b) gifts, donations, and grants, including federal grants; and (c) interest earned on the investment of the money in the account.

**S.B. 28 (Bettencourt) – Schools:** would, among things, provide that: (1) a city must consider an open-enrollment charter school a school district for purposes of zoning, permitting, plat approvals, fees or other assessments, construction or site development work, code compliance, development, and approve in the same manner and following the same timelines as if a charter school were a school district or state-owned facility; (2) in territory annexed for limited purposes and on request of an open-enrollment charter school, a city shall enter an agreement with the governing body of the open-enrollment charter school to establish review fees, review periods, and land development standards ordinances, and to provide alternative water pollution control methodologies for school buildings constructed by the open-enrollment charter school; (3) the definition of the term “land development standards” in (2) includes, among other things, building heights, traffic impact analyses, vehicle queuing, parking requirements, and signage requirements; (4) a local governmental entity may not enact or enforce an ordinance, order, regulation, resolution, rule, or policy or take action that prohibits an open-enrollment charter school from operating a public school campus, educational support facility, or administrative office in the entity’s jurisdiction or on any specific property in the jurisdiction of the local governmental entity; and (5) an open-enrollment charter school is not required to pay impact fees unless the governing body of the charter school consents to the payment. (Companion bill is H.B. 3279 by Dutton.)

**S.B. 46 (Zaffirini) – Homeless:** would provide that: (1) a city zoning or land use ordinance may not prohibit a religious organization from using the organization’s facility as housing for homeless individuals, or from having housing units for the homeless on the organization’s property; and (2) a city may adopt or enforce an ordinance that imposes reasonable health and safety regulations on housing for homeless individuals provided on a religious organization’s property, including requirements that the organization provide electricity and heat for each housing unit, and at least one kitchen and bathroom on the property.

**S.B. 113 (West) – Community Land Trusts:** would, among other things: (1) expand the type of nonprofit organizations that may constitute a community land trust; (2) provide that, once adopted by the governing body of a taxing unit, certain community land trust tax exemptions continue to apply to the property until the governing body rescinds the exemption in the manner provided by law; and (3) impose certain requirements on a chief appraiser who is appraising land or a housing unit leased by a community land trust, including that the chief appraiser use the income method of appraisal.

**S.B. 144 (Powell) – School Property Tax Limitations:** would extend the expiration date of the Texas Economic Development Act from December 31, 2022, to December 31, 2032.
S.B. 154 (Perry) – **Broadband Office**: would, among other things: (1) establish the broadband office within the Texas Public Utility Commission to: (a) facilitate and coordinate the efforts of state agencies and local units of government, including regional planning commissions, in connection with the planning and deployment of broadband projects; (b) develop broadband investment and deployment strategies for rural communities and other areas of this state that are underserved and unserved with respect to broadband; (c) promote and coordinate public sector and private sector broadband solutions in support of statewide broadband development goals; (d) assist and promote local and regional broadband planning; (e) pursue and obtain federal sources of broadband funding; (f) develop a framework to measure broadband access in and designate areas of this state that are underserved and unserved with respect to broadband; (g) develop statewide goals for broadband deployment in rural communities and other underserved and unserved areas; (h) manage and award funds allocated to the broadband office for broadband projects; and (i) serve as an information clearinghouse in relation to federal programs providing assistance to local entities with respect to broadband; and (2) provide that the broadband office shall establish a program to provide grants to private sector broadband providers for projects to provide broadband service in an unserved area.

S.B. 234 (Hall) – **Community Advocacy**: would: (1) prohibit a political subdivision from spending public funds to: (a) hire an individual required to register as a lobbyist for the purpose of lobbying a member of the Texas legislature; or (b) pay a nonprofit state association or organization that: (i) primarily represents political subdivisions; and (ii) hires or contracts with an individual required to register as a lobbyist; (2) provide that if a political subdivision engages in activity prohibited by (1), above, a taxpayer or resident of the political subdivision is entitled to injunctive relief to prevent any further prohibited activity or any further payments of public funds; and (3) provide that a taxpayer or resident who prevails in an action under (2), above, is entitled to recover reasonable attorney’s fees and costs from the political subdivision. (Companion bill is H.B. 749 by Middleton.)

S.B. 265 (West) – **Housing Discrimination**: would: (1) prohibit housing discrimination under the Texas Fair Housing Act on the basis of source of income; and (2) prohibit the Texas Workforce Commission from deferring proceedings and referring a complaint about discrimination described in (1) to a city if the city does not have laws prohibiting the alleged discrimination.

S.B. 291 (Schwertner) – **Commercial Construction**: would require a developer, as soon as practicable after beginning construction of a commercial building project, to visibly post the following information at the entrance to the construction site: (1) the name and contact information of the developer; and (2) a brief description of the project.

S.B. 356 (Miles) – **Public Facility Corporations**: would provide that a grocery store or an early learning center located in an economically disadvantaged census tract may be financed by a public facilities corporation.

S.B. 357 (Miles) – **Public Facility Corporations**: would provide that a grocery store located in an economically disadvantaged census tract may be financed by a public facilities corporation.
**S.B. 374 (Seliger) – Annexation of Rights-of-Way:** would provide that: (1) a city annexing an area on request of the owners, an area with less than 200 population by petition, an area with at least 200 population by election, or certain special districts may also annex with the area: (a) the right-of-way of a street, highway, alley or other public way or of a railway line spur, or roadbed that is contiguous to the city’s boundaries and the area being annexed or a right-of-way described in (b); or (b) the right-of-way of a public road or highway connecting the area being annexed to the city by the most direct route; (2) a city may only annex a right-of-way described under (1) if the city: (a) provides written notice of the annexation to the owner of the right-of-way not later than the 61st day before the date of the proposed annexation; and (b) the owner of the right-of-way does not submit a written objection to the city before the date of the proposed annexation; and (3) certain width requirements do not apply to the annexation of a right-of-way under (1). (Companion bill is **H.B. 1241** by **Shine**.)

**S.B. 386 (Powell) – Economic Development Corporations:** would provide that, for an economic development corporation in a city wholly or partly located in an area subject to a state of disaster declared by the governor, an authorized economic development corporation project includes expenditures found by the board of directors of the corporation to be required or suitable for use to support businesses and retain jobs during the period the area is subject to the disaster declaration.

**S.B. 400 (Zaffirini) – Housing Tax Credits:** would authorize the Texas Department of Housing and Community Affairs to allocate housing tax credits to more than one development in a single community only if: (1) one of the developments will be located wholly within a census tract in which the median value of owner-occupied homes has increased by 15 percent or more within the five years preceding the date of the application; (2) the governing body of the municipality containing the development or, if located outside a municipality, the county containing the development adopts a resolution that authorizes an allocation of housing tax credits for the development; and (3) the applicant for the development includes in the application a copy of the resolution adopted under (2), above. (Companion bill is **H.B. 1295** by **Rodriguez**.)

**S.B. 416 (Miles) – Historic Districts:** would provide that a city that has not established a process to designate historic landmarks may adopt and enforce an ordinance, order, or other regulation the primary purpose of which is to protect or maintain historic or culturally significant structures, objects, sites, or districts.

**S.B. 487 (Hughes) – Charter Schools:** would: (1) require a city to consider an open-enrollment charter school a school district for purposes of zoning, permitting, code compliance, and development, including land development standards in territory that a city has annexed for limited purposes; (2) prohibit a city from enacting or enforcing an ordinance or regulation that prohibits an open-enrollment charter school from operating at any location or within a zoning district in the city; (3) provide that an open-enrollment charter school is not required to pay impact fees unless the school’s governing body consents to the payment; and (4) provide that an open-enrollment charter school may be exempt from utility drainage ordinances and regulations, and that any such exemption granted to a school district before the effective date of the bill
automatically extends to all open-enrollment charter schools located in a city. (Companion bill is H.B. 1348 by Deshotel.)

S.B. 500 (Miles) – Operating Boarding Home without License: would: (1) create a Class B misdemeanor offense when a person operates a boarding home facility without a local permit; and (2) provide that (1), above, only applies when a county or municipality requires a permit to operate a boarding home facility.

S.B. 501 (Miles) – Group Homes: would: (1) authorize a county to enact fire safety standards applicable to the new construction of certain health care facilities; (2) authorize the Health and Human Services Commission to regulate certain group homes; (3) provide that the owner or operator of certain group homes commits a criminal offense if with criminal negligence by act or omission causes to a resident: (a) serious mental deficiency, impairment, or injury; or (b) bodily injury; and (4) provide that a person who maintains a place to which persons habitually go for the following purposes and who knowingly tolerates the activity and fails to make reasonable attempts to abate the activity maintains a common nuisance: (a) injury to a child, elderly individual, or person with a disability in violation of certain state law; and (b) a criminal negligence offense described in (3).

S.B. 503 (Miles) – Operating Boarding Home without License: would: (1) create a Class A misdemeanor offense when a person: (a) leases to another a building owned by the person that is being operated as a boarding home facility in a county or municipality to which the bill applies; (b) has actual knowledge that a resident of the boarding home facility is being or has been abused, neglected, or exploited; and (c) fails to report the abuse, neglect, or exploitation to the Department of Family and Protective Services for investigation by that agency; and (2) provide that (1), above, only applies in a county or municipality that does not require a person to obtain a permit from the county or municipality to operate a boarding home facility.

S.B. 505 (Miles) – Prohibited Discharge of Patients: would: (1) provide that a hospital or other health facility may discharge or otherwise release a patient to the care of a group home, boarding home facility, or similar group-centered facility only if the person who operates the facility holds a license or permit issued in accordance with applicable state law; and (2) prohibit a local health authority from authorizing a hospital or health facility to discharge a patient to a facility in a manner that conflicts with (1), above.

S.B. 506 (Nichols) – Broadband Development Office: would, among other things:
1. establish a broadband development office within the comptroller’s office;
2. require the broadband development office to: (a) serve as a resource for information regarding broadband service in the state; and (b) engage in outreach to communities regarding the expansion and adoption of broadband service and the programs administered by the office;
3. require the broadband development office to create, update annually, and publish on the comptroller’s website a map designating each census block in the state as: (a) an eligible area, if fewer than 80 percent of the addresses in the block have access to broadband service; or (b) an ineligible area, if 80 percent or more of the addresses in the block have access to broadband service;
4. require the map described in (3), above, to display: (a) the number of broadband service providers that serve each census block; and (b) for each eligible area, an indication of whether the area has access to Internet service that is not broadband service, regardless of the technology used to provide the service;
5. provide that if information available from the Federal Communications Commission is not sufficient for the broadband development office to create or update the map, the office may request the necessary information from a political subdivision or broadband service provider, and the subdivision or provider must report the information to the office;
6. establish a petition process, under which a political subdivision or broadband service provider may petition the broadband development office to re-designate a census block on the map as an eligible area or ineligible area;
7. require the broadband development office to establish a program to award grants, low-interest loans, and other financial incentives to applicants for the purpose of expanding access to, and adoption of, broadband service in census blocks determined to be eligible areas;
8. require the broadband development office to establish and publish eligibility criteria for award recipients under (7), above, limiting grants, loans, and other financial incentives awarded to the program for use on capital expenses, purchase or lease of property, and other expenses, including backhaul and transport that will facilitate the provision or adoption of broadband service;
9. provide that the office may not award a grant, loan, or other financial incentive to a noncommercial provider of broadband service for an eligible area if a commercial provider of broadband service has submitted an application for the eligible area;
10. provide that an award granted under the broadband development program does not affect distributions received by a broadband provider from the state universal service fund; and
11. establish the broadband development account in the state’s general revenue fund consisting of: (a) appropriations of money to the account by the legislature; (b) gifts, donations, and grants, including federal grants; and (c) interest earned on the investment of the money in the account.

(Companion is H.B. 1446 by Ashby.)

S.B. 507 (Nichols)  – Broadband in State Rights-of-Way: would require the Texas Transportation Commission to promulgate rules: (1) establishing an accommodation process that authorizes broadband-only providers to use state highway rights-of-way, subject to highway purposes, for: (a) new broadband facility installations; (b) additions to or maintenance of existing broadband facility installations; (c) adjustments or relocations of broadband facilities; and (d) existing broadband facilities retained within the rights-of-way; and (2) prescribing minimum requirements for the accommodation, method, materials, and location for the installation, adjustment, and maintenance of broadband facilities under the accommodation process.

S.B. 565 (Buckingham)  – Municipal Development Districts: would authorize a municipal development district to use money in the development project fund to pay the costs of planning, acquiring, establishing, developing, constructing, or renovating one or more development projects located outside the district if: (1) the board determines that the development project will provide an economic benefit to the district; and (2) the following entities, as applicable, approve
the development project by resolution: (a) the city that created the district; (b) each city in whose corporate limits or extraterritorial jurisdiction the project is located; and (c) the commissioners court of the county in which the project is located, if the project is not located in the corporate limits or extraterritorial jurisdiction of a city. (Companion bill is H.B. 1554 by Rogers.)

**S.B. 579 (Eckhardt) – Major Events Reimbursement Program:** would add the Confederation of North, Central America and Caribbean Association Football Gold Cup to the list of events eligible for funding under the Major Events Reimbursement Program. (Companion bill is H.B. 1472 by Bucy.)

**S.B. 591 (Bettencourt) – Public Facilities Corporations:** would provide that beneficial tax treatment for a multifamily residential development which is owned by a public facility corporation created by a housing authority and which does not have at least 20 percent of its units reserved for public housing units applies only if, among other factors, the governing body of each governmental unit authorized by law to impose taxes on the property containing the development adopts a resolution approving the development. (Companion bill is H.B. 1604 by Murphy.)

**S.B. 593 (Hinojosa) – Annexation:** would authorize a city by ordinance to annex a colonia without the consent of the residents of, voters of, or owners of land in the colonia.

**S.B. 618 (Gutierrez) – Broadband:** would, among other things: (1) create the Texas Telecommunications Infrastructure Board, which would be the state agency primarily responsible for telecommunications infrastructure planning and for administering telecommunications infrastructure financing for the state; (2) provide that the board has general jurisdiction over: (a) the development and implementation of a statewide telecommunications infrastructure plan; (b) the administration of the state’s various telecommunication assistance and financing programs including those created by the constitution; (c) creating a complete data set of telecommunications infrastructure, including mapping of middle-mile and dark fiber infrastructure; and (d) other areas specifically assigned to the board by statute or other law; and (3) require the board to make biennial reports in writing to the governor and the members of the legislature to include a statement of the activities of the board and its recommendations for necessary and desirable legislation, with the initial report making recommendations concerning: (a) necessary rural broadband infrastructure; (b) an analysis of back-haul or middle-mile issues in rural broadband delivery; (c) a model or map of existing middle-mile infrastructure; (d) an analysis of statewide coordination of telecommunications infrastructure; and (e) a plan to increase rural adoption and utilization of available future broadband service.

**S.B. 631 (Buckingham) – Board of Adjustment:** would provide that, in exercising its authority to grant or deny a zoning variance, a board of adjustment may consider the following as grounds to determine whether compliance with the zoning ordinance as applied to a structure would result in an unnecessary hardship: (1) whether the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent certified appraisal roll; (2) whether compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur; (3) whether compliance would result in the structure not being in compliance with a requirement of a city
ordinance, building code, or other requirement; (4) whether compliance would result in the unreasonable encroachment on an adjacent property or easement; or (5) whether the city considers the structure to be a nonconforming structure. (Companion bill is H.B. 1475 by Cyrier.)

**S.B. 646 (Schwertner) – Homelessness:** would: (1) prohibit a municipality from purchasing a property to house homeless individuals unless the commissioners court of the county in which the property is located approves a plan described in (4), below; (2) provide that a municipality may not convert the use of a property owned by the municipality to enable the property to house homeless individuals unless the commissioners court of the county in which the property is located approves a plan described in (4), below; (3) for the purposes of the plan in (4), below, define “proposed new residents” as homeless individuals the municipality intends to house at the purchased or converted property; (4) require a plan to house homeless individuals to describe: (a) the availability of local health care for proposed new residents, including access to Medicaid services and mental health services; (b) the availability of indigent services for proposed new residents; (c) the availability of reasonably affordable public transportation for proposed new residents; (d) local law enforcement resources in the area of the property; and (e) what steps the municipality has taken to coordinate with the local mental health authority to provide for any proposed new residents; (5) require a municipality to respond to any reasonable requests for additional information made by the commissioners court regarding the proposed property purchase or use conversion; and (6) require a municipality that intends to purchase or convert a property to house homeless individuals to: (a) post notice of the proposed use of the property at the property not later than the 61st day before the proposed date of purchase or conversion; and (b) publish notice of the proposed purchase or conversion of the property for 10 consecutive days in a newspaper of general circulation in the county in which the property is located. (Companion bill is H.B. 1803 by Wilson.)

**S.B. 659 (Buckingham) – Disannexation:** would: (1) provide for the disannexation of an area that: (a) does not receive full municipal services and was exempt from municipal taxation for more than 20 years under an ordinance that provided that the area was exempt from taxation until full municipal services were provided; or (b) was annexed for limited purposes before certain laws were enacted and has not received at any time full municipal services; and (2) provide that if, after receiving a valid petition, a city fails to disannex property described in (1), the person filing the petition may bring an action against the city to compel disannexation and potentially recover attorney’s fees and court costs. (Companion bill is H.B. 1653 by Craddick.)

**S.B. 683 (Blanco) – Defense Communities:** would make various changes relating to defense economic readjustment zones.

**S.B. 796 (Schwertner) – Homeless Shelters:** would provide that: (1) a city shall hold a public hearing concerning a property that it proposes to: (a) purchase for the purpose of housing homeless individuals; or (b) convert for the purpose of housing homeless individuals; (2) the hearing must be held before the city approves the purchase or conversion; (3) notice of a hearing shall be provided to every residence located within two miles of the property that is proposed to be: (a) purchased for the purpose of housing homeless individuals; or (b) converted for the purpose of housing homeless individuals; (4) notice must be delivered via certified mail not later
than 36 hours before the hearing begins; and (5) an individual who is entitled to notice may petition a district court in the county in which the property is located for injunctive relief if a city fails to comply with the required process.

**S.B. 804 (Menéndez) – Tourism Public Improvement Districts:** would: (1) authorize a city council to include property in a tourism public improvement district after establishment of the district if: (a) the property is a hotel; and (b) a sufficient number of the record owners of the real property currently included and proposed to be included in the district have consented to be included in the district by signing the original petition to establish the district or by signing a petition or written consent to include property in the district; and (2) provide that for purposes of (1)(b), above, the number of consenting record owners is sufficient if the record owners own more than 60 percent of the appraised value of taxable real property liable for assessment in the district and: (a) constitute more than 60 percent of all record owners of taxable real property liable for assessment in the district; or (b) own, in aggregate, more than 60 percent of the area of all taxable real property liable for assessment in the district.

**S.B. 829 (Hall) – Solar Facility Decommissioning:** would, among other things: (1) prohibit the governing body of a taxing unit from entering into a tax abatement agreement to exempt a portion of the value of real property on which a solar facility is located or is planned to be located during the term of the agreement, or of tangible personal property that is located or is planned to be located on the real property during that term; and (2) prohibit the Public Utility Commission from authorizing a person who operates a solar facility to interconnect the facility to the ERCOT transmission grid unless the person has entered into an agreement with the county in which the facility is located providing that the operator is responsible for decommissioning the solar facility. (Companion bill is H.B. 2372 by Slaton.)

**S.B. 848 (Blanco) – Transfer of Real Property:** would: (1) for an entity and a city that have entered into an economic development agreement under Chapter 380 of the Local Government Code, authorize a city to transfer to an entity real property or an interest in real property; (2) provide that consideration for a transfer authorized in (1), above, is in the form of an agreement between the parties that requires the entity to use the property in a manner that primarily promotes a public purpose of the city relating to economic development; (3) require an economic development agreement involving the transfer of real property to include provisions under which the city is granted sufficient control to ensure that the public purpose is accomplished and the city receives the return benefit; (4) prohibit a city from transferring for consideration real property or an interest in real property the city owns, holds, or claims as a public square or park; (5) require a city, before making a transfer under an economic development agreement, to provide notice to the general public in a newspaper of general circulation in the county in which the property is located, or if there is no such newspaper, by any means for the city to provide specific public notice authorized by statute or by ordinance of the city; and (6) provide that a city may transfer real property acquired by the city from the previous owner by the exercise of eminent domain authority or the threat of the exercise of eminent domain authority in a Chapter 380 economic development agreement only if: (a) the city offers the previous owner an opportunity to repurchase the real property at the current market value and the previous owner declines; or (b) the city cannot locate the previous owner with reasonable effort.
**S.B. 987 (Buckingham) – Camping in Public:** would: (1) create a Class C misdemeanor criminal offense for a person who intentionally or knowingly camps in a public place without the consent of the officer or agency having the legal duty or authority to manage the public place; (2) provide that consent given by an officer or agency of a political subdivision is not effective for the purposes of (1), above; (3) provide that the bill does not preempt an ordinance, order, rule, or other regulation adopted by a state agency or political subdivision relating to prohibiting camping in a public place or affect the authority of a state agency or political subdivision to adopt or enforce an ordinance, order, rule, or other regulation relating to prohibiting camping in a public place if the ordinance, order, rule, or other regulation: (a) is compatible with and equal to or more stringent than the offense in (1), above; or (b) relates to an issue not specifically addressed by the bill; (4) provide that a local entity may not adopt or enforce a policy under which the entity prohibits or discourages the enforcement of any public camping ban; (5) provide that, in compliance with (4), a local entity may not prohibit or discourage a peace officer or prosecuting attorney who is employed by or otherwise under the direction or control of the entity from enforcing a public camping ban; (6) provide that the attorney general may bring an action in a district court in Travis County or in a county in which the principal office of the entity is located to enjoin a violation of (4) and may recover reasonable expenses, including court costs, reasonable attorney’s fees, investigative costs, witness fees, and deposition costs; (7) provide that a local entity may not receive state grant funds for the state fiscal year following the year in which a final judicial determination in an action brought under (6) is made that the entity has intentionally violated (4), above; and (8) provide that a local entity that has not violated (4) may not be denied state grant funds, regardless of whether the entity is a part of another entity that is in violation of (4). ( Companion bill is **H.B. 1925 by Capriglione.**)

**S.B. 1023 (Gutierrez) – Building Materials:** would allow a governmental entity to impose a regulation regarding the use of a building production, material or standard that implements certain water conservation plans or programs, or is a requirement imposed by the Texas Water Development Board as a condition of applying for or receiving financial assistance under a program administered by the board.

**S.B. 1090 (Buckingham) – Building Materials:** would, among other things, allow a city to impose an ordinance regarding building products, materials, or methods used in the construction or renovation of a residential or commercial building to the extent it regulates outdoor lighting that is adopted for the purpose of reducing light pollution, and is adopted by a city that is a Dark Sky Community.

**S.B. 1107 (Zaffirini) – Homelessness:** would, among other things, require: (1) a state registrar, a local registrar, or a county clerk to issue a homeless individual’s birth record to the homeless individual without a fee; (2) the Department of State Health Services to adopt a process to verify a person’s status as a homeless individual and prescribe the documentation necessary for the issuance of a certified copy of a birth record, which may not include requiring the homeless individual to provide a physical address of the person’s residence; (3) the Department of Public Safety (DPS) to adopt a process to verify a person is a homeless individual, which may not include requiring the homeless individual to provide a physical address of the person’s residence; and (4) DPS to exempt a homeless individual from the payment of fees for the issuance of a driver’s license or personal identification certificate.
S.B. 1120 (Johnson) – Zoning: would provide that: (1) the governing body of a municipality wishing to exercise the authority relating to zoning regulations and zoning district boundaries shall establish procedures for adopting, revising, and enforcing the regulations and boundaries; (2) the adoption of initial zoning regulations and zoning district boundaries, a comprehensive revision of the regulations or boundaries, or an amendment of a regulation that applies uniformly across boundaries or areas of the municipality is not effective until after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard; (3) a proposed change to a regulation or boundary that only affects an individual lot or a limited area of contiguous lots or land may be protested as provided by certain law, and, if protested, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body; and (4) before the 10th day before the hearing date, written notice of each public hearing before the zoning commission on a proposed change in a zoning classification of an individual property or a limited area of contiguous properties shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the property or area on which the change in classification is proposed. (Companion bill is H.B. 2989 by Cyrier.)

S.B. 1155 (Nelson) – Major Events Reimbursement Program: would, among other things, add the Texas Grand Prix race to the list of events eligible for funding under the Major Events Reimbursement Program.

S.B. 1168 (Campbell) – Extraterritorial Jurisdiction: would, in an area in a city’s extraterritorial jurisdiction that has been disannexed under certain law or for which the city has attempted and failed to obtain consent for annexation under certain law: (1) prohibit a city from imposing a fine or fee on a person on the basis of an activity that occurs wholly in the area, or the management or ownership of property located wholly in the area; and (2) provide that the prohibition in (1) does not apply to a fine or fee for water, sewer, drainage, or other related utility services.

S.B. 1172 (Kolkhorst) – Development Plats: would provide that when a city decides to regulate the development of tracts of land via development plats, the city may define and classify the developments and need not require platting for every development of a tract of land otherwise within the scope of the state law regarding development plats. (Companion bill is H.B. 2997 by Gates.)

S.B. 1196 (Whitmire) – Texas State Board of Plumbing Examiners: would, among other things, continue the functions of the Texas State Board of Plumbing Examiners. (Companion bill is H.B. 636 by S. Thompson.)

S.B. 1210 (Johnson) – Refrigerants: would provide that a building code or other requirement applicable to commercial or residential buildings or construction may not prohibit the use of certain substitutes for hydrofluorocarbon refrigerants authorized under federal law. (Companion bill is H.B. 3032 by Oliverson.)
**S.B. 1246 (Perry) – Universal Service Fund:** would: (1) expand the definition of “telecommunications provider” for purposes of paying the statewide uniform charge that funds the universal service fund to include a provider of Voice over Internet Protocol service; (2) modify the definition of “high cost rural area” for purposes of the universal service fund; (3) provide that the statewide uniform charge that funds the universal service fund may be in the form of a fee or an assessment on revenues; and (4) provide that the Public Utility Commission may not assess the statewide uniform charge in a manner that is not technology neutral or grants an unreasonable preference based on technology.

**S.B. 1255 (Birdwell) – School Property Tax Limitations:** would, among other things, extend the expiration date of the Texas Economic Development Act from December 31, 2022, to December 31, 2032.

**S.B. 1256 (Birdwell) – Property Tax Abatement:** would provide that an owner or lessee of a parcel of real property that is located wholly or partly in a tax abatement reinvestment zone may not receive an exemption from taxation of any portion of the value of the parcel of real property or of tangible personal property located on the parcel under a tax abatement agreement if a solar energy device or wind-powered energy device is installed or constructed on the same parcel of real property.

**S.B. 1257 (Birdwell) – Property Tax Abatement:** would require a chief appraiser to include in a tax abatement report submitted to the comptroller a list of the kind, number, and location of all proposed improvements of the property in connection with each tax abatement agreement within the district in the year following the year in which an agreement is executed.

**S.B. 1269 (Whitmore) – Main Street:** would amend current state law allowing municipalities to participate in a main street program by modifying the program to include “communities” and their historic neighborhood commercial districts rather than municipalities.

**S.B. 1283 (Hancock) – Broadband:** would establish a process by which a broadband provider may apply for and attach an affixture of cables, strands, wires, and associated equipment used in the provision of a broadband provider’s services to a pole owned and controlled by an electric cooperative. (Companion bill is **H.B. 1505** by **Paddie**.)

**S.B. 1338 (Zaffirini) – Annexation:** would: (1) require that, at the time a municipality makes an offer to a landowner to enter into an agreement in which the landowner consents to annexation, the municipality provide the landowner with a written disclosure: (a) that the landowner is not required to enter into the agreement; (b) of the authority under which the municipality may annex the land with references to relevant law; (c) with a plain-language description of the annexation procedures applicable to the land; and (d) regarding whether the procedures require the landowner’s consent; and (2) provide that a failure to provide the disclosure in (1) makes the annexation agreement void. (Companion bill is **H.B. 1897** by **Sanford**.)

**S.B. 1416 (Creighton) – Monuments and Memorials:** would, among other things: (1) provide that a monument or memorial located on city property: (a) for at least 25 years may be removed, relocated, or altered only by supermajority vote of the city council; and (b) for less than 25 years
may be removed, relocated, or altered only by the city council; (2) provide that an additional monument may be added to the surrounding city property on which a monument or memorial is located to complement or contrast with the monument or memorial; (3) authorize a resident of the city to file a complaint with the attorney general asserting the city violated (1), above, and authorize the attorney general to file a petition for a writ of mandamus or other equitable relief to compel a city to comply with (1), above; and (4) define “monument or memorial” as used in (1) to mean a permanent monument, memorial, or other designation, including a statute, portrait, plaque, seal, symbol, cenotaph, building name, bridge name, park name, area name, or street name, that honors an event or person of historic significance.

S.B. 1422 (Bettencourt) – Freeport Property Tax Exemption: would extend from 175 to 365 the number of days by which Freeport goods must be transported outside the state in order to be exempt from property taxation. (See S.J.R. 57, below.)

S.B. 1433 (Bettencourt) – Tax Increment Financing: would, among other things: (1) require an ordinance designating a tax increment reinvestment zone to provide that the zone terminates not later than the tenth anniversary of the date on which the ordinance designating the zone is adopted; (2) prohibit the term of any portion of a tax increment reinvestment zone to be extended beyond the tenth anniversary of the date on which the ordinance designating the tax increment reinvestment zone is adopted; (3) prohibit a city from designating a tax increment reinvestment zone if: (a) more than ten percent of the property in the proposed zone is used for residential purposes; or (b) the total appraised value of taxable real property in the proposed zone and in existing reinvestment zones exceeds ten percent of the total appraised value of taxable real property in the city and in the industrial districts created by the city; (4) prohibit the board of directors of a tax increment reinvestment zone from adopting, and the city council from approving, an amendment to the project plan if: (a) the median appraised value of taxable real property that is located outside the boundaries of the zone and that is within the designating city’s corporate boundaries and extraterritorial jurisdiction; and (b) the amendment is required to be approved by ordinance adopted after a public hearing that satisfies certain procedural requirements; and (5) provide that a city may not authorize tax increment bonds and notes unless a majority of the city’s qualified voters who vote at an election ordered for that purpose approve the issuance of the bonds and notes.

S.B. 1465 (Hinojosa) – Small and Rural Community Success Fund: would establish the Texas small and rural community success fund to make loans to economic development corporations (EDCs) for eligible EDC projects.

S.B. 1469 (Buckingham) – Hotel Occupancy Tax Uses: Hotel Occupancy Tax Uses: would: (1) authorize cities with a populations under 200,000 to use a portion of the revenue derived from their city hotel occupancy taxes to promote tourism and the convention and hotel industry by enhancing and maintaining public parks owned by the city; (2) provide that the amount of city hotel occupancy tax revenue a city may use in a fiscal year to enhance and maintain all public parks may not exceed ten percent of the amount of revenue the city collected from that tax during the preceding fiscal year; (3) provide that the amount of city hotel occupancy tax revenue a city may use in a fiscal year to enhance and maintain an individual public park may not exceed the amount of area hotel revenue in the preceding fiscal year that was directly attributable to
tourists who attended events held at that park or otherwise visited that park; (4) require a city to, before the city uses city hotel occupancy tax revenue to enhance or maintain a park, make a good faith estimate of the annual amount of area hotel revenue directly attributable to tourists who visited that park; and (5) provide that a city that uses city hotel occupancy tax revenue in accordance with (1), above: (a) may reserve not more than ten percent of the revenue from that tax collected in a fiscal year for use for the same purposes during the succeeding three fiscal years; and (b) may not reduce the percentage of revenue from the tax allocated for the purposes of advertising and promotional programs to attract tourists and convention delegates or registrants to the city or its vicinity to a percentage that is less than the average percentage of the revenue from that tax allocated by the city for the same purposes during the 36-month period preceding the date the city begins using revenue for the purposes described in (1), above.

**S.B. 1500 (Buckingham) – Disannexation**: would: (1) authorize registered voters in a certain area to petition for release of the area from a city’s extraterritorial jurisdiction; and (2) authorize registered voters in a certain area to petition a city for disannexation of the area. (Companion bill is **H.B. 2776** by Deshotel.)

**S.B. 1557 (Hall) – Condominiums**: would provide that a condominium declaration is not a subdivision of land for purposes of county subdivision regulations. (Companion bill is **H.B. 2948** by Cyrier.)

**S.B. 1565 (Lucio) – Low Income Housing Tax Credit Program**: would eliminate: (1) the requirement for a city council to hold a public hearing and adopt a resolution in order for the Texas Department of Housing and Community Affairs (TDHCA) to approve an application for housing tax credits for developments financed through the private activity bond program; (2) the requirement that TDHCA score and rank applications using a point system that prioritizes criteria in a particular order; and (3) the ability of TDHCA to provide incentives through the qualified allocation plan to reward applicants for low income housing tax credits for locating a housing development in a census tract in which there are no other existing developments supported by housing tax credits. (Companion bill is **H.B. 2027** by Cortez.)

**S.B. 1585 (Hughes) – Historic Landmark**: would provide that a city that has more than one zoning, planning, or historical commission shall designate one of those commissions as the entity with the exclusive authority to approve the designations of properties as local historic landmarks. (Companion bill is **H.B. 1474** by Cyrier.)

**S.B. 1650 (Perry) – Middle Mile Broadband Service**: would: (1) define “middle mile broadband service” as the provision of broadband service to an Internet service provider on a wholesale basis, and provide that the term does not include the provision of Internet service to end-use customers on a retail basis; (2) authorize certain electric utilities, not including a municipally owned utility, to own, construct, maintain, and operate fiber optic cables and other facilities for providing middle mile broadband service; and (3) establish a system by which an electric utility that plans a project to deploy middle mile broadband must submit a written plan to the Public Utility Commission (PUC) for PUC approval. (Companion bill is **H.B. 3853** by Anderson.)
S.B. 1657 (Bettencourt) – Zoning: would: (1) require a zoning commission to give written notice of a public hearing on a proposed zoning change to each real property owner wholly or partly located in an unincorporated area of the county if the nearest property line is located not more than two miles from the nearest boundary of the area for which the zoning change is proposed; and (2) require the notice in (1) be provided by U.S. mail to the property owner, as indicated on the most recently approved county tax roll, not later than the 10th day before the date of the hearing.

S.B. 1658 (Bettencourt) – Annexation: would: (1) remove strategic partnership agreements from the list of annexations that may take place outside of the consent process; (2) provide that if a strategic partnership agreement for the annexation of certain special districts provides for limited-purpose annexation, the governing body of the district must order an election (preceded by hearings) submitting to the voters of the district the question of approving the proposed strategic partnership agreement; (3) provide that a city may not annex a district for limited purposes until has adopted a strategic partnership agreement that is approved by a majority of the voters in the district; (4) provide that a strategic partnership agreement that provides for limited-purpose annexation must be for a term not to exceed six years, that the extension of the agreement must be approved by the qualified voters of the district, and that the number of extensions is capped; (5) in relation to strategic partnership agreements entered into before September 1, 2021, provide that if a strategic partnership agreement provides for limited-purpose annexation, the governing body of the district must order an election to submit to the qualified voters of the district the question of ratifying the continuation of the agreement; and (6) provide that the qualified voters of a district annexed for limited purposes under a strategic partnership agreement are entitled to vote in municipal elections, but are not eligible to be a candidate for or elected to a municipal office.

S.B. 1659 (Bettencourt) – Limited Purpose Annexations: would provide that the qualified voters of an area in a district annexed for limited purposes under a strategic partnership agreement are entitled to vote in municipal elections in the same manner as qualified voters of any other area annexed for limited purposes, but are not eligible to be a candidate for or to be elected to a municipal office.

S.B. 1666 (Hughes) – Energy Efficiency Building Standards: would provide that the following accredited energy efficiency programs are in compliance with certain state law: (1) Standard 301 of the American National Standard for the Calculation and Labeling of the Energy Performance of Dwelling and Sleeping Units using an Energy Rating Index, commonly cited as ANSI/RESNET/ICC 301; and (2) Standard 380 of the American National Standard for Testing Airtightness of Building, Dwelling Unit, and Sleeping Unit Enclosures, Airtightness of Heating and Cooling Air Distribution Systems, and Airflow of Mechanical Ventilation Systems, commonly cited as ANSI/RESNET/ICC 380. (Companion bill is H.B. 3215 by Geren.)

S.B. 1667 (Hughes) – Land Development Applications: would: (1) prohibit a municipal planning commission or the governing body of the municipality from requiring a person to submit or obtain approval of a required planning document or fulfill any other prerequisites or conditions before the person files a copy of the plan or plat with the municipal planning commission or governing body; (2) except from the prohibition in (1) certain subdivision plats
for which the source of the water supply intended for the subdivision is groundwater; (3) allow a municipal planning commission or the governing body of the municipality to approve a plan or plat on the condition that the applicant must also submit or obtain approval of certain required planning documents after the plat application is filed; (4) require that, if the municipal planning commission or the governing body of the municipality conditionally approves a plan or plat as described in (3), the municipality’s approval process for each individual required planning document shall be subject to the same procedures and timelines as those prescribed for certain other plans or plats (except that an individual required planning document may not be conditionally approved); and (5) in certain circumstances, require a city to establish a bifurcated approval procedure, including a phased approach to the approval of a preliminary plan or plat and a final plan or plat, and allow an applicant to opt-in to the bifurcated approval procedure. (Companion bill is H.B. 4447 by Oliverson.)

S.B. 1721 (Eckhardt) – Wildlife Habitat: would: (1) authorize a home-rule municipality to impose on the developer of a development project located within the corporate boundaries of the municipality or the extraterritorial jurisdiction of the municipality a fee not to exceed $100 for each acre or portion of an acre on which natural vegetation is removed as part of the project; and (2) provide that a municipality may spend money collected from the fee authorized in (1) only to: (a) support the rehabilitation of wildlife by an animal rescue nonprofit organization that provides services in the municipality; or (b) mitigate the damage done to wildlife by a development project’s temporary or permanent removal of wildlife habitat.

S.B. 1733 (Hall) – Recreational Vehicle Parks: would provide that a recreational vehicle park is not a subdivision of land for purposes of county subdivision regulations.

S.B. 1799 (West) – Broadband: would establish a broadband Internet access grant program to provide grants to school districts for the purpose of incentivizing districts to develop unique or inventive methods for increasing broadband Internet access to facilitate instruction and learning for district students.

S.B. 1813 (Springer) – Broadband: would, among other things: (1) provide that the first $200 million of the proceeds received in a state fiscal year from the collection of state sales taxes on telecommunications services shall be deposited to the credit of the universal service fund sales tax receipts account in the state’s general revenue fund; (2) expand the definition of “basic local telecommunications service” to include access to facilities with the capability of carrying data or broadband signals; (3) provide that the universal service fund is funded by a statewide uniform charge payable by each telecommunications provider, which includes a provider of Voice over Internet Protocol service that has access to the customer base, and may be in the form of a fee or an assessment on revenues; and (4) prohibit the commission from assessing the statewide uniform charge in a manner that is not technology neutral or grants an unreasonable preference based on technology.

S.B. 1871 (Miles) – Boarding Home Facilities: would, in a city that requires a person to obtain a permit to operate a boarding home facility, provide civil penalties and criminal offenses for violations of the city’s boarding home facility regulations.
S.B. 1873 (Creighton) – Municipal Management Districts: would provide that: (1) the board of a municipal management district may declare that a position on the board is a civil office of emolument for purposes of the constitutional dual office holding prohibition if the city council of the city in which the district is located consents by resolution or ordinance; and (2) a director of a municipal management district whose position is made a civil office of emolument under (1) is entitled to receive fees of office and reimbursement of eligible expenses in the manner available to other districts in state law. (Companion bill is H.B. 1968 by Reynolds.)

S.B. 1881 (Buckingham) – Building Materials: would allow a governmental entity to impose a regulation regarding the use of a building production, material or standard in relation to a building located in an area designated as an entry corridor for development, restoration, or preservation.

S.B. 1947 (Springer) – Building Permits: would: (1) repeal the statute giving a city the ability to reach a written agreement with a building permit applicant providing for an alternative deadline for granting or denying the permit; and (2) prohibit a city from: (a) denying a building permit solely because the city is unable to comply with the 45-day time period for granting or denying a building permit; and (b) requiring a building permit applicant to waive the 45-day time period for granting or denying a building permit. (Companion bill is H.B. 2590 by Leach.)

S.B. 1992 (Bettencourt) – Extraterritorial Jurisdiction: would: (1) allow a resident of an area with a population of less than 200 and in a municipality’s extraterritorial jurisdiction (ETJ) to file a petition for the area to be released from the ETJ if the area has been in the ETJ for at least one year; (2) require the petition in (1) be signed by more than 50 percent of the registered voters of the area described by the petition as of the date of the preceding uniform election date, and if it is valid, require the city to release the area from its ETJ immediately; (3) allow a resident of an area with a population of 200 or more and that has been in a municipality’s ETJ for at least one year to request to hold an election on the question of whether to release the area from the municipality’s ETJ 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; and (4) require a city that receives a valid petition under (3) to hold and pay for the costs of an election in the area described by the petition, and to immediately release the area from the ETJ if a majority of voters approve the proposed release. (Companion bill is H.B. 3519 by Deshotel.)

S.B. 1993 (Hughes) – Renewable Energy Tax Preference: would, among other things, impose a state tax on each electric generator in this state that receives a renewable energy tax preference for a state or local tax, including a property tax abatement.

S.B. 2024 (Creighton) – Public Improvement Districts: would, among other things: (1) provide that the resolution adopted by a city council authorizing the creation of a public improvement district (PID) takes effect on the date the resolution is adopted; (2) require a city to file a copy of a PID creation resolution with the county clerk of each county in which all or part of the PID is located not later than the seventh day after the date the city council adopts the resolution; (3) require a city council to approve a PID service plan, or amend or update the plan, only by ordinance; (4) require a city to file a copy of the initially-adopted or amended PID resolution with the county clerk of each county in which all or part of the PID is located not later than the seventh day after the date the city council adopts the resolution.
service plan with the county clerk of each county in which all or part of the PID is located not later than the seventh day after the date the city council approves the service plan; (5) revise the language of the mandatory notice of obligations related to a PID used in a real estate transaction to include, among other things, additional information about the PID assessment levied against the property; (6) authorize the city or county that created the PID to provide additional information regarding the district in the PID obligation notice described in (5), above, including whether an assessment has been levied, the amount of the assessment, and the payment schedule for assessments; (7) require the PID obligation notice described in (5), above, to be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract; (8) provide that in the event a contract of purchase and sale is entered into without the seller providing the required notice of PID obligations, the purchaser is entitled to terminate the contract; and (9) provide that it shall be conclusively presumed that the purchaser has waived all rights to terminate the contract under (8), above, or recover damages or other remedies or rights, if the seller furnishes the notice of PID obligations at or before closing the purchase and sale contract and the purchaser elects to close even though the notice was not timely furnished before execution of the contract.

**S.B. 2030 (Eckhardt)** – *Public Facility Corporations*: would modify the requirements for beneficial tax treatment related to a public facility used to provide affordable housing through a public facility corporation.

**S.B. 2137 (Blanco)** – *Social Media Companies*: would: (1) require a social media company, as a condition of being eligible for economic development incentives to: (a) timely comply with a law enforcement agency's requests relating to imminent threats to public and personal safety; (b) timely report credible threats to a law enforcement agency; and (c) collaborate with law enforcement to identify and prevent violence, including by: (i) designating one or more employees to work with law enforcement; and (ii) providing law enforcement with appropriate contact information to submit requests relating to public safety; (2) prohibit a social media company from disabling law enforcement accounts on the company's social media Internet website being used in the course of an ongoing criminal investigation without first communicating and coordinating with a law enforcement agency before removing or deactivating a law enforcement account; (3) prohibit, notwithstanding any other law, a governmental entity may not enter into an economic development agreement with a social media company unless the social media company meets or agrees to comply with these conditions; (4) a social media company that violates these provisions is liable to this state for a civil penalty in an amount of not more than $1 million, and a court may award an amount of not more than $3 million if the court finds the social media company engaged in a pattern or practice of noncompliance; (5) authorize, in lieu of awarding damages, a court may order the forfeiture of any financial grants awarded to the social media company under an economic development agreement as a penalty; and (6) authorizes a penalty collected to be deposited in the state treasury to the credit of the compensation to victims of crime fund, except a penalty collected shall be remitted to the governmental entity that awarded the grant.

**S.J.R. 57 (Bettencourt)** – *Freeport Property Tax Exemption*: would amend the Texas Constitution to extend from 175 to 365 the number of days by which Freeport goods must be
transported outside the state in order to be exempt from property taxation. (See S.B. 1422, above.)
**Elections**

**H.B. 6 (Cain) – Election Integrity**: would, among other things: (1) require the local registrar of deaths to file each abstract with the voter registrar of the decedent’s county of residence and the secretary of state as soon as possible, but not later than one day after the abstract is prepared (Note: current law authorizes the local registrar to file the abstract with the voter registrar not later than the 10th day after the abstract is prepared); (2) provide that if an electronic voting system uses paper media for recording votes cast, the election officer shall maintain a record of the serial numbers of all ballots issued at that polling place and the serial numbers of any spoiled ballots; (3) authorize the following people to be lawfully present in a polling place during the time the presiding judge arrives there on election day until the precinct returns have been certified and the election records assembled for distribution following the election: (a) an election judge or clerk; (b) a watcher; (c) a state or federal inspector; (d) a person admitted to vote; (e) a child under 18 years of age accompanying a parent who has been admitted to vote; (f) a person providing authorized assistance to a voter; (g) a special peace officer appointed by the presiding judge; (h) the county chair of a political party conducting a primary election; (i) an authorized voting system technician; or (j) a person whose presence has been authorized by the presiding judge; (4) authorize the following people to be lawfully present in the meeting place of an early voting ballot board during the time of the board’s operation: (a) a presiding judge or member of the board; (b) a watcher; (c) an authorized voting system technician; or (d) a person whose presence has been authorized by the presiding judge; and (5) authorize the following people to be lawfully present in the central counting station while ballots are being counted: (a) a counting station manager, tabulation supervisor, assistant to the tabulation supervisor, presiding judge, or clerk; (b) a watcher; (c) an authorized voting system technician; or (d) a person whose presence has been authorized by the counting station manager.

**H.B. 22 (Swanson) – Polling Place Parking**: would require: (1) that a polling place have two parking spaces reserved for the use of a voter who is unable to enter the polling place without personal assistance or likelihood of injuring the voter’s health; and (2) that each parking space must be clearly marked with a sign indicating that the space is reserved for use by a voter who is unable to enter the polling place and displaying, in large font, a telephone number that a voter may call to request assistance from an election official at the polling place.

**H.B. 25 (Swanson) – Early Voting Ballot Application**: would prohibit an officer or employee of the state or a political subdivision from distributing an official application form for an early voting ballot to a person.

**H.B. 32 (Fierro) – Voting Outside Polling Place**: would, on the voter’s request, require an election officer to deliver a ballot to the voter at the polling place entrance or curb if a voter is: (1) physically unable to enter the polling place without personal assistance or likelihood of injuring the voter’s health; or (2) a parent or legal guardian accompanied by the parent’s or legal guardian’s child.

**H.B. 46 (Fierro) – Vote by Mail Application**: would: (1) provide that the officially prescribed application form for an early voting ballot must include, among other things, a space for entering an applicant’s email address; (2) require the early voting clerk, before rejecting an application for
a ballot to be voted by mail, to make a reasonable effort to contact the applicant by e-mail, at any
e-mail address provided on the application, to ask questions about the application; (3) provide
that if the early voting clerk does not receive a response before the fourth day after the date the
clerk tries to contact an applicant as described in (2), the clerk may reject the application; (4)
authorize an applicant for an application for a ballot to be voted by mail to make clerical
corrections to the application by email; (5) require the early voting clerk to attach to and
maintain with the original application submissions and corrections provided by email; and (6)
prohibit an applicant from changing the address or county of residence submitted on the original
application to a different address or county of residence by email.

H.B. 61 (Swanson) – Early Voting by Mail: would, among other things: (1) require that an
application for an early voting ballot to be voted by mail be signed by the applicant using ink on
paper; and (2) provide that an electronic signature or photocopied signature is not permitted.

H.B. 76 (Meza) – Early Voting by Mail: would, among many other things, authorize early
voting by mail for any qualified voter and provide for implementing procedures. (Companion bill
is S.B. 95 by Menéndez.)

H.B. 110 (Reynolds) – Voter Identification: would, among other things, eliminate the photo
identification requirement and expand the types of documentation that are considered acceptable
forms of identification for purposes of voting.

H.B. 123 (Meza) – Countywide Polling Place: would authorize the secretary of state to select
any county to participate in the countywide polling place program.

H.B. 142 (Meza) – Voter Registration: would, among other things: (1) require the voter
registrar to appoint at least one election officer serving each polling place as a regular deputy
registrar; and (2) provide that a person may register to vote at the polling place located in the
precinct of the person’s residence if the person submits a voter registration application and
presents adequate proof of identification on the day the person offers to vote.

H.B. 160 (Zwiener) – Voter Identification: would provide that an identification card issued by
a public institution of higher education in the state that contains the person’s photograph, full
legal name, and a date of expiration that has not expired or that expired no earlier than four years
before the date of presentation, is an acceptable form of identification for voting.

H.B. 221 (Ortega) – Early Voting by Mail: would, among many other things, authorize early
voting by mail for any qualified voter and provide for implementing procedures. (Companion bill
is S.B. 95 by Menéndez.)

H.B. 230 (Bernal) – Voter Identification: would, among other things, expand the list of
acceptable forms of identification for the purposes of voting and allow a voter to present two
forms of certain types of identification from the expanded list as proof of identification, so long
as one form of identification contains the name and address of the voter. (Companion is S.B. 100
by Menéndez.)
H.B. 329 (Cain) – Election Integrity: would: (1) require the secretary of state and Department of Public Safety to take certain actions to ensure a person who is not a citizen of the United States may not register to vote or vote; and (2) require the secretary of state to create an examination of election law and procedures that a person must pass before serving as an election judge during early voting by personal appearance or on election day.

H.B. 330 (Cain) – Election Procedures: would, among other things: (1) provide that an election held by a political subdivision to authorize the issuance of bonds does not authorize the issuance of bonds unless at least: (a) two-thirds of the voters voting in the election vote in favor of authorizing the issuance of bonds; and (b) 20 percent of the registered voters eligible to vote in the election vote in the election; (2) provide that, for a political subdivision located entirely in a county with a population of 250,000 or more, the governing body of the political subdivision shall request an election services contract with the county elections administrator to perform all duties and functions of the political subdivision in relation to an election held on the May uniform election date; (3) prohibit a ballot proposition from exceeding 400 characters; (4) provide that an election judge commits a state jail felony if: (a) the judge accepts a voter for voting under the regular procedure for voting if the voter is only permitted to vote a provisional ballot in the election; (b) the judge, in one election, accepts for voting under the regular procedure for voting three or more voters whose names are not on the list of registered voters for the precinct; or (c) the judge provides a voter with a form for an affidavit required under the regular procedure for voting if the form contains false information; and (5) would require early voting to take place at a residential care facility if five or more voters residing in the same residential care facility apply to vote early by mail on the grounds of age or disability.

H.B. 400 (Bucy) – Early Voting by Mail: would, among many other things, authorize early voting by mail for any qualified voter and provide for implementing procedures. (Companion bill is S.B. 95 by Menéndez.)

H.B. 463 (Shaheen) – Poll Watchers: would provide that a person is ineligible to serve as a poll watcher in an election if the person has been finally convicted of a felony.

H.B. 478 (J. González) – Polling Place Parking: would require an election officer to designate a clearly-marked parking space at each polling place for voters that are unable to enter the polling place.

H.B. 479 (J. González) – Early Voting by Mail: would require the secretary of state to implement a program allowing a person to complete an application for an early voting ballot by mail over the internet from the official website of the state.

H.B. 482 (J. González) – Early Voting by Mail: would, among other things, provide that a marked ballot voted by mail must arrive at the address on the carrier envelope not later than the fifth day after the date of the election, if the carrier envelope was placed for delivery by mail or common or contract carrier before election day and bears a cancellation mark of a common or contract carrier or a courier indicating a time not later than 7:00 p.m. at the location of the election on election day.
**H.B. 519 (Beckley) – Voter Registration:** would, among other things, provide that: (1) an election officer serving a polling place for early voting by personal appearance is a deputy voter registrar and has the same authority as a regular deputy registrar; (2) a person who would be eligible to vote in an election but for the requirement to be a registered voter must be accepted during early voting by personal appearance for voting the ballot for the precinct of the person’s residence as shown by the identification presented if the person: (a) submits a voter registration application that complies with state law to an election officer at the polling place; and (b) presents adequate proof of residence; (3) an election officer must make a copy of the proof of residence, attach it to the registration application, and return the original proof of residence to the voter; (4) a person voting under (2), above, shall vote a provisional ballot; and (5) the secretary of state may, by rule, designate additional documents that a person may offer to prove the person’s residence to register and vote.

**H.B. 530 (Patterson) – Handguns:** would allow a person to carry a handgun at a polling place if the person is licensed to carry a handgun and is working as an election judge during early voting or on election day.

**H.B. 583 (Cole) – Early Voting by Mail:** would, among many other things, authorize early voting by mail for any qualified voter and provide for implementing procedures. (Companion bill is S.B. 95 by Menéndez.)

**H.B. 611 (Swanson) – Voter Assistance:** would provide that a person assisting a voter commits a state jail felony of perjury if the person assists a voter in a way that violates the oath administered by an election officer to the person providing assistance to the voter and does so three or more times in a single election.

**H.B. 712 (Reynolds) – Voter Registration:** would, among other things: (1) provide that an election officer serving a polling place for early voting by personal appearance is a deputy voter registrar and has the same authority as a regular deputy registrar; (2) require two voter registrars to be present at each polling place while the polls are open; (3) provide that a person who would be eligible to vote in an election but for the requirement to be a registered voter must be accepted during voting by personal appearance for voting the ballot for the precinct of the person’s residence as shown by the identification presented if the person: (a) submits a voter registration application that complies with state law to an election officer at the polling place; and (b) presents as proof of residence a form of photo identification that complies with state law and states the person’s current address; (4) require the election officer to return the original proof of residence to the voter; and (5) require a person voting under (3), above, to vote a provisional ballot in accordance with state law, except that the person is not required to submit an affidavit stating the person is a registered voter and is eligible to vote in the election.

**H.B. 740 (Fierro) – Preferential Voting in Runoff Elections:** would, among other things: (1) provide that a voter eligible for early voting by mail shall receive a runoff election ballot at the same time and in the same manner as the voter’s general election ballot; (2) require the secretary of state to prescribe procedures to provide for a runoff election ballot issued to a voter to use a preferential voting system that allows a voter to rank each candidate through a numerical designation from the candidate the voter favors most to the candidate the voter favors least; and
(3) provide that if a runoff election for any office voted by the voter occurs, the carrier envelope containing the voter’s runoff election ballot shall be opened and the ballot shall be counted, with the voter’s vote in the election assigned to the runoff candidate whom the voter assigned the highest favorable ranking on the runoff election ballot.

**H.B. 752 (Israel) – Unopposed Candidates**: would, among other things, require the governing body of a political subdivision to declare each unopposed candidate elected to office upon receipt of the certification of unopposed status.

**H.B. 782 (Swanson) – Recall Elections, Ballot Propositions, and Petitions**: with regard to a city’s ballot proposition language, the bill would:
1. require that a ballot proposition substantially submit a question with such definiteness and certainty that the voters are not misled;
2. provide that if a court orders a new election to be held after a contested election is declared void, a person may seek from the court a writ of mandamus to compel the governing body of a city to comply with the requirement that a ballot proposition substantially submit the question with such definiteness and certainty that the voters are not misled;
3. allow a religious organization to circulate or submit a petition in connection with a recall election;
4. provide that, not later than the seventh day after the date that a home rule city publishes ballot proposition language proposing an amendment to the city charter or another city law as requested by petition, a registered voter eligible to vote in the election may submit the proposition for review by the secretary of state (SOS);
5. require the SOS to review the proposition not later than the seventh day after the date the SOS receives the submission to determine whether the proposition is misleading or inaccurate;
6. provide that if the SOS determines that the proposition is misleading or inaccurate, the city shall draft a proposition to cure the defect and give notice of the new proposition;
7. authorize a proposition drafted by a city under (6), above, to be submitted to the SOS under the process outlined in (4), above;
8. provide that if the SOS determines that the city has on its third attempt drafted a proposition that is misleading or inaccurate, the SOS shall draft the ballot proposition;
9. require, in an action in a district court seeking a writ of mandamus to compel the city to comply with the provision described in (1), above, the court to make a determination without delay and authorize the court to: (a) order the city to use ballot proposition language drafted by the court; and (b) award a plaintiff or relator who substantially prevails reasonable attorney’s fees, expenses, and court costs;
10. waive and abolish governmental immunity to suit to the extent of the liability created by (9)(b), above;
11. provide that, following a final judgment that a proposition failed to comply with the provision described in (1), above, a city must submit to the SOS any proposition to be voted on at any election held by the city before the fourth anniversary of the court’s finding; and
12. require a city to pay fair market value for all legal services relating to a proceeding regarding ballot proposition language enforcement.
In addition, with regard to petitions, the bill would:

1. provide that the illegibility of a signature on a petition submitted to a home-rule city is not a valid basis for invalidating the signature if the information provided with the signature legibly provides enough information to demonstrate that the signer is eligible to sign the petition and signed the petition on or after the 180th day before the date the petition was filed;

2. require the SOS to prescribe the form, content, and procedure for a petition and prohibit a home-rule city that uses a form that is different than the SOS form from invalidating a petition because it doesn’t contain information that the petition form failed to provide for or required to be provided;

3. provide that a person who circulates or submits a petition is not required to use a petition form prescribed by the SOS or a home-rule city, but that a petition that does not use an officially prescribed form must contain the substantial elements required to be provided on the officially prescribed form;

4. require that the city secretary determine the validity of a petition, including verifying the petition signatures, not later than the 30th day after the date the city receives the petition;

5. prohibit a city from restricting who may collect petition signatures;

6. provide that the provisions described by (4) and (5), above, preempt home-rule charter procedures requiring the city council to hold an election on receipt of a petition; and

7. in regard to a charter amendment election petition: (a) provide that at least five percent of the registered voters of the city on the date of the most recent election held in the city or 20,000, whichever number is smaller, may submit a petition; and (b) require the notice of election include a substantial copy of the proposed amendment in which language sought to be deleted by the amendment is bracketed and stricken through and language sought to be added by the amendment is underlined.

**H.B. 802 (C. Morales) – Early Voting by Mail** would, among many other things, authorize early voting by mail for any qualified voter and provide for implementing procedures. (Companion bill is S.B. 95 by Menéndez.)

**H.B. 844 (Bucy) – Ballots Voted by Mail** would: (1) require election notice posted on a county’s website to include: (a) the location of each polling place that will be open on election day; (b) the location of each polling place that will be open for early voting; and (c) each location that will be available to voters to deliver a marked ballot voted by mail; (2) authorize a voter to deliver a marked ballot voted by mail in person to the early voting clerk’s office or to another designated location while the polls are open on election day or during the early voting period; (3) provide that a voter delivering a marked ballot in person may return only the voter’s own ballot; and (4) authorize the county clerk to designate any of the following locations for delivering marked ballots under (2), above: (a) the early voting clerk’s office; (b) any polling place open for early voting or for election day; or (c) any suitable location that meets criteria prescribed by the secretary of state.

**H.B. 845 (Bucy) – Early Voting by Mail** would, among other things, provide that a voter voting by mail based on the ground of absence from the county of residence may elect to receive
the balloting materials by electronic transmission on the voter’s application for an early voting ballot to be voted by mail.

**H.B. 846 (C. Morales) – Early Voting Period**: would extend the starting date of the period for early voting by personal appearance from the 17th day before election day to the 21st day before election day.

**H.B. 856 (Bucy) – Voter Registration**: would, among other things: (1) require the voter registrar to appoint at least one election officer serving each polling place as a regular deputy registrar; and (2) provide that a person may register to vote at a polling place at which the person would be allowed to vote if the person submits a voter registration application, presents adequate proof of identification, and submits an affidavit stating the person is eligible to vote and voting only once in the election on the day the person offers to vote.

**H.B. 857 (Bucy) – Changing Residence**: would, among other things: (1) provide that an election officer serving a polling place shall be a deputy voter registrar and shall have the same authority as a regular deputy registrar; (2) provide that, after changing residence to another county, a person must be accepted for provisional voting if: (a) the person would have been eligible to vote in the county the person formerly resided in on election day if the person was still residing in that county; (b) the person is registered to vote in the county the person formerly resided in at the time the person offers to vote in the county the person currently resides in or submitted a voter registration application in the county the person currently resides in; (c) the person’s voter registration for the county the person currently resides in is not effective on or before election day; and (d) in the county the person currently resides in, the person offers to vote: (i) at any polling place during the early voting period; (ii) at any polling place on election day if the county participates in the countywide polling place program; or (iii) at the polling place of the precinct in which the person resides on election day if the county does not participate in the countywide polling place program; and (3) require the form for a provisional voting affidavit to include a space for entering the precinct number of the precinct in which the voter voted and the name of the county in which the voter is registered to vote.

**H.B. 895 (Swanson) – Voter Identification**: would: (1) authorize an election officer to copy identifying documentation presented by a voter or record information from the identifying documentation; (2) authorize an election officer to photograph the entire face of a voter who is accepted for voting if: (a) the identifying documentation presented by a voter is not documentation issued by the Department of Public Safety containing the person’s photograph; or (b) the election official questions the authenticity of the identifying documentation presented by a voter, regardless of whether the documentation is issued by the Department of Public Safety and contains the person’s photograph; (3) provide that a voter may be photographed under (2), above, only while being accepted for voting and may not be photographed while the voter is occupying a voting station; (4) make information copied or recorded under (1) or (2), above, confidential except for use in a criminal investigation or prosecution or a civil court proceeding; and (5) require all information collected under (1) and (2), above, to be provided to the secretary of state for election-related purposes.
H.B. 1056 (Fierro) – Temporary Branch Polling Places: would provide that early voting by personal appearance at certain temporary branch polling places may be conducted on any one or more days and during any hours of the period for early voting by personal appearance, as determined by the authority establishing the branch.

H.B. 1128 (Jetton) – Election Bystanders: would: (1) authorize the following people to be lawfully present in a polling place during the time the presiding judge arrives there on election day until the precinct returns have been certified and the election records assembled for distribution following the election: (a) an election judge or clerk; (b) a watcher; (c) a state or federal inspector; (d) a person admitted to vote; (e) a child under 18 years of age accompanying a parent who has been admitted to vote; (f) a person providing authorized assistance to a voter; (g) a special peace officer appointed by the presiding judge; (h) the county chair of a political party conducting a primary election; (i) an authorized voting system technician; or (j) a person whose presence has been authorized by the presiding judge; (2) authorize the following people to be lawfully present in the meeting place of an early voting ballot board during the time of the board’s operation: (a) a presiding judge or member of the board; (b) a watcher; (c) an authorized voting system technician; or (d) a person whose presence has been authorized by the presiding judge; and (3) authorize the following people to be lawfully present in the central counting station while ballots are being counted: (a) a counting station manager, tabulation supervisor, assistant to the tabulation supervisor, presiding judge, or clerk; (b) a watcher; (c) an authorized voting system technician; or (d) a person whose presence has been authorized by the counting station manager.

H.B. 1138 (Oliverson) – Mail Ballot Tracking: would require the secretary of state to develop or otherwise provide an online tool to each early voting clerk that enables a person who submits an application for a ballot to be voted by mail to track the location and status of the person’s application and ballot on the secretary’s Internet website and on the county’s Internet website if the early voting clerk is the county clerk of a county that maintains an Internet website.

H.B. 1150 (Vo) – Early Voting Employee Leave: would provide that: (1) a person commits an offense if, with respect to another person over whom the person has authority in the scope of employment, the person knowingly: (a) refuses to permit the other person to be absent from work while early voting is in progress for the purpose of attending the polls to vote; or (b) subjects or threatens to subject the other person to a penalty for attending the polls while early voting is in progress to vote; and (2) the provisions of (1), above, do not apply in connection with an election in which polls are open while early voting is in progress for two consecutive hours outside of the voter’s working hours. (This bill is identical to H.B. 1152 by Vo.)

H.B. 1151 (Vo) – Early Voting: would, among other things, provide that: (1) the authority ordering an election may order early voting by personal appearance at the main early voting polling place to be conducted during an extended early voting period beginning on the 19th day before election day for any number of consecutive days up to and including the third day before election day; and (2) an authority that extends early voting under (1), above, shall order personal appearance voting at the main early voting polling place to be conducted for at least 12 hours on any weekday or Saturday and for at least five hours on any Sunday of the extended early voting period.
**H.B. 1152 (Vo) – Early Voting Employee Leave**: would provide that: (1) a person commits an offense if, with respect to another person over whom the person has authority in the scope of employment, the person knowingly: (a) refuses to permit the other person to be absent from work while early voting is in progress for the purpose of attending the polls to vote; or (b) subjects or threatens to subject the other person to a penalty for attending the polls while early voting is in progress to vote; and (2) the provisions of (1), above, do not apply in connection with an election in which polls are open while early voting is in progress for two consecutive hours outside of the voter’s working hours. (This bill is identical to **H.B. 1150 by Vo**.)

**H.B. 1170 (Rosenthal) – Elections**: would provide that a person occupying a voting station may use a mechanical or electronic device to access ballot or candidate information that was downloaded or created before the person entered the polling place.

**H.B. 1179 (Pacheco) – Polling Places**: would prohibit electioneering, loitering, wearing certain badges and insignia, and posting campaign materials within 300 feet of a polling place (Note: the current distance is 100 feet).

**H.B. 1183 (Dutton) – Eligibility for Public Office**: would require a candidate to provide a certified copy of the candidate’s pardon or other documentation evidencing removal of the disability to holding public office.

**H.B. 1184 (Dutton) – Final Convictions**: would provide that, in order to be eligible to be a candidate for, or elected or appointed to, a public elective office, a person must have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities by a court of competent jurisdiction.

**H.B. 1232 (Crockett) – Early Voting by Mail**: would, among many other things, authorize early voting by mail for any qualified voter and provide for implementing procedures. (Companion bill is **S.B. 95 by Menéndez**.)

**H.B. 1242 (Cole) – Early Voting**: would provide that the period for early voting by personal appearance would begin on the first business day after the last day a voter registration becomes effective.

**H.B. 1243 (Cole) – Early Voting**: would, among other things, provide that: (1) the authority ordering an election may order early voting by personal appearance at the main early voting polling place to be conducted during an extended early voting period continuing for any number of consecutive days up to and including the day before election day; and (2) an authority that extends early voting under (1), above, shall order personal appearance voting at the main early voting polling place to be conducted for at least 12 hours on any weekday or Saturday and for at least five hours on any Sunday of the extended early voting period.

**H.B. 1244 (Cole) – Voter Registration**: would, among other things: (1) provide that the voter registrar shall appoint at least one election officer serving each polling place for early voting by personal appearance or on election day as a regular deputy registrar; (2) provide that a person
who would be eligible to vote in an election but for the requirement to be a registered voter must be accepted during voting by personal appearance for voting the ballot for the precinct of the person’s residence as shown by the identification presented if the person: (a) submits a voter registration application that complies with state law to an election officer at the polling place; and (b) presents as proof of identification a form of photo identification that complies with state law and states the person’s current address, or another form of identification along with proof of residency that complies with state law; and (3) require persons voting under this section to be processed separately at the polling place from persons who are voting under regular procedures.

**H.B. 1245 (Cole) – Ballots Voted by Mail**: would: (1) require election notice posted on a county’s website to include: (a) the location of each polling place that will be open on election day; (b) the location of each polling place that will be open for early voting; and (c) each location that will be available to voters to deliver a marked ballot voted by mail; (2) authorize a voter to deliver a marked ballot voted by mail in person to the early voting clerk’s office or to another designated location while the polls are open on election day or during the early voting period; (3) provide that a voter delivering a marked ballot in person may return only the voter’s own ballot; and (4) authorize the county clerk to designate any of the following locations for delivering marked ballots under (2), above: (a) the early voting clerk’s office; (b) any polling place open for early voting or for election day; or (c) any suitable location that meets criteria prescribed by the secretary of state. (Companion bill is **H.B. 844** by **Bucy**.)

**H.B. 1300 (Guillen) – Voter Assistance**: would provide that a child under 18 years of age may accompany the child’s parent to a voting station and may read or mark the ballot at the direction of the parent.

**H.B. 1314 (Hefner) – Voting System**: would provide that, beginning, September 1, 2021, for a voting system or voting system equipment to be approved for use in an election, the voting system must have all components of the voting system, including equipment, individual component pieces, and data storage manufactured, stored, and held in the United States and sold by a company whose: (1) headquarters are located in the United States; and (2) parent company’s headquarters, if applicable, are located in the United States.

**H.B. 1316 (J. Johnson) – Qualifications for Public Office**: would, in relation to the eligibility to hold public office, provide that: (1) in order to be eligible to be a candidate for, or elected or appointed to, a public office in this state, a person must (among other things) have not been finally convicted of a felony or, if so convicted: (a) been fully discharged of the sentence, including any term of incarceration, parole, or supervision, or completed a period of probation ordered by any court; or (b) been pardoned or otherwise released from the resulting disabilities; and (2) a person is not considered to have been finally convicted of an offense for which the criminal proceedings are deferred without an adjudication of guilt.

**H.B. 1366 (Israel) – Voter Identification**: would, among other things, eliminate the photo identification requirement and expand the types of documentation that are considered acceptable forms of identification for purposes of voting.
**H.B. 1368 (Leach) – Election Fraud**: would enhance the penalty for election fraud to a state jail felony.

**H.B. 1382 (Bucy) – Mail Ballot Tracking**: would, among other things: (1) require the early voting clerk to develop and maintain an electronic system that allows a voter, using the Internet website of the early voting clerk, to monitor the status of: (a) the voter’s application for a ballot voted by mail; and (b) the voter’s ballot voted by mail; and (2) provide that the system described in (1) must update the early voting clerk’s Internet website as soon as practicable after each of the following events occurs: (a) receipt by the early voting clerk of the person’s application for a ballot to be voted by mail; (b) acceptance or rejection by the early voting clerk of the person’s application for a ballot to be voted by mail; (c) placement in the mail by the early voting clerk of the person’s official ballot; (d) receipt by the early voting clerk of the person’s marked ballot; and (e) acceptance or rejection by the early voting ballot board of a person’s marked ballot.

**H.B. 1383 (Bucy) – Voter Registration and Campaigning**: would, with the exception of reasonable restrictions on the time, place, or manner, prevent a political subdivision, property owners’ association, homeowners’ association, or property manager from adopting or enforcing a rule, order, ordinance, or policy, that prevents an individual from accessing private property for the purpose of registering voters or communicating political messages.

**H.B. 1385 (Crockett) – Voting by Mail**: would modify current law to allow for the delivery of ballots voted by mail to be deposited in an authorized depository box.

**H.B. 1415 (C. Morales) – Early Voting Ballot by Mail**: would provide that an application for a ballot to be voted by mail serves as an application for a ballot for both the main election and for any resulting runoff election.

**H.B. 1463 (Goodwin) – Eligibility for Early Voting**: would modify current law to allow a voter giving birth or expecting to give birth within nine months of election day to qualify for early voting by mail.

**H.B. 1464 (Hinojosa) – Early Voting by Mail**: would, among other things: (1) require an officially-prescribed application form for an early voting ballot to include a space for the voter to provide a change of residence address within the county, if applicable; (2) provide that, if an application for an early voting ballot includes a change of address within the county, the early voting clerk must notify the voter registrar of the change and the registrar shall update the voter’s registration accordingly; (3) provide that an early voting clerk is not required to provide a form for a statement of residence to a voter who indicated a change of address within the county on the voter’s application for an early voting ballot to be voted by mail; and (4) provide that, for certain defective early voting ballots voted by mail, that the signature verification committee or early voting ballot board may: (a) return the carrier envelope to the voter by mail, if the signature verification committee determines that it would be possible to correct the defect and return the carrier envelope before the time the polls are required to close on election day; or (b) notify the voter of the defect by telephone or e-mail and inform the voter that the voter may come to the early voting clerk’s office in person to: (i) correct the defect; or (ii) request to have the voter’s application to vote by mail cancelled.
H.B. 1465 (Hinojosa) – Early Voting by Mail: would provide that a person who is a permanent caretaker of a person who has a disability may apply to the early voting clerk to participate in early voting by mail.

H.B. 1466 (Hinojosa) – Early Voting: would, among other things, provide the ability to correct defective signatures on early voting ballots voted by mail.

H.B. 1573 (S. Thompson) – Mobile Polling Place: would, among other things, allow movable structures to be used as polling places by the commissioner’s court of a county that participates in the countywide polling place program.

H.B. 1622 (Guillen) – Early Voting Reporting: would: (1) allow a person registered to vote in the county where the early voting clerk is conducting early voting to submit a complaint to the secretary of state stating that an early voting clerk has not delivered to the local canvassing authority a report of the early voting votes cast not later than the time of the local canvass; (2) require the secretary of state to create and maintain a system for receiving and recording complaints; and (3) require the secretary of state to maintain a record indicating which counties and early voting clerks have failed to comply with the requirements of early voting reporting.

H.B. 1669 (Thierry) – Return of Mail Ballots: would authorize: (1) a voter to deliver a marked mail ballot in person to the early voting clerk’s office or to another designated location while the polls are open on election day or during the early voting period; and (2) the early voting clerk to designate any number of suitable locations for in-person delivery of ballots. (Companion bill is S.B. 426 by Miles.)

H.B. 1708 (White) – Voting System: would: (1) define "auditable voting system" as a voting system that produces a voter-verifiable paper record; (2) define "voter-verifiable paper record" as a paper record of an electronically generated ballot that may be: (a) reviewed and corrected by the voter at the time the ballot is cast; and (b) used for a recount in an election in which electronically generated ballots were used; (3) prohibit a political subdivision from purchasing a voting system consisting of direct recording electronic voting machines that is not an auditable voting system; and (4) prohibit the use of a voting system consisting of direct recording electronic voting machines in an election unless the system is an auditable voting system.

H.B. 1724 (Paul) – Poll Watchers: would, among other things: (1) authorize a watcher to sit or stand near enough to see and hear the election officers conducting the observed activity, except as otherwise prohibited by state law; (2) provide that if an election clerk disagrees with a watcher concerning a matter discussed in (1), above, the clerk may not proceed until the presiding judge provides clarifying instruction; and (3) would provide that a person commits an offense if the person serves in an official capacity at a location at which the presence of watchers is authorized and knowingly prevents a watcher from seeing or hearing an activity the watcher is entitled to observe.

H.B. 1725 (Paul) – Mail Ballot Delivery: would prohibit the in-person delivery of ballots by mail.
H.B. 1749 (Crockett) – Voter Registration: would, among other things: (1) require the voter registrar to appoint at least one election officer serving each polling place as a regular deputy registrar; and (2) provide that a person may register to vote at a polling place at which the person would be allowed to vote if the person submits a voter registration application, presents adequate proof of identification, and submits an affidavit stating the person is eligible to vote and voting only once in the election on the day the person offers to vote.

H.B. 1806 (J. González) – Early Voting Ballot Board: would, among other things: (1) provide that the early voting ballot board consists of a presiding judge, an alternate presiding judge, and at least two other members; (2) require the alternate president judge of an early voting ballot board to serve as presiding judge for an election if the regularly appointed presiding judge cannot serve; and (3) provide that an early voting ballot board may make a determination that the signatures on the carrier envelope certificate and ballot application are those of the same person by a vote of at least one-third of the board’s membership, with a tie-vote of the board’s membership resulting in the signatures being considered to be those of the same person.

H.B. 1807 (J. González) – Vote by Mail Application: would: (1) provide that the officially prescribed application form for an early voting ballot must include, among other things, a space for entering an applicant’s email address; (2) provide that the email address provided for the purpose of applying for an early voting ballot is confidential and does not constitute public information for purposes of the Public Information Act; (3) require the early voting clerk, before rejecting an application for a ballot to be voted by mail, to make a reasonable effort to contact the applicant by e-mail, at any e-mail address provided on the application, to ask questions about the application; (4) provide that if the early voting clerk does not receive a response before the seventh day after the date the clerk tries to contact an applicant as described in (3), the clerk may reject the application; (5) authorize an applicant for an application for a ballot to be voted by mail to attach to and maintain with the original application submissions and corrections provided by email; and (7) prohibit an applicant from changing the address or county of residence submitted on the original application to a different address or county of residence by email.

H.B. 1822 (Zwiener) – Early Voting by Mail: would: (1) authorize a person to deliver a marked ballot voted by mail in-person during the early voted period to: (a) the early voting clerk’s office; or (b) an election officer at an early voting polling place where the voter who marked the ballot is eligible to vote an early voting ballot by personal appearance; (2) authorize a person to deliver a marked ballot voted by mail to the early voting clerk’s office while the polls are open on election day; (3) require the secretary of state to permit a person who submits an application for a ballot to be voted by mail to track the location and status of the person’s application and ballot on the secretary of state’s Internet website; and (4) require the signature verification committee and early voting ballot board to provide an opportunity for a voter to correct a defect in a timely delivered ballot under certain circumstances.

H.B. 1832 (Rosenthal) – Early Voting by Mail: would provide that an application for a ballot to be voted by mail is considered to be submitted for the year in which the application is submitted and the following calendar year if: (1) the first election in which the applicant is
eligible to vote following the submission of the application is an election held on the uniform election date in November of an odd-numbered year; and (2) the applicant indicates that the application is for the next November election and the elections held in the following calendar year.

**H.B. 1882 (Bucy) – Early Voting**: would, among other things, provide that: (1) the authority ordering an election may order early voting by personal appearance at the main early voting polling place to be conducted during an early voting period extended from the fourth day before election day for any number of consecutive days up to and including the day before election day; and (2) an authority that extends early voting under (1), above, shall order personal appearance voting at the main early voting polling place to be conducted for at least 12 hours on any weekday or Saturday and for at least five hours on any Sunday of the extended early voting period.

**H.B. 1890 (Schofield) – Primary Runoff Election Date**: would set the primary runoff election date for a non-federal office as the second Tuesday in April following the general primary election.

**H.B. 1899 (Beckley) – Voter Information**: would, among other things: (1) require an office, agency, or other authority with whom an election application, report, or other election document is required to be submitted or filed that maintains an internet website to make election forms available on that entity’s internet website; and (2) require the posting on the authority’s Internet website, if the authority maintains a website, notice of the date, hour, and place of the drawing of names of candidates for placement on the ballot.

**H.B. 1901 (Beckley) – Early Voting Ballot Board**: would, among other things, require an early voting ballot board to deliver to the early voting clerk any early voting applications included in a carrier envelope with a ballot voted in an election held on the November uniform election date, regardless of whether the ballot is accepted.

**H.B. 1902 (White) – Voting System**: would require a voting system or voting system equipment to have all components of the voting system, including all software and hardware, manufactured, stored, and held in the United States.

**H.B. 1979 (Toth) – Early Voting Ballots**: would require, among other things: (1) an early voting ballot voted by mail to include a unique code readable by an electronic device that may be used to verify the authenticity of the ballot; (2) the early voting ballot board to identify the unique code included on each ballot with an electronic device and compare the code on the ballot to the codes recorded by the early voting clerk; and (3) rejection of the ballot if the recorded code on the ballot does not match that recorded by the early voting clerk.

**H.B. 2059 (Bucy) – Runoff Election Date**: would: (1) set a runoff election date on the first Saturday after the 27th day after the date of the main election; and (2) repeal current state law that allows a runoff election date later than the 45th day after the date the final canvass of the main election is completed, if prescribed by a home-rule city charter.
**H.B. 2060 (Bucy) – Early Voting by Mail:** would provide that an application for a ballot to be voted by mail serves as an application both for a ballot for the main election and for any resulting runoff election, unless the applicant indicates otherwise on the application.

**H.B. 2061 (Bucy) – Voter Identification:** would provide that the following documents are acceptable forms of photo identification for purposes of voting: (1) an official Native American identification card or tribal document that contains the voter’s photograph and address; (2) an identification card issued by an institution of higher education in Texas that contains the voter’s photograph; and (3) an identification card issued by a state agency that contains the voter’s photograph.

**H.B. 2075 (Swanson) – Voting System:** would, among other things: (1) require a voting system to: (a) perform a self-assessment on starting up to ensure functionality and connectivity; (b) maintain a secure wireless connection that does not transmit or store data on any device or medium located outside the state; and (c) produce in an electronic format capable of updating in real time a reporting of the votes cast; (2) beginning September 1, 2021, require all software and data for the voting system manufactured, stored, and held in the United States and sold by a company whose: (a) headquarters are located in the United States; and (b) parent company's headquarters, if applicable, are located in the United States; (3) require a contract to acquire a voting system from a vendor must identify each person or entity that has a five percent or greater ownership interest in: (a) the vendor; (b) the vendor's parent company, if applicable; and (c) each subsidiary or affiliate of the vendor, if applicable; (4) prohibit ballots to be arranged in a manner that allows a political party’s candidates to be selected in one motion or gesture and such arrangement constitutes a state jail felony; and (5) require a voting machine or ballot marking device to allow a voter the option to cast or complete the voter's ballot prior to voting on all races or measures if the voter affirmatively chooses to do so.

**H.B. 2082 (Reynolds) – Polling Places:** would provide, in a county with a population of more than 500,000, that each election precinct established for an election may be served by more than one polling place if: (a) each polling place is located within the boundary of the precinct; and (b) consideration is given to population density in selecting the location of each polling place, so that each polling place serves approximately the same number of voters.

**H.B. 2092 (Sanford) – Partisan City Elections:** would provide that a candidate must declare a party affiliation to run for a city office.

**H.B. 2149 (Clardy) – Temporary Branch Polling Places in Less Populous Counties:** would, among other things, provide that, for an election in which the territory served by the early voting clerk is situated in a county with a population under 100,000: (1) voting at a temporary branch polling place may be conducted on any one or more days and during any hours of the period for early voting by personal appearance, as determined by the authority establishing the branch; (2) the authority authorized to order early voting on a Saturday or Sunday for the main early voting polling place may also order early voting to be conducted on a Saturday or Sunday at any one or more of the temporary branch polling places; and (3) the schedules for conducting voting are not required to be uniform among the temporary branch polling places.
**H.B. 2229 (Hull) – Polling Place:** would amend current law prohibiting certain weapons on the premises of a polling place to only prohibit weapons in the portion of the premises of a polling place where voting or other election-related activities are occurring on the day of an election or while early voting is in progress.

**H.B. 2260 (Dutton) – Application for Office:** would: (1) allow a candidate to utilize a name under which the candidate is known other than the candidate's surname acquired by law or marriage and given name, or a contraction or familiar form of a given name by which the candidate is known or an initial of a given name, if the candidate submits with the application for a place on the ballot 50 affidavits, each: (a) signed by a person eligible to vote in the election for which the candidate is applying; and (b) stating that the candidate is known to the person signing the affidavit by the name under which the candidate is seeking to run; and (2) create a civil penalty in an amount not to exceed $10,000 for giving false information in order to acquire the affidavits required or who induces a person to sign a false affidavit.

**H.B. 2263 (Paul) – Accepting Election Materials:** would provide that: (1) voter registration applications, ballots, and applications for mail in ballots that do not comply with current law may not be cured; and (2) petitions for a place on the ballot for public office may only be cured if submitted with a notarized affidavit.

**H.B. 2265 (Paul) – Early Voting Hours:** would provide that voting during the early voting period may not be conducted earlier than 7 a.m. or later than 7 p.m.

**H.B. 2283 (King) – Election Expenditures:** would prohibit: (1) the joint elections commission, county election commission, and county election board from accepting a contribution offered by a private individual, a corporation, a partnership, a trust, or another third party; and (2) making an expenditure using funds not appropriated by the governing body of the relevant political subdivision or subdivisions.

**H.B. 2291 (Dutton) – Eligibility for Public Office:** would require a candidate to provide a certified copy of the candidate’s pardon or other documentation evidencing removal of the disability to holding public office.

**H.B. 2293 (Patterson) – Early Voting:** would prohibit early voting by personal appearance earlier than 6 a.m. or later than 9 p.m.

**H.B. 2318 (Geren) – Numbering of Propositions:** would provide that if more than one political subdivision’s proposition is to appear on a ballot, the authority ordering the election shall assign a unique letter of the alphabet to each measure.

**H.B. 2320 (Jetton) – Ballot by Mail:** would: (1) create a state jail felony offense for a person convicted of indicating the ground of eligibility for early voting on an application for ballot by mail and distributes the application to an applicant with intent that the applicant will submit the application on the applicant's behalf to the early voting clerk; and (2) provide an affirmative defense for a person that signed the application for the ballot as a witness or otherwise assisted the applicant pursuant to current state law.
**H.B. 2321 (Jetton) – Early Voting Ballot:** would require the signature verification committee or early voting ballot board, as the case may be, to compare the signatures of early voting ballots to each signature of the voter obtained from the Department of Public Safety and on file with the county clerk or voter registrar.

**H.B. 2322 (Jetton) – Voter Information:** would provide that a copy of an application for a ballot to be voted by mail or information on the roster for a person to whom an early voting mail ballot has been sent are not available for public inspection, except to the voter seeking to verify that the information pertaining to the voter is accurate, until the first business day after the November uniform election date.

**H.B. 2347 (Klick) – Voting Procedures:** would, among other things: (1) provide that a voter who has not voted before the time for closing an early voting polling place is entitled to vote after that time if the voter is inside or waiting to enter the polling place at closing time; and (2) require the presiding judge to take precautions necessary to prevent voting after closing time by persons who are not entitled to do so.

**H.B. 2373 (Goodwin) – Voting by Mail:** would modify current law to allow for the delivery of ballots voted by mail to be deposited in an authorized depository box. (Companion bill is H.B. 1385 by Crockett.)

**H.B. 2455 (Shaw) – Application for Ballot by Mail:** would provide that an applicant for a ballot to be voted by mail may submit the application by delivering it in person to the early voting clerk if the application is submitted not later than the close of regular business in the early voting clerk's office or 12 noon, whichever is later, on the 11th day before election day unless that day is a Saturday, Sunday, or legal state or national holiday, in which case the last day is the first preceding regular business day.

**H.B. 2457 (Goodwin) – Preferential Voting:** would, among other things, provide that: (1) the governing body of a city or school district may authorize, by majority vote, the use of a preferential voting system for the election of an officer of the city or school district; (2) the system must allow a voter to rank each candidate for an office through a numerical designation from the candidate the voter favors most to the candidate the voter favors least; and (3) a runoff election is not held for an office to which preferential voting applies. (This bill is identical to H.B. 2460 by Goodwin.)

**H.B. 2478 (Harris) – Early Voter Identification:** would, among other things, require a photograph or copy of an approved photo identification to be submitted along with an application for an early voting ballot by mail and with the completed and marked early voting ballot.

**H.B. 2501 (Swanson) – Elections:** would allow voters the opportunity to select "I choose not to vote in this race" instead of voting for the candidates appearing on the ballot or the list of write-in candidates for each race.
H.B. 2584 (Crockett) – Temporary Branch Polling Places: would provide that early voting by personal appearance at certain temporary branch polling places may be conducted on any one or more days and during any hours of the period for early voting by personal appearance, as determined by the authority establishing the branch.

H.B. 2585 (Crockett) – Recall Election: would: (1) apply to a municipality that has a single-member district form of representation for the governing body of the municipality; and (2) provide that the municipality may not adopt or enforce an ordinance or charter provision authorizing an election by the municipality at large for the recall of a member of the municipality's governing body who was elected from a single-member district. (Note: this means that only voters of a single-member district may vote in an election to recall a member of the governing body who was elected from the district.)

H.B. 2594 (Moody) – Political Advertising: would modify the definition of “political advertising” for purposes of certain laws regulating political communications, funds, and campaigns to include a communication supporting or opposing a candidate for nomination or election to a public office or office of a political party, a political party, a public officer, or a measure that, in return for consideration, is distributed by e-mail or text message.

H.B. 2601 (Paul) – Recording Device Use by Poll Watcher: would: (1) provide that a person may not use a wireless communication device or any mechanical or electronic means of recording images or sound within 100 feet of the area in which the early voting ballot board disposes of an accepted ballot; (2) amend current law by prohibiting: (a) a person from using a wireless communication device within 100 feet of a voting station while voting is taking place; and (b): a person from using any mechanical or electronic means to record images or sound; and (3) provide an exception for: (a) a member of the early voting ballot board who is processing early voting ballots, except when opening a carrier envelope for an early voting ballot voted by mail in accordance with state law; (b) a member of the recount committee who is counting ballots; (c) a member of a tribunal deciding an election contest; or (f) a watcher, except that a watcher may use a wireless communication device only as necessary to record images or sound.

H.B. 2602 (Paul) – Poll Watchers: would: (1) repeal the minimum hours of continuous service a watcher may serve at the polling place; and (2) repeal current law that states a watcher is considered to have served continuously if the watcher leaves the polling place for the purpose of using a wireless communication device prohibited from use in the polling place and the watcher promptly returns.

H.B. 2615 (Goodwin) – Early Voting Period: would amend the starting period for early voting by personal appearance from the 22nd day before election day from the 17th day before election day.

H.B. 2640 (T. King) – Uniform Election Date: would authorize the governing body of a political subdivision, other than a county or municipal utility district, that holds its general election for officers on the May uniform election date to, not later than December 31, 2022, change the date on which it holds its general election for officers to the November uniform election date.
**H.B. 2672 (Guillen) – Early Voting Information:** would: (1) require the early voting clerk to provide a copy of the roster for a person who votes an early voting ballot by personal appearance or by mail in a paper or an electronic format at the request of a person; and (2) creates an offense of a Class C misdemeanor for a person who is responsible for maintaining the roster and fails to provide information on or a copy of the roster to a requesting party.

**H.B. 2699 (Martinez) – Provisional Ballots:** would amend current state law that allows an exception to the requirement to provide identification in casting a provisional ballot by executing an affidavit under penalty of perjury that states the voter does not have any identification requirements as a result of a natural disaster that was declared by the president of the United States or the governor, occurred not earlier than the “60th day” rather than the “45th day” per current state law, before the date the ballot was cast, and caused the destruction of or inability to access the voter's identification.

**H.B. 2764 (Rogers) – Candidate Qualifications:** would amend current state law by adding a requirement that to be eligible to be a candidate for, or elected or appointed to, a public elective office in this state, must have paid all child support due and payable by the person unless: (1) the person has made all due payments under a payment plan; or (2) the child support due is being contested or negotiated. (See H.J.R. 117, below.)

**H.B. 2859 (Bucy) – Election Database:** would provide, among other things, that: (1) the authority responsible for giving notice of the election shall deliver to the secretary of state certain information for the secretary of state's database of election information in an electronic format required by the secretary of state; (2) the secretary of state shall post on the secretary of state's public Internet website a database containing information provided by each authority responsible for giving notice of an election; and (3) a candidate's name may not be printed on the ballot until the candidate's name appears on the secretary of state's Internet website as a candidate for elected office.

**H.B. 2860 (Bucy) – Election Information:** would require: (1) a county or city that holds, or provides election services in the case of a county, and that maintains a website, must not later than the 21st day before election day, post on its public Internet website: (a) the date of the election; (b) the location of each polling place; (c) each candidate for an elected office on the ballot; and (d) each measure on the ballot; (2) a county or city that holds, or provides election services in the case of a county, and that maintains a website, must as soon as practicable after an election, post on its public Internet website: (a) the results of each election; (b) the total number of votes cast; (c) the total number of votes cast for each candidate or for or against each measure; (d) the total number of votes cast by personal appearance on election day; (e) the total number of votes cast by personal appearance or mail during the early voting period; and (f) the total number of counted and uncounted provisional ballots cast; and (3) the election result information must be clearly labeled in plain language and: (i) accessible without having to make more than two selections or view more than two network locations after accessing the Internet website home page of the county, city, or district, as applicable, for the most recent election; and (ii) accessible without having to make more than four selections or view more than four network locations after
accessing the Internet website home page of the county, city, or district, as applicable, for a previous election.

**H.B. 2875 (Anchia) – Voter Identification**: would provide that: (1) a student identification card issued to a person by a public or private high school or an institution of higher education is an acceptable form of identification for voting if the identification card contains the person’s photograph and date of birth; and (2) any other identification card, form, or certificate containing a person’s photograph and date of birth issued by the state, an agency or political subdivision of the state, or the United States, is an acceptable form of identification for voting.

**H.B. 2908 (Dutton) – Application for Office**: would: (1) require that a candidate's application for a place on the ballot must be submitted with an affidavit stating that the candidate lives at the residence address listed on the application form; (2) create the criminal offense of a third-degree felony for providing false information on an affidavit submitted with the application; and (3) create a civil penalty in an amount not to exceed $10,000 for providing false information on the aforementioned affidavit.

**H.B. 2993 (Morales Shaw) – Voter Identification**: would provide that a Transportation Worker Identification Credential card issued by the Transportation Security Administration that has not expired or that expired no earlier than four years before the date of presentation for voting is acceptable documentation of proof of identification for voting.

**H.B. 3019 (Moody) – Campaign Contributions**: would provide that a campaign contribution made to a candidate for statewide office or the legislature or to a specific-purpose committee supporting or opposing the candidate may not be expended to support or oppose a candidate for an office of a municipality.

**H.B. 3080 (Oliverson) – Unsolicited Vote by Mail Application**: would, among other things: (1) create a Class A misdemeanor if the person mails or otherwise provides an application form for an early voting ballot to a person who did not solicit the form; and (2) require the early voting clerk to include with the balloting materials a card containing a space for the voter to: (a) place the voter's right thumbprint; and (b) sign the card.

**H.B. 3086 (Beckley) – Voter Identification**: would allow a person whose name has changed not more than two years before the date the person offers to vote to present identification that shows a name of the voter that does not match the name on the precinct list of registered voters if the person also presents certified documentation of the name change that shows: (1) the name of the voter shown on the precinct list of registered voters; and (2) the name of the voter shown on the identification presented.

**H.B. 3107 (Clardy) – Election Practices and Procedures**: would, among many other things: (1) provide that in the case of an election in which any members of a political subdivision’s governing body are elected from territorial units such as single-member districts, the state laws governing the election of unopposed candidates apply if each candidate for an office that is to appear on the ballot in that territorial unit is unopposed and no opposed at-large race is to appear on the ballot; (2) require the notice of a general or special election to state the internet website of
the authority conducting the election; (3) provide that an election services contract may not change a political subdivision’s requirement to keep an election officer’s office open for election duties for at least three hours each day, during regular office hours, on regular business days during a specified period of time prior to election day and ending not earlier than the 40th day after election day; (4) expand the methods of notice that an election authority conducting the drawing to order names of candidates on the ballot may use to notify candidates of the date, hour, and place of the drawing in include telephone, email, and personal written notice; (5) require an election officer at the polling place to maintain a registration omissions list; (6) provide that if the name of a voter who is offering to vote is not on the precinct list of registered voters, an election officer may contact the voter registrar regarding the voter’s registration status; (7) provide that provisional voting records are not available for public inspection until the first business day after the date the early voting ballot board completes the verification and counting of provisional ballots and delivers the provisional ballots and other provisional voting records to the general custodian of election records; (8) provide that a voter may deliver a marked mail ballot in person to the main early voting polling place only while the polls are open during the early voting period or on election day; (9) require the authority with whom an application for a place on the ballot must be filed to designate an email address in the notice of deadlines for filing an application for a place on the ballot; (10) provide that for cities conducting recall elections, a vacancy in an officer’s office occurs on the date of the final canvass of a successful recall election; and (11) eliminate the requirement that an election precinct established for an election ordered by a city may not divide a county election precinct except as necessary to follow the city’s boundary.

H.B. 3147 (Cole) – Early Voting: would provide that: (1) the early voting ballot board shall verify and count provisional ballots not later than the 10th day after the date of an election; (2) the early voting ballot board shall determine whether to accept mail ballots not later than the 10th day after the date of an election; and (3) the presiding judge of the early voting ballot board shall deliver written notice of the reason for the rejection of a ballot to the voter at the residence address on the ballot application not later than the 10th day after the local canvass.

H.B. 3152 (Noble) – Ineligible Candidates: would authorize the secretary of state to petition a district court for appropriate relief if the agency becomes aware of a candidate who has withdrawn, has died, or is ineligible but whose name has not been omitted from the ballot.

H.B. 3200 (Jetton) – Ballot by Mail: would, among other things: (1) add the ability to supply an e-mail address on an application form for an early voting ballot and voter’s preferred contact method; (2) require, not later than 24 hours after a ballot is rejected, the presiding judge of the early voter’s ballot board to: (a) notify the voter of the rejection of the voter's ballot using the voter's preferred contact method; (b) inform the voter that, time permitting, the voter may: (i) request new balloting materials; or (ii) vote by personal appearance; and (c) deliver written notice of the reason for the rejection of a ballot to the voter; (3) applies only to an early voting ballot voted by mail: (a) for which the voter did not sign the carrier envelope certificate; (b) for which it cannot immediately be determined whether the signature on the carrier envelope certificate is that of the voter; (c) missing any required statement of residence; or (d) containing incomplete information with respect to a witness.
**H.B. 3247 (Schofield) – Election Procedures During Disaster**: would, among other things: (1) prohibit an election official of a political subdivision from seeking to alter, in response to a pandemic disaster, any voting standard practice, or procedure in a manner not otherwise expressly authorized by state law, unless the election official first obtains approval of the proposed alteration from the secretary of state by submitting a written request for approval to the secretary of state; (2) prohibit the secretary of state from approving a request under (1) unless a condition directly caused by the pandemic disaster has made the conduct of the election infeasible in the absence of the alteration; and (3) provide that, in the absence of the governor’s disaster declaration, an election official of a political subdivision may not alter any voting standard, practice, or procedure in a manner not otherwise expressly authorized by law.

**H.B. 3269 (Noble) – Cancelled Ballots by Mail**: would, among other things: (1) provide that a person: (a) may cancel an application to vote by mail by returning the person’s ballot and then voting by personal appearance; or (b) whose ballot is cancelled in any other manner may cast a provisional ballot; (2) require the early voting clerk and presiding election judge to keep a log of returned ballots and provide a copy of the list to the early voting ballot board to ensure that the cancelled ballot is not counted in the election; and (3) require the election officer to electronically submit a record to the secretary of state of each application canceled in a primary, a runoff primary, a general election, or any special election ordered by the governor on the day the application is canceled.

**H.B. 3274 (Jetton) – Early Voting by Mail**: would change the received-by date for an application for ballot by mail submitted by telephonic facsimile or electronic transmission from not later than the “fourth business day after the transmission by telephonic facsimile machine or electronic transmission is received” to the “seventh business day before the date of the election for which the ballot is request.”

**H.B. 3276 (Parker) – Security of Voted Ballots**: would require: (1) the general custodian of election records to post a licensed peace officer rather than a security guard to ensure the security of ballot boxes containing voted ballots throughout the period of tabulation at the central counting station; and (2) the general custodian of election records to implement a video surveillance system that retains a record of all areas containing voted ballots from the time the voted ballots are delivered to the central counting station until the canvass of precinct election returns and must be retained until the end of the calendar year in which an election is held.

**H.B. 3280 (Paul) – Election Integrity**: would, among other things: (1) impose nepotism restrictions on the appointment of alternate presiding judges, election clerks, and election officers; (2) require an early voting clerk, as soon as practicable after the deadline for returning mail ballots, to prepare a report that lists the name and voter registration number of each voter whose ballot voted by mail that: (a) was received before the deadline; and (b) has not been accepted or rejected by the early voting ballot board; (3) require an early voting clerk, as soon as practicable after the appropriate authority appoints the signature verification committee, to provide written notice each person appointed as a member containing certain election information; and (4) require the authority establishing a central counting station, as soon as practicable after the appointment of a central counting station election officer, to provide written
notice to the person appointed as a central counting station election officer containing certain election information.

**H.B. 3281 (Paul) – Early Voting by Mail:** would, among other things: (1) move the deadline for a voter to submit an application for a mail ballot from the 11th day before election day to the 15th day before election day; (2) provide that a marked ballot voted by mail must arrive at the address on the carrier envelope not later than 5 p.m. on the fourth day before election day; (3) provide that early voting ballots may not be counted until 3 p.m. on election day; and (4) provide that early voting ballots voted by mail required to arrive at the address on the carrier envelope by the deadline under (2), above, must be counted not later than 7 p.m. on election day and released at 7 p.m. on election day.

**H.B. 3285 (Button) – Election Interpreters:** would: (1) allow an interpreter to be appointed by an election officer if the voter has not selected an interpreter; (2) provide that, if selected by the voter, a voting interpreter may be any person other than the voter’s employer, an agent of the voter’s employer, or an officer or agent of a labor union to which the voter belongs; and (3) provide that, if appointed to serve as an interpreter by an election officer, an interpreter must be a registered voter of the county in which the voter needing the interpreter resides or a registered voter of an adjacent county. (Companion bill is S.B. 331 by Johnson.)

**H.B. 3302 (Landgraf) – Names of Candidates:** would: (1) require the order of the candidates’ names on a ballot for office to be decided randomly, rather than by a drawing; and (2) authorize the secretary of state to adopt rules necessary to implement the amended process to determine the order of the names on the ballot.

**H.B. 3303 (Schofield) – Voting Standards and Procedures:** would prohibit an election official of the state or of a political subdivision from creating, altering, or suspending any voting standard, practice, or procedure in a manner not expressly authorized by the Texas Election Code.

**H.B. 3356 (Hefner) – Voting System:** would: (1) define "auditable voting system" as a voting system that: (a) uses a paper record; or (b) produces a paper receipt by which a voter can verify that the voter's ballot will be counted accurately; and (2) beginning January 1, 2023, prohibit a voting system that consists of direct recording electronic voting machines unless the system is an auditable voting system.

**H.B. 3448 (White) – Elections:** would, unless excepted within the Election Code, prohibit the secretary of state from waiving or suspending the application of a provision or a rule adopted under the Election Code.

**H.B. 3463 (Crockett) – Residence of Incarcerated Persons:** would, among many other things: (1) provide for the determination of an incarcerated person’s residence for voter registration; (2) require, not later than the 14th day following the date on which the tract-level population counts from the federal decennial census are released, the comptroller, in coordination with the Texas Demographic Center, the Texas Legislative Council, and the Texas Department of Criminal Justice, to prepare and disseminate adjusted population counts for each geographic unit included
in the census counts based on information reported by state and local governments that operate a facility for incarcerated persons; and (3) require state and local government entities that operate a facility for incarcerated persons to prepare a report with certain information that will be used to adjust the decennial census based on the residence of the incarcerated persons for redistricting purposes.

**H.B. 3491 (Parker) – Voting System:** would require the custodian of election records to maintain a maintenance log signed by the individuals and containing the serial number or other unique identifier of the medium.

**H.B. 3525 (Bucy) – Mail Ballot Applications:** would, among other things: (1) require an early voting clerk, before rejecting an application, to within 24 hours of receiving a defective application contact the applicant using any email address or telephone number provided on the application to notify the applicant of the defect, and allow the applicant to make clerical corrections to the application by email, telephone, or text message; and (2) require the secretary of state to develop and maintain an electronic system that allows a voter, through a link on the Internet website of the early voting clerk, to monitor the status of the voter’s ballot voted by mail by accessing a database of voters who voted early by mail, as reported to the secretary of state by the early voting ballot board.

**H.B. 3527 (Bucy) – Voter Information:** would require: (1) the early voting clerk for a primary election or the general election for state and county officers to submit to the secretary of state for posting on the secretary of state's Internet website a rosters of voters who vote an early ballot by mail or by personal appearance not later than 11 a.m. on the day after the election; and (2) the early voting clerk for a primary election or the general election for state and county officers to submit to the secretary of state for posting on the secretary of state's Internet website the final rosters of voters who vote an early ballot by mail or by personal appearance not later than the 20th day after the date of the local canvass.

**H.B. 3534 (Reynolds) – Voter Identification:** would: (1) require a program, standard, or material for training to be developed to provide guidance for election workers to accept photo identification that may not align with a person's presenting gender expression or identity and information about voters who identify as transgender and their historical disenfranchisement; and (2) provide that an indication of gender on a form of identification that does not align with the gender expression or identity of the person seeking to vote does not invalidate the form of identification for the purpose of accepting a voter for voting.

**H.B. 3612 (Fierro) – Polling Place:** would provide at the voter's request, that an election officer deliver a ballot to the voter at the polling place entrance or curb if the voter is: (a) physically unable to enter the polling place without personal assistance or likelihood of injuring the voter's health; or (b) a caregiver or family member accompanying a voter described by the aforementioned if that voter is not also a driver providing a digitally prearranged ride between points chosen by the passenger that is prearranged through a digital network.
**H.B. 3690 (Shine) – Staggering Terms of Alderman:** would provide that the governing body in a Type A general-law municipality may, by majority vote, provide for the staggering of terms by requiring the drawing of lots.

**H.B. 3698 (Parker) – Voting System:** would: (1) require each electronic system ballot to contain a serial number that must be printed before insertion in a ballot marking device, if any; (2) require the secretary of state to approve printers of paper ballots for use with specific electronic voting systems; (3) require each person who prints ballots for use with electronic voting systems to submit satisfactory evidence to the secretary of state that ballots printed by them are accurately read and tabulated by all electronic voting systems; (4) authorize the secretary of state to revoke approval for a printer of paper ballots for use with a specific electronic voting system on sufficient evidence of that printer’s inability to produce paper ballots that are consistently read accurately by the specific electronic voting system; (5) require after installation of the voting system equipment at the polling place, that a report be run on each voting machine to demonstrate that no votes are recorded on the equipment; (6) require, for an electronic voting system that uses paper media for recording votes cast, the election officer to maintain a record of the serial numbers of all ballots issued at that polling place and the serial numbers of any spoiled ballots, if any; and (7) require that an election officer generate a paper record of the number of votes cast for each candidate or measure when using electronic voting system equipment that does not generate a voter-verified paper ballot record, except during early voting.

**H.B. 3719 (Crockett) – Illegal Voting:** would: (1) require, before an election officer provides a person with an affidavit to be executed for proof of residency, the election officer to orally inform the person of each requirement to be eligible to register as a voter; (2) amend current state law regarding the offense of illegal voting by adopting additional elements for the offense if the person: votes or attempts to vote in an election if the person knows: (a) of particular circumstances that make the person not eligible to vote in the election; and (b) that those circumstances make the person not eligible to vote in the election; and (3) create an exception if the person: (a) voted or attempted to vote a provisional ballot; and (b) did not receive the information required from the election officer as stated above.

**H.B. 3873 (Bucy) – Accessible Absentee Mail System:** would provide that: (1) a person who has a disability or a person who is a member of the armed forces of the United States, or such member’s spouse or dependent, may cast a ballot using an accessible absentee mail system; and (2) such accessible absentee mail system shall be an electronic system, including software, used for the sole purpose of enabling any voter, including a voter who has a disability, to mark the voter’s ballot and print and submit the ballot in the manner required by law for a ballot marked by a voter.

**H.B. 3874 (Bucy) – Voting by E-mail:** would, among other things: (1) provide a disabled person who is eligible to vote may request from the appropriate early voting clerk e-mail transmission of balloting materials; (2) require the early voting clerk to grant a request for the e-mail transmission of balloting materials if: (a) the requestor has submitted a valid application for a ballot to be voted by mail on the ground of disability; (b) the requestor provides an e-mail address with the request; (c) the request is submitted on or before the seventh day before the date
of the election; and (d) a marked ballot for the election from the requestor has not been received by the early voting clerk; (3) make the e-mail address provided confidential and not subject to the Texas Public Information Act; (4) require a voter who receives a ballot by e-mail to return the ballot by mail, common or contract carrier, or courier; and (5) provide that a voter may not return the ballot by electronic transmission except for a member of the armed forces of the United States who is on active duty overseas and eligible for hostile fire pay.

**H.B. 3919 (Dean) – Early Voting by Mail:** would provide that the following does not constitute sufficient cause to entitle a voter to vote an early voting ballot by mail on the ground of disability: (1) a lack of transportation; (2) a sickness that does not otherwise prevent the voter from leaving the voter's residence; or (3) a requirement to appear at the voter's place of employment on election day.

**H.B. 3920 (Dean) – Early Voting by Mail:** would: (1) provide that a qualified voter is eligible for early voting by mail if the voter expects to be confined for childbirth on election day; (2) provide that the following does not constitute sufficient cause to entitle a voter to vote an early voting ballot by mail on the ground of disability: (a) a lack of transportation; (b) a sickness that does not otherwise prevent the voter from leaving the voter’s residence; or (c) a requirement to appear at the voter’s place of employment on election day; and (3) require that an application for a ballot to be voted by mail on the ground of disability must require the applicant to affirmatively indicate that the applicant agrees with the statement “I am physically unable to enter a polling place on election day without needing personal assistance or injuring my health.”

**H.B. 3970 (Vasut) – Early Voting by Mail:** would, among many other things: (1) require the early voting ballot board to inspect and open each jacket envelope and carrier envelope for an early voting ballot voted by mail and determine whether to accept the voter’s ballot for counting based on certain specified criteria, including signature verification; (2) require the early voting ballot board to reject and may not open the carrier envelope if the aforementioned criteria is not met; (3) prohibit the early voting ballot board and the signature verification committee from opening the official ballot envelope of an accepted ballot which must be processed separately; and (4) authorize a poll watcher to observe: (a) the acceptance of early voting ballots voted by mail, including the work of the early voting ballot board and any signature verification committee; (b) how the ballots are opened and distributed and how the early voting ballot board and any signature verification committee are making decisions about the acceptance of ballots, if applicable; (c) the work of the central counting station, including the counting of ballots; and (d) how the presiding and alternate judges of the central counting station are making decisions about the acceptance of ballots, if applicable.

**H.B. 3974 (Paul) – Residency:** would, among other things, modify the definition of “residence” for purposes of elections to provide that: (1) a person may not establish residence for the purpose of influencing the outcome of a certain election; (2) a person may not establish a residence at any place the person has not inhabited; and (3) a person may not designate a previous residence as a home and fixed place of habitation unless the person inhabits the place at the time of designation and intends to remain. (Companion bill is S.B. 1111 by Bettencourt.)
H.B. 3999 (Jetton) – Election Judges: would: (1) require a presiding judge and an alternate presiding judge in each election precinct to appoint the election clerks to assist the presiding judge and alternate presiding judge in the conduct of an election at the polling place served by the presiding judge and alternate presiding judge; (2) require the presiding judge and alternate presiding judge to each appoint the same number of clerks to the extent possible given the total number of clerks to be appointed; (3) authorize an alternate presiding judge to have access to the voting area at all times the polling place is open for voting; (4) prohibit a presiding judge from assigning any duty to an alternate presiding judge that prevents continuous access to that area; (5) authorize the alternate presiding judge to assume the responsibilities of the presiding judge if the presiding judge is not present at the polling place; and (6) repeal any nepotism regulations applicable to the appointment of an election clerk.

H.B. 4019 (Bucy) – Mobility Impaired Voters: would: (1) amend current state law by requiring an election officer to accept a person with a mobility problem that substantially impairs a person’s ability to ambulate who is offering to vote before accepting others offering to vote at the polling place who arrived before the person; and (2) provide that if a voter is eligible for early voting by mail on the ground of disability, the balloting materials may be provided by e-mail in PDF format, through a scanned format, or by any other method of electronic transmission authorized by the secretary of state in writing.

H.B. 4128 (Schofield) – Uniform Election Date: would authorize a city council to change the date on which it holds its general election for officers from the May uniform election date to the November uniform election date.

H.B. 4177 (Beckley) – Voter Identification: would allow a person whose name has changed not more than two years before the date the person offers to vote to present identification that shows a name of the voter that does not match the name on the precinct list of registered voters if the person also presents certified documentation of the name change that shows: (1) the name of the voter shown on the precinct list of registered voters; (2) the name of the voter shown on the identification presented; or (3) citizenship documentation that shows that the voter recently took a new name as part of the citizenship process.

H.B. 4180 (Beckley) – Voter Identification: would allow a person whose name has changed not more than two years before the date the person offers to vote to present identification that shows a name of the voter that does not match the name on the precinct list of registered voters if the person also presents certified documentation of the name change that shows: (1) the name of the voter shown on the precinct list of registered voters; (2) the name of the voter shown on the identification presented; or (3) a signed statement from a physician on the letterhead of the physician's official stationery that confirms the person's identity constitutes certified documentation.

H.B. 4322 (Jetton) – Polling Place: would: (1) require each polling place to be located inside a building and not a tent or other temporary or movable structure or a parking garage, parking lot, or similar facility; and (2) prohibit a voter from casting a vote from inside a motor vehicle unless the voter meets the requirements for curbside voting.
**H.B. 4364 (Jetton) – Poll Watchers:** would: (1) provide for a person to be eligible to serve as a watcher, a person must present proof of identification to the election judge at the polling place where the watcher serves; (2) create a Class A misdemeanor for an election officer that intentionally or knowingly refuses to accept a watcher for service when acceptance of the watcher is required; (3) repeal the minimum hours of continuous service a watcher may serve at the polling place; (4) require a watcher free movement within the location the watcher is serving, except as provided by law; and (5) permit the watcher to observe the sealing and transfer of a memory card, flash drive, hard drive, data storage device, or other medium now existing or later developed used by the voting system equipment.

**H.B. 4369 (Noble) – Ballot by Mail:** would require: (1) the early voting clerk to deliver to the early voting ballot board: (a) copies of the applications for ballots to be voted by mail for each ballot voted by mail received; and (b) copies of the voter's signature from the voter's application for voter registration; (2) before reviewing a carrier envelope certificate, the early voting ballot board to review each application for a ballot to be voted by mail that correlates with the carrier envelope to determine if the signature on the ballot application was executed by a person other than the voter, unless the application was signed by a witness; (3) the early voting clerk to make available for review signatures for each applicant for a ballot to be voted by mail from the previous six years; and (4) the early voting clerk to have software available to display all electronically available signatures together. (Companion bill is S.B. 1664 by Bettencourt.)

**H.B. 4402 (Schofield) – Election Dates:** would change: (1) the date of the general election for state and county officers from the first Tuesday after the first Monday in November in even-numbered years to odd-numbered years; (2) the general primary election date from the first Tuesday in March in each even numbered year to the first Tuesday in September in each odd-numbered year; and (3) the runoff primary election date from the fourth Tuesday in May to the fourth Tuesday in September following the general primary election.

**H.B. 4459 (Swanson) – Voting System:** would, among other things: (1) require a voting system to: (a) perform a self-assessment on starting up to ensure functionality and connectivity; (b) maintain a secure wireless connection that does not transmit or store data on any device or medium located outside the state; and (c) produce in an electronic format capable of updating in real time a reporting of the votes cast; (2) beginning September 1, 2021, require all software and data for the voting system manufactured, stored, and held in the United States and sold by a company whose: (a) headquarters are located in the United States; and (b) parent company’s headquarters, if applicable, are located in the United States; (3) require a contract to acquire a voting system from a vendor must identify each person or entity that has a five percent or greater ownership interest in: (a) the vendor; (b) the vendor’s parent company, if applicable; and (c) each subsidiary or affiliate of the vendor, if applicable; (4) prohibit ballots to be arranged in a manner that allows a political party's candidates to be selected in one motion or gesture and such arrangement constitutes a state jail felony; and (5) require a voting machine or ballot marking device to allow a voter the option to cast or complete the voter’s ballot prior to voting on all races or measures if the voter affirmatively chooses to do so.

**H.B. 4497 (Thompson) – Postponed Election:** would: (1) only during a state of disaster or emergency declared by the president of the United States or governor, authorize the governing
body of a political subdivision, other than a county, that holds an election on a date other than the November uniform election date to postpone the election to the third Saturday in August; (2) require a governing body postponing an election to adjust the terms of office to conform to the new election date; and (3) authorize a change authorized adopted in a resolution by a home-rule city to supersede a city charter provision to the extent of any conflict.

**H.B. 4555 (Guillen) – Eligibility for Public Office:** would: (1) require a candidate to provide a certified copy of the candidate’s pardon or other documentation evidencing removal of the disability to holding public office; and (2) create an offense for a person filing as a candidate that has been convicted of a felony and fails to acknowledge on any election filing form they were convicted of a felony.

**H.J.R. 18 (Canales) – Resign to Run:** would amend the Texas Constitution to allow judges of the county courts at law, county criminal courts, county probate courts, and county domestic relations courts to become candidates for another office without automatically resigning from the office already held.

**H.J.R. 117 (Rogers) – State Candidate Qualifications:** would, among other things, amend the Texas Constitution by adding a requirement that to be eligible to be a candidate for, or elected or appointed, to the office of State Senator or Representative, or to be a candidate for or elected to the office of Governor, must have paid all child support due and payable by the person unless: (a) the person has made all due payments under a payment plan; or (b) the child support due is being contested or negotiated. (See **H.B. 2764**, above.)

**S.B. 7 (Hughes) – Elections:** would, among many other things: (1) create a civil penalty of $100 for a voter registrar who fails to correct a violation within 30 days of a notice of noncompliance from the secretary of state on the statewide computerized voter registration list; (2) prohibit an early voting clerk from attempting to solicit a person to complete an application for an early voting ballot by mail, whether directly or through a third party; (3) prohibit, unless authorized by the Election Code, an officer or employee of this state or of a political subdivision from distributing an application form for an early voting ballot to a person who did not request an application nor use public funds to facilitate the distribution by another person of an application form for an early voting ballot to a person who did not request an application; (4) require signature verification by comparison to a known signature; (5) permit a poll watcher to sit or stand near enough to see and hear certain election activity and create an offense for an action taken to distance or obstruct the view of a watcher in a way that makes observation reasonably ineffective; (6) require each countywide polling place in a county to have approximately the same number of voting machines as each other countywide polling place in the county; (7) permit a watcher to record images and sound as permitted by state law other than capturing or recording any information on a voter's ballot; (8) require that the city secretary's main business office is regularly open for business, except that voting may not be conducted earlier than 7 a.m. or later than 7 p.m.; (9) require the general custodian of election records to post a licensed peace officer rather than a guard to ensure the security of ballot boxes containing voted ballots throughout the period of tabulation at the central counting station; (10) permit the general custodian of election records to implement a video surveillance system that retains a record of all areas containing voted ballots from the time the voted ballots are delivered to the central
counting station until the canvass of precinct election returns and must be retained until the end of the calendar year in which an election is held; (11) permit an authority that purchased a voting system other than an auditable voting system after September 1, 2016, and before September 1, 2021, to use available federal funding and, if federal funding is not available, available state funding to retrofit the purchased voting system as an auditable voting system; (12) require a test conducted by general custodian of election records to demonstrate, using a representative sample of voting system equipment, that the source code of the equipment has not been altered; require an automatic recount for a precinct that shows the number of votes cast in an election precinct exceeds the number of registered voters in the precinct; (13) creates a civil penalty for an election official if the official: (a) is employed by or is an officer of this state or a political subdivision of this state; and (b) violates a provision of the Election Code; and (14) create a Class A misdemeanor offense for an election officer that knowingly refuses to accept a watcher for service whose acceptance is required by the Election Code.

**S.B. 95 (Menéndez) – Early Voting by Mail**: would, among many other things, authorize early voting by mail for any qualified voter and provide for implementing procedures. (Companion bill is H.B. 76 by Meza.)

**S.B. 99 (Menéndez) – Countywide Polling Place**: would authorize the secretary of state to select any county to participate in the countywide polling place program. (Companion bill is H.B. 123 by Meza.)

**S.B. 100 (Menéndez) – Voter Identification**: would, among other things, expand the list of acceptable forms of identification for the purposes of voting and allow a voter to present two forms of certain types of identification from the expanded list as proof of identification, so long as one form of identification contains the name and address of the voter. (Companion is H.B. 230 by Bernal.)

**S.B. 131 (Johnson) – Uniform Election Dates**: would: (1) authorize a city council to change the date on which it holds its general election for officers to the November uniform election date if the change is approved by at least two-thirds of the governing body; and (2) provide that a change made under (1), above, supersedes a city charter provision that requires a different general election date.

**S.B. 208 (Bettencourt) – Early Voting Ballot Application**: would prohibit an officer or employee of the state or a political subdivision from distributing an official application form for an early voting ballot to a person. (Companion bill is H.B. 25 by Swanson.)

**S.B. 246 (Alvarado) – Voter Registration**: would require the secretary of state to implement a program to allow a person who has an unexpired Texas driver’s license or personal identification card to complete an electronic voter registration application over the Internet.

**S.B. 268 (West) – Voter Identification**: would provide that an identification card issued by a public institution of higher education in the state that contains the person’s photograph, full legal name, and a date of expiration that has not expired or that expired no earlier than four years
before the date of presentation, is an acceptable form of identification for voting. (Companion bill is H.B. 160 by Zwiener.)

**S.B. 303 (Eckhardt) – Early Voting by Mail:** would, among many other things, authorize early voting by mail for any qualified voter and provide for implementing procedures.

**S.B. 331 (Johnson) – Election Interpreters:** would: (1) allow an interpreter to be appointed by an election officer if the voter has not selected an interpreter; (2) provide that, if selected by the voter, a voting interpreter may be any person other than the voter’s employer, an agent of the voter’s employer, or an officer or agent of a labor union to which the voter belongs; and (3) provide that, if appointed to serve as an interpreter by an election officer, an interpreter must be a registered voter of the county in which the voter needing the interpreter resides or a registered voter of an adjacent county.

**S.B. 377 (West) – Ballots Voted by Mail:** would: (1) require election notice posted on a county’s website to include: (a) the location of each polling place that will be open on election day; (b) the location of each polling place that will be open for early voting; and (c) each location that will be available to voters to deliver a marked ballot voted by mail; (2) authorize a voter to deliver a marked ballot voted by mail in person to the early voting clerk’s office or to another designated location while the polls are open on election day or during the early voting period; (3) provide that a voter delivering a marked ballot in person may return only the voter’s own ballot; and (4) authorize the county clerk to designate any of the following locations for delivering marked ballots under (2), above: (a) the early voting clerk’s office; (b) any polling place open for early voting or for election day; or (c) any suitable location that meets criteria prescribed by the secretary of state. (Companion bill is H.B. 844 by Bucy.)

**S.B. 378 (West) – Early Voting by Mail:** would, among other things, provide that a voter voting by mail based on the ground of absence from the county of residence may elect to receive the balloting materials by electronic transmission on the voter’s application for an early voting ballot to be voted by mail. (Companion bill is H.B. 845 by Bucy.)

**S.B. 379 (West) – Voting by Mail:** would, among other things: (1) provide that a qualified voter is eligible for early voting by mail if the voter submits an application for a ballot to vote by mail during a statewide public health disaster; and (2) provide an opportunity to correct a signature defect on the carrier envelope certificate, the ballot application, or a mismatched name on the carrier envelope certificate if the voter submits the following: (a) identification or a document proving identity that complies with state law; and (b) a signed affidavit curing the defect.

**S.B. 381 (West) – Changing Residence:** would, among other things: (1) provide that an election officer serving a polling place shall be a deputy voter registrar and shall have the same authority as a regular deputy registrar; (2) provide that, after changing residence to another county, a person must be accepted for provisional voting if: (a) the person would have been eligible to vote in the county the person formerly resided in on election day if the person was still residing in that county; (b) the person is registered to vote in the county the person formerly resided in at the time the person offers to vote in the county the person currently resides in or submitted a voter registration application in the county the person currently resides in; (c) the person’s voter
registration for the county the person currently resides in is not effective on or before election day; and (d) in the county the person currently resides in, the person offers to vote: (i) at any polling place during the early voting period; (ii) at any polling place on election day if the county participates in the countywide polling place program; or (iii) at the polling place of the precinct in which the person resides on election day if the county does not participate in the countywide polling place program; and (3) require the form for a provisional voting affidavit to include a space for entering the precinct number of the precinct in which the voter voted and the name of the county in which the voter is registered to vote. (Companion bill is H.B. 857 by Bucy.)

**S.B. 426 (Miles) – Return of Mail Ballots**: would authorize: (1) a voter to deliver a marked mail ballot in person to the early voting clerk’s office or to another designated location while the polls are open on election day or during the early voting period; and (2) the early voting clerk to designate any number of suitable locations for in-person delivery of ballots.

**S.B. 527 (Eckhardt) – Preferential Voting**: would, among other things, provide that: (1) the governing body of a city, county, or school district may authorize, by majority vote, the use of a preferential voting system for the election of an officer of the city; and (2) the system must allow a voter to rank each candidate for an office through a numerical designation from the candidate the voter favors most to the candidate the voter favors least.

**S.B. 598 (Kolkhorst) – Auditable Voting Systems**: would, among other things, provide that: (1) a voting system that consists of direct recording electronic voting machines may not be used in an election unless the system is considered an “auditable voting system” that uses, creates, or displays a paper record that may be read by the voter; (2) an authority that purchased a voting system other than an auditable voting system after September 1, 2014, and before September 1, 2021, may use available federal funding, and if federal funding is not available, available state funding to convert the purchased voting system into an auditable voting system in accordance with a specific schedule; and (3) the requirement to use an auditable voting system in (1), above, does not apply to an election held before September 1, 2026.

**S.B. 605 (Kolkhorst) – Election Bystanders**: would: (1) authorize the following people to be lawfully present in a polling place during the time the presiding judge arrives there on election day until the precinct returns have been certified and the election records assembled for distribution following the election: (a) an election judge or clerk; (b) a watcher; (c) a state or federal inspector; (d) a person admitted to vote; (e) a child under 18 years of age accompanying a parent who has been admitted to vote; (f) a person providing authorized assistance to a voter; (g) a special peace officer appointed by the presiding judge; (h) the county chair of a political party conducting a primary election; (i) an authorized voting system technician; or (j) a person whose presence has been authorized by the presiding judge; (2) authorize the following people to be lawfully present in the meeting place of an early voting ballot board during the time of the board’s operation: (a) a presiding judge or member of the board; (b) a watcher; (c) an authorized voting system technician; or (d) a person whose presence has been authorized by the presiding judge; and (3) authorize the following people to be lawfully present in the central counting station while ballots are being counted: (a) a counting station manager, tabulation supervisor, assistant to the tabulation supervisor, presiding judge, or clerk; (b) a watcher; (c) an authorized
voting system technician; or (d) a person whose presence has been authorized by the counting station manager. (Companion bill is H.B. 1128 by Jetton.)

**S.B. 889 (Eckhardt) – Poll Watchers:** would, among other things: (1) amend current law to allow a nonpartisan election observation organization to appoint a “watcher” to observe the conduct of an election; (2) authorize the secretary of state to certify qualifying nonpartisan election observation organizations and to adopt rules establishing the criteria to determine whether an organization may be certified; and (3) establish criteria that makes an individual eligible to be a watcher.

**S.B. 1018 (Zaffirini) – Early Voting by Mail:** would, among other things: (1) require an officially-prescribed application form for an early voting ballot to include a space for the voter to provide a change of residence address within the county, if applicable; (2) provide that, if an application for an early voting ballot includes a change of address within the county, the early voting clerk must notify the voter registrar of the change and the registrar shall update the voter’s registration accordingly; (3) provide that an early voting clerk is not required to provide a form for a statement of residence to a voter who indicated a change of address within the county on the voter’s application for an early voting ballot to be voted by mail; and (4) provide that, for certain defective early voting ballots voted by mail, that the signature verification committee or early voting ballot board may: (a) return the carrier envelope to the voter by mail, if the signature verification committee determines that it would be possible to correct the defect and return the carrier envelope before the time the polls are required to close on election day; or (b) notify the voter of the defect by telephone or e-mail and inform the voter that the voter may come to the early voting clerk’s office in person to: (i) correct the defect; or (ii) request to have the voter’s application to vote by mail cancelled. (Companion bill is H.B. 1464 by Hinojosa.)

**S.B. 1110 (Bettencourt) – Election Procedures:** would, amongst other things, require: (1) that not later than the 60th day before the date of a regular or special election, the presiding judge of each administrative judicial region shall appoint not fewer than three retired judges to serve as emergency election review judges to preside over election violation complaints; and (2) create a review process by which an action alleging a violation of the election code, that is filed within 45 days of an election by a candidate in the election or a state or county chair of a political party that has a candidate in the election, to request emergency injunctive relief to prevent the alleged violation from continuing.

**S.B. 1111 (Bettencourt) – Residency:** would, among other things, modify the definition of “residence” for purposes of elections to provide that: (1) a person may not establish residence for the purpose of influencing the outcome of a certain election; (2) a person may not establish a residence at any place the person has not inhabited; and (3) a person may not designate a previous residence as a home and fixed place of habitation unless the person inhabits the place at the time of designation and intends to remain.

**S.B. 1112 (Bettencourt) – Voter Signature Verification:** would: (1) prohibit a county clerk, elections administrator, early voting clerk, or early voting ballot board from suspending the signature verification requirements for accepting early voting ballots voted by mail; and (2) creates a Class A misdemeanor for a violation of this prohibition.
**S.B. 1115 (Bettencourt) – Early Voting**: would, among other things: (1) provide that, for any runoff election resulting from an election held on a uniform election date, the period for early voting by personal appearance begins on the 12th day before election day and continues through the fourth day before election day; (2) provide that, unless ordered by a court, voting time during early voting may not last more than 12 hours in one day; and (3) establish the following hours for early voting for any election in which a county clerk or city secretary is the early voting clerk: (a) on any weekday of the first week of the early voting period, from 8:00 a.m. until 5:00 p.m.; (b) on a Saturday during the early voting period; from 7:00 a.m. until 7:00 a.m.; (c) on a Sunday during the early voting period, from 1:00 p.m. until 6:00 p.m.; and (d) on any weekday of the last week of the early voting period, from 7:00 a.m. until 7:00 p.m.

**S.B. 1116 (Bettencourt) – Posting Election Information**: would require: (1) that a county that holds or provides election services, and a city or independent school district that holds an election, and maintains an Internet website, shall publish the following as soon as practicable after the election: (a) the results of each election; (b) the total number of votes cast; and (c) the total number of votes cast for each candidate or for or against each measure; and (2) such information to be accessible without having to make more than two selections or view more than two network locations after accessing the Internet website home page of the county, city, or district, as applicable.

**S.B. 1215 (Buckingham) – Election Practices and Procedures**: would, among many other things: (1) require the secretary of state to prescribe model election procedures for use by election officials, and provide that deviations from the secretary of state’s procedures are presumptively invalid and subject to injunctive relief unless an election official first seeks and obtains written permission from the state elections tribunal prior to implementation; and (2) require the general custodian of records to implement a video surveillance system that retains a record of all areas containing voted ballots from the time the voted ballots are delivered to the central counting station until the canvass of precinct election returns.

**S.B. 1234 (Hughes) – Voting System**: would: (1) define "auditable voting system" as a voting system that: (a) uses a paper record; or (b) produces a paper receipt by which a voter can verify that the voter's ballot will be counted accurately; (2) require the use of an auditable voting system in elections held after March 1, 2024; and (3) provides that the electronic vote is the official record of the ballot and the paper record or receipt copy is the official record vote of the vote cast for a recount of ballots cast.

**S.B. 1236 (Paxton) – Election Procedures**: would, among other things, provide that a government agency or public official, including a municipality and its officers, may not issue an order that suspends or waives a provision of the Election Code during a declared disaster under the Texas Disaster Act.

**S.B. 1327 (Hinojosa) – Election Contracts**: would require a political subdivision to request an election services contract with the county elections administrator to perform all duties and functions of the political subdivision in relation to an election if the political subdivision: (1) is located entirely in a county: (a) with a population of more than 500,000 that is served by a
county elections administrator; and (b) that does not contain a city with a population of more than 175,000; and (2) does not have a population of more than 50,000.

**S.B. 1387 (Creighton) – Voting System:** would provide that, beginning September 1, 2021, for a voting system or voting system equipment to be approved for use in an election, the voting system must have been manufactured, stored, and held in the United States and sold by a company whose: (1) headquarters are located in the United States; and (2) parent company's headquarters, if applicable, are located in the United States.

**S.B. 1418 (Schwertner) – Presiding Election Judge:** would provide that the presiding election judge may be compensated at a higher rate, at the discretion of the appropriate authority. (Note: Current state law provides that early voting ballot board members are entitled to the same compensation as presiding election judges, except that the members may be paid greater compensation than that regularly payable for the amount of time worked, but not to exceed the amount payable for 10 hours' work.)

**S.B. 1419 (Bettencourt) – Local Debt Proposition:** would require a proposition for approval of the issuance of bonds or other debt to be submitted to the voters in an election held on the November uniform election date, unless the governor determines that an emergency warrants holding a special election before the appropriate uniform election date, in which case the proposition may be submitted to the voters on any uniform election date.

**S.B. 1426 (Bettencourt) – Local Debt Elections:** would provide that an election for the issuance of bonds shall be held on the November uniform election date.

**S.B. 1430 (Bettencourt) – Recall Elections, Ballot Propositions, and Petitions:** with regard to city ballot proposition language, this bill would:

13. require that a ballot proposition substantially submit a question with such definiteness, certainty, and facial neutrality that the voters are not misled;
14. provide that, if a court orders a new election to be held if a contested election is declared void, a person may seek from the court a writ of mandamus to compel the governing body of a city to comply with the requirement that a ballot proposition must substantially submit the question with such definiteness, certainty, and facial neutrality that the voters are not misled;
15. allow a religious organization to circulate or submit a petition in connection with a recall election;
16. provide that, not later than the seventh day after the date on which a home rule city publishes ballot proposition language proposing an amendment to the city charter or another city law as requested by petition, a registered voter eligible to vote in the election may submit the proposition for review by the secretary of state (SOS);
17. require the SOS to review the proposition not later than the seventh day after the date the SOS receives the submission to determine whether the proposition is misleading, inaccurate, or prejudicial;
18. provide that if the SOS determines that the proposition is misleading, inaccurate, or prejudicial, the city shall draft a proposition to cure the defects and give notice of the new proposition;
19. authorize a proposition drafted by a city under Number 6, above, to be submitted to the SOS under the process outlined in Number 4, above;
20. provide that, if the SOS determines that the city has on its third attempt drafted a proposition that is misleading, inaccurate, or prejudicial, the SOS shall draft the ballot proposition;
21. require, in an action in a district court seeking a writ of mandamus to compel the city to comply with Number 1, above, the court to make a determination without delay and authorize the court to: (a) order the city to use ballot proposition language drafted by the court; and (b) award a plaintiff or relator who substantially prevails reasonable attorney’s fees, expenses, and court costs;
22. waive and abolish governmental immunity to suit to the extent of the liability created by Number 9(b), above;
23. provide that, following a final judgment that a proposition failed to comply with Number 1, above, a city must submit to the SOS any proposition to be voted on at any election held by the city before the fourth anniversary of the court’s finding; and
24. require a city to pay fair market value for all legal services relating to a proceeding regarding ballot proposition language enforcement.

In addition, with regard to petitions, the bill would:

8. provide that the illegibility of a signature on a petition submitted to a home-rule city is not a valid basis for invalidating the signature if the information provided with the signature legibly provides enough information to demonstrate that the signer is eligible to sign the petition and signed the petition on or after the 180th day before the date the petition was filed;
9. require the SOS to prescribe the form, content, and procedure for a petition and prohibit a home-rule city that uses a form different than the SOS form from invalidating a petition because it doesn’t contain information that the petition form failed to provide for or required to be provided;
10. provide that a person who circulates or submits a petition is not required to use a petition form prescribed by the secretary of state or a home-rule city, but that a petition that does not use an officially prescribed form must contain the substantial elements required to be provided on the officially prescribed form;
11. require that the city secretary determine the validity of a petition, including by verifying the petition signatures, not later than the 30th day after the date the city receives the petition;
12. prohibit a city from restricting who may collect petition signatures; and
13. provide that Numbers 4 and 5, above, preempt home-rule charter procedures requiring the city council to hold an election on receipt of a petition; and
14. in regard to a charter amendment election petition: (a) provide that at least five percent of the registered voters of the city on the date of the most recent election held in the city or 20,000, whichever number is smaller, may submit a petition; and (b) require the notice of election include a substantial copy of the proposed amendment in which language sought
S.B. 1459 (Zaffirini) – Voter Assistance: would, among other things: (1) require an election officer to post notice regarding assistance available to voters unable to enter the polling place without assistance or likelihood of injuring the voter's health; (2) provide that a voter is physically unable to enter the polling place if the voter cannot do so without: (a) personal assistance; (b) likelihood of injuring the voter's health; or (c) likelihood of injuring another voter's health, including by infecting them with a disease with which the voter was diagnosed that is capable of person-to-person transmission while voting or waiting to a polling place; and (3) require an election officer, at the request of a voter physically unable to enter the polling place, to deliver a ballot at the polling place entrance or curb to: (a) the voter; and (b) a person accompanying the voter, other than the driver of a vehicle hired to transport the voter to or from the polls for compensation other than reimbursement for mileage.

S.B. 1508 (Creighton) – Election Integrity: would: (1) require a law enforcement agency to assist the office of the attorney general election integrity division, to investigate reports of election fraud or that a person has committed an offense under the Election Code; and (2) authorize the election integrity division to issue an administrative subpoena to a political subdivision of this state compelling: (a) the production of information or documents; or (b) the attendance and testimony of a witness.

S.B. 1509 (Creighton) – Voter Identification: would, among other things: (1) expand the list of acceptable forms of identification for the purposes of voting and allow a voter to present one form of certain types of identification from an expanded list as proof of identification along with the applicant’s last four digits of their social security number; (2) permit the voter to be provided with an official ballot by mail if the voter executes an affidavit declaring the voter cannot obtain identification due to a religious objection or an emergency; and (3) require the early voting clerk to reject the application if it does not include a legible photograph or copy of one form of photo identification, accompanied by a declaration of reasonable impediment, or an affidavit of religious objection or emergency.

S.B. 1535 (Buckingham) – Election Integrity: would: (1) repeal the provision requiring a watcher for a precinct polling place to be a registered voter of the precinct; (2) permit a watcher to observe the signature verification committee; (3) permit a watcher: (a) to observe at any time the early voting ballot board or signature verification committee is processing or counting ballots and until the board or committee completes its duties; and (b) serve during the hours the watcher chooses, except that a watcher serving at the meeting place of an early voting ballot board may not leave during voting hours on election day without the presiding judge's permission if the board has recorded any votes cast on voting machines or counted any ballots, unless the board has completed its duties and has been dismissed by the presiding judge; (4) require that an application for ballot by mail be in writing and not signed electronically or photocopied; (5) prohibit a person, other than a watcher solely recording the counting of ballots, from using any mechanical or electronic means of recording images or sound within 100 feet of a voting station; (6) increase an offense for a violation of these requirements from a Class B misdemeanor to a state jail felony; (7) provide that a qualified voter is eligible for early voting by mail if the voter
cannot appear at the polling place during the early voting period and on election day without assistance due to: (a) illness; (b) injury; (c) medical confinement as directed by a health care professional; or (d) mental or physical impairment; (8) permit an application for a ballot to be voted by mail include or be accompanied by a certificate of a licensed physician or chiropractor or accredited Christian Science practitioner in substantially the form provided by state law; (9) prohibit a public official from issuing a communication concerning eligibility for early voting by mail without approval from the secretary of state; (10) require a public official who issues a communication regarding eligibility for early voting without approval from the secretary of state to: (a) retract the communication; and (b) provide an alternative approved communication in the same manner as the unapproved communication was provided; (11) require an early voting clerk who is aware of or is in possession of evidence that an offense has been committed to promptly notify a law enforcement agency and retain the evidence; (12) generally prohibit an officer or employee of this state or of a political subdivision from distributing an official application form for an early voting ballot to be voted by mail to a person; and (13) require the secretary of state to develop a training course and uniform standards for the process of signature comparison and verification and ensure that the training course is made available to any person who has a duty to examine signatures.

S.B. 1572 (Paxton) – Ballots: would: (1) require the deputy early voting clerk at a polling place to enter the signature or initials of the deputy early voting clerk on each ballot; (2) provide that the signing of ballots need not be completed before the polls open, but an unsigned ballot may not be made available for selection by a voter; (3) provide a waiver request process of the secretary of state’s additional standards for voting systems, including operation procedures, for a county or political subdivision to request provided that the county or political subdivision providing the voting system can demonstrate a specific inability to comply and specifies the election and election date to be affected; and (4) require waivers granted to be posted on the Internet website of the requesting county or political subdivision not less than 60 days before the first day of the early voting period and must remain posted during the affected election.

S.B. 1589 (Bettencourt) – Election Marshals: would, among other things, establish election marshals and state inspectors to investigate alleged violations of the Texas Election Code.

S.B. 1591 (Bettencourt) – Poll Watcher: would: (1) repeal the prohibition of a poll watcher from possessing a device capable of recording images or sound; (2) permit a watcher serving at the meeting place of a signature verification committee to be present at any time the committee is processing ballots and until the committee completes its duties; (3) permit the watcher to serve during the hours the watcher chooses when ballots are processed or handled; (4) authorize a watcher to sit or stand near enough to a member of the early voting ballot board or a signature verification committee; (5) provide that a watcher may not be prohibited from making written notes while on duty, including the name and contact information of a voter whose voting process may have involved a violation of election law; (6) increase the offense involving inhibiting a poll watcher from a Class A misdemeanor to a state jail felony; and (7) authorize a peace officer or an appointed special peace officer to ensure that a watcher who is the victim of an offense inhibiting their duties is given access to perform the watcher's duties.
S.B. 1607 (Hall) – Elections: would, among many other things: (1) provide that each election precinct established for an election shall be served by at least one polling place located within the boundary of the precinct; (2) prohibit a polling place from being located in: (a) a tent or other temporary or movable structure; or (b) a parking garage, parking lot, or similar facility primarily designed for motor vehicles; (3) require each early voting ballot voted by mail to include a unique barcode or microchip to ensure that the ballot is only counted once; (4) require video cameras to be posted at a polling place to enable recording of all activity, other than voting, conducted at a polling place; (5) provide that a ballot voted by mail is not valid unless the voter signs the carrier envelope in the presence of a witness or notary public and the witness or notary public signs the carrier envelope; and (6) require the early voting clerk to upload various information to the state election database not later than 24 hours after the early voting clerk receives an application to vote by mail, places an official ballot in the mail, or receives a marked ballot voted by mail.

S.B. 1608 (Hall) – Elections: would, among other things: (1) provide that each election precinct established for an election shall be served by at least one polling place located within the boundary of the precinct; (2) prohibit a polling place from being located in: (a) a tent or other temporary or movable structure; or (b) a parking garage, parking lot, or similar facility primarily designed for motor vehicles; (3) require each early voting ballot voted by mail to include a unique barcode or microchip to ensure that the ballot is only counted once; (4) require video cameras to be posted at a polling place to enable recording of all activity, other than voting, conducted at a polling place; and (5) provide that a voting system that consists of direct recording electronic voting machines may not be used in an election unless the system is a secure voting system.

S.B. 1611 (Hall) – Poll Watcher: would: (1) provide that a person, other than a watcher, may not use a wireless communication device or any mechanical or electronic means of recording images or sound within 100 feet of the area in which the early voting ballot board disposes of an accepted ballot; (2) prohibit a person, other than a watcher: (a) from using a wireless communication device within 100 feet of a voting station while voting is taking place; and (b) from using any mechanical or electronic means to record images or sound; (3) create an offense that includes an action taken to distance or obstruct the view of a watcher in a way that makes observation reasonably ineffective; and (4) permit a person who has committed an offense to also be: (a) suspended or terminated; or (b) liable to the state for a civil penalty not to exceed $4,000 for each violation.

S.B. 1612 (Hall) – Voting System Vendors: would: (1) provide that a written letter, e-mail, or other communication, including a communication made confidential by other law, between a public official and a voting systems vendor: (a) is not confidential; (b) is public information for purposes of the Public Information Act (PIA); and (c) is not subject to an exception to disclosure provided by the PIA; and (2) authorize a district court to issue a writ of mandamus to compel the performance of any duty imposed by law in connection with the holding of an election by a city, county, or other political subdivision.

S.B. 1633 (Miles) – Final Convictions: would provide that, in order to be eligible to be a candidate for, or elected or appointed to, a public elective office, a person must have not been
finally convicted of a felony, or, if so convicted, has fully discharged the person's sentence, including any term of incarceration, parole, or supervision, or completed a period of probation ordered by any court, or otherwise been pardoned or otherwise released from the resulting disabilities.

**S.B. 1661 (Bettencourt) – City Election Date**: would require all cities to hold general elections of the city on the November uniform election date in an even-numbered year.

**S.B. 1664 (Bettencourt) – Ballot by Mail**: would require: (1) the early voting clerk to deliver to the early voting ballot board: (a) copies of the applications for ballots to be voted by mail for each ballot voted by mail received; and (b) copies of the voter's signature from the voter's application for voter registration; (2) before reviewing a carrier envelope certificate, the early voting ballot board to review each application for a ballot to be voted by mail that correlates with the carrier envelope to determine if the signature on the ballot application was executed by a person other than the voter, unless the application was signed by a witness; (3) the early voting clerk to make available for review signatures for each applicant for a ballot to be voted by mail from the previous six years; and (4) the early voting clerk to have software available to display all electronically available signatures together. (Companion bill is **H.B. 4369** by Noble.)

**S.B. 1675 (Campbell) – Voting by Mail**: would provide that: (1) except as specifically permitted by statute, the qualifications may not be amended or suspended for any reason for: (a) early voting by mail and procedures for conducting early voting by mail; and (b) voting by mail and procedures for conducting voting by mail; (2) the governor may not suspend a provision of a statute, an order, or a rule under the governor’s emergency management authority if the provision, order, or rule is related to the qualifications or procedures for early voting by mail and voting by mail; (3) upon declaration of state of disaster, the governor may suspend certain provisions of the Election Code only for the purpose of allowing a voter registered to vote at an address located in a disaster area to deliver a marked ballot voted under certain provisions to the early voting clerk's office on or before election day; and (4) the presiding officer of the governing body of a political subdivision may not suspend a provision of a statute, an order, or a rule under the officer’s disaster authority if the provision, order, or rule is related to the qualifications or procedures for early voting by mail and voting by mail. (See **S.J.R. 61**, below.)

**S.B. 1729 (Springer) – Secretary of State**: would repeal for a particular political subdivision: (1) the ability of the secretary of state to, at any time, waive or reinstate the requirements of the Election Code for electronic voting systems.

**S.B. 1730 (Springer) – Election Moratorium**: would: (1) provide that any changes made by an election authority to a practice or procedure related to election administration or voter registration must be finalized not later than the 45th day before election day; (2) provide that during the 45 days preceding election day, deviations from the practices or procedures are presumptively invalid and subject to injunctive relief, unless there is a declared state of disaster or emergency; and (3) authorize the attorney general to obtain injunctive relief to enforce (1) and (2).
**S.B. 1731 (Springer) – Election Integrity:** would: (1) create an offense for a person that offers or gives a nonmonetary gift to a voter at a polling place or to a person assisting the voter needing assistance; (2) require that an application for ballot by mail be in writing and not signed electronically or photocopied; (3) prohibit the early voting clerk from making attempts to solicit a person to complete an application for an early voting ballot by mail, whether directly or through a third party; (4) increase an offense for a violation of these requirements from a Class B misdemeanor to a state jail felony; (5) require an early voting clerk who is aware of or is in possession of evidence that an offense has been committed must promptly notify a law enforcement agency and retain the evidence; (6) prohibit, unless otherwise authorized by state law, an officer or employee of this state or of a political subdivision from distributing an official application form for an early voting ballot to be voted by mail to a person; (7) require secretary of state to develop a training course and uniform standards for the process of signature comparison and verification and ensure that the training course is made available to any person who has a duty to examine signatures; and (8) provide procedures by which signatures on ballots are verified, voters are notified of any rejected ballots and by which methods the rejected ballots may be cured.

**S.B. 1765 (Bettencourt) – Election Procedures:** would provide that an election official of the state or of a political subdivision may not create, alter, or suspend any voting standard, practice, or procedure in a manner not expressly authorized by state law.

**S.B. 1899 (Zaffirini) – Elections:** would, among other things: (1) change the age that a person may begin to apply for voter registration from 17 years and 10 months of age to 16 years of age; (2) require that the voter registration application include a space for an applicant under 18 years of age to acknowledge that they are at least 16 years of age and understand that they cannot vote until they reach the required age of 18 years of age; (3) require a voter registrar to adopt procedures to allow a voter registration agency to deliver a completed voter registration application over the Internet; (4) require a public library to provide to each person of voting age who applies for an original or renewal of a library card an opportunity to complete a voter registration application form, whether or not they are in person; (5) for each person entitled to vote an early voting ballot, require the early voting clerk to follow procedures for accepting a regular voter on election day, with the modifications necessary for the conduct of early voting; (6) require each early voting clerk to update a database, prepared by the secretary of state, with certain required application information: (a) not less frequently than once per week, (b) beginning on the 90th day before the date of an election, the early voting clerk must update the database at least once per day with the required application information relating to that election, (c) and not later than 20 days after the date of the election for which a person submitted an application, the early voting clerk shall update the person's information on the database for each election to which the application applies; and (7) provide that, before deciding whether to accept or reject a ballot, the signature verification committee may: (a) return the carrier envelope to the voter by mail, if the signature verification committee determines that it would be possible to correct the defect and return the carrier envelope before the time the polls are required to close on election day; or (b) notify the voter of the defect by telephone or e-mail and inform the voter that the voter may come to the early voting clerk's office in person to: (i) correct the defect; or (ii) request to have the voter's application to vote by mail canceled.
**S.B. 1901 (Zaffirini) – Elections:** would authorize the secretary of state to order a person that unduly delays or cancels an election they are legally required to hold without obtaining prior approval from the secretary of state or a court of competent jurisdiction to correct the offending conduct.

**S.J.R. 51 (Creighton) – Application for Ballot by Mail:** would amend the Texas Constitution to prohibit an officer or employee of this state or of a political subdivision of this state from distributing an official application form for an absentee ballot to a person unless the person has requested the distribution.

**S.J.R. 58 (Campbell) – Candidate Qualifications:** would amend the Texas Constitution to provide that a person is ineligible to be placed on a ballot as a candidate for public office if on the date the person files to be placed on the ballot the person has an outstanding financial obligation payable to the Texas Ethics Commission.

**S.J.R. 61 (Campbell) – Absentee Voting:** would amend the Texas Constitution to provide that:

1. the qualifications for absentee voting and procedures for conducting absentee voting may not be amended or suspended except by specific law passed by the legislature;
2. a law passed by the legislature granting the governor general authority to suspend provisions of statute or rules of a state agency does not grant the governor authority to amend or suspend the qualifications for absentee voting or the procedures for conducting absentee voting unless the law expressly provides otherwise; and
3. a law passed by the legislature granting the presiding officer of the governing body of a political subdivision general authority to declare a local state of disaster does not grant the presiding officer of the governing body of a political subdivision authority to amend or suspend the qualifications for absentee voting or the procedures for conducting absentee voting unless the law expressly provides otherwise. (See S.B. 1675, above.)

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**Emergency Management**

**H.B. 3 (Burrows) – Texas Pandemic Response Act:** this bill, known as the Texas Pandemic Response Act, would make numerous changes regarding how the state and local governments prevent, prepare for, respond to, and recover from a pandemic disaster. Of primary importance to cities, the bill would, among many other things:

1. define the term “pandemic disaster” to mean the occurrence or imminent threat of an outbreak of an infectious disease that spreads to a significant portion of the population of multiple countries or the world and that threatens widespread or severe damage, injury, or loss of life or property in the state resulting from any natural or man-made cause related to the outbreak;
2. authorize the governor, by executive order or proclamation, to declare a state of pandemic disaster if the governor determines that a state of pandemic disaster is occurring in the state or that the occurrence or threat of a pandemic disaster is imminent;
3. authorize the governor to, on request of a city, waive or suspend a deadline, including a deadline relating to a budget or property tax rate, imposed on the political subdivision by a statute or a state agency order or rule if he waiver or suspension is reasonably necessary to cope with the pandemic disaster;
4. authorize the governor to temporarily reassign resources, personnel, or functions of state agencies and cities for the purpose of performing or facilitating emergency services during a pandemic disaster;
5. provide that the presiding officer of a city council is designated as the pandemic emergency management director for the city;
6. authorize a pandemic emergency management director to serve as the governor’s designated agent in the administration and supervision of duties under the Texas Disaster Pandemic Act, and authorize the pandemic emergency management director to exercise the powers granted to the governor on an appropriate local scale;
7. authorize a pandemic emergency management director to designate a person to serve as pandemic emergency management coordinator, who serves as an assistant to the pandemic emergency management director;
8. provide that a deadline imposed by local law on a city, including a deadline relating to a budget or property tax, is suspended if: (a) the city is wholly or partly located in an area in which a pandemic disaster has been declared by the president of the United States or the governor; and (b) the city’s presiding officer proclaims that the city is unable to comply with the requirement because of the pandemic disaster;
9. authorize a city’s presiding officer to issue an order ending the suspension of a deadline under Number 8, above, and provide that a deadline may not be suspended for more than 30 days after the date the presiding officer issues the proclamation described by Number 8(b), above;
10. provide that any local order or rule issued in response to a state or local state of pandemic disaster is superseded and void to the extent that it is inconsistent with orders, declarations, or proclamations issued by the governor or Department of State Health Services;
11. prohibit an election official of a political subdivision from seeking to alter, in response to a pandemic disaster, any voting standard practice, or procedure in a manner not otherwise expressly authorized by state law, unless the election official first obtains approval of the proposed alternation from the secretary of state by submitting a written request for approval to the secretary of state;
12. provide that if the governor issues a written determination finding that the presiding officer of a city council has taken issued an order requiring the closure of a private business in response to a pandemic, the city council for that city may not adopt a property tax rate for the current tax year that exceeds the lesser of the city’s no-new-revenue tax rate or voter-approval tax rate for that tax year;
13. provide that, for a tax year in which the restriction in Number 12, above, applies to a city, the difference between the city’s actual tax rate and voter-approval tax rate for purposes of calculating the city’s unused increment rate is considered to be zero;
14. provide that a city is no longer subject to the limitation prescribed by Number 12, above, in the first tax year in which the governor rescinds the governor’s written determination;
15. provide that a person commits an offense if the person violates a provision of the pandemic components of a state, local, or interjurisdictional emergency management plan or a rule, order, or ordinance adopted under those provisions, and that a violation is punishable by a fine only in an amount not to exceed $1000 to be enforced by state and local officials; and
16. authorize the attorney general to provide legal counsel to a city subject to a declared state of pandemic disaster on issues related to pandemic disaster mitigation, preparedness, response, and recovery applicable to the area subject to the pandemic disaster declaration, if a request for legal counsel is submitted by the emergency management director or mayor of a city.

**H.B. 26 (Swanson) – Weapons**: would eliminate the governor’s authority to: (1) limit the sale, dispensing, or transportation of firearms during a state of disaster; and (2) issue directives on the control of the sale, transportation, and use of weapons during a state of emergency.

**H.B. 311 (Vasut) – Extension of Disaster Declarations**: would, among other things: (1) amend current law to provide that a state of disaster may not continue for more than 30 days unless renewed by the legislature by law; (2) provide that the governor may not declare a state of disaster based on the same or a substantially similar finding for which the state of disaster was initially declared by the governor within the preceding 12 months; (3) amend current law to provide that public health disaster may not continue for more than 30 days unless renewed by the legislature by law; (4) amend current law to provide that the commissioner of the state health services will no longer be authorized to renew, one time, a public health disaster for an additional 30 days; and (5) provide that, at any time, either the governor or the legislature by law may terminate a declaration of a public health disaster.

**H.B. 340 (Cain) – Weapons**: would eliminate the governor’s authority: (1) during a state of emergency, to issue directives on the control of: (a) the sale, transportation, and use of weapons; and (b) the storage, use, and transportation of explosives or flammable materials considered dangerous to public safety; and (2) during a declared state of disaster to suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, and combustibles.

**H.B. 429 (K. King) – Texas Windstorm Insurance Association**: would: (1) add the provision of an adequate market for tornado insurance and wildfire insurance statewide to the primary purpose of the Texas Windstorm Insurance Association; (2) define “tornado insurance,” “wildfire,” and “wildfire insurance”; and (3) require the Department of Insurance to (a) maintain a list of all insurers that engage in the business of property and casualty insurance in the voluntary market in a city or county that includes a catastrophe area and (b) develop incentive programs to encourage authorized insurers to write insurance on a voluntary basis and to minimize the use of the association as a means to obtain insurance.

**H.B. 431 (K. King) – Insurance Rates in Disaster Area**: would provide that if the governor designates a disaster area, an insurer may not consider loss and expense experience caused by the disaster in the designated area to set rates for risks outside of the designated area.

**H.B. 525 (Shaheen) – Religious Organizations**: would: (1) provide that a religious organization is an essential business and that its activities are essential activities; (2) provide that a governmental entity, including a city, may not prohibit a religious organization from operating, including during a declared state of disaster; and (3) authorize a person to sue, and the attorney general to seek injunctive or declaratory relief, for a violation of the prohibition in (2).
**H.B. 655 (Raymond)** – Statewide Disaster Alarm System: would, among other things, provide that: (1) the Texas Division of Emergency Management (TDEM) shall conduct a study on the efficacy of existing mass notification deployments by local governmental entities throughout the state and the feasibility of establishing a statewide disaster alert system; (2) the study must: (a) identify the costs to local governmental entities associated with existing local disaster alert or notification systems; (b) examine the potential benefits to local governmental entities of implementing an alert system; (c) examine the importance of a local governmental entity’s discretion regarding the entity’s level and manner of participating in the alert system; (d) examine potential costs to local governmental entities or this state associated with implementing the alert system; and (e) identify any state or local governmental entity actions necessary to implement a comprehensive alert system; (3) if, based on the findings of the study described, TDEM and the office of the governor conclude that the benefits to the state and local governmental entities of implementing a coordinated alert system outweigh any additional costs, TDEM, with cooperation of appropriate state agencies and using money available for that purpose, shall develop and implement the alert system; (4) a local government entity that chooses to participate in an alert system implemented under (3), above, may use local funds for that purpose and may contract with TDEM for services associated with the alert system; (5) an alert system may be operated in conjunction with any other emergency alert system required by federal or state law and designed to notify persons statewide of a disaster affecting any location in the state; and (6) a participating local government entity may, in coordination with TDEM, choose the manner in which the alert system is activated and notifications are issued within the entity’s geographic region.

**H.B. 665 (Landgraf)** – Emergency Rules: would provide, among other things, that an emergency rule that is adopted by a state agency during a period in which at least 75 percent of the counties in the state are declared to be in a state of disaster or emergency by the governor may be effective for not longer than 30 days, and may be renewed for not longer than 60 days.

**H.B. 671 (Martinez, A)** – Disaster Identification System: would, among other things, provide that: (1) the Texas Division of Emergency Management may include in its state emergency plan provisions for the use of a disaster identification system; (2) in an area subject to a state of disaster declaration, a person may elect to participate in a disaster identification system activated for that area; (3) such system shall authorize the use of a device that is capable of displaying a flashing light and continuous light in either the color white or the colors blue, green, red, and yellow (an “illuminated display”) to communicate with disaster relief personnel; and (4) an executive order or proclamation declaring a state of disaster activates for the area subject to the declaration the disaster identification system described above.

**H.B. 729 (Lucio)** – Border Health: would require the Texas Department of State Health Services to establish a border public health response team to deploy in response to certain public health threats and declared disasters in border counties. (Companion bill is S.B. 114 by Lucio.)

**H.B. 888 (Patterson)** – Communicable Disease Contact Tracing: would: (1) allow the Department of State Health Services (Department) or a health authority to employ or contract for contact tracers if it is necessary to perform a public health duty required by law; (2) require the executive director of the Department to adopt rules regarding the qualification and training
requirements for contact tracers; (3) prohibit a contact tracer from disclosing to a contact the identity of an infected individual; (4) prohibit the Department, a health authority, or a contact tracer from producing contact tracing data under a subpoena, unless the subpoena is issued by a court and accompanied by a protective order preventing further disclosure of the data; (5) require the Department, a health authority, or a contact tracer to: (a) use contact data only for contact tracing purposes; and (b) ensure contact data remains confidential; (6) prohibit the Department, a health authority, or a contact tracer from releasing or disclosing contact data unless it is necessary to conduct contact tracing and meets certain other requirements, and require the data be safely and securely destroyed when no longer necessary for contact tracing; (7) prohibit the Department, a health authority, or a contract tracer from either requiring or prohibiting an individual from participating in contact tracing; (8) prohibit the Department, a health authority, or a contract tracer from using location data obtained from a cell phone, or other device through which personal wireless services are transmitted, to identify or track the movement of individuals for contact tracing purposes, unless the individual elects to authorize the location data for that purpose; (9) allow a contact tracer to obtain contact data collected and maintained by a third-party only with the consent of the infected individual or contact whose information is disclosed, or if the data is provided pursuant to a valid warrant; (10) require the Department or a health authority to implement procedures to protect from unlawful use or disclosure any contact data collected, and require that contact data be destroyed if the information is not required to be retained; (11) provide that, for purposes of the Tort Claims Act, a contact tracer employed by, contracted by, or otherwise providing services to the Department or a health authority is considered an employee; and (12) provide for criminal and civil enforcement of the requirements in (1)-(10).

**H.B. 899 (Middleton) – Violation of Emergency Order**: would provide that a state department, commission, board, officer or other state agency that issues a license may not revoke, suspend or refuse to renew a license, reprimand a license holder, impose an administrative penalty on a license holder, or take any other disciplinary action against a license holder based on the license holder’s failure to comply with a state, local or interjurisdictional emergency management plan or with a rule, order or ordinance adopted under the plan.

**H.B. 905 (Krause) – Limitation on Compensation**: would provide, among other things, that if the presiding officer of the governing body of a city or county or the chief administrative officer of a joint board declares a local state of disaster, other than an order to evacuate all or part of a population from a stricken or threatened area, and under that order or proclamation restricts or prohibits the regular business operations of any private business, the city, county or joint board, as applicable, shall: (1) withhold the officer’s regular compensation during the period that the restrictions or prohibitions are in effect; and (2) reduce the officer’s compensation for the appropriate fiscal year by the total amount withheld under (1), above.

**H.B. 906 (Krause) – Prohibited Orders**: would prohibit the governor or the presiding officer of the governing body of a political subdivision, including a city, from issuing an order during a declared state of disaster or local state of disaster that restricts: (1) the operation of a business or industry; or (2) the activities of an individual by distinguishing between essential and nonessential services provided or obtained by the business, industry or individual.
H.B. 1137 (Cain) – Taxes and Fees During Disaster: would provide that if a governor’s executive order, proclamation, or regulation issued during a declared state of disaster restricts the operation of a business or category of business, a business whose operation is restricted by the order, proclamation, or regulation may not be assessed any tax or fee, including a licensing fee, by the state during the time the operation of the business is restricted by the order, proclamation, or regulation.

H.B. 1239 (Sanford) – Religious Freedom: would provide that: (1) for purposes of a disaster, the Texas Religious Freedom Restoration Act is not considered a regulatory statute and may not be suspended; and (2) a government agency or public official may not issue an order that closes or has the effect of closing places of worship or in a geographic area of Texas. (Companion bill is S.B. 251 by Paxton.)

H.B. 1406 (Schaefer) – Judicial Review of Disaster Orders: would provide: (1) a person has standing to file suit in a Texas court to challenge a provision of an order issued by: (a) the governor or the presiding officer of the governing body of a political subdivision, including a city, that relates to a declared state of disaster if the provision in the order is alleged to cause injury to the person or burden a right of the person that is protected by the federal constitution or by a state or federal law; and (b) by the governor, the Health and Human Services Commissioner, the Department of State Health Services, or a health authority that relates to a declared public health disaster or is imposed as a control measure to prevent the spread of a communicable disease if the provision in the order is alleged to cause injury to the person or burden a right of the person that is protected by the state or federal constitution or by a state or federal law; and (2) the issuer of the order described in (1), above, has the burden of proving the challenged provision in the order: (a) mitigates a threat to the public caused by the disaster or communicable disease, as applicable; and (b) is the least restrictive means of mitigating the threat.

H.B. 1409 (Guillen) – Distribution of Emergency Health Resources: would set out the process for the state to proportionally distribute to counties that are subject to a declared state of disaster or local state of disaster as a result of a pandemic, state epidemic, or health crisis: (1) any vaccine or immunizing agent received or manufactured for the purpose of responding to pandemic, state epidemic, or public health disaster; or (2) any personal protective equipment, sanitation equipment or any other public or private resource designated for responding to a pandemic, state epidemic, or public health disaster.

H.B. 1487 (Dean) – Religious Organizations: would provide that: (1) a religious organization is an essential business at all times, including during a declared state of disaster, and the organization’s religious and other related activities are essential activities even if the activities are not listed as essential in an order issued during a disaster; (2) a governmental entity, including a city, may not: (a) at any time, including during a declared state of disaster, prohibit a religious organization from engaging in religious or other related activities or continuing to operate in the discharge of the organization’s foundational faith-based mission and purpose; or (b) during a declared state of disaster order a religious organization to close or otherwise alter the organization’s purposes or activities; (3) sovereign or governmental immunity from suit or liability, as applicable, are waived; (4) a person may assert an actual or threatened violation of
the provisions described in (1) and (2), above, as a claim or defense in a judicial or administrative proceeding and obtain: (a) injunctive relief; (b) declaratory relief; and (c) court costs and reasonable attorney’s fees; and (5) the attorney general may bring an action for injunctive or declaratory relief against a governmental entity or an officer or employee of a governmental entity to enforce compliance.

**H.B. 1500 (Hefner) – Firearm Regulation:** would provide that: (1) in connection with a disaster, no person may prohibit or restrict the business or operations of a firearms or ammunition manufacturer, distributor, wholesaler, supplier, or retailer or a sport shooting range; (2) the governor may not, during a state of disaster, suspend or limit the sale, dispensing, or transportation of explosives or combustibles that are components of firearm ammunition; (3) a directive issued by the governor during a state of emergency may not: (a) provide for the control of the storage, use, and transportation of explosives or flammable materials that are components of firearm ammunition; or (b) prohibit or restrict the business or operations of a firearms or ammunition manufacturer, distributor, wholesaler; and (4) a city does not have the authority to regulate the use of firearms, air guns, or knives in the case of an insurrection, riot, or natural disaster even if the city finds the regulations necessary to protect public health and safety. (Companion bill is S.B. 18 by Creighton.)

**H.B. 1532 (Reynolds) – Residential Evictions:** would provide that: (1) an officer may not execute a writ of possession relating to the eviction of a residential tenant during the period a pandemic-related state of disaster is in effect; and (2) an action to evict a residential tenant is automatically abated without a court order during the period described in (1), above.

**H.B. 1557 (Martinez Fischer) – State of Disaster Extension:** would provide that if the governor finds that a state of disaster requires a renewal and the legislature is not convened in regular or special session, the governor by proclamation shall convene the legislature in special session to respond to the state of disaster.

**H.B. 1656 (Murphy) – Disaster Orders:** would provide that, to the extent of any conflict, an executive order, proclamation, or regulation issued by the governor in response to a disaster prevails over an order, proclamation, or regulation issued by the presiding officer of the governing body of a political subdivision.

**H.B. 1690 (Tinderholt) - Weapons:** would eliminate the governor’s authority: (1) during a state of emergency, to issue directives on the control of: (a) the sale, transportation, and use of weapons; and (b) the storage, use, and transportation of explosives or flammable materials considered dangerous to public safety; and (2) during a declared state of disaster to suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, and combustibles.

**H.B. 1691 (Tinderholt) – Religious Organizations:** would provide that the governor or the presiding officer of the governing body of a political subdivision may not issue an executive order, proclamation, or regulation, as applicable, related to a declared state of disaster or local state of disaster that: (1) restricts the free exercise of religion protected under state or federal law; (2) prohibits or limits a religious service conducted in a house of worship by a religious
organization established to support and serve the propagation of a sincerely held religious belief; or (3) limits the operation or operational hours of a religious organization established to support and serve the propagation of a sincerely held religious belief.

**H.B. 1747 (Lozano) – COVID-19 Vaccine:** would provide that the COVID-19 Expert Vaccine Allocation Panel convened to develop recommendations for the allocation of COVID-19 vaccines for the Department of State Health Services Commissioner shall prioritize the allocation and distribution of vaccines for first responders, including: (1) peace officers; (2) firefighters, including volunteer firefighters; and (3) certified emergency medical services personnel.

**H.B. 1909 (Leach) – Pregnancy Resource Centers:** would provide, among other things, that: (1) a pregnancy resource center is an essential business at all times, including during a declared state of disaster or public health disaster, and the center’s services are considered essential regardless of whether the services are listed as essential or included in a category of services allowed to operate in an order issued under a state of disaster or a public health disaster; (2) an order issued under a state of disaster or public health disaster may not: (a) prohibit a pregnancy resource center from continuing to operate in the discharge of the center’s purpose; or (b) require a pregnancy resource center to close; (3) sovereign and governmental immunity for liability are waived to the extent of liability for violation of (1) or (2), above; and (4) the attorney general may bring an action for injunctive or declaratory relief to enforce compliance, but may not recover expenses incurred in bringing, instituting, or intervening in an action.

**H.B. 1922 (Thierry) – Pandemic Response Plan:** would provide that: (1) the Texas Division of Emergency Management (TDEM) shall prepare and keep current a pandemic response plan that may include provisions for: (a) consulting infectious disease experts; (b) preventing and minimizing injury and damage caused by a pandemic; (c) prompt and effective response to a pandemic; (d) emergency relief; (e) identifying areas and populations particularly vulnerable to the occurrence of a pandemic; (f) communicating with governmental and private entities to facilitate coordination and collaboration for the efficient and effective planning and execution of a pandemic response plan; (g) organizing federal, state, and local pandemic response activities; (h) assisting local officials in designing local pandemic response plans; (i) preparing and distributing to appropriate state and local officials catalogs of federal, state, and private assistance programs; and (j) other necessary matters relating to pandemics; and (2) in preparing and revising the pandemic response plan, TDEM shall seek the assistance of, among others, necessary federal, state, or local governmental entities. (Companion bill is **S.B. 435** by **Blanco**.)

**H.B. 1923 (Thierry) – Disruption in Supply Chains Caused by COVID-19:** would require the comptroller to: (1) conduct a study to identify and evaluate local and state supply chain disruptions caused by the COVID-19 pandemic; and (2) prepare and submit a report containing the results of the study and any recommendations for legislative or other action to aid in the state’s recovery from the COVID-19 pandemic and prepare for future health and economic crises to the governor and the legislature by September 1, 2022. (Companion bill is **S.B. 453** by **Blanco**.)
**H.B. 1978 (Toth)** – **Termination of COVID-19 Disaster Declaration:** would provide that: (1) the governor may not declare a state of disaster because of COVID-19; and (2) the state of disaster declared by the governor related to COVID, as renewed, is terminated.

**H.B. 1983 (Thierry)** – **Disaster Preparedness:** would: (1) add the term “pandemic” to the definition of disaster under the Texas Disaster Act; (2) provide that the business advisory council that was established to provide advice and expertise on actions state and local governments can take to assist businesses in recovering from a disaster shall, in addition to its other duties, propose solutions to mitigate medical supply chain problems and nursing and physician staff shortages that may occur during a disaster; and (3) provide that the disaster recovery task force shall, in addition to its other duties, address long-term solutions to issues arising from a disaster that are specific to a pandemic or epidemic, including unemployment issues and rental policies and other housing issues.

**H.B. 1985 (Thierry)** – **Unemployment Benefits:** would provide that: (1) during a public health disaster, the Texas Workforce Commission (TWC) shall suspend the following eligibility conditions to authorize an individual who is otherwise eligible to receive unemployment benefits to receive benefits: (a) the condition that an individual be actively seeking work; and (b) the condition that an individual has been totally or partially unemployed for a waiting period; and (2) the period of a suspension imposed under (1), above, begins on the date the public health disaster is declared, and TWC may reinstate the conditions described by (1), above, only after the public health disaster expires. (Companion bill is S.B. 469 by Blanco.)

**H.B. 1989 (Thierry)** – **Personal Protective Equipment:** would provide, among other things, that: (1) the Department of State Health Services (DSHS), in coordination with other relevant state agencies, shall establish and maintain a minimum 90-day reserve of personal protective equipment (PPE) for use by health care workers and essential personnel during a public health disaster or other public health emergency; and (2) DSHS shall establish the Personal Protective Equipment Reserve Advisory Committee that shall, as necessary, make recommendations to the Health and Human Services Commissioner for the development of guidelines for the procurement, storage, and distribution of the PPE reserves. (Companion bill is S.B. 437 by Blanco.)

**H.B. 2066 (Dominguez)** – **Expansion of Emergency Management:** would amend current law to clarify the purpose of the Texas Disaster Act of 1975 to include cybersecurity events.

**H.B. 2073 (Burrows)** – **Quarantine Leave:** would provide that: (1) a political subdivision, including a city, shall place a fire fighter, peace officer, or emergency medical technician employed by the political subdivision on paid quarantine leave if the person is ordered by a supervisor or a health authority to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty; (2) a fire fighter, peace officer, or emergency medical technician on quarantine leave shall be entitled to: (a) all employment benefits and compensation, including leave accrual, pension benefits, and health benefit plan benefits; and (b) costs related to the quarantine, including lodging, medical, and transportation costs; and (3) a
political subdivision may not reduce any leave balance accrued by a fire fighter, peace officer, or emergency medical technician in connection with the quarantine leave required by (1), above.

**H.B. 2097 (Schaefer) – Face Coverings:** would provide that the governor or a local official may not issue an executive order, proclamation, or regulation, as applicable, that requires a person to wear a mask or personal protective equipment unless expressly provided by a statute.

**H.B. 2098 (Schaefer) – Violations of Emergency Management Plan:** would repeal provisions of the Texas Disaster Act, which provide that a state, local, or interjurisdictional emergency management plan may: (1) provide that failure to comply with the plan or with a rule, order, or ordinance adopted under the plan is an offense; and (2) prescribe a punishment for the offense but may not prescribe a fine that exceeds $1,000 or confinement in jail for a term that exceeds 180 days.

**H.B. 2196 (Schaefer) – Emergency Management:** would, among other things: (1) remove from the definition of disaster, under the Texas Disaster Act, “other public calamity requiring emergency action”; (2) delete the provision that provides that the governor’s executive orders, proclamations, and regulations issued during a disaster have the force and effect of law; (3) eliminate the ability of the governor to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or waive or suspend a deadline imposed by a statute; (4) eliminate the governor’s ability to temporarily suspend or modify for a period of not more than 60 days any public health, safety, zoning, intrastate transportation, or other law related to providing temporary housing or emergency shelter for disaster victims; (5) repeal the provision that authorizes the governor to suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, and combustibles; and (6) repeal the provision that authorizes the governor to suspend, during a disaster, the waiting period that is otherwise required in order to be eligible for unemployment benefits.

**H.B. 2208 (Lopez) – Confidentiality of Disaster Information:** would provide that the following information maintained by a governmental body is confidential: (1) the name, social security number, house number, street name, and telephone number of an individual or household that applies for or receives disaster recovery assistance, including utility payment assistance and state or federal disaster recovery funds; (2) the name, tax identification number, address, and telephone number of a business entity or an owner of a business entity that applies for or receives disaster recovery assistance, including utility payment assistance and state or federal disaster recovery funds; and (3) any other information the disclosure of which would identify or tend to identify a person or household that applies for or receives disaster recovery assistance, including utility payment assistance and state or federal disaster recovery funds.

**H.B. 2211 (Metcalf) – In-Person Hospital Visits:** would provide, among other things, that a hospital may not, during a qualifying period of disaster, prohibit in-person visitation with a patient receiving care or treatment at the hospital unless federal law or a federal agency requires the hospital to prohibit in-person visitation during that period.

**H.B. 2239 (Gates) – Disaster Tax Relief:** would, among other things, provide that if a city issues an order, proclamation, or regulation pursuant to its authority in the Texas Disaster Act
that either closes, prohibits individuals from patronizing, or reduces operating hours or occupancy capacity of certain private businesses, or prohibits landlords from enforcing lease terms that are otherwise enforceable, a business or landlord subject to the order, proclamation, or regulation shall not be liable for any taxes imposed by the city on the business or landlord, including related property taxes.

**H.B. 2249 (Hefner) – Firearm Regulation:** would provide that: (1) in connection with a disaster, no person may prohibit or restrict the business or operations of a firearms or ammunition manufacturer, distributor, wholesaler, supplier, or retailer or a sport shooting range; (2) the governor may not, during a state of disaster, suspend or limit the sale, dispensing, or transportation of explosives or combustibles that are components of firearm ammunition; (3) a directive issued by the governor during a state of emergency may not: (a) provide for the control of the storage, use, and transportation of explosives or flammable materials that are components of firearm ammunition; or (b) prohibit or restrict the business or operations of a firearms or ammunition manufacturer, distributor, wholesaler; and (4) a city does not have the authority to regulate the use of firearms, air guns, or knives in the case of an insurrection, riot, or natural disaster even if the city finds the regulations necessary to protect public health and safety. (Companion bill is S.B. 18 by Creighton.)

**H.B. 2270 (C. Turner) - Personal Protective Equipment:** would provide, among other things, that: (1) the Department of State Health Services (DSHS), in coordination with other relevant state agencies, shall establish and maintain a minimum 90-day reserve of personal protective equipment (PPE) for use by health care workers and essential personnel during a public health disaster or other public health emergency; and (2) DSHS shall establish the Personal Protective Equipment Reserve Advisory Committee that shall, as necessary, make recommendations to the Health and Human Services Commissioner for the development of guidelines for the procurement, storage, and distribution of the PPE reserves. (Companion bill is S.B. 437 by Blanco.)

**H.B. 2271 (C. Turner) – Pandemic Response Plan:** would provide that: (1) the Texas Division of Emergency Management (TDEM) shall prepare and keep current a pandemic response plan that may include provisions for: (a) consulting infectious disease experts; (b) preventing and minimizing injury and damage caused by a pandemic; (c) prompt and effective response to a pandemic; (d) emergency relief; (e) identifying areas and populations particularly vulnerable to the occurrence of a pandemic; (f) communicating with governmental and private entities to facilitate coordination and collaboration for the efficient and effective planning and execution of a pandemic response plan; (g) organizing federal, state, and local pandemic response activities; (h) assisting local officials in designing local pandemic response plans; (i) preparing and distributing to appropriate state and local officials catalogs of federal, state, and private assistance programs; and (j) other necessary matters relating to pandemics; and (2) in preparing and revising the pandemic response plan, TDEM shall seek the assistance of, among others, necessary federal, state, or local governmental entities. (Companion bill is S.B. 435 by Blanco.)

**H.B. 2548 (Morrison) – Building Inspections:** would: (1) provide that a building inspection in an area of a city subject to a state or a local disaster declaration may be performed by: (a) a person certified to inspect buildings by the International Code Council; (b) a person employed as
building inspector by the city in which the building is located; or (c) a person employed as a
building inspector by any city, if the city in which the building is located has approved the
person to perform inspections during the disaster; and (2) prohibit a city from collecting an
inspection fee related to an inspection performed under (1). (Companion bill is S.B. 877 by
Hancock.)

**H.B. 2620 (Wilson) – Wineries:** would provide that a winery shall be treated in the same
manner as a restaurant for any order, proclamation, regulation, or directive issued by the
governor or a local governmental body that relates to the operation of an alcoholic beverage
establishment during a declared state of disaster or local state of disaster or a proclaimed state of
emergency.

**H.B. 2696 (Morrison) – Disaster Recovery Loan:** would provide that: (1) a political
subdivision, including a city, may apply to the Texas Division of Emergency Management
(TDEM) for a loan if TDEM determines that the political subdivision’s estimated cost to
appropriately respond to appropriately respond to the disaster is greater than 50 percent of the
political subdivision’s total revenue for the current year as shown in the most recent operating
budget of the political subdivision submitted to TDEM; and (2) TDEM may consult with the
Federal Emergency Management Agency in making the determination required under (1), above.

**H.B. 2729 (Slaton) – In-Person Hospital Visits:** would provide, among other things, that: (1) a
hospital may not prohibit in-person visitation, including visitation during a declared state of
disaster declared of the following individuals with a patient at the hospital who is seriously ill or
dying: (a) an immediate family member of the patient; or (b) religious counsel; and (2) a
convalescent and nursing facility may not prohibit in-person visitation, including visitation
during a declared state of disaster, of the following individuals with a resident of the facility who
is seriously ill or dying: (a) an immediate family member of the patient; or (b) religious counsel.

**H.B. 2760 (White) – Isolation or Quarantine Control Measures:** would provide, among other
things, that: (1) an individual retains the right to choose and make decisions regarding the
medical treatment provided to the individual or the individual’s child and the right to refuse: (a) a
medical treatment or procedure; (b) medical test; (c) a physical or mental examination; (d) an
immunization; (e) an experimental procedure or protocol; (f) the collection of a specimen; (g)
participation in a tracking or tracing program; (h) participation in wearing a medical or other
protective device; (i) participation in maintaining a measured distance from other individuals or
animals, unless the distance is required by law or under a court order; and (j) involuntary
disclosure of personal data or medical information; (2) before ordering an individual or a group
of individuals to implement control measures that involve isolation or quarantine, the
Department of State Health Services (DSHS) or a health authority must: (a) provide notice of the
control measures to the individual or group of individuals; (b) provide to the individual or group
of individuals an opportunity to demonstrate that the implementation of control measures is not
necessary; and (c) obtain from a district court in a county in which the individual or group of
individuals resides, is located, or is receiving court-ordered health services a court order
authorizing DSHS or a health authority to order the individual or group of individuals to
implement control measures; (3) to obtain a court order under (2)(c), above, DSHS or a health
authority must demonstrate to the court by clear and convincing evidence that the individual or
group of individuals is infected with or is reasonably suspected of being infected with a communicable disease that presents a threat to public health; (4) in ordering an individual or group of individuals to implement control measures under that involve isolation or quarantine, DSHS or a health authority to the greatest extent possible must: (a) use the least restrictive means available; and (b) allow an individual to isolate or quarantine in the individual’s home or with a family member, a friend, or another individual with whom the individual is involved in a romantic relationship; and (5) repeal the provision that provides that during an emergency or an area quarantine or after a state declared disaster a medical treatment exemption does not apply to an individual who chooses treatment by prayer or spiritual means as part of the tenets and practices of a recognized church of which the individual is an adherent or member.

H.B. 2812 (Murphy) – Disaster Response Loan Fund: would establish the disaster response loan fund to be used to provide short-term loans to political subdivisions affected by a disaster.

H.B. 3016 (Moody) – Suspension of Criminal Law: would provide that, during a declared state of disaster, an executive order, proclamation, or regulation issued by the governor may not suspend a provision in the Code of Criminal Procedure or Penal Code.

H.B. 3036 (Campos) – Evictions: would provide that: (1) an action to evict a tenant is automatically abated without a court order during the period a state of disaster is in effect and until the 61st day after the date a state of disaster ends; and (2) during the period a state of disaster is in effect and until the 61st day after the date a state of disaster ends, an officer may not execute a writ of possession relating to the eviction of a tenant.

H.B. 3241 (Schofield) – Compensation Damages: would provide, among other things, that: (1) a business owner is entitled to compensation from a governmental entity, including a city, for losses caused to the owner’s business by an order, ordinance, or other regulation by a governmental entity, including an executive or local order issued during a declared state of disaster that: (a) closes a business permanently or temporarily; or (b) effectively closes a business by: (i) limiting the business’s operations to the extent that the business owner cannot effectively maintain the business; or (iii) ordering customers not to patronize the business; (2) a business owner is not entitled to compensation under (1), above, if the governmental entity can demonstrate that the primary reason for the governmental action was: (a) a judicial finding that the business: (i) was a nuisance under the law; or (ii) violated other law; or (b) a finding that the business or owner failed to: (i) acquire or maintain a license required by the governmental entity for the business; (ii) file or maintain records required by the secretary of state; or (iii) pay taxes; and (3) sovereign and governmental immunity to suit and from liability is waived and abolished.

H.B. 3266 (Raymond) – Local Officials’ Contact Information: would provide that: (1) each city manager, mayor, county judge, and director of a city’s or county’s local health department shall submit to the Texas Division of Emergency Division (TDEM) the person’s contact information to be used during a declared state of disaster or in other times of public emergency; (2) each city manager, mayor, and county judge shall submit to the local health department of the city or county, as applicable, in which the person serves as the city manager, mayor, or county judge, the person’s contact information to be used during a declared state of disaster or in other
times of public emergency; and (3) information submitted under (1) or (2), above, is confidential and exempt from disclosure under the Texas Public Information Act.

**H.B. 3407 (Raymond) – PPE Storage:** would provide that: (1) the Texas Division of Emergency Management shall maintain at least six climate-controlled warehouses to store personal protective equipment for disaster response in this state, including public health disasters and communicable or infectious disease emergencies; and (2) the warehouses described in (1) must be: (a) capable of protecting personal protective equipment from damage by the elements and other environmental conditions, including temperature, humidity, light, and airflow, as necessary to preserve the equipment stored in the warehouse; and (b) located throughout this state so that personal protective equipment can be delivered from a warehouse to any location in this state within six hours.

**H.B. 3492 (Frank) – Assessment of Fees During Disaster:** would provide, among other things, that: (1) if the presiding officer of the governing body of a political subdivision issues an order or proclamation during a declared local state of disaster that restricts the operation of a business or nonprofit entity or a category of businesses, a business or nonprofit entity whose operation is restricted by the order or proclamation may not be assessed any fee, including a permit fee, by the political subdivision during the time the operation of the business or nonprofit entity is restricted by the order or proclamation; (2) if a business or nonprofit entity paid an annual fee or other fee in advance to a political subdivision for the business’s or nonprofit entity’s operations, the business or nonprofit entity is entitled to a pro rata refund of the fee for the period of time its operations were restricted by an order or proclamation of the political subdivision described by (1); and (3) a business or nonprofit entity may opt to have the amount of any refund due under this section credited toward a future fee requirement.

**H.B. 3501 (Frank) – Taxes and Fees in a Disaster:** would, among other things, provide that: (1) if the presiding officer of the governing body of a political subdivision issues an order or proclamation during a declared local state of disaster that restricts the operation of a business or nonprofit entity or a category of businesses, a business or nonprofit entity whose operation is restricted by the order or proclamation may not be assessed any tax or fee, including a permit fee, by the political subdivision during the time the operation of the business or nonprofit entity is restricted by the order or proclamation; (2) if a business or nonprofit entity paid an annual fee or other fee in advance to a political subdivision for the business’s or nonprofit entity’s operations, the business or nonprofit entity is entitled to a pro rata refund of the fee for the period of time its operations were restricted by an order or proclamation of the political subdivision; and (3) a business or nonprofit entity may opt to have the amount of any refund due under (2) credited toward a future fee requirement.

**H.B. 3550 (Deshotel) – Disaster Recovery Funds:** would provide that the following information is not confidential: (1) an application for or the award of state or federal disaster recovery funds to a governmental body; or (2) an application for or the award of state or federal disaster recovery funds that are allocated or distributed by a governmental body, other than the following information concerning an applicant for that allocation or distribution: (a) the name, social security number, house number, street name, and telephone number of an individual or household that applies for state or federal disaster recovery funds; or (b) the name, tax
identification number, address, and telephone number of a business entity or an owner of a business entity that applies for state or federal disaster recovery funds.

**H.B. 3659 (Leach) – Pandemic Liability:** would, among other things, provide that: (1) except in a case of reckless conduct or intentional, willful, or wanton misconduct, a physician, health care provider, or first responder is not liable for an injury arising from care, treatment, or failure to provide care or treatment relating to or impacted by a pandemic disease or a disaster declaration issued by the President or governor related to a pandemic disease, including: (2) the immunity provided in (1) applies only to a claim arising from care, treatment, or failure to provide care or treatment that occurred during a period beginning on the date that the president of the United States or the governor makes a disaster declaration related to a pandemic disease and ending 60 days after the date that the declaration terminates; (3) except in the case of reckless conduct or intentional, willful, or wanton misconduct, a health care provider, including a first responder, is immune from civil liability for an act or omission that occurs in, or a health care liability claim that arises out of, giving care, assistance, or advice if: (a) the care, assistance, or advice is provided: (i) in relation to a national or statewide health care emergency that results in a declaration of a state of disaster or emergency by the president of the United States or a declaration of a state of disaster by the governor; (ii) during a period beginning on the date the declaration is made and ending 60 days after the date the declaration terminates; and (iii) within the scope of the provider’s practice under state law; and (4) a person is not liable for injury or death caused by exposing an individual to a pandemic disease during a pandemic emergency unless the claimant establishes that: (a) the person who exposed the individual: (i) knowingly failed to warn the individual of or remediate a condition that the person knew was likely to result in the exposure of an individual to the disease, provided that the person: (A) had control over the condition; (B) knew that the individual was more likely than not to come into contact with the condition; and (C) had a reasonable opportunity and ability to remediate the condition or warn the individual of the condition before the individual came into contact with the condition; or (ii) knowingly failed to implement or comply with government-promulgated standards, guidance, or protocols intended to lower the likelihood of exposure to the disease that were applicable to the person or the person’s business, provided that the person: (A) had a reasonable opportunity and ability to implement or comply with the standards, guidance, or protocols; and (B) refused to implement or comply with or acted with flagrant disregard of the standards, guidance, or protocols; and (b) reliable scientific evidence shows that the failure to warn the individual of the condition, remediate the condition, or implement or comply with the government-promulgated standards, guidance, or protocols was the cause in fact of the individual contracting the disease. (Companion bill is S.B. 6 by Hancock.)

**H.B. 3663 (Capriglione) – Federal Disaster Recovery Funds:** would provide that the name, tax identification number, address, and telephone number of a business entity or an owner of a business entity that applies for state or federal disaster recovery funds is not confidential under the Public Information Act.

**H.B. 3747 (Smith) – Liability:** would give a health care provider (including a first responder) immunity from civil liability for an act or omission that occurs in, or a health care liability claim that arises out of, giving care, assistance, or advice if the care, assistance, or advice is provided: (1) in relation to a national or statewide health care emergency that results in a declaration of a
state of disaster or emergency by the president of the United States or the governor; (2) during a period beginning on the date the declaration in (1) is made and ending 60 days after the date the declaration terminates; and (3) within the scope of the provider’s practice under state law.

**H.B. 3748 (Smith) – Liability:** would: (1) except in a case of reckless conduct or intentional, willful, or wanton misconduct, provide that a physician, health care provider, or first responder is not liable for an injury, including economic and noneconomic damages, or death arising from care, treatment, or failure to provide care or treatment relating to or impacted by a pandemic disease or a disaster declaration related to a pandemic disease; and (2) provide that the liability protection in (1) applies only to a claim arising from care, treatment, or failure to provide care or treatment that occurred during a period beginning on the date that the president of the United States or the governor makes a disaster declaration related to a pandemic disease and ending 60 days after the date that the declaration terminates.

**H.B. 3780 (Tinderholt) – Disaster Declaration Renewal:** would provide that: (1) a declared state of disaster may: (a) not continue for more than 30 days unless the disaster declaration is renewed by the governor; or (b) only be renewed by the legislature by law if the state of disaster is to address the spread of a communicable disease; and (2) if the governor finds that the state of disaster described by (1)(b) requires renewal and the legislature is not convened in regular or special session, the governor by proclamation may convene the legislature in special session to renew the disaster declaration and respond to the disaster.

**H.B. 3781 (Tinderholt) – Business Operations:** would provide that the governor may not issue an executive order, proclamation, or regulation during a declared state of disaster that prohibits a business or category of businesses from operating during the declared state of disaster.

**H.B. 3782 (Tinderholt) – School Closures:** would provide that: (1) the Department of State Health Services may not impose control measures that require the closure of a public or private school within its jurisdiction during a public health emergency; and (2) the governor may not: (a) issue an executive order, proclamation, or regulation requiring the closure of a public or private school; or (b) suspend a state agency rule or order that conflicts with (2)(a).

**H.B. 3783 (Tinderholt) – Penalties:** would provide that the punishment prescribed for violating an executive order, proclamation, or regulation issued by the governor under the Texas Disaster Act may not include a term of confinement.

**H.B. 3784 (Tinderholt) – Emergency Management Plan:** would repeal the following provisions of the Texas Disaster Act: (1) a state, local, or interjurisdictional emergency management plan may provide that failure to comply with the plan or with a rule, order, or ordinance adopted under the plan is an offense; and (2) the plan described in (1) may prescribe a punishment for the offense but may not prescribe a fine that exceeds $1,000 or confinement in jail for a term that exceeds 180 days.

**H.B. 3785 (Tinderholt) – Suspension of Laws:** would, among other things, repeal the provisions of the Texas Disaster Act that provides that: (1) on request of a political subdivision, the governor may waive or suspend a deadline imposed by a statute or the orders or rules of a
state agency on the political subdivision, including a deadline relating to a budget or ad valorem tax, if the waiver or suspension is reasonably necessary to cope with a disaster; and (2) the governor may suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, and combustibles.

H.B. 3838 (Dominguez) – Notice: would require a governmental entity to post in a prominent location on the home page of the entity’s Internet website: (1) each emergency notification issued by the entity; and (2) any other official notice issued by the entity, including notices regarding the entity’s ability or inability to provide services the entity normally provides to the public.

H.B. 3901 (Hefner) – Place of Worship: would: (1) prohibit a government agency or public official from issuing an order for purposes of a state of disaster that restricts the occupancy capacity for, or has the effect of restricting the occupancy capacity for, a place of worship in this state or in a geographic area of this state; and (2) provide that the prohibition in (1) may not be suspended.

H.B. 3998 (Krause) – Access to Family Member: would provide that a political subdivision, including a city, may not adopt or enforce an order, ordinance, or other measure that prohibits or limits the amount of time of an individual’s access to an imminently dying member of the individual’s family.

H.B. 4009 (Rodriguez) – Emergency Shelter Planning: would provide that the Texas Division of Emergency Management, in collaboration with political subdivisions, emergency management agencies, and regional planning commissions shall ensure that local and interjurisdictional emergency management plans include provisions for emergency shelters in the event of a disaster that are suitable for cold weather events, wildfires, and floods.

H.B. 4125 (Vasut) – Emergencies: would, among other things:

1. for purposes of emergency management, amend the definition of: (a) “energy emergency” to include a temporary statewide, regional, or local shortage of electricity generation that makes emergency measures necessary to reduce demand or allocate supply; and (b) “epidemic emergency” to mean the occurrence or imminent threat of an outbreak of a communicable disease that threatens widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause related to the outbreak, except if the occurrence or imminent threat of an outbreak of a communicable disease for which there is widespread availability of an effective vaccine against infection;

2. provide that a business or an entity operating during a disaster for an epidemic emergency is not liable for an injury caused by exposing or potentially exposing an individual to a disease if on the date of the exposure or potential exposure: (a) the business or entity is authorized to do business in Texas; and (b) the act or omission giving rise to the exposure or potential exposure was not willful, reckless, or grossly negligent;
provide that a person who provides goods or renders services during a disaster in support of disaster response efforts and at the request of the governor or the governor's designee is not liable for an injury caused by the goods or services, regardless of the circumstances, so long as the act or omission giving rise to the injury was not willful, reckless, grossly negligent, or inconsistent with a limit specified in the governor's request;

provide that in the event of a conflict between executive orders, proclamations, or regulations enacted by the governor and a presiding officer of a political subdivision, an executive order, proclamation, or regulation enacted by the governor controls;

provide that unless expressly authorized by statute, the governor and the presiding officer of a governing body of a political subdivision may not issue an executive order, proclamation, or regulation that: (a) requires a person other than a public employee or licensed professional providing medical services to wear a mask or personal protective equipment during a declared state of disaster; (b) prohibits or limits a person from attending or participating in a religious service or activity; (c) violates state and federal law related to religious freedom; (d) prohibits or limits the sale, dispensing, or transportation of firearms or ammunition; or (e) alters any voting standard, practice, or procedure; (f) restricts the otherwise lawful operation of a business or industry or the activities of an individual by distinguishing between essential and nonessential services provided or obtained by the business, industry, or individual;

provide that a state of disaster may not: (a) continue for more than 30 days unless renewed by the governor, except that a state of disaster for an epidemic emergency, energy emergency, or any man-made cause affecting more than half of Texas counties may not continue for more than 60 days unless renewed by the legislature; and (b) not continue for longer than 180 days unless renewed by the legislature;

provide that the governor may not declare a state of disaster based on the same or a substantially similar finding for which a state of disaster was declared by the governor within the preceding 12 months;

eliminate the provision that allows the governor, on request of a political subdivision, including a city, to waive or suspend a deadline imposed by a statute if the waiver or suspension is reasonably necessary to cope with a disaster;

eliminate the provision that allows the governor to temporarily suspend or modify for a period of not more than 60 days any law if the governor considers the suspension or modification essential to provide temporary housing or emergency shelter for disaster victims;

repeal the provision that allows the governor to suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, and combustibles during a declared state of disaster;

provide that if the presiding officer of the governing body of a political subdivision, including a city, issues an order or proclamation during a declared local state of disaster that restricts the operation of a business or nonprofit entity or a category of businesses, a business or nonprofit entity whose operation is restricted by the order or proclamation may not be assessed any fee, including a
permit fee, by the political subdivision during the time the operation of the business or nonprofit entity is restricted by the order or proclamation;

(12) provide that if a business or nonprofit entity paid an annual fee or other fee in advance to a political subdivision for the business's or nonprofit entity's operations, the business or nonprofit entity is entitled to a pro rata refund of the fee for the period of time its operations were restricted by an order or proclamation of the political subdivision described by (11);

(13) provide that a state, local, or interjurisdictional emergency management plan may provide that the intentional or knowing violation of a state, local, or interjurisdictional emergency management plan or a rule, order, or ordinance adopted under the plan is an offense, and the plan may prescribe a fine-only punishment for the offense in an amount that does not exceed $500.00;

(14) eliminate the authority of the governor to prohibit, during a state of emergency, the: (a) control of the sale, transportation, and use of alcoholic beverages, weapons, and ammunition, except for limited exceptions; and (b) control of the storage, use, and transportation of explosives or flammable materials considered dangerous to public safety; and

(15) provide that a declaration of a public health disaster may continue for not more than 30 days unless renewed by the legislature.

**H.B. 4155 (Buckley) – Disaster Orders:** would limit an executive order, proclamation, or regulation issued by the governor under the Texas Disaster Act of 1975 that restricts: (1) the operation of or the hours of operation for a business: (a) that holds a permit or license issued by the Texas Alcoholic Beverage Commission; (b) in the manufacturing tier of the alcoholic beverage industry; and (c) that authorizes the business to sell alcoholic beverages for on-premises consumption; and (2) a Section 501(a) tax exempt nonprofit organization that benefits veterans of the United States armed forces. (Companion bill is **S.B. 989** by Buckingham.)

**H.B. 4197 (Slaton) – Public Health Directives:** would provide that: (1) during a state of disaster declared by the governor, if the governor issues a public health directive as the governor determines necessary to address the disaster, the directive must not be more stringent than any public health directive for undocumented immigrants issued by United States Immigration and Customs Enforcement; and (2) if the Department of State Health Services or a health authority issues a public health directive as the department or health authority determines necessary to address an outbreak of a communicable disease or public health disaster, the directive may not be more stringent than any public health directive for undocumented immigrants issued by United States Immigration and Customs Enforcement. (Companion bill is **S.B. 1673** by Hall.)

**H.B. 4215 (Raymond) – Executive Orders:** would provide that an executive order, proclamation, or regulation issued by the governor during a declared state of disaster that restricts the operation of or the hours of operation for a business that sells alcoholic beverages may not include a federal tax exempt organization that benefits veterans of the United States armed forces. (Companion bill is **S.B. 1493** by Springer.)

**H.B. 4296 (Burns) – Dyed Motor Fuel:** would provide that: (1) a person may use taxable motor fuel that contains dye in the fuel supply tank in an area subject to a state of disaster
declaration or a local state of disaster declaration; and (2) the Texas Division of Emergency Management shall approve the use of dyed fuel in an area described in (1).

**H.B. 4393 (Martinez Fischer) – Disaster Relief:** would provide, among other things, that: (1) during a disaster declared by the governor or president, or a public health disaster, the Texas Workforce Commission shall waive the following requirements: (a) work requirements that require a recipient of unemployment compensation benefits to search for work; and (b) waiting week requirements; (2) the following items are exempt from sales tax during the emergency preparation sales tax holiday: (a) disinfectant cleaning supplies; and (b) personal protective equipment; (3) the Department of State Health Services shall administer a program under which funds may be granted to cities, among other entities, for use by the cities to provide or pay for infectious disease monitoring; and (4) if federal funds are allocated to the state for the purpose of providing disaster relief, the Texas Division on Emergency Management shall develop an Internet website to house information on how the federal funds have been allocated by the governor.

**H.B. 4445 (Hinojosa) – Worksite Exposures:** would provide, among other things, that: (1) an employer, including a city, shall, not later than the next calendar day that the employer's worksite is open to employees after the date an employer becomes aware that an infected individual was present at the employer's worksite while infectious, the employer shall: (a) provide written notice of potential exposure to any employee, and the employer of any subcontractor, who was present in the same area of the worksite at any time the infected individual was present; (b) provide to each employee described by (1) written information regarding any: (i) public health emergency-related benefits to which the employee may be entitled under state or federal law, including workers' compensation benefits; (ii) types of leave which may be available to the employee under state and federal law, which may include public health emergency-related leave, sick leave, state-mandated leave, and supplemental sick leave; and (iii) applicable anti-retaliation and anti-discrimination protections; and (iii) provide to all employees and to employers of any subcontractors information regarding the disinfection of the worksite and the employer's safety plan under any state or federal public health emergency guidelines established; (2) an employer shall provide the notice required under (1): (a) in English, Spanish, and any other language spoken by a substantial portion of the employees and subcontractors at the employer's worksite; and (b) in a manner that can reasonably be anticipated to be received not later than the next calendar day after the date the employer sends the notice, including by delivering the notice in person or by e-mail or text message; (3) an employer shall maintain records of the notices provided under (1) and (2) for at least one year; (4) not later than 48 hours after the time an employer becomes aware that the number of illnesses or cases related to a public health emergency at the employer's worksite constitutes a worksite outbreak, the employer shall report the outbreak to the applicable local health authority and provide to the health authority: (a) the name, phone number, occupation, and worksite location of each employee who is an infected individual; (b) the employer's business address; and (c) the North American Industry Classification System code for the worksite at which the infected individuals work; (5) after making a report to a local health authority under (4) regarding a worksite, an employer must report to the health authority any subsequent illnesses or cases related to the public health emergency at the worksite immediately after the employer becomes aware of the cases; and (6) a local health authority shall promptly provide to the Department of State Health Services (DSHS)
any information reported by an employer to the health authority under (5), and DSHS shall post on its internet website the information received from local health authorities in a manner that allows the public to track the number and frequency of public health emergency-related worksite outbreaks and the number of public health emergency related illnesses or cases and worksite outbreaks by industry.

**H.B. 4482 (Slawson) – Emergency Powers Board**: would, among other things: (1) establish the Emergency Powers Board (Board) consisting of the governor, the lieutenant governor, the speaker, the senate committee chair with primary jurisdiction over state affairs, and the house committee chair with primary jurisdiction over state affairs to provide oversight during a declared state of disaster, including a declared public health disaster; (2) provide that on or after the eighth day after the date the governor issues the executive order, proclamation or regulation, the Board, by majority vote, may set an expiration date for the order, proclamation or regulation; and (3) provide that if an executive order, proclamation or regulation issued by the governor has an expiration date set by the governor and not modified by the Board within 22 days after the date the order, proclamation or regulation is issued, the governor shall convene a special legislative session to implement, modify or repeal the order, proclamation or regulation. (Companion bill is S.B. 422 by Springer.)

**H.B. 4517 (White) – Disaster Mitigation**: would provide, among other things, that the chief of the Texas Division of Emergency Management (TDEM) shall: (1) establish and maintain a disaster mitigation program for preventing discontinuation of or disruption to each critical infrastructure sector; (2) require TDEM to include disaster mitigation provisions for preventing discontinuation of or disruption to each critical infrastructure sector in the state emergency management plan; (3) seek appropriate funding sources as needed to establish and maintain the program described by (1); (4) coordinate with federal, state, and local officials on the program described by (1); (5) ensure that the program described by (1) is updated annually; and (6) contract with an independent auditor to annually audit the program described by (1).

**H.J.R. 40 (White) – Disaster Management**: would amend the Texas Constitution to prohibit the governor from suspending or limiting, by order or proclamation, the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, or combustibles regardless of whether the state is in a period of emergency resulting from a disaster.

**H.J.R. 42 (Toth) – Governor’s Authority in a Disaster**: would amend the Texas Constitution to: (1) prohibit the governor from issuing an order or proclamation that violates or suspends constitutional rights; (2) provide that a state of disaster or emergency declared by the governor may not continue for more than 30 days unless it is renewed or extended by the legislature; (3) require the governor to convene the legislature in special session when the governor proposes to renew an order or proclamation declaring a state of disaster or emergency; (4) provide that in a special session convened under (3), above, the legislature may: (a) renew or extend the state of disaster or emergency; (b) respond to the state of disaster or emergency by passing or suspending laws related to the state of disaster or emergency; and (c) consider any other subjects stated in the governor’s proclamation convening the special session.
**H.J.R. 47 (Krause) – Special Legislative Session:** would amend the Texas Constitution to provide that: (1) the governor shall convene a special legislative session when the governor proposes to renew an order or proclamation declaring a state of disaster or emergency; (2) in a special session convened under (1), above, the legislature may: (a) renew or extend the state of disaster or emergency; (b) respond to the state of disaster or emergency, including by: (i) passing laws and resolutions the legislature determines are related to the state of disaster or emergency; and (ii) exercising the powers reserved to the legislature by the Texas Constitution; and (c) consider any other subjects stated in the governor’s proclamation convening the special session; and (3) a state of disaster or emergency declared by the governor may not continue for more than 30 days unless it is renewed or extended by the legislature in such convened special legislative session.

**H.J.R. 150 (Sanford) – Termination of Orders:** would amend the Texas Constitution to provide that the legislature may: (1) review and terminate during a regular or special session an order issued by the governor during a state of disaster or emergency declared by the governor; and (2) terminate the order by passage of a resolution approved by a majority vote of the members present in each house of the legislature. (Companion bill is S.J.R. 20 by Paxton.)

**H.J.R. 160 (Slawson) - Special Legislative Session:** would amend the Texas Constitution to provide that: (1) the governor shall convene a special legislative session: (a) if a state of disaster or emergency declared by the governor continues for more than 21 days; or (b) on receipt of a petition from any member of the legislature requesting legislative review of a state of disaster or emergency declared by the governor if the petition is signed by at least two-thirds of the members of the house and two-thirds of the members of the senate; and (2) a special session convened under (1), above, shall be for the following purposes: (a) review an order, proclamation or other instrument issued by the governor during the 90 days before the special session begins: (i) declaring a state of disaster or emergency in the state; or (ii) in response to a state of disaster or emergency in the state declared by any federal, state or local official or entity; (b) terminate or modify an order, proclamation or instrument described by (2)(a), above, by passage of a resolution approved by a majority vote of the members present in each house of the legislature; (c) respond to the state of disaster or emergency; and (d) consider any other subjects stated in the governor’s proclamation convening the special session. (Companion bill is S.J.R. 29 by Springer.)

**S.B. 6 (Hancock) – Pandemic Liability:** would, among other things, provide that: (1) except in a case of reckless conduct or intentional, willful, or wanton misconduct, a physician, health care provider, or first responder is not liable for an injury arising from care, treatment, or failure to provide care or treatment relating to or impacted by a pandemic disease or a disaster declaration issued by the President or governor related to a pandemic disease, including: (2) the immunity provided in (1) applies only to a claim arising from care, treatment, or failure to provide care or treatment that occurred during a period beginning on the date that the president of the United States or the governor makes a disaster declaration related to a pandemic disease and ending 60 days after the date that the declaration terminates; (3) except in the case of reckless conduct or intentional, willful, or wanton misconduct, a health care provider, including a first responder, is immune from civil liability for an act or omission that occurs in, or a health care liability claim that arises out of, giving care, assistance, or advice if: (a) the care, assistance, or advice is
provided: (i) in relation to a national or statewide health care emergency that results in a declaration of a state of disaster or emergency by the president of the United States or a declaration of a state of disaster by the governor; (ii) during a period beginning on the date the declaration is made and ending 60 days after the date the declaration terminates; and (iii) within the scope of the provider’s practice under state law; and (4) a person is not liable for injury or death caused by exposing an individual to a pandemic disease during a pandemic emergency unless the claimant establishes that: (a) the person who exposed the individual: (i) knowingly failed to warn the individual of or remediate a condition that the person knew was likely to result in the exposure of an individual to the disease, provided that the person: (A) had control over the condition; (B) knew that the individual was more likely than not to come into contact with the condition; and (C) had a reasonable opportunity and ability to remediate the condition or warn the individual of the condition before the individual came into contact with the condition; or (ii) knowingly failed to implement or comply with government-promulgated standards, guidance, or protocols intended to lower the likelihood of exposure to the disease; that were applicable to the person or the person’s business, provided that the person: (A) had a reasonable opportunity and ability to implement or comply with the standards, guidance, or protocols; and (B) refused to implement or comply with or acted with flagrant disregard of the standards, guidance, or protocols; and (b) reliable scientific evidence shows that the failure to warn the individual of the condition, remediate the condition, or implement or comply with the government-promulgated standards, guidance, or protocols was the cause in fact of the individual contracting the disease. (Companion bill is H.B. 3659 by Leach.)

**S.B. 18 (Creighton) – Firearm Regulation:** would provide that: (1) in connection with a disaster, no person may prohibit or restrict the business or operations of a firearms or ammunition manufacturer, distributor, wholesaler, supplier, or retailer or a sport shooting range; (2) the governor may not, during a state of disaster, suspend or limit the sale, dispensing, or transportation of explosives or combustibles that are components of firearm ammunition; (3) a directive issued by the governor during a state of emergency may not: (a) provide for the control of the storage, use, and transportation of explosives or flammable materials that are components of firearm ammunition; or (b) prohibit or restrict the business or operations of a firearms or ammunition manufacturer, distributor, wholesaler; and (4) a city does not have the authority to regulate the use of firearms, air guns, or knives in the case of an insurrection, riot, or natural disaster even if the city finds the regulations necessary to protect public health and safety. (Companion bills are H.B. 1500 and H.B. 2249 by Hefner.)

**S.B. 114 (Lucio) – Border Health:** would require the Texas Department of State Health Services to establish a border public health response team to deploy in response to certain public health threats and declared disasters in border counties.

**S.B. 239 (Powell) – Disaster Educational Materials:** would: (1) require the Department of State Health Services (DSHS) to develop and implement a disease prevention information system for dissemination of immunization information during a declared state of disaster or local state of disaster; and (2) provide that during a declared state of disaster or local state of disaster, DSHS shall ensure that educational materials regarding immunizations are available to local health authorities in this state for distribution to certain organizations.
S.B. 251 (Paxton) – Religious Freedom: would provide that: (1) for purposes of a disaster, the Texas Religious Freedom Restoration Act is not considered a regulatory statute and may not be suspended; and (2) a government agency or public official may not issue an order that closes or has the effect of closing places of worship in the state or in a geographic area of the state.

S.B. 328 (Lucio) - Disaster Identification System: would, among other things, provide that: (1) the Texas Division of Emergency Management may include in its state emergency plan provisions for the use of a disaster identification system; (2) in an area subject to a state of disaster declaration, a person may elect to participate in a disaster identification system activated for that area; (3) such system shall authorize the use of a device that is capable of displaying a flashing light and continuous light in either the color white or the colors blue, green, red, and yellow (an “illuminated display”) to communicate with disaster relief personnel; and (4) an executive order or proclamation declaring a state of disaster activates for the area subject to the declaration the disaster identification system described above. (Companion bill is H.B. 671 by Martinez.)

S.B. 422 (Springer) – Emergency Powers Board: would, among other things: (1) establish the Emergency Powers Board (Board) consisting of the governor, the lieutenant governor, the speaker, the senate committee chair with primary jurisdiction over state affairs, and the house committee chair with primary jurisdiction over state affairs to provide oversight during a declared state of disaster, including a declared public health disaster; (2) provide that on or after the eighth day after the date the governor issues the executive order, proclamation or regulation, the Board, by majority vote, may set an expiration date for the order, proclamation or regulation; and (3) provide that if an executive order, proclamation or regulation issued by the governor has an expiration date set by the governor and not modified by the Board within 22 days after the date the order, proclamation or regulation is issued, the governor shall convene a special legislative session to implement, modify or repeal the order, proclamation or regulation.

S.B. 435 (Blanco) – Pandemic Response Plan: would provide that: (1) the Texas Division of Emergency Management (TDEM) shall prepare and keep current a pandemic response plan that may include provisions for: (a) consulting infectious disease experts; (b) preventing and minimizing injury and damage caused by a pandemic; (c) prompt and effective response to a pandemic; (d) emergency relief; (e) identifying areas and populations particularly vulnerable to the occurrence of a pandemic; (f) communicating with governmental and private entities to facilitate coordination and collaboration for the efficient and effective planning and execution of a pandemic response plan; (g) organizing federal, state, and local pandemic response activities; (h) assisting local officials in designing local pandemic response plans; and (i) preparing and distributing to appropriate state and local officials catalogs of federal, state, and private assistance programs; and other necessary matters relating to pandemics; and (2) in preparing and revising the pandemic response plan, TDEM shall seek the assistance of, among others, necessary federal, state, or local governmental entities.

S.B. 437 (Blanco) – Personal Protective Equipment: would provide, among other things, that: (1) the Department of State Health Services (DSHS), in coordination with other relevant state agencies, shall establish and maintain a minimum 90-day reserve of personal protective equipment (PPE) for use by health care workers and essential personnel during a public health
disaster or other public health emergency; and (2) DSHS shall establish the Personal Protective Equipment Reserve Advisory Committee that shall, as necessary, make recommendations to the Health and Human Services Commissioner for the development of guidelines for the procurement, storage, and distribution of the PPE reserves.

**S.B. 453 (Blanco) – Disruption in Supply Chains Caused by COVID-19:** would require the comptroller to: (1) conduct a study to identify and evaluate local and state supply chain disruptions caused by the COVID-19 pandemic; and (2) prepare and submit a report containing the results of the study and any recommendations for legislative or other action to aid in the state’s recovery from the COVID-19 pandemic and prepare for future health and economic crises to the governor and the legislature by September 1, 2022.

**S.B. 464 (Lucio) – Reports of Death to Communicable Diseases:** would provide that: (1) if a physician appointed to serve as health authority for a county serves in that office part-time, the physician shall: (a) coordinate with the director of the local health department for the county in reporting the presence of contagious, infectious, and dangerous epidemic diseases in the health authority’s jurisdiction to Department of State Health Services (DSHS) in the manner and at the times prescribed by DSHS; and (b) notify DSHS that the physician serves part-time in the office of health authority for the county; (2) if DSHS provides information to a physician who serves part-time as the health authority for a county, DSHS shall also provide the information to the director of the local health department for the county served by the health authority; and (3) if DSHS provides information on a death from a reportable or other communicable disease reported to DSHS to an individual who serves part-time as the county health authority, DSHS shall also provide the information to the director of the local health department for the county served by the health authority.

**S.B. 547 (Springer) - Weapons:** would eliminate the governor’s authority to: (1) limit the sale, dispensing, or transportation of firearms during a state of disaster; and (2) issue directives on the control of the sale, transportation, and use of weapons during a state of emergency. (Companion bill is H.B. 26 by Swanson.)

**S.B. 865 (Creighton) - Statewide Disaster Alarm System:** would, among other things, provide that: (1) the Texas Division of Emergency Management (TDEM) shall conduct a study on the efficacy of existing mass notification deployments by local governmental entities throughout the state and the feasibility of establishing a statewide disaster alert system; (2) the study must: (a) identify the costs to local governmental entities associated with existing local disaster alert or notification systems; (b) examine the potential benefits to local governmental entities of implementing an alert system; (c) examine the importance of a local governmental entity’s discretion regarding the entity’s level and manner of participating in the alert system; (d) examine potential costs to local governmental entities or this state associated with implementing the alert system; and (e) identify any state or local governmental entity actions necessary to implement a comprehensive alert system; (3) if, based on the findings of the study described, TDEM and the office of the governor conclude that the benefits to the state and local governmental entities of implementing a coordinated alert system outweigh any additional costs, TDEM, with cooperation of appropriate state agencies and using money available for that purpose, shall develop and implement the alert system; (4) a local government entity that
chooses to participate in an alert system implemented under (3), above, may use local funds for that purpose and may contract with TDEM for services associated with the alert system; (5) an alert system may be operated in conjunction with any other emergency alert system required by federal or state law and designed to notify persons statewide of a disaster affecting any location in the state; and (6) a participating local government entity may, in coordination with TDEM, chose the manner in which the alert system is activated and notifications are issued within the entity’s geographic region. (Companion bill is H.B. 655 by Raymond.)

S.B. 877 (Hancock) – Building Inspections: would: (1) provide that a building inspection in an area of a city subject to a disaster declaration by the governor or a declaration of local disaster may be performed by: (a) a person certified to inspect buildings by the International Code Council; (b) a person employed as building inspector by the city in which the building is located; or (c) a person employed as a building inspector by any city, if the city in which the building is located has approved the person to perform inspections during the disaster; and (2) prohibit a city from collecting an inspection fee related to an inspection performed under (1). (Companion bill is H.B. 2548 by Morrison.)

S.B. 967 (Kolkhorst) – Expiration of Public Health Orders: would provide that a public health order issued by a health authority that is imposed on more than one individual, animal, place, or object expires on the eighth day following the date the order is issued unless, before the eighth day, the governing body of a municipality or the commissioners court of a county that appointed the health authority by majority vote extends the order for a longer period.

S.B. 968 (Kolkhorst) – Public Health Disaster Preparedness: would provide that: (1) the Texas Division of Emergency Management (TDEM) shall enter into a contract with a manufacturer of personal protective equipment (PPE) that guarantees that TDEM is given priority in the purchase of the equipment over other persons, including other states and local governments, during a declared public health disaster; (2) TDEM may purchase PPE under a contract described by (1), above, only if: (a) a public health disaster is declared by the commissioner of state health services; and (b) TDEM determines the state’s supply of PPE will be insufficient based on an evaluation of the PPE: (i) held in reserve in this state; and (ii) supplied by or expected to be supplied by the federal government.

S.B. 989 (Buckingham) – Disaster Orders: would limit an executive order, proclamation, or regulation issued by the governor under the Texas Disaster Act of 1975 that restricts: (1) the operation of or the hours of operation for a business: (a) that holds a permit or license issued by the Texas Alcoholic Beverage Commission; (b) in the manufacturing tier of the alcoholic beverage industry; and (c) that authorizes the business to sell alcoholic beverages for on-premises consumption; and (2) a Section 501(a) tax exempt nonprofit organization that benefits veterans of the United States armed forces.

S.B. 995 (Powell) – Disaster Reinvestment and Infrastructure Planning Fund: would establish the disaster reinvestment and infrastructure planning board and the disaster reinvestment and infrastructure planning revolving fund, which is designed to, among other things, provide public infrastructure loans and grants to political subdivisions impacted by a disaster. (See S.J.R. 44, below.)
**S.B. 1195 (Paxton) – In-Person Hospital Visits:** would provide, among other things, that a hospital patient has the right to designate at least one essential caregiver with whom the hospital may not prohibit in-person visitation.

**S.B. 1250 (Springer) – Operation of Breweries:** would provide that an executive order, proclamation, or regulation issued by the governor, during a declared state of disaster, that restricts the operation of or the hours of operation for a business that sells alcoholic beverages may not include: (1) a business that holds a permit or license: (a) issued by the Texas Alcoholic Beverage Commission; (b) for a business in the manufacturing tier of the alcoholic beverage industry; and (c) that authorizes the business to sell alcoholic beverages for on-premises consumption; or (2) a business that holds a brewpub license.

**S.B. 1392 (Perry) – Medical Procedures:** would provide, among other things, that: (1) the governor, during a declared state of disaster, may not issue an executive order, proclamation, or regulation that limits or prohibits a non-elective procedure; (2) the governor, during a declared state of disaster, may issue an executive order, proclamation, or regulation imposing a temporary limitation or prohibition on a medical procedure other than a non-elective procedure only if the limitation or prohibition is reasonably necessary to conserve resources for non-elective procedures or resources needed for disaster response; (3) an executive order, proclamation, or regulation issued under (2) may not continue for more than 15 days unless renewed by the governor; and (4) a person subject to an order, proclamation, or regulation who in good faith takes or fails to take any action in accordance with that order, proclamation, or regulation is immune from civil or criminal liability or disciplinary action resulting from that act or failure to act, in addition to any other immunity or limitations of liability provided by law.

**S.B. 1493 (Springer) – Executive Orders:** would provide that an executive order, proclamation, or regulation issued by the governor during a declared state of disaster that restrict the operation of or the hours of operation for a business that sells alcoholic beverages may not include an federal tax exempt organization that benefits veterans of the United States armed forces. (Companion bill is **H.B. 4215 by Raymond**.)

**S.B. 1592 (Bettencourt) – Public Health Disasters:** would among other things: (1) provide that for purposes of local emergency management: (a) the term “disaster” does not include an epidemic or the spread of a communicable disease; and (b) public health disasters are inapplicable; and (2) eliminate criminal penalties for violating orders related to a public health disaster.

**S.B 1616 (Bettencourt) – Public Health Disasters:** would, among other things: (1) for purposes of local emergency management: (a) the term “disaster” does not include an epidemic or the spread of a communicable disease; and (b) public health disasters are inapplicable; and (2) eliminate criminal penalties for violating orders related to a public health disaster.

**S.B. 1673 (Hall) – Health Directives:** would provide that: (1) during a state of disaster declared by the governor, if the governor issues a public health directive as the governor determines necessary to address the disaster, the directive must not be more stringent than any public health
directive for undocumented immigrants issued by United States Immigration and Customs Enforcement; and (2) if the Department of State Health Services or a health authority issues a public health directive as the department or health authority determines necessary to address an outbreak of a communicable disease or public health disaster, the directive may not be more stringent than any public health directive for undocumented immigrants issued by United States Immigration and Customs Enforcement. (Companion bill is H.B. 4197 by Slaton.)

**S.B. 1856 (Powell) – Nursing Students:** would provide that: (1) the services provided by a student who is enrolled in an accredited school or program that is preparing the student for licensure as a licensed vocational nurse (LVN) and participating in a clinical program at a licensed health facility are essential services at all times, including during a declared state of disaster; and (2) a governmental entity may not, at any time, including during a declared state of disaster, prohibit an LVN student from providing the essential services described in (1).

**S.B. 1880 (Bettencourt) – Local Disasters:** would provide that: (1) a declaration of local disaster may not be continued for a period of more than seven days except with the consent of the governing body of the political subdivision in a public meeting; and (2) after the time period described in (1), a declaration of a local disaster may not continue for more than 30 days unless renewed by the governing body of the political subdivision in a public meeting.

**S.J.R. 29 (Springer) – Special Legislative Session:** would amend the Texas Constitution to provide that: (1) the governor shall convene a special legislative session: (a) if a state of disaster or emergency declared by the governor continues for more than 21 days; or (b) on receipt of a petition from any member of the legislature requesting legislative review of a state of disaster or emergency declared by the governor if the petition is signed by at least two-thirds of the members of the house and two-thirds of the members of the senate; and (2) a special session convened under (1), above, shall be for the following purposes: (a) review an order, proclamation or other instrument issued by the governor during the 90 days before the special session begins: (i) declaring a state of disaster or emergency in the state; or (ii) in response to a state of disaster or emergency in the state declared by any federal, state or local official or entity; (b) terminate or modify an order, proclamation or instrument described by (2)(a), above, by passage of a resolution approved by a majority vote of the members present in each house of the legislature; (c) respond to the state of disaster or emergency; and (d) consider any other subjects stated in the governor’s proclamation convening the special session.

**S.J.R. 44 (Powell) – Disaster Reinvestment and Infrastructure Planning Board:** would amend the Texas Constitution to provide that the legislature may authorize the disaster reinvestment and infrastructure planning board to issue general obligation bonds of the State of Texas in an amount not to exceed $500 million and to enter into related credit agreements. (See S.B. 995, above.)

**S.J.R. 45 (Birdwell) – Extension of Disaster Declaration:** would amend the Texas Constitution to provide, among other things, that: (1) a state of disaster or emergency declared by the governor may not continue for more than 30 days unless it is renewed or extended by the legislature if the declared state of disaster or emergency: (a) exists in at least two-fifths of the counties; (b) affects at least half of the population, according to the most recent federal decennial
census; or (c) affects at least two-thirds of the counties in three or more trauma service areas, as designated by the appropriate state agency; (2) the governor shall convene the legislature in special session when the governor proposes to renew an order or proclamation declaring a state of disaster or emergency described in (1), above or issue a new order regarding the same state of disaster or emergency; and (3) in a special session convened under (2), above, the legislature may: (a) renew or extend the state of disaster or emergency; (b) respond to the state of disaster or emergency, including by: (i) passing laws and resolutions the legislature determines are related to the state of disaster or emergency; and (ii) exercising the power to suspend laws as provided to the legislature by the Constitution and (iii) consider any other subject stated in the governor’s proclamation convening the legislature.

**S.J.R. 50 (Paxton) – Legislative Review of Disaster Order:** would amend the Texas Constitution to provide that: (1) the legislature may review and terminate during a regular or special session an order issued by the governor during a state of disaster or emergency declared by the governor; and (2) the legislature may terminate the order by passage of a resolution approved by a majority vote of the members present in each house of the legislature.

### Municipal Courts

**H.B. 80 (J. Johnson) – Municipal Court:** would provide, when fines and costs are being imposed on a defendant under the conservatorship of the Department of Family and Protective Services or in extended foster care, that a municipal judge: (1) may not require a defendant to pay any amount of fines and costs; and (2) shall require the defendant to perform community services to discharge fines and costs if the fines and costs are not waived.

**H.B. 210 (Meza) – Family Violence Cases:** would: (1) require a court, in regard to a person convicted of certain family violence offenses or subject to a family violence protective order, to provide written notice to the person that he/she is prohibited from acquiring, possessing, or controlling a firearm, and order the person to surrender all firearms; and (2) provide various ways a person in (1) may surrender a firearm, including surrender to a law enforcement agency.

**H.B. 267 (Canales) – Municipal Court:** would: (1) require the Office of Court Administration to create, promulgate, and update standard forms for use in criminal actions for: (a) waiving a jury trial and entering a plea of guilty or nolo contendere in a misdemeanor case; (b) a trial court to admonish a defendant; and (c) a defendant who receives admonitions in writing to acknowledge that the defendant understands the admonitions and is aware of the consequences of the defendant’s plea; and (2) provide that the Texas Supreme Court by rule shall set the date by which all courts must adopt and use the forms.

**H.B. 489 (Wu) – Guilty Plea Admonitions:** would, among other things, require a court to, before accepting a guilty plea or a nolo contendere plea for an offense punishable as a felony, give an admonition regarding: (1) the applicable provisions governing whether a judge or jury will assess punishment; (2) the range of punishments; and (3) the effect of judge or jury sentencing on the eligibility of the defendant for judge-ordered community supervision, jury-recommended community supervision, or deferred adjudication community supervision.
H.B. 569 (Sanford) – Misdemeanor Fines: would, among other things, provide that in imposing a fine and costs in a case involving a misdemeanor punishable by a fine only, the justice or judge shall credit the defendant for any time the defendant was confined in jail or prison while serving a sentence for another offense at a rate of $200 for each day of confinement if that confinement occurred after the commission of the misdemeanor. (Companion bill is S.B. 192 by West.)

H.B. 772 (Bernal) – Municipal Court Costs: would provide that: (1) the credit for time served in jail shall be applied to the amount of the fines and costs at a rate of not less than $50 for each period served that is not less than eight hours or more than 24 hours, as specified by the justice or judge; (2) a justice or municipal court may not order the confinement of a person, including a child, for the failure to pay all or any part of a fine or costs imposed for the conviction of an offense punishable by fine only or contempt of a judgment entered for the conviction of an offense punishable by fine only; and (3) subject to (2), above, punishment for contempt of a justice court or municipal court is a fine of not more than $100 or confinement in the county or municipal jail for not more than three days, or both such a fine and confinement in jail.

H.B. 839 (Moody) – Appearance of Arrested Person before Magistrate: would, among other things, provide that when an arrested person appears before a magistrate: (1) if the proceeding is conducted through videoconference, the magistrate shall ensure the arrested person is able to connect to and understand the image and sound of the videoconference; (2) if the magistrate is unable to ensure that the arrested person is able to understand and participate in the proceeding, the magistrate shall: (a) if the magistrate has appointing authority, appoint counsel for the person; or (b) if the magistrate does not have appointing authority, notify the appointing authority of the person’s inability to understand and participate in the proceeding; (3) if the magistrate has reasonable cause to believe that the arrested person has a mental illness or is a person with an intellectual disability, the magistrate shall follow the required procedures for early identification of a defendant suspected of having mental illness or intellectual disability; and (4) the record must be retained for at least three years after final judgment is entered in the case or the proceedings are otherwise terminated.

H.B. 859 (Collier) – Deferred Adjudication: would provide that a person who has been placed under a custodial or noncustodial arrest for an offense is entitled to the expunction of all records and files related to the arrest in certain circumstances, including if the person is placed on deferred adjudication community supervision.

H.B. 970 (Dutton) – Prosecutorial Transparency: would, among other things: (1) require a prosecutor’s office to: (a) collect and disclose certain information for each case prosecuted by the office; (b) maintain the information in (1)(a) until at least the 10th anniversary of the date of the alleged offense that is subject of the case; (c) collect and publish all office policies, including specified policies, and affirmatively disclose if the prosecutor’s office does not have some of the specified policies; (d) collect and publish certain information for each attorney employed in the office, redacting the names and other personally identifying information or otherwise ensuring the anonymity of each attorney; (e) collect and publish the number of employees by titles and number of cases handled by an attorney each year, among other things; (f) make the information
mentioned above publicly available by posting the information on the office’s Internet website and making the information available on request; and (g) report the information in (1)(a) to the Office of Court Administration of the Texas Judicial System (OCA); (2) require the OCA to implement a schedule and plan for all prosecutor’s offices in the state to report the information in (1)(a); (3) establish an advisory board to advise the OCA concerning prosecutorial transparency; (4) make a prosecutor’s office ineligible to receive funding from the state’s general revenue fund or other fund or any state grant program administered by the attorney general or other entity controlling grants to prosecutors if OCA determines the prosecutor’s office is in noncompliance with the bill; (5) require OCA to report noncompliant prosecutor’s offices to comptroller and the Legislative Budget Board; and (6) allow prosecutor’s offices to refer requestors under the Public Information Act (PIA) to the website containing the information in response to a PIA request.

**H.B. 1002 (Lucio III) – Hypnotically Induced Testimony**: would provide that the testimony of a person obtained by hypnotizing the person is not admissible against a defendant in a criminal trial, whether offered in the guilt or innocence phase or the punishment phase of the trial. (Companion bill is **S.B. 281** by Hinojosa.)

**H.B. 1071 (Harris) – Animals in Court**: would allow a qualified facility dog or qualified therapy animal in certain court proceedings.

**H.B. 1104 (Dominguez) – Expunction of Arrest Records**: would, among other things, entitle a person who has been placed under a custodial or noncustodial arrest for certain misdemeanors to have all records and files related to the arrest expunged if certain criteria are met and verified by an ex-parte petition submitted by the person.

**H.B. 1106 (Dominguez) – Supplemental Court Security Fee**: would: (1) provide that a person whose sentence, upon conviction of a misdemeanor or felony offense, includes the imposition of a fine shall pay a $1 supplemental security fee as a cost of court; and (2) require the treasurer to deposit the court costs collected under (1), above, to the courthouse security fund or municipal court building security fund, as appropriate.

**H.B. 1177 (Crockett) – Court Costs**: would require the judge of any court, including municipal court, who finds that the defendant or plaintiff in the proceeding is indigent to waive all court costs, including costs on conviction, and all filing fees and other fees imposed by law on the indigent defendant or plaintiff.

**H.B. 1394 (White) – Nondisclosure Orders**: would provide that: (1) the bill applies to a person who has been: (a) placed on deferred adjudication community supervision for certain misdemeanors; (b) completed the person’s sentence, including any term of confinement or period of community supervision imposed and paid all fines, costs, and restitution for the offense in (1)(a), above, or has received a discharge or dismissal; and (c) has not previously received an order of nondisclosure of criminal history; (2) if a person satisfies the requirements in (1), above, the court that convicted the person or placed the person on deferred adjudication community supervision shall issue an order of nondisclosure of criminal history record information under the bill prohibiting criminal justice agencies from disclosing to the public criminal history record information related to the offense for which the person was convicted or placed on deferred
adjudication community supervision; and (3) in issuing the order of nondisclosure under (2), above, the court shall determine whether the person satisfies the requirements imposed by law for receiving an order of nondisclosure, and if the court makes a finding that those requirements are satisfied, the court shall issue the order of nondisclosure of criminal history record information as soon as practicable after the seventh anniversary of either of the following, as applicable: (a) the date of completion of the person’s sentence; or (b) the date of the discharge and dismissal.

**H.B. 1599 (Jarvis Johnson) – Hypnotically Induced Testimony:** would provide that the testimony of a person obtained by hypnotizing the person is not admissible against a defendant in a criminal trial, whether offered in the guilt or innocence phase or the punishment phase of the trial. (Companion bill is **S.B. 281 by Hinojosa.**)

**H.B. 1693 (Shaheen) – Financial Responsibility:** would: (1) authorize a justice or municipal court to access the financial responsibility verification program to verify financial responsibility for the purpose of court proceedings; and (2) require the costs associated with accessing the verification program to be paid out of the county treasury by order of the commissioners’ court or the municipal treasury by order of the governing body of the municipality, as applicable.

**H.B. 1944 (Crockett) – Expunction:** would require a trial court, including a municipal court of record, to enter an order of expunction for the arrest records of a person who is acquitted of either a felony or misdemeanor.

**H.B. 2338 (Crockett) – Expunction:** would: (1) entitle a person who was placed under custodial or noncustodial arrest for certain misdemeanor offenses to have all records and files related to the arrest, including any applicable records and files related to the conviction for the offense, expunged if: (a) the person was placed on deferred adjudication community supervision for the misdemeanor offense; (b) the person has not been convicted or placed on deferred adjudication community supervision for an offense, other than a traffic offense punishable by fine only, committed after the date of the misdemeanor offense for which the person was placed on deferred adjudication community supervision; (c) the person has no charges pending against the person for the commission of any offense, other than a traffic offense punishable by fine only; and (d) a period of not less than ten years has passed since the date on which: (i) the person's sentence for the offense described by (1)(a), including any term of confinement or period of community supervision imposed and payment of all fines and costs imposed, is fully discharged; or (ii) the person received the dismissal and discharge of the deferred adjudication community service; (2) provide that the person must submit an ex parte petition for expunction to the court that placed the person on deferred adjudication community supervision; and (3) require the court to enter an order directing expunction in accordance with state law if the court finds the petitioner is entitled to expunction of any arrest records and files that are the subject of the petition.

**H.B. 2441 (White) – Municipal Courts:** would provide that any officer authorized to collect a fine, fee, or item of cost may request the trial court in which a criminal action or proceeding was held to make a finding that a fine, fee, or item of cost imposed in the action or proceeding is uncollectible if the officer believes: (a) the defendant is deceased; (b) the defendant is serving a
sentence for imprisonment for life or life without parole; (c) the fine, fee, or item of cost has been unpaid for at least 15 years; or (d) the fine, fee, or item of cost is otherwise uncollectible; and (3) the court may order the officer to designate the fine, fee, or item of cost as uncollectible in the fee record.

**H.B. 2684 (Canales) – Expunctions:** would: (1) require a court that issues an order of nondisclosure of criminal history record information to include in the order any other offense arising out of the same transaction as the offense for which the order is sought if: (a) the other offense has not resulted in a final conviction and is no longer pending; and (b) there was no court-ordered community supervision for the other offense; and (2) amends current law limiting nondisclosure of criminal history record information for certain individuals who are on community supervision by repealing the requirement that they must not have been previously convicted of or placed on deferred adjudication community supervision for another offense other than a traffic offense that is punishable by fine only or other certain misdemeanors.

**H.B. 2714 (Hernandez) – Implicit Bias Training:** would, among other things, require: (1) justices and judges of state courts, including municipal courts, judicial officers, and certain court personnel to complete a two-hour implicit bias training course approved by the court of criminal appeals every two years; (2) attorneys licensed to practice law in this state to complete a one-hour implicit bias training course approved by the state bar every continuing education requirement compliance period; and (3) the implicit bias training course must address racial, ethnic, gender, religious, age, mental disability, and physical disability and sexual harassment issues in the legal system.

**H.B. 2915 (Schofield) – Role of Jury:** would, among other things: (1) repeal the provision allowing a juror to be struck for cause because the juror has a bias or prejudice against any phase of the law upon which the State is entitled to rely for conviction or punishment; (2) would prohibit a potential juror from being excused or disqualified from serving on a jury because the juror expresses a willingness to exercise a power granted to the jury under state law; (3) authorize the jury to determine that a defendant is guilty according to the law but that the law is unjust or unjustly applied to the defendant and may decide not to apply the law to the defendant and find the defendant not guilty or guilty of a lesser included offense; and (4) prohibits the court or state from infringing on this right, which if done, is grounds for a mistrial.

**H.B. 3505 (White) – Municipal Court:** would authorize a court to require a defendant without the defendant's consent to appear, for any proceeding related to the prosecution of a criminal offense, by videoconference if the defendant is confined in a penal institution at the time of the proceeding.

**H.B. 3660 (White) – Youth Diversion Program:** would, among other things: (1) create a youth diversion program for Class C misdemeanors (other than a traffic offense) for certain children; (2) require each justice and municipal court to adopt a youth diversion plan; (3) allow local governments to enter into interlocal agreements with other local governments to create a regional youth diversion plan; (4) require each justice and municipal court, including courts that collaborate with one or more counties or cities, to maintain a youth diversion plan on file for public inspection; (5) allow a court or local government to adopt rules necessary to coordinate
services under a youth diversion plan; (6) allow a court to designate a youth diversion coordinator to assist the court in implementing and administering a youth diversion plan; (7) allow a commissioners court or city council to establish a youth diversion advisory council to facilitate community input, suggest improvements to a youth diversion plan, and make recommendations to accomplish certain objectives; (8) provide that in lieu of taking a child into custody, issuing a citation, or filing a complaint for an offense, a peace officer may issue a warning notice to the child if the youth diversion plan includes guidelines for disposition or diversion of a child’s case by law enforcement and other warning notice requirements; (9) provide that in lieu of issuing a citation to a child or filing a complaint in a justice or municipal court, a peace officer may dispose of a case if guidelines for disposition have been adopted and are included in a youth diversion plan and other requirements are met; (10) allow a commissioners court or city council to establish a first offense diversion program; (11) require a youth diversion coordinator, juvenile case manager, or other designated officer of the court to advise a child and the child’s parent before a case is filed that the case may be diverted to a youth diversion program if intermediate diversion from court is provided in the youth diversion plan; (12) allow the clerk of a justice or municipal court to collect a local youth diversion administrative fee of $30 to defray the costs of the diversion of a child’s case; (13) require a justice and municipal court to maintain statistics for each diversion strategy authorized and utilized by a youth diversion program; (14) provide that all records generated under a youth diversion program are confidential except for statistical records; (15) provide that all records and files and information stored by electronic means, or otherwise, relating to a criminal case for a fine-only misdemeanor offense (other than a traffic offense) committed by a child and that is appealed are confidential and may not be disclosed to the public except in certain situations; (16) allow the following to inspect confidential records related to charges against or conviction of child in fine-only misdemeanors (other than a traffic offense): (a) prosecutors; (b) staff of the judges or prosecutors; (c) certain governmental agencies; (d) certain individuals or entities to whom a child is referred for treatment or services; or (e) with leave of a court, any other person having a legitimate interest in the proceeding or the work of the court; (17) provide that if a case involving a child who is eligible for diversion results in a finding of guilt, a justice or judge shall order a child into a youth diversion program, without entering a judgment, sentence, or conviction; (18) allow funds from the local youth diversion fund to be used to pay for the salary and expenses related to the employment or contracting of a juvenile case manager; (19) allow funds from the child safety fund to be used to pay for the costs of a youth diversion program; (20) include municipal courts in the juvenile delinquency prevention fund that allows collection of a $50 fee, and allow the funds to be used to defray the costs of a youth diversion program; (21) establish a municipal juvenile delinquency prevention and graffiti eradication fee of $50 that a municipal court clerk shall collect from a defendant who is convicted of a graffiti offense; (22) repeal provisions of state law that allow community service in satisfaction of fines or costs for certain juvenile defendants; and (23) make several conforming changes related to the youth diversion program and the repeal described in (22), above. (Companion bill is S.B. 512 by Perry.)

**H.B. 3774 (Leach) – Municipal Court Pleas** would, among many other things: (1) provide that a judge may not accept a plea of guilty or plea of nolo contendere unless it appears to the judge that the defendant is mentally competent and the plea is free and voluntary; (2) require the Texas Forensic Science Commission to adopt a code of professional responsibility and rules
establishing sanctions for code violations to regulate the conduct of persons, laboratories, facilities, and other entities regulated by the state; (3) authorize the commission to initiate an investigation of a forensic analysis or a forensic examination or test not subject to accreditation, without receiving a complaint (current state law indicates for educational purposes); (4) add “forensic analyst” or “forensic science expert” as a professional service subject to the Professional Services Procurement Act; and (5) amend the definition of a "protective order" to include an order issued by a court in this state to prevent sexual assault or abuse, stalking, trafficking, or other harm to an applicant. (Companion bill is S.B. 1530 by Huffman.)

H.B. 3830 (Collier) – Exculpatory Evidence: would provide, regardless of the date the applicable offense was committed, if at any time before, during, or after trial or a plea negotiation the state discovers any exculpatory document, item, or information in the possession, custody, or control of the state, the state shall promptly disclose the existence of the document, item, or information to the defendant or the court.

H.B. 3831 (Geren) – Officer Misconduct: would, among other things: (1) prohibit a law enforcement agency from disclosing to an attorney representing the state information relating to misconduct by a peace officer who is or will serve as a witness in a criminal proceeding unless the allegation of misconduct has been finally adjudicated as sustained and not on appeal; (2) authorize a peace officer, who is the subject of a report of misconduct submitted to an attorney representing the state by a law enforcement agency or who has been notified of a determination by the attorney representing the state that the officer is not considered credible to testify in a criminal proceeding as a result of an allegation of misconduct, to dispute that report or determination by filing a petition with the State Office of Administrative Hearings (SOAH); (3) require an administrative law judge employed by the SOAH to determine by a preponderance of the evidence whether the alleged misconduct occurred regardless of whether the applicable officer was terminated or whether that officer resigned, retired, or separated in lieu of termination; and (6) provide that if the allegation of misconduct is not supported by a preponderance of the evidence, the administrative law judge shall provide notice of the finding to any attorney representing the state the petitioner identifies as having received a report or as having made a determination and the attorney representing the state may not consider the information when evaluating the peace officer’s credibility as a witness. (Companion bill is S.B. 1894 by Creighton.)

H.B. 3986 (Guillen) – Municipal Courts: would: (1) provide that any officer authorized to collect a fine, fee, or item of cost may request the trial court in which a criminal action or proceeding was held to make a finding that a fine, fee, or item of cost imposed in the action or proceeding is uncollectible if the officer believes: (a) the defendant is deceased; (b) the defendant is serving a sentence for imprisonment for life or life without parole; (c) the fine, fee, or item of cost has been unpaid for at least 15 years; or (d) the fine, fee, or item of cost is otherwise uncollectible; and (2) the court may order the officer to designate the fine, fee, or item of cost as uncollectible in the fee record.

H.B. 3988 (Guillen) – Prosecuting Attorney: would: (1) provide that if the state is not represented by counsel when the case is called for trial, the justice or judge may appoint any competent attorney as attorney pro tem to represent the state; and (2) provide that an attorney pro
tem, after filing an oath with the clerk of the court, may be paid a reasonable fee for performing those duties.

**H.B. 4081 (Crockett) – Remote Proceedings:** would require: (1) a court to allow anyone involved in any hearing, deposition, or other proceeding of any kind including but not limited to a party, attorney, witness, or court reporter to participate by remote proceeding without the consent of the parties unless the United States or Texas Constitution requires consent; (2) a judge to submit to the Office of Court Administration of the Texas Judicial System a plan for conducting remote proceedings that must: (a) include protocols for handling physical evidence; and (b) require an unobstructed view of any party or witness who provides testimony from a remote location.

**H.B. 4212 (Moody) – Defendants with Mental Illness or Intellectual Disability:** would, among other things: (1) require, on a motion by the state, the defendant, or a person who stands in a parental relation to the defendant or who acts as the defendant’s caregiver, or on the court’s own motion, a justice or judge to determine whether probable cause exists to believe that a defendant, including a defendant with a mental illness or an intellectual or developmental disability: (a) lacks the capacity to understand the proceedings in criminal court or to assist in the defendant’s own defense; and (b) is unfit to proceed; (2) authorize a court that determines that probable cause exists for an aforementioned finding, after providing notice to the state, to dismiss the complaint; (3) provide an appeal process for a dismissal of a complaint; and (4) prohibit a justice or judge from accepting a plea of guilty or plea of nolo contendere unless it appears that the defendant is mentally competent and the plea is free and voluntary. (Companion bill is S.B. 1739 by Zaffirini.)

**H.B. 4293 (Hinojosa) – Court Reminder Program:** would: (1) authorize the Office of Court Administration of the Texas Judicial System, or the judges of the county courts, statutory county courts, and district courts with jurisdiction over criminal cases in each county, to partner with cities and local law enforcement agencies to allow: (a) individuals to whom a peace officer issues a citation and releases to receive text message reminders of scheduled court appearances; and (b) criminal defendants in municipal court to receive text message reminders of scheduled court appearances; and (2) require any city that partners with the Office of Court Administration of the Texas Judicial System to pay all costs of sending reminders to municipal criminal defendants, including the costs of linking the municipal court database with the state court administrator database.

**H.B. 4417 (Moody) – Court Costs:** would consolidate, allocate and increase certain state civil court costs to be used for the following: (1) to support a statewide electronic filing technology project for courts in this state; (2) to provide grants to counties to implement components of the project; or (3) to support court technology projects that have a statewide impact as determined by the office of court administration. (Companion bill is S.B. 41 by Zaffirini.)

**H.B. 4433 (J. González) – Bail Hearing:** would: (1) require any hearing or other proceeding at which a magistrate sets the amount of bail for a defendant to be open to the public; (2) permit a magistrate to order that the proceeding be broadcast by closed circuit equipment to a location
that is reasonably close to the proceeding; and (3) require that a broadcast made must be recorded by the magistrate and the recording maintained for a period of not less than one year.

**S.B. 41 (Zaffirini)** – **Court Costs**: would consolidate, allocate and increase certain state civil court costs to be used for the following: (1) to support a statewide electronic filing technology project for courts in this state; (2) to provide grants to counties to implement components of the project; or (3) to support court technology projects that have a statewide impact as determined by the office of court administration. (Companion bill is **H.B. 4417 by Moody**.)

**S.B. 164 (Blanco)** – **Family Violence**: would require notice to certain defendants regarding the unlawful possession or acquisition of a firearm or ammunition, including notice given by: (1) a peace officer who issues a citation; and (2) a court to a person convicted of a misdemeanor involving family violence.

**S.B. 192 (West)** – **Misdemeanor Fines**: would, among other things, provide that in imposing a fine and costs in a case involving a misdemeanor punishable by a fine only, the justice or judge shall credit the defendant for any time the defendant was confined in jail or prison while serving a sentence for another offense at a rate of $200 for each day of confinement if that confinement occurred after the commission of the misdemeanor. (Companion bill is **H.B. 569 by Sanford**.)

**VETOED S.B. 281 (Hinojosa)** – **Hypnotically Induced Testimony**: would provide that the testimony of a person obtained by hypnotizing the person is not admissible against a defendant in a criminal trial, whether offered in the guilt or innocence phase or the punishment phase of the trial.

**S.B. 353 (Miles)** – **Financial Responsibility**: would authorize a justice or municipal court to access the financial responsibility verification program to verify financial responsibility for the purpose of court proceedings.

**S.B. 417 (Miles)** – **Municipal Court Reporting**: would: (1) require each justice and municipal court annually to report to the Office of Court Administration for each criminal case filed with the court during the reporting year: (a) the offense charged; (b) the final disposition of the case; and (c) the defendant's race or ethnicity, as reported in the citation, affidavit establishing probable cause, or offense report filed with the case; and (2) provide that a report made under (1), above, is confidential and not subject to disclosure under the Texas Public Information Act.

**S.B. 512 (Perry)** – **Youth Diversion Program**: would, among other things: (1) create a youth diversion program for Class C misdemeanors (other than a traffic offense) for certain children; (2) require each justice and municipal court to adopt a youth diversion plan; (3) allow local governments to enter into interlocal agreements with other local governments to create a regional youth diversion plan; (4) require each justice and municipal court, including courts that collaborate with one or more counties or cities, to maintain a youth diversion plan on file for public inspection; (5) allow a court or local government to adopt rules necessary to coordinate services under a youth diversion plan; (6) allow a court to designate a youth diversion coordinator to assist the court in implementing and administering a youth diversion plan; (7) allow a commissioners court or city council to establish a youth diversion advisory council to
facilitate community input, suggest improvements to a youth diversion plan, and make recommendations to accomplish certain objectives; (8) provide that in lieu of taking a child into custody, issuing a citation, or filing a complaint for an offense, a peace officer may issue a warning notice to the child if the youth diversion plan includes guidelines for disposition or diversion of a child’s case by law enforcement and other warning notice requirements; (9) provide that in lieu of issuing a citation to a child or filing a complaint in a justice or municipal court, a peace officer may dispose of a case if guidelines for disposition have been adopted and are included in a youth diversion plan and other requirements are met; (10) allow a commissioners court or city council to establish a first offense diversion program; (11) require a youth diversion coordinator, juvenile case manager, or other designated officer of the court to advise a child and the child’s parent before a case is filed that the case may be diverted to a youth diversion program if intermediate diversion from court is provided in the youth diversion plan; (12) allow the clerk of a justice or municipal court to collect a local youth diversion administrative fee of $30 to defray the costs of the diversion of a child’s case; (13) require a justice and municipal court to maintain statistics for each diversion strategy authorized and utilized by a youth diversion program; (14) provide that all records generated under a youth diversion program are confidential except for statistical records; (15) provide that all records and files and information stored by electronic means, or otherwise, relating to a criminal case for a fine-only misdemeanor offense (other than a traffic offense) committed by a child and that is appealed are confidential and may not be disclosed to the public except in certain situations; (16) allow the following to inspect confidential records related to charges against or conviction of child in fine-only misdemeanors (other than a traffic offense): (a) prosecutors; (b) staff of the judges or prosecutors; (c) certain governmental agencies; (d) certain individuals or entities to whom a child is referred for treatment or services; or (e) with leave of a court, any other person having a legitimate interest in the proceeding or the work of the court; (17) provide that if a case involving a child who is eligible for diversion results in a finding of guilt, a justice or judge shall order a child into a youth diversion program, without entering a judgment, sentence, or conviction; (18) allow funds from the local youth diversion fund to be used to pay for the salary and expenses related to the employment or contracting of a juvenile case manager; (19) allow funds from the child safety fund to be used to pay for the costs of a youth diversion program; (20) include municipal courts in the juvenile delinquency prevention fund that allows collection of a $50 fee, and allow the funds to be used to defray the costs of a youth diversion program; (21) establish a municipal juvenile delinquency prevention and graffiti eradication fee of $50 that a municipal court clerk shall collect from a defendant who is convicted of a graffiti offense; (22) repeal provisions of state law that allow community service in satisfaction of fines or costs for certain juvenile defendants; and (23) make several conforming changes related to the youth diversion program and the repeal described in (22), above.

S.B. 690 (Zaffirini) – Remote Court Proceedings: would, among other things: (1) define "remote proceeding" as a proceeding before a court in which one or more of the participants, including a judge, party, attorney, witness, court reporter, juror, or other individual, attends the proceeding remotely through the use of technology and the internet; (2) authorize a court in this state on the court’s own motion or on the motion of any party to: (a) conduct a hearing or other proceeding as a remote proceeding without the consent of the parties unless the United States Constitution or Texas Constitution requires consent; and (b) allow or require a judge, party, attorney, witness, court reporter, juror, or any other individual to participate in a remote
proceeding, including a deposition, hearing, trial, or other proceeding; and (3) provide that in any criminal proceeding that requires the consent of parties for the proceeding to be conducted as a remote proceeding, the prosecutor and defendant must each consent for the proceeding to be conducted as a remote proceeding.

**S.B. 1373 (Zaffirini) – Municipal Courts:** would provide that: (1) any officer authorized to collect a fine, fee (including any reimbursement fee) or item of cost may request the trial court in which a criminal action or proceeding was held to make a finding that a fine, fee, or item of cost imposed in the action or proceeding is uncollectible if the officer believes: (a) the defendant is deceased; (b) the defendant is serving a sentence for imprisonment for life or life without parole; (c) the fine, fee, or item of cost has been unpaid for at least 15 years; or (d) the fine, fee, or item of cost is otherwise uncollectible; and (2) the court may order the officer to designate the fine, fee, or item of cost as uncollectible in the fee record.

**S.B. 1530 (Huffman) – Municipal Court Pleas:** would, among many other things: (1) provide that a judge may not accept a plea of guilty or plea of nolo contendere unless it appears to the judge that the defendant is mentally competent and the plea is free and voluntary; (2) require the Texas Forensic Science Commission to adopt a code of professional responsibility and rules establishing sanctions for code violations to regulate the conduct of persons, laboratories, facilities, and other entities regulated by the state; (3) authorize the commission to initiate an investigation of a forensic analysis or a forensic examination or test not subject to accreditation, without receiving a complaint (current state law indicates for educational purposes); (4) add “forensic analyst” or “forensic science expert” as a professional service subject to the Professional Services Procurement Act; and (5) amend the definition of a "protective order" to include an order issued by a court in this state to prevent sexual assault or abuse, stalking, trafficking, or other harm to an applicant. (Companion bill is H.B. 3774 by Leach.)

**S.B. 1739 (Zaffirini) – Defendants with Mental Illness or Intellectual Disability:** would, among other things: (1) require, on a motion by the state, the defendant, or a person who stands in a parental relation to the defendant or who acts as the defendant’s caregiver, or on the court’s own motion, a justice or judge to determine whether probable cause exists to believe that a defendant, including a defendant with a mental illness or an intellectual or developmental disability: (a) lacks the capacity to understand the proceedings in criminal court or to assist in the defendant’s own defense; and (b) is unfit to proceed; (2) authorize a court that determines that probable cause exists for an aforementioned finding, after providing notice to the state, to dismiss the complaint; (3) provide an appeal process for a dismissal of a complaint; and (4) prohibit a justice or judge from accepting a plea of guilty or plea of nolo contendere unless it appears that the defendant is mentally competent and the plea is free and voluntary. (Companion bill is H.B. 4212 by Moody.)

**S.B. 1872 (Miles) – Nondisclosure Orders:** would provide that: (1) certain individuals who have been convicted of a misdemeanor or felony who completes their sentence, including any term of confinement or period of community supervision imposed and payment of all fines, costs, and restitution imposed, may petition the court that imposed the sentence for an order of nondisclosure of criminal history record information; (2) after notice to the state, an opportunity for a hearing, and a determination that the person is entitled to file the petition and issuance of
the order is in the best interest of justice, the court shall issue an order prohibiting criminal justice agencies from disclosing to the public criminal history record information related to the offense for which the person was convicted; and (3) a person may petition the court that imposed the sentence for an order of nondisclosure of criminal history record information under the bill only on or after the 25th anniversary of the date of completion of the person’s sentence.

**S.B. 1894 (Creighton) – Officer Misconduct:** would, among other things: (1) prohibit a law enforcement agency from disclosing to an attorney representing the state information relating to misconduct by a peace officer who is or will serve as a witness in a criminal proceeding unless the allegation of misconduct has been finally adjudicated as sustained and not on appeal; (2) authorize a peace officer, who is the subject of a report of misconduct submitted to an attorney representing the state by a law enforcement agency or who has been notified of a determination by the attorney representing the state that the officer is not considered credible to testify in a criminal proceeding as a result of an allegation of misconduct, to dispute that report or determination by filing a petition with the State Office of Administrative Hearings (SOAH); (3) require an administrative law judge employed by the SOAH to determine by a preponderance of the evidence whether the alleged misconduct occurred regardless of whether the applicable officer was terminated or whether that officer resigned, retired, or separated in lieu of termination; and (6) provide that if the allegation of misconduct is not supported by a preponderance of the evidence, the administrative law judge shall provide notice of the finding to any attorney representing the state the petitioner identifies as having received a report or as having made a determination and the attorney representing the state may not consider the information when evaluating the peace officer’s credibility as a witness. (Companion bill is H.B. 3831 by Geren.)

**S.B. 1923 (Zaffirini) – Costs, Fines, and Fees:** would make changes to certain criminal court costs, fines, and fees including clarification regarding when an amount owed constitutes a reimbursement fee.

**Open Government**

**H.B. 642 (Raymond) – Criminal History Record Information:** would, among other things, provide that: (1) criminal history record information that relates to a person’s conviction within the preceding 10-year period for certain offenses related to driving while intoxicated, intoxication assault, and intoxication manslaughter is public information, with the exception of: (a) information regarding the person’s social security number, driver’s license or personal identification certificate number, or telephone number; and (b) any information that would identify a victim of the offense; (2) the Department of Public Safety (DPS) shall implement and maintain an internet website to allow any person, free of charge, to electronically search for and receive the information described in (1), above; (3) DPS shall establish a procedure by which a peace officer or employee of a law enforcement agency who provides DPS with a driver’s license number, personal identification certificate number, or license plate number may be provided any criminal history record information maintained by the DPS concerning a conviction of the person to whom the license, certificate, or plate is issued for the offenses described in (1), above; and (4) the procedure described in (3), above, must allow a peace officer to request the
information from the location of a motor vehicle stop and to receive a response to the request within the duration of a reasonable motor vehicle stop.

**H.B. 768 (Patterson) – Open Meetings**: would require any political subdivision located wholly or partly in a county that has a population of 5,000 or more to: (1) make a video and audio recording of each regularly scheduled open meeting that is not a work session or a special called meeting; and (2) make available an archived copy of the video and audio recording of each meeting described in (1) on the Internet.

**H.B. 1082 (P. King) – Public Information**: would: (1) with regard to information a city holds as an employer, except from the Public Information Act the home address, home telephone number, emergency contact information, social security number, and personal family information of an elected public officer, regardless of whether the elected officer complies with certain requirements to elect the information be kept confidential; (2) with regard to information contained in records maintained by the city in any capacity, except from the Public Information Act an elected public officer’s home address, home telephone number, emergency contact information, date of birth, social security number, and family member information, if the elected officer elects to keep the information confidential; and (3) add elected public officers to the list of individuals who may choose to restrict public access to certain information in appraisal records.

**H.B. 1416 (Capriglione) – Public Information**: would define the term “business day” as used in the Public Information Act to exclude a Saturday, Sunday, and certain national and state holidays (under current law, a closure for bad weather or skeleton crew day would also be excluded from the term “business day”).

**H.B. 1440 (Schaefer) – Public Information**: would add certain honorably retired law enforcement positions to the personal information exceptions of the Public Information Act and the confidentiality of home address section in the tax appraisal statute.

**H.B. 1678 (Raymond) – Autopsy Records**: would provide that a photograph or x-ray of a body taken during an autopsy may be disclosed to the next of kin or legal representative of the deceased.

**H.B. 1810 (Capriglione) – Electronic Public Information**: would provide that: (1) data dictionaries and other indicia of the type or category of information held in each field of a database is public information under the Public Information Act (PIA); (2) a governmental body’s use of an electronic recordkeeping system may not erode the public’s right of access to public information under the PIA; (3) the contents of public information that is produced and maintained in an electronic spreadsheet or database that is searchable or sortable (electronic public information), including the information described in (1), above, is significant and not merely used as a tool for the maintenance, manipulation, or protection of property; (4) if a request for public information applies to electronic public information and the requestor requests the information in a searchable or sortable format, the governmental body shall provide an electronic copy of the requested electronic public information in the searchable or sortable format requested using computer software the governmental body has in its possession, but if the
requestor prefers, the governmental body shall provide a copy of electronic public information in the form of a paper printout; (5) a governmental body may not refuse to provide a copy of electronic public information on the grounds that exporting the information or redacting excepted information will require inputting range, search, filter, report parameters, or similar commands or instructions into the governmental body’s computer system if the commands or instructions can be executed with computer software used by the governmental body in the ordinary course of business to access, support, or otherwise manage the information; (6) a requestor may request that a copy of electronic public information be provided in the format in which the information is maintained by the governmental body or in a standard export format such as a flat file electronic American Standard Code for Information Interchange (ASCII) if the governmental body’s computer programs support exporting the information in that format, and the governmental body shall provide the copy in the requested format or in another format acceptable to the requestor; (7) if the electronic public information is maintained by a governmental body in a format that is: (a) searchable but not sortable, the governmental body shall provide an electronic copy of the information in a searchable format; or (b) sortable, the governmental body shall provide an electronic copy of the information in a sortable format; and (8) a governmental body shall use reasonable efforts to ensure that a contract entered into by the governmental body for the creation and maintenance of electronic public information does not impair the public’s ability to inspect or copy the information or make the information more difficult for the public to inspect or copy than records maintained by the governmental body.

H.B. 1888 (Fierro) – Open Meetings: would: (1) authorize a governmental body to hold an open or closed meeting by conference call; (2) define “conference call” to mean a meeting held by telephone conference call, videoconference call, or telephone conference and videoconference call; (3) require that each part of a meeting held by conference call required to be open to the public shall: (a) be audible to the public; (b) be visible to the public if it is a videoconference call; and (c) have two-way communication with each participant; (4) provide that a member or employee of a governmental body may participate in a meeting by conference call only if the audio signal of the participant is heard live at the meeting; (5) provide that a member of a governmental body who participates in a meeting by conference call shall: (a) be counted as present at the meeting for all purposes; and (b) be considered absent from any portion of the meeting during which audio communication with the member is lost or disconnected, but allow the governmental body to continue the meeting if a quorum of the body continues to participate in the meeting; (6) provide that a governmental body may allow a member of the public to testify at a meeting by conference call; (7) provide that a meeting held by conference call is subject to the notice requirements applicable to other meetings and also must include certain instructions to the public; (8) require that a meeting held by conference call be recorded, and that the recording be made available to the public; and (9) require the Department of Information Resources by rule to specify minimum standards for the recording of a meeting held by conference call.

H.B. 2357 (Reynolds) – Public Information: would: (1) provide that information is confidential and not subject to public disclosure if the information: (a) identifies an individual as the victim of certain crimes; or (b) identifies the victim of any criminal offense, if the victim was younger than 18 years of age when any element of the offense was committed; and (2) allow information under (1) to be disclosed: (a) to any victim identified by the information, or to the parent or
guardian of a victim described by (1)(b); (b) to a law enforcement agency for investigative purposes; or (c) in accordance with a court order requiring the disclosure.

**H.B. 2383 (Moody) – Access to Law Enforcement Records:** would provide, among other things, that:

1. the office of the attorney general shall establish and maintain, on its internet website, a publicly accessible database of officer-involved injury or death reports that are required to be submitted to the office;

2. the following information is public information under the Public Information Act (PIA): (a) basic information about a criminal investigation; and (b) basic information contained in: (i) a search warrant; (ii) testimony, an affidavit, or other information used to support a finding of probable cause to execute a search warrant; (iii) an arrest warrant, an arrest report, an incident report, or an accident report; (iv) a mug shot; (v) a report relating to an officer-involved shooting; (vi) a report relating to an incident involving the discharge of a firearm by a peace officer, including the unintentional discharge of a firearm in the course of duty or in response to a call, regardless of whether a person is hit by gunfire or an allegation of misconduct is made; (vii) a report relating to a peace officer’s use of force resulting in death or serious bodily injury; or (viii) a report related to the death or serious bodily injury of an arrestee or detainee while the person is in the custodial care of a law enforcement agency;

3. law enforcement information that deals with the detection, investigation or prosecution of a crime that does not result in conviction or deferred adjudication, or an internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution, that does not result in conviction or deferred adjudication is public information if: (a) a person who is a subject of the information, record, or notation, other than a peace officer, is deceased or incapacitated; or (b) each person who is a subject of the information, record, or notation consents to the release of the information, record, or notation;

4. a letter, memorandum, or document regarding a peace officer’s alleged misconduct in the peace officer’s departmental civil service personnel file (commonly referred to as the “g” file) is public information if: (a) a person who is a subject of the letter, memorandum, or document, other than the peace officer, is deceased or incapacitated; or (b) each person who is a subject of the letter, memorandum, or document consents to the release of the letter, memorandum, or document;

5. a law enforcement agency shall, with exceptions, make public any video recording in the agency’s possession involving a critical incident, including an officer-involved shooting, use of force that results in death or serious bodily injury, or a custodial death, not later than the 60th day after the date of the critical incident;

6. a fire or police department in a civil service city may maintain a “g” file to store sensitive personal information, including the individual’s home address, home telephone number, personal cellular telephone number, emergency contact information, social security number, personal financial information, information that reveals whether the person has family members, and any other personal information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

7. a fire or police department in a civil service city shall disclose law enforcement disciplinary record information reasonably necessary to identify an allegation against a
fire fighter or police officer that resulted in a sustained finding of misconduct, including: (a) any record created in furtherance of a law enforcement disciplinary proceeding; (b) each complaint, allegation, and charge against the employee; (c) the name of the employee complained of or charged; (d) the transcript of any disciplinary trial or hearing, including any exhibit introduced at the trial or hearing; (e) the disposition of any disciplinary proceeding; and (f) the final written opinion or memorandum supporting the disposition and discipline imposed, including the agency’s: (i) complete factual findings; and (ii) analysis of the conduct and appropriate discipline of the covered employee;

8. a written request for information recorded by a body worn camera shall be treated as a request for public information under the PIA; and

9. provisions of current law related to withholding from release a portion of a body worn camera recording made in a private space, or of a recording involving the investigation of conduct that constitutes a misdemeanor punishable by fine only and does not result in arrest, without written authorization from the person who is the subject of that portion of the recording or, if the person is deceased, from the person's authorized representative are repealed.

H.B. 2396 (Meyer) – Public Information: would remove motor vehicle market research activities from the list of motor vehicle record information that may be disclosed by a city to certain requestors.

H.B. 2401 (Middleton) – Religion: would: (1) prohibit a local officer or employee from enforcing: (a) the “Blaine Amendments” (certain sections in the Texas Constitution that prohibit the appropriation of state funds for the benefit of a sect, religious society, theological or religious seminary); (b) the Separation of Church and State doctrine against any person or entity in Texas; and (c) the Establishment Clause of the First Amendment against any person or entity other than the federal government, its officers, or its instrumentalities; (2) provide certain exceptions to the prohibition in (1), above; (3) prohibit a local officer or employee from enforcing any restrictions on speech or expression that single out churches or other religious organizations or chill the speech of any person by publishing any such restrictions as required by law; and (4) authorize a person or entity to bring a civil action for violations of the prohibitions in (1) and (3), and allow for the award of attorneys’ fees in Establishment Clause lawsuits.

H.B. 2421 (Davis) – Public Information: would provide that the following personal identifying information collected by a regional transportation authority is confidential and not subject to public disclosure: (1) trip data, including the time, date, origin, and destination of a trip, and demographic information collected when the person purchases a ticket or schedules a trip; and (2) other personal information, including financial information. ( Companion bill is S.B. 858 by Johnson.)

H.B. 2511 (Meza) – Law Enforcement Exception: would provide that information that deals with detection, investigation or prosecution of a crime, or a law enforcement internal record or notation in relation to an investigation, that did not result in a conviction or deferred adjudication is public information under the Texas Public Information Act if it is in response to a written request made by: (1) a person who is the subject to the information, record or notation; or (2) if
the person is deceased, the person’s spouse, child, or parent, an administrator of the person’s estate, or any of their attorneys.

**H.B. 2560 (Martinez) – Open Meetings**: would: (1) provide that, without regard to whether a member of the governmental body is participating in a meeting from a remote location by telephone conference call, a governmental body may allow a member of the public to speak at a meeting from a remote location by telephone conference call; (2) provide that, when a member of a governmental body loses audio or video during a videoconference meeting, the meeting may continue when a quorum of the body remain audible and visible to each other and, during the open portion of the meeting, to the public; (3) allow a meeting by videoconference so long as the presiding officer is present at a physical location open to the public where members of the public may observe and participate in the meeting; (4) set out the notice requirements for a videoconference meeting; and (5) provide that, without regard to whether a member of the governmental body is participating in a meeting from a remote location by videoconference call, a governmental body may allow a person to speak at a meeting from a remote location by videoconference call. (Companion bill is **S.B. 639** by Menéndez.)

**H.B. 2618 (Hernandez) – Public Information**: would: (1) provide that information contained in a citation issued for a violation of a state traffic law or local traffic ordinance is excepted from public disclosure if the information is the home address or personal telephone number of the person who is the subject of a citation; and (2) allow the information described in (1) to be disclosed to a FCC-licensed radio or television station and certain newspapers.

**H.B. 2683 (Canales) – Open Meetings**: would: (1) for an open meeting that is broadcast live over the Internet and held wholly or partly by telephone conference and/or videoconference: (a) require the governmental body ensure the public is able to listen and, if applicable, speak; (b) require the open meeting be audible to the public by telephone and at location described in (2), below; (c) require that the public have access to both audiovisual and audio-only feeds of the open meeting; and (d) if applicable, require that members of the public be able to address the governmental body by telephone and videoconference; (2) require that the notice of a meeting described in (1) include, among other things: (a) a list of each physical location where a member of the public may observe and participate in the meeting; (b) a toll free number for use by the public; (c) access information for any audiovisual or audio-only feeds; and (d) instructions for the public to speak at the meeting; (3) require that a meeting described in (1) be recorded and that the recording be made available to the public not later than 24 hours after adjourning the meeting; (4) require that a meeting notice indicate whether a subject will be considered in an open meeting or a closed session; and (5) require a meeting be broadcast over the Internet if the physical location of the meeting is not accessible to members of the public or is not large enough to accommodate all persons seeking to attend the meeting in person, including if the location has reduced capacity as the result of a public emergency or disaster. (Companion bill is **S.B. 924** by Zaffirini.)

**H.B. 2789 (Vasut) – Public Information Act Charges**: would provide that a governmental body may not impose a charge for providing a copy of public information if: (1) the information is a political or campaign report required to be filed with the governmental body, unless all of those reports filed with the governmental body during the preceding three years are available to
the public on the governmental body’s internet website; (2) the governmental body fails to
disclose the information on or before the 10th business day after the date of receiving the
requestor’s written request, unless the governmental body: (a) sends a written request for
clarification to the requestor; or (b) requests a decision from the attorney general; or (3) the
governmental body requests a decision from the attorney general and: (a) the governmental body
fails to provide to the requestor: (i) a written statement that the governmental body wishes to
withhold the requested information and has requested a decision from the attorney general; and
(ii) a copy of the written request for a decision; or (b) the attorney general determines the
requested information must be disclosed.

H.B. 2811 (Murphy) – Disclosure of Hazardous Chemicals: would provide: (1) that a political
subdivision in possession of a tier two form listing hazardous chemicals is confidential and not
subject to disclosure under the Public Information Act; and (2) a political subdivision may
release a tier two form or information contained in the form to the public only if the tier two
form or applicable information has been made publicly available by the Texas Commission on
Environmental Quality.

H.B. 2969 (Cason) – Open Meetings: would provide that a person in attendance at an open
meeting of a governmental body may: (1) record all or any part of the meeting by means of a
recorder, video camera, or other means of aural or visual reproduction; or (2) stream live video
and audio of all or any part of the meeting on the Internet.

H.B. 3015 (Hernandez) – Public Information: would provide that: (1) if a governmental body
determines it has no information responsive to a request for information, the officer for public
information shall notify the requestor in writing not later than the 10th business day after the date
the request is received; (2) if a governmental body determines requested information is subject to
a previous determination that permits or requires the governmental body to withhold the
requested information, the officer for public information shall, not later than the 10th business
day after the date the request is received, notify the requestor in writing that the information is
being withheld and identify in the notice the specific previous determination the governmental
body is relying on to withhold the information; (3) if a governmental body fails to comply with
the requirements in (1) or (2), the requestor may send a written complaint to the attorney general;
and (4) if the attorney general determines the governmental body failed to comply with (1) or
(2), the attorney general must require the governmental body to complete open records training,
the governmental body may not assess costs to the requestor for producing information in
response to the request, and the governmental body must release the requested information
unless there is a compelling reason to withhold it. (Companion bill is S.B. 927 by Zaffirini.)

H.B. 3139 (Longoria) – Open Meetings: would: (1) authorize a governmental body to hold an
open or closed meeting by conference call; (2) define “conference call” to mean a meeting held
by telephone conference call, videoconference call, or telephone conference and videoconference
call; (3) require that each part of a meeting held by conference call required to be open to the
public: (a) be audible to the public; (b) be visible to the public if it is a videoconference call; and
(c) have two-way communication with each participant; (4) provide that a member or employee
of a governmental body may participate in a meeting by conference call only if the audio signal
of the participant is heard live at the meeting; (5) provide that a member of a governmental body
who participates in a meeting by conference call shall: (a) be counted as present at the meeting for all purposes; and (b) be considered absent from any portion of the meeting during which audio communication with the member is lost or disconnected, but allow the governmental body to continue the meeting if a quorum of the body continues to participate in the meeting; (6) provide that a governmental body may allow a member of the public to testify at a meeting by conference call; (7) provide that a meeting held by conference call is subject to the notice requirements applicable to other meetings and also must include certain instructions to the public; (8) require that a meeting held by conference call be recorded, and that the recording be made available to the public; and (9) require the Department of Information Resources by rule to specify minimum standards for the recording of a meeting held by conference call.

**H.B. 3330 (Vasut) – Open Meetings:** would, among other things, provide that: (1) a meeting held by telephone conference may be held only if: (a) the meeting is held by an advisory board or an emergency or public necessity exists; and (b) holding a videoconference meeting is difficult or impossible; (2) a member of a governmental body may participate remotely in a meeting of the governmental body by means of a videoconference call if the video and audio feed of the member’s participation is broadcast live at the meeting, and: (a) the meeting is held by a governmental body whose territory or jurisdiction includes an area stricken or threatened by a disaster or public health disaster; (b) other law or the governmental body’s charter authorizes the member to participate remotely; or (c) before the meeting the member submits a written statement to the chief administrative official of the governmental body indicating that: (i) a quorum of the governmental body has authorized the member to participate remotely; or (ii) the member is unable to attend the meeting in person because of certain specified reasons (e.g., illness, funeral); (3) a meeting may be held by videoconference call only if the member of the governmental body presiding over the meeting is physically present at one location of the meeting that is open to the public during the open portions of the meeting; and (4) an employee of a governmental body may participate remotely in a meeting of the governmental body by means of a videoconference call if the video and audio feed of the employee’s participation is broadcast live at the meeting and certain other requirements are met.

**H.B. 3435 (Smithee) – Expedited TPIA Response:** would provide, among other things, that: (1) a governmental body that receives a written request for information, other than a request for information that may involve a third-party’s privacy or property interests, may withhold any information it makes a good faith determination is excepted from required public disclosure under the Texas Public Information Act (TPIA) without requesting a decision from the attorney general, provided that: (a) the governmental body’s officer for public information or the officer’s designee holds an active training certificate issued by the attorney general; and (b) the governmental body’s authorization to withhold information without requesting a decision from the attorney general has not been revoked; in order to withhold information under (1), a governmental body must comply with the following requirements the governmental must respond to the requestor not later than the 10th business day after the date the governmental body receives the written request for information by providing the requestor with: (a) a list of the exceptions and, if applicable, the judicial decisions or constitutional or statutory laws the governmental body determines are applicable to the information

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being withheld; (b) all information the governmental body determines is not excepted from disclosure, including, if applicable, partially redacted information with the redacted portions clearly marked and labeled with the exceptions the governmental body relied on to redact the information; (c) a description of the volume and type of information withheld; and (d) a notice form promulgated by the attorney general that includes, at a minimum: (i) a unique identification number assigned by the governmental body; (ii) a description of the appeal procedure; (iii) an appeal form the requestor must use to appeal the withholding of information; (iv) a reference to the requestor’s rights under the TPIA; (v) the name of the individual who has an active training certificate; and (vi) confirmation from the individual named in (2)(d)(v) that the individual reviewed and approved the response;

(3) the governmental body shall retain, at a minimum, an electronic or paper copy of the notice it provides to the requestor under (2) for the length of time the governmental body retains the request for information;

(4) on receipt of a response by a governmental body under (2), the requestor may appeal the withholding of information in the response not later than the 30th calendar day after the date the requestor receives the response, and must submit the appeal on the appeal form provided to the responder under (2);

(5) an appeal filed under (4) is considered a new request, and the governmental body may not seek to narrow or clarify the appeal;

(6) a governmental body that receives an appeal under (4) shall, within a reasonable time, but not later than the fifth business day after the date the governmental body receives the appeal, submit to the attorney general: (a) a request for an attorney general’s decision; (b) a copy of the original written request for information; (c) a signed statement as to the date on which the written response required by (1) was provided to the requestor, or evidence sufficient to establish that date; (d) a copy of the appeal form received by the governmental body; (e) a signed statement as to the date on which the appeal was received by the governmental body, or evidence sufficient to establish the date; (f) the exceptions that apply and written comments stating the reasons why the stated exceptions apply that would allow the information to be withheld; (g) if the governmental body provided partially redacted information to the requestor in its initial response, an unredacted copy of the information the governmental body provided to the requestor with the copy clearly marked indicating the released portions and the withheld portions labeled with the exceptions the governmental body relied on to withhold the information; and (h) a copy of the specific information the governmental body seeks to withhold, or representative samples of the information, labeled to indicate which exceptions apply to which parts of the copy;

(7) a governmental body that receives an appeal under (4) shall, within a reasonable time, but not later than the fifth business day after the date the governmental body receives the appeal, send a copy of the comments submitted under (4) to the requestor, except if the written comments disclose or contain the substance of the information requested, the copy of the comments provided to the requestor must be a redacted copy;
(8) the public information officer for a governmental body that responds to a request or the officer’s designee must have completed in the four years preceding the response a course of training of not less than four hours or more than six hours regarding the responsibilities of the governmental body under this bill,

(9) the office of the attorney general shall provide a certificate to a person who completes the required training under (8) and keep records of the training certificates issued, and a governmental body shall maintain the training certificate of any individual who provides a confirmation of having received such training and make the certificate available for public inspection; and

(10) if the attorney general determines that a governmental body failed to comply with the requirements of this bill, the office of the attorney general, in its sole discretion, may revoke: (a) the governmental body’s authorization to respond for a period not to exceed six months from the date the governmental body receives the notice of revocation form; or (b) the training certificate issued to an individual responsible for the governmental body’s failure.

H.B. 3453 (White) – Litigation Exception: would provide that: (1) information relating to litigation of a civil or criminal nature to which the state or a political subdivision, including a city, is or may be a party or to which an officer or employee of the state or a political subdivision, as a consequence of the person’s office or employment, is or may be a party is public information under the Public Information Act; (2) the names of the persons involved in the litigation may be withheld only if the litigation is pending or reasonably anticipated on the date that the requestor applies to the officer for public information for access to or duplication of the information; (3) litigation is considered reasonably anticipated under (2) only if a person with an alleged claim, or that person’s attorney, has: (a) threatened in writing to take legal action against the governmental body; or (b) made a written demand for compensation as a result of an alleged claim against the governmental body; (4) information held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime is public information, except that the name of a person being investigated or prosecuted for a crime may be withheld if: (a) release of the information would interfere with the detection, investigation, or prosecution of crime; (b) it is information that deals with the detection, investigation, or prosecution of crime only in relation to an investigation that did not result in conviction or deferred adjudication; (c) it is information relating to a threat against a peace officer or detention officer; or (d) it is information that: (i) is prepared by an attorney representing the state in anticipation of or in the course of preparing for criminal litigation; or (ii) reflects the mental impressions or legal reasoning of an attorney representing the state; (5) an internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution is public information, except that the name of a person who is part of a law enforcement investigation or who is being prosecuted for a crime may be withheld if: (a) release of the internal record or notation would interfere with law enforcement or prosecution; (b) the internal record or notation relates to law enforcement only in relation to an investigation that did not result in conviction or deferred adjudication; or (c) the internal record or notation: (i) is prepared by an attorney representing the state in anticipation of or in the course of preparing for criminal litigation; or (ii) reflects the mental impressions or legal reasoning of an attorney representing the state; and (6) the name of a person may not be withheld under (4) and (5) in response to a written request for the information made by: (a) a person who
is the subject of the information, record, or notation; or (b) if the person described by (6)(a) is deceased, the person’s spouse, child, or parent, an administrator of the person’s estate, or any of their attorneys.

**H.B. 3535 (Hunter) – Public Information:** would provide that the Public Information Act does not authorize a governmental body to withhold a date of birth except as permitted by the Health Insurance Portability and Accountability Act, or otherwise provided by constitutional or statutory law. (Companion bill is S.B. 926 by Zaffirini.)

**H.B. 3627 (Paddle) – Temporary Suspension of TPIA:** would, among other things, provide that: (1) for purposes of suspending the requirements of the Texas Public Information Act (TPIA), during a catastrophe, the term “catastrophe” does not mean a period when staff is required to work remotely and can access information responsive to an application for information electronically, but the physical office of the governmental body is closed; (2) a governmental body may suspend the requirements of the TPIA only once for each catastrophe; (3) a governmental body may suspend the requirements of the TPIA if the governmental body is currently significantly impacted by a catastrophe such that the catastrophe directly causes the inability of a governmental body to comply with the TPIA; (4) a governmental body that initiates a suspension period may not initiate another suspension period related to the same catastrophe, except for a single extension period, and that the combined suspension period for a governmental body may not exceed a total of 14 consecutive calendar days with respect to any single catastrophe; (5) if a governmental body closes its physical offices, but requires staff to work, including remotely, then the governmental body shall make a good faith effort to continue responding to applications for public information, to the extent staff have access to public information responsive to an application, while its administrative offices are closed; and (6) failure to respond to requests in accordance with (5) may constitute a refusal to request an attorney general's decision or a refusal to supply public information or information that the attorney general has determined is public information that is not excepted from required disclosure. (Companion bill is S.B. 1225 by Huffman.)

**H.B. 3793 (Shaheen) – Open Meetings:** would provide for remote meetings under the Open Meetings Act, and:

For city meetings held by telephone conference:

1. provide the governmental body is not prohibited from holding an open or closed meeting from one or more remote locations by telephone conference;
2. remove the requirement that an emergency or public necessity exist;
3. require the notice of the meeting: (a) include the statement “Telephone conference call under Section 551.125, Government Code” in lieu of the place of the meeting; (b) list each physical location where members of the public may listen to or participate in the meeting; (c) include access information for an audio feed of the meeting; and (d) if applicable, include instructions for members of the public to provide testimony to the governmental body;
4. require that any method of access that is provided to the public for listening to or participating in the telephone conference call meeting be widely available at no cost to the public;
5. require that each part of the meeting that is required to be open to the public shall be audible to the public and shall be recorded, and the recording shall be made available to the public;
6. require the identification of each party to the telephone conference be clearly stated prior to speaking;
7. require that, if the governmental body prepares an agenda packet that would have been distributed to members of the public at a face-to-face meeting, the packet must be available electronically so that members of the public listening remotely can follow along with the meeting.

For city meetings held by videoconference:

1. provide the governmental body is not prohibited from holding an open or closed meeting from one or more remote locations by videoconference;
2. allow a member of the governmental body to participate remotely in a meeting by videoconference call if the audio feed and, if applicable, video feed of the member’s or employee’s participation complies with the other requirements for a videoconference meeting;
3. provide that a member of a governmental body who participates as described in Number 2, above, shall be counted as present at the meeting for all purposes;
4. provide that a member of a governmental body shall be considered absent from any portion of the meeting during which audio communication with the member is lost or disconnected, and that the body may continue the meeting only if members in a number sufficient to constitute a quorum remain audible and visible to each other and, during the open portion of the meeting, to the public;
5. require the notice of the meeting: (a) include the statement “Videoconference call under Section 551.127, Government Code” in lieu of the place of the meeting; (b) list each physical location where members of the public may observe or participate in the meeting; (c) include access information for both audio-only and audiovisual feeds of the meeting; and (d) if applicable, include instructions for members of the public to provide testimony to the governmental body;
6. require that any method of access that is provided to the public for the purpose of observing or participating in a meeting be widely available at no cost to the public;
7. require each portion of a meeting held by videoconference call that is required to be open to the public shall be audible and, if applicable, visible to the public;
8. provide that if a problem occurs that causes a meeting to no longer be audible to the public, the meeting must be recessed until the problem is resolved;
9. require an audio recording of the meeting, and that the recording be made available to the public;
10. provide that the face of each participant who is participating in the call using video communication, while that participant is speaking, be clearly visible and audible to each other participant, and during the open portion of the meeting, to the members of the public, including at any location described by Number 5(b);
11. provide that participant using solely audio communication: (a) shall, while speaking, be clearly audible to each other participant and, during the open portion of the meeting, to the members of the public, including at any location described by Number 5(b);  
12. authorize the Department of Information by rule to specify minimum technical quality standards for the meeting, and require that access information described by Number 5(c) be of sufficient quality so that members of the public can observe the demeanor or hear the voice, as applicable, of each participant in the open portion of the meeting;  
13. provide that a governmental body: (a) may allow a member of the public to testify at a meeting from a remote location by videoconference call; and (b) must allow a member of the public testify from a remote location using video or audio communication if holding a meeting by videoconference call where public testimony is taken; and  
14. require that, if the governmental body prepares an agenda packet that would have been distributed to members of the public at a face-to-face meeting, the packet must be available electronically so that members of the public observing remotely can follow along with the meeting.

(Companion bill is S.B. 861 by Paxton.)

**H.B. 4340 (Howard) – Public Information**: would: (1) give a crime victim a special right of access to information held by a governmental body related to the detection, investigation, and prosecution of the crime, including information that is confidential under law; (2) require a governmental body to redact from any information provided under (1) information that would identify the alleged or actual perpetrator of the crime; and (3) provide that the release of information under (1) does not waive or affect the confidentiality of the information for purposes of state or federal law or waive the right to assert exceptions to required public disclosure.

**S.B. 244 (Bettencourt) – Tax Increment Reinvestment Zone**: would make the board of directors of a tax reinvestment zone subject to the Open Meetings Act.

**S.B. 508 (West) – Public Information Act**: would, among other things: (1) provide that the following information is confidential and not considered public information under the Public Information Act: (a) information received, made, or kept by an agency or program with the primary purpose of protecting, securing, or relocating witnesses; or (b) information in the possession of the state and relating to the protecting, securing, or relocating of a witness by an agency or program described by (1)(a), above; and (2) create a Class A misdemeanor offense when a person knowingly discloses any record, claim, writing, document, information, or other material in response to a Public Information Act request when the record, claim, writing, document, information, or other material is confidential and excepted from disclosure under (1), above.

**S.B. 639 (Menéndez) – Open Meetings**: would: (1) provide that, without regard to whether a member of the governmental body is participating in a meeting from a remote location by telephone conference call, a governmental body may allow a member of the public to speak at a meeting from a remote location by telephone conference call; (2) provide that, when a member of a governmental body loses audio or video during a videoconference meeting, the meeting may
continue when a quorum of the body remain audible and visible to each other and, during the open portion of the meeting, to the public; (3) allow a meeting by videoconference so long as the presiding officer is present at a physical location open to the public where members of the public may observe and participate in the meeting; (4) set out the notice requirements for a videoconference meeting; and (5) provide that, without regard to whether a member of the governmental body is participating in a meeting from a remote location by videoconference call, a governmental body may allow a person to speak at a meeting from a remote location by videoconference call.

**S.B. 729 (Johnson) – Electronic Public Information**: would provide that: (1) data dictionaries and other indicia of the type or category of information held in each field of a database is public information under the Public Information Act (PIA); (2) a governmental body’s use of an electronic recordkeeping system may not erode the public’s right of access to public information under the PIA; (3) the contents of public information that is produced and maintained in an electronic spreadsheet or database that is searchable or sortable (electronic public information), including the information described in (1), above, is significant and not merely used as a tool for the maintenance, manipulation, or protection of property; (4) if a request for public information applies to electronic public information and the requestor requests the information in a searchable or sortable format, the governmental body shall provide an electronic copy of the requested electronic public information in the searchable or sortable format requested using computer software the governmental body has in its possession, but if the requestor prefers, the governmental body shall provide a copy of electronic public information in the form of a paper printout; (5) a governmental body may not refuse to provide a copy of electronic public information on the grounds that exporting the information or redacting excepted information will require inputting range, search, filter, report parameters, or similar commands or instructions into the governmental body’s computer system if the commands or instructions can be executed with computer software used by the governmental body in the ordinary course of business to access, support, or otherwise manage the information; (6) a requestor may request that a copy of electronic public information be provided in the format in which the information is maintained by the governmental body or in a standard export format such as a flat file electronic American Standard Code for Information Interchange (ASCII) if the governmental body’s computer programs support exporting the information in that format, and the governmental body shall provide the copy in the requested format or in another format acceptable to the requestor; (7) if the electronic public information is maintained by a governmental body in a format that is: (a) searchable but not sortable, the governmental body shall provide an electronic copy of the information in a searchable format; or (b) sortable, the governmental body shall provide an electronic copy of the information in a sortable format; and (8) a governmental body shall use reasonable efforts to ensure that a contract entered into by the governmental body for the creation and maintenance of electronic public information does not impair the public’s ability to inspect or copy the information or make the information more difficult for the public to inspect or copy than records maintained by the governmental body. (Companion bill is H.B. 1810 by Capriglione.)

**S.B. 841 (Hughes) – Public Information**: would add certain honorably retired law enforcement positions to the personal information exceptions of the Public Information Act and the
confidentiality of home address section in the tax appraisal statute. (Companion bill is H.B. 1440 by Schaefer.)

**S.B. 858 (Johnson) – Public Information:** would provide that the following personal identifying information collected by a regional transportation authority is confidential and not subject to public disclosure: (1) trip data, including the time, date, origin, and destination of a trip, and demographic information collected when the person purchases a ticket or schedules a trip; and (2) other personal information, including financial information. (Companion bill is H.B. 2421 by Davis.)

**S.B. 861 (Paxton) – Open Meetings:** would provide for remote meetings under the Open Meetings Act, and:

For city meetings held by telephone conference:
1. provide the governmental body is not prohibited from holding an open or closed meeting from one or more remote locations by telephone conference;
2. remove the requirement that an emergency or public necessity exist;
3. require the notice of the meeting: (a) include the statement “Telephone conference call under Section 551.125, Government Code” in lieu of the place of the meeting; (b) list each physical location where members of the public may listen to or participate in the meeting; (c) include access information for an audio feed of the meeting; and (d) if applicable, include instructions for members of the public to provide testimony to the governmental body;
4. require that any method of access that is provided to the public for listening to or participating in the telephone conference call meeting be widely available at no cost to the public;
5. require that each part of the meeting that is required to be open to the public shall be audible to the public and shall be recorded, and the recording shall be made available to the public;
6. require the identification of each party to the telephone conference be clearly stated prior to speaking;
7. require that, if the governmental body prepares an agenda packet that would have been distributed to members of the public at a face-to-face meeting, the packet must be available electronically so that members of the public listening remotely can follow along with the meeting.

For city meetings held by videoconference:
1. provide the governmental body is not prohibited from holding an open or closed meeting from one or more remote locations by videoconference;
2. allow a member of the governmental body to participate remotely in a meeting by videoconference call if the audio feed and, if applicable, video feed of the member’s or employee’s participation complies with the other requirements for a videoconference meeting;
3. provide that a member of a governmental body who participates as described in Number 2, above, shall be counted as present at the meeting for all purposes;
4. provide that a member of a governmental body shall be considered absent from any portion of the meeting during which audio communication with the member is lost or disconnected, and that the body may continue the meeting only if members in a number sufficient to constitute a quorum remain audible and visible to each other and, during the open portion of the meeting, to the public;
5. require the notice of the meeting: (a) include the statement “Videoconference call under Section 551.127, Government Code” in lieu of the place of the meeting; (b) list each physical location where members of the public may observe or participate in the meeting; (c) include access information for both audio-only and audiovisual feeds of the meeting; and (d) if applicable, include instructions for members of the public to provide testimony to the governmental body;
6. require that any method of access that is provided to the public for the purpose of observing or participating in a meeting be widely available at no cost to the public;
7. require each portion of a meeting held by videoconference call that is required to be open to the public shall be audible and, if applicable, visible to the public;
8. provide that if a problem occurs that causes a meeting to no longer be audible to the public, the meeting must be recessed until the problem is resolved;
9. require an audio recording of the meeting, and that the recording be made available to the public;
10. provide that the face of each participant who is participating in the call using video communication, while that participant is speaking, be clearly visible and audible to each other participant, and during the open portion of the meeting, to the members of the public, including at any location described by Number 5(b);
11. provide that participant using solely audio communication: (a) shall, while speaking, be clearly audible to each other participant and, during the open portion of the meeting, to the members of the public, including at any location described by Number 5(b);
12. authorize the Department of Information by rule to specify minimum technical quality standards for the meeting, and require that access information described by Number 5(c) be of sufficient quality so that members of the public can observe the demeanor or hear the voice, as applicable, of each participant in the open portion of the meeting;
13. provide that a governmental body: (a) may allow a member of the public to testify at a meeting from a remote location by videoconference call; and (b) must allow a member of the public testify from a remote location using video or audio communication if holding a meeting by videoconference call where public testimony is taken; and
14. require that, if the governmental body prepares an agenda packet that would have been distributed to members of the public at a face-to-face meeting, the packet must be available electronically so that members of the public observing remotely can follow along with the meeting.

S.B. 923 (Zaffirini) – Open Meetings and Public Information: would make various changes to open government laws, and:

For purposes of the Open Meetings Act, would:
1. for an open meeting that is broadcast live over the Internet and held wholly or partly by telephone conference and/or videoconference: (a) require the governmental body ensure the public is able to listen and, if applicable, speak; (b) require the open meeting be
audible to the public by telephone and at location described in (2), below; (c) require that
the public have access to both audiovisual and audio-only feeds of the open meeting; and
(d) if applicable, require that members of the public be able to address the governmental
body by telephone and videoconference;

2. require that the notice of a meeting described in (1) include, among other things: (a) a list
of each physical location where a member of the public may observe and participate in
the meeting; (b) a toll free number for use by the public; (c) access information for any
audiovisual or audio-only feeds; and (d) instructions for the public to speak at the
meeting;

3. require that a meeting described in (1) be recorded and that the recording be made
available to the public not later than 24 hours after adjourning the meeting;

4. require that a meeting notice indicate whether a subject will be considered in an open
meeting or a closed session; and

5. require a meeting be broadcast over the Internet if the physical location of the meeting is
not accessible to members of the public or is not large enough to accommodate all
persons seeking to attend the meeting in person, including if the location has reduced
capacity as the result of a public emergency or disaster.

For purposes of the Public Information Act, and certain other law, would:

1. define the term “business day” as used in the Public Information Act to exclude a
   Saturday, Sunday, and certain national and state holidays (under current law, a closure for
   bad weather or skeleton crew day would also be excluded from the term “business day”);

2. provide that a governmental body is not authorized to withhold a date of birth unless
   permitted by the Health Insurance Portability and Accountability Act, constitutional law,
   or statutory law;

3. provide that, if a governmental body determines it has no information responsive to a
   request for information, the officer for public information shall notify the requestor in
   writing not later than the 10th business day after the date the request is received;

4. provide that, if a governmental body determines requested information is subject to a
   previous determination that permits or requires the governmental body to withhold the
   requested information, the officer for public information shall, not later than the 10th
   business day after the date the request is received notify the requestor in writing that the
   information is being withheld and identify in the notice the specific previous
determination the governmental body is relying on to withhold the information;

5. provide that, if a governmental body fails to comply with the requirements in (3) or (4),
   the requestor may send a written complaint to the attorney general, and if the attorney
   general determines the governmental body failed to comply with (3) or (4), the attorney
   general must require the governmental body to complete open records training, the
   governmental body may not assess costs to the requestor for producing information in
   response to the request, and the governmental body must release the requested
   information unless there is a compelling reason to withhold it;

6. impose various requirements when dealing with electronic public information; and

7. with some exceptions, require a governmental body to post on its website each contract
   for the purchase of goods or service from a private vendor along with certain other
   information.
S.B. 924 (Zaffirini) – Open Meetings: would: (1) for an open meeting that is broadcast live over the Internet and held wholly or partly by telephone conference and/or videoconference: (a) require the governmental body ensure the public is able to listen and, if applicable, speak; (b) require the open meeting be audible to the public by telephone and at location described in (2), below; (c) require that the public have access to both audiovisual and audio-only feeds of the open meeting; and (d) if applicable, require that members of the public be able to address the governmental body by telephone and videoconference; (2) require that the notice of a meeting described in (1) include, among other things: (a) a list of each physical location where a member of the public may observe and participate in the meeting; (b) a toll free number for use by the public; (c) access information for any audiovisual or audio-only feeds; and (d) instructions for the public to speak at the meeting; (3) require that a meeting described in (1) be recorded and that the recording be made available to the public not later than 24 hours after adjourning the meeting; (4) require that a meeting notice indicate whether a subject will be considered in an open meeting or a closed session; and (5) require a meeting be broadcast over the Internet if the physical location of the meeting is not accessible to members of the public or is not large enough to accommodate all persons seeking to attend the meeting in person, including if the location has reduced capacity as the result of a public emergency or disaster. (Companion bill is H.B. 2683 by Canales.)

S.B. 925 (Zaffirini) – Public Information: would define the term “business day” as used in the Public Information Act to exclude a Saturday, Sunday, and certain national and state holidays (under current law, a closure for bad weather or skeleton crew day would also be excluded from the term “business day”). (Companion bill is H.B. 1416 by Capriglione.)

S.B. 926 (Zaffirini) – Public Information: would provide that a governmental body is not authorized to withhold a date of birth unless permitted by the Health Insurance Portability and Accountability Act, constitutional law, or statutory law.

S.B. 927 (Zaffirini) – Public Information: would provide that: (1) if a governmental body determines it has no information responsive to a request for information, the officer for public information shall notify the requestor in writing not later than the 10th business day after the date the request is received; (2) if a governmental body determines requested information is subject to a previous determination that permits or requires the governmental body to withhold the requested information, the officer for public information shall, not later than the 10th business day after the date the request is received notify the requestor in writing that the information is being withheld and identify in the notice the specific previous determination the governmental body is relying on to withhold the information; (3) if a governmental body fails to comply with the requirements in (1) or (2), the requestor may send a written complaint to the attorney general; and (4) if the attorney general determines the governmental body failed to comply with (1) or (2), the attorney general must require the governmental body to complete open records training, the governmental body may not assess costs to the requestor for producing information in response to the request, and the governmental body must release the requested information unless there is a compelling reason to withhold it. (Companion bill is H.B. 3015 by Hernandez.)

S.B. 928 (Zaffirini) – Electronic Public Information: would provide that: (1) data dictionaries and other indicia of the type or category of information held in each field of a database is public
information under the Public Information Act (PIA); (2) a governmental body’s use of an
electronic recordkeeping system may not erode the public’s right of access to public information
under the PIA; (3) the contents of public information that is produced and maintained in an
electronic spreadsheet or database that is searchable or sortable (electronic public information),
including the information described in (1), above, is significant and not merely used as a tool for
the maintenance, manipulation, or protection of property; (4) if a request for public information
applies to electronic public information and the requestor requests the information in a
searchable or sortable format, the governmental body shall provide an electronic copy of the
requested electronic public information in the searchable or sortable format requested using
computer software the governmental body has in its possession, but if the requestor prefers, the
governmental body shall provide a copy of electronic public information in the form of a paper
printout; (5) a governmental body may not refuse to provide a copy of electronic public
information on the grounds that exporting the information or redacting excepted information will
require inputting range, search, filter, report parameters, or similar commands or instructions into
the governmental body’s computer system if the commands or instructions can be executed with
computer software used by the governmental body in the ordinary course of business to access,
support, or otherwise manage the information; (6) a requestor may request that a copy of
electronic public information be provided in the format in which the information is maintained
by the governmental body or in a standard export format such as a flat file electronic American
Standard Code for Information Interchange (ASCII) if the governmental body’s computer
programs support exporting the information in that format, and the governmental body shall
provide the copy in the requested format or in another format acceptable to the requestor; (7) if
the electronic public information is maintained by a governmental body in a format that is: (a)
searchable but not sortable, the governmental body shall provide an electronic copy of the
information in a searchable format; or (b) sortable, the governmental body shall provide an
electronic copy of the information in a sortable format; and (8) a governmental body shall use
reasonable efforts to ensure that a contract entered into by the governmental body for the
creation and maintenance of electronic public information does not impair the public’s ability to
inspect or copy the information or make the information more difficult for the public to inspect
or copy than records maintained by the governmental body. (Companion bill is H.B. 1810 by
Capriglione.)

S.B. 930 (Zaffirini) – Public Information: would provide that certain information regarding the
occurrence of communicable disease in residential facilities is subject to disclosure under the
Public Information Act unless the information is made confidential under other law.

S.B. 972 (West) – Critical Incident Video Recordings: would provide, among other things, that:

1. the office of the attorney general shall establish and maintain on its internet website a publicly accessible database of required use of force reports submitted to the office;
2. a law enforcement agency shall make public any video recording in the agency’s possession involving: (a) an officer-involved shooting, including an unintentional discharge of a firearm while in the course of duty or in response to a call, regardless of whether: (i) a person is hit by gunfire; or (ii) an allegation of
misconduct is made; (b) use of force resulting in death or serious bodily injury; (c) the death of an arrestee or detainee while the person is in the custodial care of a law enforcement agency; and (d) any other police encounter in which a law enforcement agency determines release of a video recording furthers a law enforcement purpose (collectively, a “critical incident”);

3. a law enforcement agency shall provide a video recording of a critical incident described in (2), above, to a person who requests such recording, not later than the 60th day after the date the critical incident occurs, except that if the law enforcement agency determines as described in (4), below, that the video recording cannot be released, the agency shall, not later than the 45th day after the date the critical incident occurs, begin notifying persons who request a copy of the video recording of the reasons for the agency’s decision and providing an explanation as to when the agency will make copies of the video recording available to requestors;

4. a law enforcement agency may: (a) withhold a video recording of a critical incident if the agency is prohibited from releasing the recording by law or a court order; (b) redact or edit the video recording to protect juveniles and victims of certain crimes or to protect the privacy interests of other individuals who appear in the recording; (c) not redact or edit a video recording in a manner that compromises the depiction of what occurred during the critical incident, including the officers; (d) delay the release of a video recording of a critical incident to protect: (i) the safety of the individuals involved in the critical incident, including officers, witnesses, bystanders, or other third parties; (ii) the integrity of an active criminal or administrative investigation or a criminal prosecution; (iii) confidential sources or investigative techniques; or (iv) the constitutional rights of an accused involved in the incident;

5. if a law enforcement agency determines that the provisions of (4)(d), above, apply to a video recording of a critical incident, the agency shall: (a) not later than the 45th day after the date the critical incident occurs, begin notifying persons who request a copy of the recording of the specific, factual reasons for the delay; and (b) update persons who request a copy of the recording every 15 days regarding the continuing justification for the delay until the copies are released;

6. not later than 48 hours before the time a law enforcement agency releases a video recording of a critical incident, the agency shall make a reasonable attempt to notify and consult with: (a) the officers depicted in the recording or significantly involved in the use of force; (b) the individual upon whom force was used or the individual’s: (i) next of kin if the individual is deceased; (ii) parent or legal guardian if the individual is a juvenile; or (iii) legal counsel if the individual is represented by legal counsel; (c) the district attorney’s office, county attorney’s office, or city attorney’s office that has jurisdiction over the critical incident depicted in the video; and (d) any other individual or entity connected to the critical incident the law enforcement agency deems appropriate; and

7. the law enforcement exception under the Public Information Act does not apply to a video recording of a critical incident in a law enforcement agency’s possession.

S.B. 973 (West) – Body Worn Camera Recordings: would:
1. provide that a body worn camera recording that documents an incident that involves the use of deadly force by a peace officer or that is otherwise related to an administrative or criminal investigation of a peace officer may be released to the public regardless of whether all criminal matters have been finally adjudicated and all related administrative investigations have concluded;

2. provide that any portion of a recording described in (1), above, that is made in a private space is confidential and excepted from the requirements of the Public Information Act (PIA), and may not be released without written authorization from the person who is the subject of that portion of the recording or, if the person is deceased, from the person’s authorized representative;

3. repeal the provisions that provide that: (a) a law enforcement agency may permit a person who is depicted in a recording described in (1), above, or, if the person is deceased, the person’s authorized representative, to view the recording, provided that the law enforcement agency determines that the viewing furthers a law enforcement purpose and provided that any authorized representative who is permitted to view the recording was not a witness to the incident; (b) a person viewing a recording may not duplicate the recording or capture video or audio from the recording; and (c) a permitted viewing of a recording under (a), above, is not considered to be a release of public information for purposes of the PIA;

4. repeal the provision that provides that a law enforcement agency may release to the public a recording described in (1), above, if the law enforcement agency determines that the release furthers a law enforcement purpose;

5. repeal the provision that provides that a recording described in (1), above, may be withheld under the law enforcement exception of the PIA if related to a closed criminal investigation that did not result in a conviction or a grant of deferred adjudication community supervision;

6. repeal the provision that provides information recorded by a body worn camera as described in (1), above, and held by a law enforcement agency is not public information under the PIA;

7. repeal the provision that provides that information that is or could be used as evidence in a criminal prosecution is public information under the PIA; and

8. repeal the provision that provides that a recording described in (1), above, is confidential and excepted from the PIA if the recording: (a) was not required to be made under a law or under a policy adopted by the appropriate law enforcement agency; and (b) does not relate to a law enforcement purpose.

S.B. 974 (West) – Access to Law Enforcement Records: would provide that:

1. the following information is public information: (a) information that is basic information about a criminal investigation; and (b) basic information contained in: (i) a search warrant; (ii) testimony, an affidavit, or other information used to support a finding of probable cause to execute a search warrant; (iii) an arrest warrant, an arrest report, an incident report, or an accident report; (iv) a mug shot; (v) a report relating to an officer-involved shooting or an incident involving the discharge of a firearm by a peace officer, including the unintentional discharge of a firearm in the course of
duty or in response to a call, regardless of whether a person is hit by gunfire or an allegation of misconduct is made; (vi) a report relating to a peace officer’s use of force resulting in death or serious bodily injury; or (vii) a report related to the death or serious bodily injury of an arrestee or detainee while the person is in the custodial care of a law enforcement agency;

2. the law enforcement exception that allows for withholding information related to detection, investigation or prosecution of an investigation that did not result in conviction or deferred adjudication or internal records or notations related to an investigation that did not result in a conviction or deferred adjudication does not apply to information, records or notations if: (a) a person who is a subject of the information, record, or notation, other than a peace officer, is deceased or incapacitated; or (b) each person who is a subject of the information, record, or notation consents to the release of the information, record, or notation;

3. a governmental body that releases information, records, or notations to a family member of a deceased or incapacitated person who is a subject of the information, record, or notation is not considered to have voluntarily made that information available to the public and does not waive the ability to assert in the future that the information is excepted from required disclosure;

4. a fire or police department in a civil service city may maintain a department personnel file (commonly referred to as the “g” file) on a police officer or fire fighter to store sensitive personal information, including the individual’s home address, home telephone number, personal cellular telephone number, emergency contact information, social security number, personal financial information, information that reveals whether the person has family members, and any other personal information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

5. a letter, memorandum, or document regarding a peace officer’s alleged misconduct maintained in the “g” file is public information if: (a) a person who is a subject of the letter, memorandum, or document, other than the peace officer, is deceased or incapacitated; or (b) each person who is a subject of the letter, memorandum, or document consents to the release of the letter, memorandum, or document; and

6. a fire or police department in a civil service city shall disclose law enforcement disciplinary record information reasonably necessary to identify an allegation against a fire fighter or police officer that resulted in a sustained finding of misconduct, including: (a) any record created in furtherance of a law enforcement disciplinary proceeding; (b) each complaint, allegation, and charge against the employee; (c) the name of the employee complained of or charged; (d) the transcript of any disciplinary trial or hearing, including any exhibit introduced at the trial or hearing; (e) the disposition of any disciplinary proceeding; and (f) the final written opinion or memorandum supporting the disposition and discipline imposed, including the agency’s complete factual findings and analysis of the conduct and appropriate discipline of the covered employee.

**S.B. 975 (West) - Access to Law Enforcement Records:** would provide, among other things, that:
1. The office of the attorney general shall establish and maintain, on its internet website, a publicly accessible database of officer-involved injury or death reports that are required to be submitted to the office;

2. The following information is public information under the Public Information Act (PIA): (a) basic information about a criminal investigation; and (b) basic information contained in: (i) a search warrant; (ii) testimony, an affidavit, or other information used to support a finding of probable cause to execute a search warrant; (iii) an arrest warrant, an arrest report, an incident report, or an accident report; (iv) a mug shot; (v) a report relating to an officer-involved shooting; (vi) a report relating to an incident involving the discharge of a firearm by a peace officer, including the unintentional discharge of a firearm in the course of duty or in response to a call, regardless of whether a person is hit by gunfire or an allegation of misconduct is made; (vii) a report relating to a peace officer’s use of force resulting in death or serious bodily injury; or (viii) a report related to the death or serious bodily injury of an arrestee or detainee while the person is in the custodial care of a law enforcement agency;

3. Law enforcement information that deals with the detection, investigation or prosecution of a crime that does not result in conviction or deferred adjudication, or an internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution, that does not result in conviction or deferred adjudication is public information if: (a) a person who is a subject of the information, record, or notation, other than a peace officer, is deceased or incapacitated; or (b) each person who is a subject of the information, record, or notation consents to the release of the information, record, or notation;

4. A letter, memorandum, or document regarding a peace officer’s alleged misconduct in the peace officer’s departmental civil service personnel file (commonly referred to as the “g” file) is public information if: (a) a person who is a subject of the letter, memorandum, or document, other than the peace officer, is deceased or incapacitated; or (b) each person who is a subject of the letter, memorandum, or document consents to the release of the letter, memorandum, or document;

5. A law enforcement agency shall, with exceptions, make public any video recording in the agency’s possession involving a critical incident, including an officer-involved shooting, use of force that results in death or serious bodily injury, or a custodial death, not later than the 60th day after the date of the critical incident;

6. A fire or police department in a civil service city may maintain a “g” file to store sensitive personal information, including the individual’s home address, home telephone number, personal cellular telephone number, emergency contact information, social security number, personal financial information, information that reveals whether the person has family members, and any other personal information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

7. A fire or police department in a civil service city shall disclose law enforcement disciplinary record information reasonably necessary to identify an allegation
against a fire fighter or police officer that resulted in a sustained finding of misconduct, including: (a) any record created in furtherance of a law enforcement disciplinary proceeding; (b) each complaint, allegation, and charge against the employee; (c) the name of the employee complained of or charged; (d) the transcript of any disciplinary trial or hearing, including any exhibit introduced at the trial or hearing; (e) the disposition of any disciplinary proceeding; and (f) the final written opinion or memorandum supporting the disposition and discipline imposed, including the agency’s: (i) complete factual findings; and (ii) analysis of the conduct and appropriate discipline of the covered employee;

8. a written request for information recorded by a body worn camera shall be treated as a request for public information under the PIA; and

9. provisions of current law related to withholding from release a portion of a body worn camera recording made in a private space, or of a recording involving the investigation of conduct that constitutes a misdemeanor punishable by fine only and does not result in arrest, without written authorization from the person who is the subject of that portion of the recording or, if the person is deceased, from the person's authorized representative are repealed.

(Companion bill is H.B. 2383 by Moody.)

S.B. 1225 (Huffman) – Temporary Suspension of TPIA: would, among other things, provide that: (1) for purposes of suspending the requirements of the Texas Public Information Act (TPIA), during a catastrophe, the term “catastrophe” does not mean a period when staff is required to work remotely and can access information responsive to an application for information electronically, but the physical office of the governmental body is closed; (2) a governmental body may suspend the requirements of the TPIA only once for each catastrophe; (3) a governmental body may suspend the requirements of the TPIA if the governmental body is currently significantly impacted by a catastrophe such that the catastrophe directly causes the inability of a governmental body to comply with the TPIA; (4) a governmental body that initiates a suspension period may not initiate another suspension period related to the same catastrophe, except for a single extension period, and that the combined suspension period for a governmental body may not exceed a total of 14 consecutive calendar days with respect to any single catastrophe; (5) if a governmental body closes its physical offices, but requires staff to work, including remotely, then the governmental body shall make a good faith effort to continue responding to applications for public information, to the extent staff have access to public information responsive to an application, while its administrative offices are closed; and (6) failure to respond to requests in accordance with (5) may constitute a refusal to request an attorney general's decision or a refusal to supply public information or information that the attorney general has determined is public information that is not excepted from required disclosure. (Companion bill is H.B. 3627 by Paddie.)

S.B. 1491 (Bettencourt) – Public Information: would: (1) require a governmental body that requests an attorney general decision to submit the request through the attorney general’s designated electronic filing system; (2) except from the requirement in (1): (a) a governmental body that has fewer than 16 full-time employees or that is located in a county with a population of less than 250,000; or (b) a request for a decision in which the amount or format of responsive information makes use of the electronic filing system impractical or impossible; and (3) provide
that the attorney general may charge a fee for a request for a decision described in (2)(b) that is not submitted using the attorney general’s designated electronic filing system.

**S.B. 1492 (Bettencourt) – Expedited TPIA Response:**would provide, among other things, that:

1. a governmental body that receives a written request for information, other than a request for information that may involve a third-party’s privacy or property interests, may withhold any information it makes a good faith determination is excepted from required public disclosure under the Texas Public Information Act (TPIA) without requesting a decision from the attorney general, provided that: (a) the governmental body’s officer for public information or the officer’s designee holds an active training certificate issued by the attorney general; and (b) the governmental body’s authorization to withhold information without requesting a decision from the attorney general has not been revoked;

2. in order to withhold information under (1), a governmental body must comply with the following requirements the governmental must respond to the requestor not later than the 10th business day after the date the governmental body receives the written request for information by providing the requestor with: (a) a list of the exceptions and, if applicable, the judicial decisions or constitutional or statutory laws the governmental body determines are applicable to the information being withheld; (b) all information the governmental body determines is not excepted from disclosure, including, if applicable, partially redacted information with the redacted portions clearly marked and labeled with the exceptions the governmental body relied on to redact the information; (c) a description of the volume and type of information withheld; and (d) a notice form promulgated by the attorney general that includes, at a minimum: (i) a unique identification number assigned by the governmental body; (ii) a description of the appeal procedure; (iii) an appeal form the requestor must use to appeal the withholding of information; (iv) a reference to the requestor’s rights under the TPIA; (v) the name of the individual who has an active training certificate; and (vi) confirmation from the individual named in (2)(d)(v) that the individual reviewed and approved the response;

3. the governmental body shall retain, at a minimum, an electronic or paper copy of the notice it provides to the requestor under (2) for the length of time the governmental body retains the request for information;

4. on receipt of a response by a governmental body under (2), the requestor may appeal the withholding of information in the response not later than the 30th calendar day after the date the requestor receives the response, and must submit the appeal on the appeal form provided to the responder under (2);

5. an appeal filed under (4) is considered a new request, and the governmental body may not seek to narrow or clarify the appeal;

6. a governmental body that receives an appeal under (4) shall, within a reasonable time, but not later than the fifth business day after the date the governmental body receives the appeal, submit to the attorney general: (a) a request for an attorney general’s decision; (b) a copy of the original written request for information; (c) a signed statement as to the date on which the written response required by (1) was
provided to the requestor, or evidence sufficient to establish that date; (d) a copy of the appeal form received by the governmental body; (e) a signed statement as to the date on which the appeal was received by the governmental body, or evidence sufficient to establish the date; (f) the exceptions that apply and written comments stating the reasons why the stated exceptions apply that would allow the information to be withheld; (g) if the governmental body provided partially redacted information to the requestor in its initial response, an unredacted copy of the information the governmental body provided to the requestor with the copy clearly marked indicating the released portions and the withheld portions labeled with the exceptions the governmental body relied on to withhold the information; and (h) a copy of the specific information the governmental body seeks to withhold, or representative samples of the information, labeled to indicate which exceptions apply to which parts of the copy;

(7) a governmental body that receives an appeal under (4) shall, within a reasonable time, but not later than the fifth business day after the date the governmental body receives the appeal, send a copy of the comments submitted under (4) to the requestor, except if the written comments disclose or contain the substance of the information requested, the copy of the comments provided to the requestor must be a redacted copy;

(8) the public information officer for a governmental body that responds to a request or the officer’s designee must have completed in the four years preceding the response a course of training of not less than four hours or more than six hours regarding the responsibilities of the governmental body under this bill;

(9) the office of the attorney general shall provide a certificate to a person who completes the required training under (8) and keep records of the training certificates issued, and a governmental body shall maintain the training certificate of any individual who provides a confirmation of having received such training and make the certificate available for public inspection; and

(10) if the attorney general determines that a governmental body failed to comply with the requirements of this bill, the office of the attorney general, in its sole discretion, may revoke: (a) the governmental body’s authorization to respond for a period not to exceed six months from the date the governmental body receives the notice of revocation form; or (b) the training certificate issued to an individual responsible for the governmental body’s failure.

(Companion bill is H.B. 3435 by Smithee.)

S.B. 1515 (Gutierrez) – Open Meetings: would: (1) authorize a governmental body to hold an open or closed meeting by conference call; (2) define “conference call” to mean a meeting held by telephone conference call, videoconference call, or telephone conference and videoconference call; (3) require that each part of a meeting held by conference call required to be open to the public: (a) be audible to the public; (b) be visible to the public if it is a videoconference call; and (c) have two-way communication with each participant; (4) provide that a member or employee of a governmental body may participate in a meeting by conference call only if the audio signal of the participant is heard live at the meeting; (5) provide that a member of a governmental body who participates in a meeting by conference call shall: (a) be counted as present at the meeting
for all purposes; and (b) be considered absent from any portion of the meeting during which audio communication with the member is lost or disconnected, but allow the governmental body to continue the meeting if a quorum of the body continues to participate in the meeting; (6) provide that a governmental body may allow a member of the public to testify at a meeting by conference call; (7) provide that a meeting held by conference call is subject to the notice requirements applicable to other meetings and also must include certain instructions to the public; (8) require that a meeting held by conference call be recorded, and that the recording be made available to the public; and (9) require the Department of Information Resources by rule to specify minimum standards for the recording of a meeting held by conference call. (Companion bills are H.B. 1888 by Fierro and H.B. 3139 by Longoria.)

S.B. 1885 (Campbell) – Open Meetings: would, in an open meeting of a governmental body where public access to any open portion of the meeting is limited or restricted, require the governmental body to: (1) broadcast audio and video of all open portions of the meeting live over the Internet and provide a link to the broadcast in the meeting notice; (2) allow members of the public to listen to live audio of all open portions of the meeting by phone, provide a toll-free number for that purpose, and include the toll-free number in the meeting notice; and (3) comply with certain requirements regarding how members of the public may address the body.

S.B. 2110 (Schwertner) – Disclosure of Hazardous Chemicals: would provide: (1) that a political subdivision in possession of a tier two form listing hazardous chemicals is confidential and not subject to disclosure under the Public Information Act; and (2) a political subdivision may release a tier two form or information contained in the form to the public only if the tier two form or applicable information has been made publicly available by the Texas Commission on Environmental Quality. (Companion Bill is H.B. 2811 by Murphy.)

Other Finance and Administration

H.B. 29 (Swanson) – Temporary Weapon Storage: would authorize several methods to temporarily store firearms and certain other weapons for a person who enters a building used by a political subdivision in which carrying the weapon is prohibited by law or the political subdivision.

H.B. 35 (Swanson) – Local Debt: would, among other things: (1) provide that an election held by a political subdivision to authorize the issuance of bonds or a tax increase has no effect regarding the issuance of the bonds or the tax increase unless more than 25 percent of the registered voters of the political subdivision whose registrations are effective on the date the governing body of the political subdivision adopts the election order vote in the election in which the bond or tax proposition is on the ballot; (2) require an election for the issuance of bonds or a tax increase by a political subdivision to be held on the November uniform election date, except for an automatic election to approve a tax rate; (3) provide that in an election held by a political subdivision for which the ballot includes a proposition seeking voter approval of the issuance of bonds or a tax increase, a temporary branch polling place must: (a) remain at the same location for the entire period during which early voting by personal appearance is conducted in the district; and (b) allow for early voting by personal appearance to be conducted during the same
days and hours as voting is conducted at the main early voting polling place; (4) require an election authorizing the issuance of bonds or a tax increase by a political subdivision to be held as a joint election, and provide that a single ballot containing all the offices or propositions stating measures to be voted on at a particular polling place must be used in a joint election; (5) require a political subdivision to hold an election prior to issuing all bonds, including revenue bonds; and (6) provide that refunding bonds and bonds issued in an amount less than $2,000 to repair a building or structure that may be built using the proceeds of bonds are subject to the election and notice requirements applicable to other bond issuances.

**H.B. 36 (J. Johnson) – Abolish Confederate Heroes Day:** would abolish Confederate Heroes Day as a state holiday. (Companion bill is H.B. 219 by Thierry.)

**H.B. 66 (Fierro) – Election Day Holiday:** would designate every day on which a statewide election, including a primary election, is held as a state holiday.

**H.B. 67 (Toth) – Restrictive Covenants:** would prevent a property owners’ association from enforcing a restrictive covenant prohibiting a property owner from installing a swimming pool enclosure that conforms to applicable state or local requirements.

**H.B. 83 (Toth) – Firework Sales:** would extend the ending date when a retail fireworks permit holder may sell fireworks to the public for the 4th of July holiday from midnight on July 4 to midnight on July 5.

**H.B. 112 (Toth) – Firearm Regulation:** would: (1) prohibit a city from adopting a rule, order, ordinance, or policy under which the city enforces certain federal provisions enacted after January 1, 2021, that regulate a firearm, a firearm accessory, or firearm ammunition; and (2) provide that a violation of the prohibition in (1) may be enforced: (a) by denying state grant funds to the city; (b) through court action by the attorney general; and (c) by imposing criminal penalties against officials, employees, and persons acting under control of the city.

**H.B. 167 (Ortega) – Common Nuisance:** would authorize a court to issue a temporary restraining order in a suit to abate certain common nuisances.

**H.B. 173 (Rosenthal) – False Report Liability:** would provide that: (1) a person who submits a false report to a law enforcement agency or emergency service provider, with the intent that the law enforcement agency or emergency service provider take action against a falsely accused person, is liable to the falsely accused person for an amount not to exceed $250 if the report was submitted due to bias or prejudice against the falsely accused person’s race, color, disability, religion, national origin or ancestry, age, gender, sexual orientation or gender identity; and (2) a falsely accused person who prevails in an action described in (1), above, may recover attorney’s fees and costs incurred in bringing the action.

**H.B. 188 (Bernal) – Discrimination:** would, among other things: (1) prohibit a person, other than certain religious organization, from denying an individual full and equal accommodation in any place of public accommodation or otherwise discriminating against or segregating the person because of or based on the individual’s sexual orientation or gender identity or expression; (2)
allow a person described in (1), above, who is aggrieved to file a civil cause of action in district
court to recover actual and punitive damages, attorney’s fees, and injunctive relief, provided that
such action is brought not later than the second anniversary of the occurrence or termination of
the alleged discriminatory practice; (3) prohibit discrimination in employment on the basis of an
individual’s sexual orientation or gender identity or expression; and (4) prohibit a person from
refusing to sell or rent a dwelling to an individual because of such individual’s sexual orientation
or gender identity or expression.

**H.B. 219 (Thierry)** – Abolish Confederate Heroes Day: would abolish Confederate Heroes
Day as a state holiday. (Companion bill is **H.B. 36** by J. Johnson.)

**H.B. 285 (Murr)** – Obstruction or Retaliation: would make the punishment for conduct
constituting the criminal offense of obstruction or retaliation a second degree felony if the victim
is harmed or threatened because of the victim’s service or status as a public servant.

**H.B. 292 (Murr)** – Recovery Housing: would, among other things: (1) prevent a city from
adopting or enforcing an ordinance, order, or other regulation that prevents a recovery house
from operating in a residential community; (2) define a “recovery house” as a shared living
environment that promotes sustained recovery from substance use disorders by integrating
residents into the surrounding community and providing a setting that connects residents to
supports and services promoting sustained recovery from substance use disorders, is centered on
peer support, and is free from alcohol and drug use; (3) require the Health and Human Services
Commission (HHSC) to adopt standards for certification of a recovery house consistent with the
quality standards from the National Alliance for Recovery Residences; (4) require each recovery
house to be managed by a certified recovery house administrator who has completed required
training; (5) require the revocation of a recovery house’s certification if it is without a recovery
house administrator for more than 30 days; and (6) require HHSC to prepare an annual report
regarding recovery houses, including the number of certified recovery houses and any
revocations of their certifications.

**H.B. 298 (Zwiener)** – Dark Sky Communities: would provide that: (1) a city that has applied
for or received the International Dark Sky Community designation may regulate by ordinance
the installation and use of outdoor lighting in the city and the city’s extraterritorial jurisdiction;
(2) a city may sue in any court to enjoin a violation of an ordinance under (1); and (3) a person
who violates an ordinance adopted under (1) commits a Class C misdemeanor offense.

**H.B. 337 (Rosenthal)** – Animal Shelter Records: would require each animal shelter operated
by a city to prepare and maintain monthly records on the intake and disposition of animals, and
provide for how such records must be made available to the public.

**H.B. 371 (Fierro)** – State Holidays: would designate the day after the Super Bowl as a state
holiday.

**H.B. 386 (Pacheco)** – Unlawful Restraint of Dog: would: (1) prohibit and create a criminal
offense for the unlawful restraint of a dog; and (2) provide that the prohibition in (1) does not
preempt a local regulation relating to the restraint of a dog or affect the authority of a political
subdivision to adopt or enforce an ordinance or requirement relating to the restraint of a dog if
the regulation, ordinance, or requirement: (a) is compatible with and equal to, or more stringent
than, the prohibition; or (b) relates to an issue not specifically addressed by the prohibitions.

**H.B. 409 (Cortez) – First Responder Admission to State Parks**: would: (1) provide that the
Texas Parks and Wildlife Department shall waive the park entrance fees and certain license fees
for an individual who is a first responder and who has completed at least 20 years of continuous
service as a first responder or has certain disabilities connected to service as a first responder;
and (2) define “first responder” as, among others: (a) a firefighter certified by the Texas
Commission on Fire Protection or by the State Firefighters’ and Fire Marshals’ Association of
Texas; (b) an individual certified as emergency medical services personnel by the Department of
State Health Services; or (c) a municipal police officer.

**H.B. 433 (K. King) – Electric Generation Tax**: would: (1) impose a tax on each electric
generator in the state that generates electricity using an energy source other than natural gas at
the rate of one cent for each kilowatt hour of electricity generated; and (2) require revenue
collected form the tax to be deposited to the credit of the foundation school fund.

**H.B. 477 (Deshotel) – Casino Gaming**: would: (1) provide for casino gaming in certain state
coastal areas; and (2) provide for a casino gaming tax equal to 18 percent of a casino's gross
gaming revenue to provide additional money for residual windstorm insurance coverage and
catastrophic flooding assistance in coastal areas.

**H.B. 504 (White) – Fireworks**: would expand the days that a retail fireworks seller may sell
fireworks to individuals beginning June 14 and ending on June 19.

**H.B. 505 (White) – Fireworks**: would expand the days that a retail fireworks seller may sell
fireworks to individuals to five days before Labor Day through midnight on Labor Day.

**H.B. 537 (Patterson) – County Internet Notice**: would: (1) authorize a county governmental
entity to satisfy a requirement to provide notice by publication in a newspaper by posting the
notice on the county’s Internet website; and (2) require an electronic display of information
under (1), above, to meet the time, content, appearance, and other requirements provided by law
for posting the notice, to the extent possible.

**H.B. 543 (White) – Working Animals**: would: (1) define “working animal” as an animal used
for the purpose of performing a specific duty or function, including entertainment, transportation,
or education; and (2) preempt a political subdivision from imposing a governmental requirement
that terminates, bans, or effectively bans by imposing an undue financial hardship, the job or use
of a working animal or an enterprise that employs a working animal.

**H.B. 561 (Israel) – Juvenile Curfew**: would, except for purposes of emergency management,
prohibit a political subdivision from adopting or enforcing an order, ordinance, or other measure
that imposes a curfew to regulate the movements or actions or persons younger than 18 years of
age.
**H.B. 587 (Cole) – Public Facility Study**: would require the Texas Facilities Commission to conduct a study to assess the availability and suitability of existing unused and underused public facilities for joint use by two governmental entities, including the economic advantages of that use.

**H.B. 596 (Sherman) – Election Day Holiday**: would designate the first Tuesday after the first Monday in November of an even-numbered year as a state holiday.

**H.B. 604 (Noble) – Animal Shelter**: would require that, as soon as practicable after an animal is placed in the custody of an animal shelter, the shelter scan the animal to determine whether a microchip is implanted in the animal.

**H.B. 610 (Swanson) – State License Holders**: would authorize a person who, or entity that, holds a state license in order to practice the individual’s occupation or conduct the entity’s business to bring legal action against a city to enjoin the enforcement of a local law that: (1) establishes requirements for, imposes restrictions on, or otherwise regulates the occupation or business activity of the license holder in a manner that is more stringent than the requirements, restrictions, and regulations imposed on the license holder under state law; or (2) results in an adverse economic impact on the license holder.

**H.B. 614 (S. Thompson) – Immunity Waiver for Constitutional Violations**: would: (1) authorize a person to bring an action for any appropriate relief against another person, including a public entity, who, under the color of law, deprives the person bringing the action of a right, privilege, or immunity secured by the Texas Constitution; (2) provide that statutory immunity or limitation on liability, damages, or attorney’s fees does not apply to an action brought under (1); (3) provide that qualified immunity is not a defense to an action brought under (1); and (4) require a public entity to indemnify a public employee of the entity for liability incurred by and a judgment imposed against the employee in an action brought under (1), unless the employee is convicted of a criminal violation for the conduct that is the basis for the action.

**H.B. 624 (Shine) – Offense Against Public Servant**: would increase the criminal penalty for certain offenses committed in retaliation for, or on account of, a person’s service or status as a public servant.

**H.B. 634 (E. Morales) – Newspaper Notice**: would, with regard to a city located in a county that does not have a weekly newspaper that meets certain criteria, provide that a notice must be published in a weekly newspaper that: (1) devotes not less than 20 percent of its total column lineage to general interest items; (2) meets one of the following requirements: (a) be entered as periodical postal matter in the county where published; (b) have a mailed or delivered circulation of at least 51% of the residences in the county where published; or (c) be published in the county and designated by the governing body as the newspaper for publication of notices; and (3) has been published regularly and continuously for at least 12 months before the notice is published.

**H.B. 635 (Krause) – Federal Firearms Regulations**: would: (1) with certain border security exceptions, prohibit a city or employee of the city from contracting with or providing assistance to a federal agency or official with respect to the enforcement of a federal statute, order, rule, or
regulation purporting to regulate a firearm, a firearm accessory, or firearm ammunition that imposes a prohibition, restriction, or other regulation, such as a capacity or size limitation or a registration requirement, that does not exist under Texas law; and (2) provide that a violation of the prohibition in (1) may be enforced: (a) by denying state grant funds to the city; and (b) through court action by the attorney general.

**H.B. 636 (S. Thompson) – Texas State Board of Plumbing Examiners**: would, among other things, continue the functions of the Texas State Board of Plumbing Examiners.

**H.B. 647 (Raymond) – Gambling**: would: (1) provide for local option elections to legalize or prohibit the operation of eightliners; and (2) impose a permit fee of $350 per year on each eight-liner, provide that the comptroller shall collect the fee, and require the comptroller to remit 70% of the fee back to the city. (See **H.J.R. 37**, below.)

**H.B. 652 (Paul) – Animal Shelter**: would require an animal shelter to provide notice to each person who adopts an animal from the shelter of any epizootic infectious disease (a disease in excess of the expected frequency in a geographic area or population) that occurs among the animals in the shelter in a period just before or after the animal is adopted.

**H.B. 664 (Landgraf) – Local Debt Elections**: would provide that an election for the issuance of bonds or other debt shall be held on the November uniform election date.

**H.B. 710 (Coleman) – Racial Disparity Impact Statement**: would: (1) require a state agency to prepare a childhood racial disparity impact statement, at the request of the lieutenant governor or speaker of the house, for any bill or joint resolution pending before the legislature that directly affects that agency; and (2) require a childhood racial disparity impact statement to include, among other things, a statement of the extent to which the proposed regulation would directly or indirectly affect the manner in which local governments operate that may result in an increase or decrease in childhood racial disparities.

**H.B. 754 (Cain) – Municipal Regulation of Rental Property**: would preempt a municipality from adopting or enforcing an ordinance that requires a landlord of a multi-unit complex to: (1) obtain a rental license to rent a dwelling; (2) pay a change of address fee for the change of the landlord's address; or (3) pay annual inspection fees totaling more than certain amounts depending on the number of dwelling units.

**H.B. 762 (Israel) – Individuals and Animals in Cars**: would provide that: (1) a person who, by force or otherwise, enters a motor vehicle for the purpose of removing a domestic animal from the vehicle is immune from civil liability for damages resulting from that entry or removal if certain requirements are met; and (2) a person is not immune from civil liability for entering a motor vehicle to remove a vulnerable individual or domestic animal if the person, upon notifying law enforcement or calling 911, is advised by law enforcement personnel to not enter the motor vehicle.

**H.B. 873 (Collier) – Unlawful Restraint of Dog**: would: (1) prohibit and create a criminal offense for the unlawful restraint of a dog; and (2) provide that the prohibition in (1) does not
preempt a local regulation relating to the restraint of a dog or affect the authority of a political subdivision to adopt or enforce an ordinance or requirement relating to the restraint of a dog if the regulation, ordinance, or requirement: (a) is compatible with and equal to, or more stringent than, the prohibition; or (b) relates to an issue not specifically addressed by the prohibition. (Companion bill is H.B. 386 by Pacheco.)

**H.B. 874 (Lopez) – Birth Records of Homeless Person:** would require a state registrar, a local registrar, or a counter clerk to issue a homeless individual’s birth record to the homeless individual without a fee.

**H.B. 886 (Rosenthal) – Rental Housing:** would repeal the provisions in current law that generally prohibit a city or county from adopting or enforcing an ordinance or regulation that prohibits an owner, lessee, sublessee, assignee, managing agent, or other person having the right to lease, sublease, or rent a housing accommodation from refusing to lease or rent the housing accommodation to a person because the person’s lawful source of income to pay rent includes funding from a federal housing assistance program.

**H.B. 901 (Burns) – Eminent Domain:** would: (1) provide that a private entity is subject to numerous additional processes and remedies throughout the eminent domain process; (2) for any eminent domain proceeding, require the judge of a court in which a condemnation petition is filed or to which an eminent domain case is assigned to, not later than the 30th day after the date the property owner received notice that the petition was filed, appoint three special commissioners and two alternate special commissioners; (3) require the judge appointing the special commissioners under (2), above, to give preference to any persons agreed on by the parties before the court appoints the special commissioners; and (4) provide that each party shall have 15 days after the date the property owner received notice of the appointment of the special commissioners to strike one of the three special commissioners, in which case an alternate special commissioner shall serve as a replacement for the special commissioner based on the order that the alternate special commissioners are listed in the initial order of appointment.

**H.B. 902 (Burns) – Eminent Domain:** would make several changes to the eminent domain process. Of primary importance to cities, the bill would:

1. Require the attorney general to establish an ombudsman office for the purpose of providing information to landowners whose real property may be acquired by a governmental or private entity through the use of the entity’s eminent domain authority;
2. Require the attorney general to make available on the attorney general’s website a landowner’s bill of rights that is written in plain language designated to be easily understood by the average property owner, and include the required language in statute;
3. Provide that a person may not receive state certification to buy, sell, lease, or transfer an easement or right-of-way for another for compensation in connection with telecommunication, utility, railroad, or pipeline service unless the person successfully completes at least 16 classroom hours of coursework every two years approved by the Texas Real Estate Commission in:
   a. the law of eminent domain, including the rights of property owners;
b. appropriate standards of professionalism in contacting and conducting negotiations with property owners; and

c. ethical considerations in the performance of right-of-way acquisition services;

4. Provide that an entity with eminent domain authority must provide a copy of the landowner’s bill of rights statement to a landowner at or before the first in-person contact unless the entity expressly states, at that time, it will not seek to file a condemnation petition;

5. Provide that an entity with eminent domain authority makes a bona fide offer when the entity’s initial offer is made in writing and includes:
   a. a copy of the landowner’s bill of rights, unless the entity has previously provided a copy of the statement to the property owner;
   b. an offer of compensation in an amount equal to or greater than one of the following:
      i. the market value of the property rights sought to be acquired, based on an appraisal of the property prepared by a certified general appraiser;
      ii. the estimated price or market value of the property rights sought to be acquired based on data for at least three comparable arm’s-length sales of a property;
      iii. the estimated price or market value of the property rights sought to be acquired based on a comparative market analysis prepared by a licensed real estate broker or certified general appraiser;
      iv. the estimated price of the property rights sought to be acquired based on a broker price opinion prepared by a licensed real estate broker;
      v. the estimated market value of the property rights sought to be acquired based on a market study prepared by a licensed real estate broker or a certified general appraiser; or
      vi. 150 percent of the per acre value for each acre or part of an acre sought to be acquired, based on the total land value for the whole property out of which the property rights are sought to be acquired, as reflected in the most recent tax rolls.
   c. as applicable, the complete written report, or a brief written summary, that forms the basis of the amount of the offer of compensation in 5b above;
   d. an instrument of conveyance, as applicable; and
   e. the name and telephone number of a representative of the entity;

6. Specify the exact terms that must be included in an instrument of conveyance of an easement associated with the exercise of eminent domain authority;

7. Require the judge of a court in which a condemnation petition is filed or to which an eminent domain case is assigned to, not later than the 15th calendar day after the date the petition is filed, appoint three special commissioners and two alternate special commissioners;

8. Provide that each party shall have seven calendar days after the date of the order appointing the special commissioners to strike one of the three special commissioners, in which case an alternate special commissioner shall serve as a replacement for the special commissioner based on the order that the alternate special commissioners are listed in the initial order of appointment;
9. Require the special commissioners in an eminent domain proceeding to schedule a hearing to occur not earlier than the 20th day or later than the 40th day after the date the special commissioners were appointed, unless otherwise agreed to by the parties; and
10. Authorize a special commissioners hearing to be held by videoconference at the request of either party.

H.B. 904 (Bucy) – Election Day Holiday: would designate the first Tuesday after the first Monday in November of an even-numbered year as a state holiday. (Companion bill is H.B. 596 by Sherman.)

H.B. 914 (Hernandez) – Vehicle Parking: would: (1) in order to aid in the enforcement of an ordinance regulating the operation of vehicles for hire, allow a home rule city to authorize an employee to initiate the removal and storage of a vehicle operated in violation of its ordinance without authorization by a peace officer; and (2) in order to aid in the enforcement of an ordinance regulating parking, allow a city to authorize an employee to initiate the removal and storage of a vehicle in an area where on-street parking is regulated and that: (a) is parked illegally; or (b) is parked legally, but has been unattended for more than 48 hours and is reasonably believed to be abandoned.

H.B. 928 (Sherman) – Sale and Marketing of Catfish: would: (1) define “catfish” as any species of the scientific family Ictaluridae and not any species of the scientific genus Pangasius, family Claridae or family Siluridae, including Swai fish; (2) require a food service establishment that offers a food product for sale to: (a) represent and identify a product as catfish only if the product contains catfish; and (b) conspicuously identify the type of fish contained in the product description on the menu if the item does not contain catfish but a fish similar to catfish; (3) provide that a public health district, the Department of State Health Services, or a county that requires a food service establishment to hold a permit may impose an administrative and/or civil penalty against a food service establishment that violates the bill; and (4) provide that the attorney general, district or county attorney for the county, or the municipal attorney of the municipality in which the violation is alleged to have occurred may bring an action to recover a civil penalty under the bill.

H.B. 997 (Fierro) – Motor Vehicle Inspection: would increase the identification number inspection fee for a motor vehicle from $40 to $65.

H.B. 1004 (Gates) – Municipal Management Districts: would provide for the election of directors of a municipal management district created by the Texas Commission on Environmental Quality.

H.B. 1030 (Shaheen) – Newspaper Notice: would: (1) allow a political subdivision to satisfy any law that requires notice to be published in a newspaper by publishing the notice in the following locations: (a) social media, free newspapers, school newspapers, a homeowners’ association newsletter or magazine, utility bills, direct mailings, or any other form of media authorized by the comptroller; and (b) the internet websites maintained by the political subdivision and the comptroller; (2) provide that before providing notice under (1), a political subdivision must hold a public meeting about the alternative notice under (1)(a) and demonstrate
that the circulation will be greater than the circulation of the newspaper with the greatest circulation in the political subdivision; (3) authorize the comptroller to grant a city’s request for a waiver from (1)(b) if the city provides sufficient proof that Internet access is limited in the city, and if the comptroller grants the waiver, the city must provide additional notice on a public agenda board within the city; (4) require a city using alternative media described in (1)(a) to submit notice to the comptroller describing the alternative notice method in (1)(a) and certain other information; (5) authorize the comptroller to require a political subdivision to provide notice in a newspaper if the comptroller determines that the means under (1)(a) do not have greater circulation than a newspaper with the greatest circulation in the political subdivision; and (6) require the comptroller to prepare a report identifying and comparing the effectiveness of different methods of notice publication used by political subdivisions and provide the report to the governor, lieutenant governor, and the speaker of the house.

**H.B. 1034 (Goodwin) – County Fire Code and Building Permits**: would: (1) authorize any county to adopt a fire code and/or a wildland-urban interface code, and allow a county and a city in the county to contract with one another for the administration and enforcement of the codes; and (2) provide that a code adopted in (1) applies only to an unincorporated area of the county.

**H.B. 1083 (P. King) – Animal Shelter**: would: (1) provide that a person’s ownership interest in an impounded animal held in an animal shelter terminates on the date that: (a) another person adopts the animal from the shelter; or (b) the shelter transfers the animal to an animal rescue organization; and (2) allow an animal shelter to offer an animal for adoption or transfer to an animal rescue organization only after the shelter has complied with any applicable holding period set out in an ordinance or rule adopted by the city council in which the shelter is located.

**H.B. 1089 (Reynolds) – Governmental Liability**: would, among other things: (1) provide that a city is liable for property damage, personal injury, or death proximately caused by the negligence of its employee if the employee was acting within the scope of employment and: (a) the employee is a county jailer, peace officer, public security officer, reserve law enforcement officer, telecommunicator, or school marshal; and (b) the employee would be personally liable according to Texas law; (2) increase the maximum liability for a local government other than a city to $250,000 for each person and $500,000 for each single occurrence for bodily injury or death; (3) provide that a claimant may now be awarded exemplary damages if a governmental unit is found liable under (1), above; (4) provide that a governmental unit is not liable when responding to an emergency situation if, among other things, the act is not negligent; (5) provide that a governmental unit is not liable for failure to provide or the method of providing police or fire protection, unless the failure to provide or method of providing protection was negligent, consciously indifferent, or occurred with reckless disregard; (6) remove governmental liability protections for claims based on an injury or death connected with any act or omission arising out of civil disobedience, riot, insurrection, or rebellion; and (7) provide that the existence or amount of insurance of a governmental unit is subject to discovery.

**H.B. 1091 (Reynolds) – Crime Victim Pseudonym**: would: (1) require the office of the attorney general to develop and distribute to all law enforcement agencies a pseudonym form for victims of certain crimes; (2) require a law enforcement agency investigating certain offenses to offer the victim (or the parent, conservator, or guardian, if the victim is a child) a pseudonym to
be used in all public files and records concerning the offense; (3) provide that a victim who completes and returns a pseudonym form may not be required to disclose their name, address, date of birth, and telephone number in connection with the investigation or prosecution of the offense; (4) provide that a victim pseudonym form is confidential and may not be disclosed to any person other than a defendant, except on an order of a court; (5) require a law enforcement agency that receives a victim pseudonym form to: (a) remove the victim’s name and substitute a pseudonym on all reports, files, and record’s in the agency’s possession; (b) notify the attorney for the state; and (c) maintain the form in a manner that protects the confidentiality of the information; (6) provide that, except as required or permitted by law or court order, a public servant or other person who has access to or obtains the name, address, phone number, or other identifying information of certain victims may not release or disclose the information to any person who is not assisting in the investigation, prosecution, or defense of the case; (7) provide that a public servant with access to the name, address, or phone number of certain crime victims who have completed a pseudonym form commits a Class C misdemeanor offense if the public servant knowingly discloses the information to any person who is not assisting in the investigation or prosecution of the offense or to any person other than the defendant, the defendant’s attorney, or a person specified in a court order; and (8) provide that, unless disclosure is required or permitted by other law, a public servant or other person commits a Class C misdemeanor offense if the person: (a) has access to or obtains the name, address, or phone number of certain crime victims; and (b) knowingly discloses the information to a person who is not assisting in the investigation or prosecution of the offense or to any person other than the defendant, the defendants attorney, or a person specified in a court order.

**H.B. 1118 (Capriglione) – Cybersecurity:** would provide that: (1) a local government employee or official that uses a computer to complete at least 25 percent of the employee or official’s required duties shall complete a cybersecurity training certified by the state cybersecurity coordinator and the state’s cybersecurity council; (2) to apply for certain state grants, a local government must submit with its grant application proof of compliance with the cybersecurity training requirements; and (3) a local government that has not complied with the cybersecurity training requirements must repay the grant and will be ineligible for another grant for two years. (Companion Bill is **S.B. 345** by Paxton.)

**H.B. 1173 (Noble) – Abortion:** would: (1) provide that a governmental entity may not enter into a taxpayer resource transaction, appropriate money, or spend money to provide to any person logistical support for the express purpose of assisting a woman with procuring an abortion or the services of an abortion provider; and (2) authorize the attorney general to enjoin a violation of the prohibition in (1). (Companion bill is **S.B. 650** by Campbell.)

**H.B. 1215 (C. Bell) – Federal Action:** would: (1) establish a joint legislative committee to review any federal action to determine whether such action is unconstitutional; (2) provide that any federal action found by the joint legislative committee to be unconstitutional be sent to the legislature for a determination, and then on to the governor for approval or disapproval; (3) provide that any federal action declared to be unconstitutional has no legal effect in Texas; (4) prohibit the state or a political subdivision of the state from spending money to implement a federal action declared unconstitutional; (5) authorize the attorney general (and others) to prosecute a person who attempts to implement or enforce an unconstitutional federal action for
official oppression, as well as other provisions of law; and (6) entitle a person to seek a declaratory judgment that a federal action is unconstitutional and give all courts original jurisdiction over such a proceeding.

**H.B. 1256 (Ashby) – Specialty Court Funding:** would require the comptroller to deposit one percent of both the mixed beverage gross receipts tax and the mixed beverage sales tax to the credit of the specialty court account.

**H.B. 1264 (K. Bell) – Deceased Resident Report:** would, among other things, require the local registrar of deaths to file each abstract with the voter registrar of the decedent’s county of residence and the secretary of state as soon as possible, but not later than one day after the abstract is prepared. (Note: current law authorizes the local registrar to file the abstract with the voter registrar not later than the 10th day after the abstract is prepared.)

**H.B. 1276 (Parker) – Food Service Establishments:** would allow a licensed food service establishment (i.e., a place where food is prepared for individual portion service) to sell directly to an individual consumer food, other than prepared food, that: (1) is in its original condition or packaging as received by the establishment; (2) is labeled with the name and source of the food and the date the food is sold; (3) bears an official mark of USDA inspection, if the food is meat or poultry; (4) does not exceed the shelf life as displayed on the packaging; and (5) has been properly refrigerated, if applicable.

**H.B. 1290 (Reynolds) – County Assistance Districts:** would provide that a county assistance district may perform functions outside the district for the benefit of the district in a location that is not more than five miles from the district in Texas, including the following functions: (1) the construction, maintenance, or improvement of roads or highways; (2) the provision of law enforcement and detention services; (3) the maintenance or improvement of libraries, museums, parks, or other recreational facilities; (4) the provision of services that benefit the public health or welfare, including the provision of firefighting and fire prevention services; or (5) the promotion of economic development and tourism.

**H.B. 1310 (Guillen) – Tuition and Fees for Paramedics:** would: (1) require the governing board of an institution of higher education to exempt from the payment of tuition and laboratory fees any student enrolled in one or more courses offered as part of fire science curriculum who is employed as a paramedic by a political subdivision; (2) provide that the governing board of an institution of higher education may, in accordance with Texas Higher Education Coordinating Board rule, exclude a course that is offered through distance education from the exemption that provides a firefighter or paramedic employed by a political subdivision and certain members of volunteer fire departments are exempt from paying tuition or laboratory fees for courses offered as part of a fire science curriculum; and (3) require the Texas Higher Education Coordinating Board to adopt rules governing the granting or denial of an exemption from paying tuition or laboratory fees, including rules: (a) prescribing the educational attainment or level of certification necessary to qualify for an exemption as a paramedic; and (b) relating to the exclusion from the exemption under (2), above, of a distance education course, including prescribing the maximum number of distance education courses that may be excluded from the exemption. (Companion bill is S.B. 384 by Powell.)
H.B. 1341 (Leach) – First Responder Admission to State Parks: would: (1) provide that the Texas Parks and Wildlife Department shall waive the park entrance fees and certain license fees for an individual who is a first responder; and (2) define “first responder” as, among others: (a) a firefighter certified by the Texas Commission on Fire Protection or by the State Firefighters’ and Fire Marshals’ Association of Texas; (b) an individual certified as emergency medical services personnel by the Department of State Health Services; or (c) a municipal police officer.

H.B. 1381 (Longoria) – Library Construction Grants: would: (1) add construction grants for the establishment of new public libraries or the improvement of existing libraries to the list of possible grants programs that may be established by the Texas State Library and Archives Commission; and (2) allow libraries and library systems to use state grants for new construction, rehabilitation, or renovation of a library or the infrastructure of a library.

H.B. 1448 (Dutton) – Census Data for Incarcerated Persons: would, among other things: (1) include an incarcerated person’s last residence before incarceration for the population data used for redistricting, including redistricting for political subdivisions that have election districts, wards, or precincts that are subject to the one-person, one-vote requirement of the U.S. Constitution; (2) provide that not later than June 1 of the year in which the federal decennial census is conducted, each state or local governmental entity in Texas that operates a facility for the incarceration of persons convicted of a criminal offense, including a mental health institution for those persons, or that places any person convicted of a criminal offense in a private facility to be incarcerated on behalf of the governmental entity, shall submit a report to the comptroller with the following information: (a) a unique identifier, not including the name, for each person incarcerated in a facility operated by the governmental entity or in a private facility on behalf of the governmental entity on the date for which the census reports population who completed a census form, responded to a census inquiry, or was included in any report provided to census officials, if the form, response, or report indicated that the person resided at the facility on that date; (b) the age, gender, and race of each person included in the report and whether the person is of Hispanic, Latino, or Spanish origin, if known; and (c) the last address at which the person resided before the person’s current incarceration; and (3) provide that the information required to be included in a report under (2), above, is confidential and not subject to disclosure under the Public Information Act.

H.B. 1478 (Cyrier) – Liability for Recreational Vehicle Parks: would provide that: (1) a recreational vehicle park (RV park) or campground is liable for an injury proximately caused by: (a) the RV park or campground entity’s negligence evidencing a disregard for the safety of the RV park or campground participant; (b) a potentially dangerous condition on the land, facilities, or equipment used in the activity, of which the RV park or campground entity had actual knowledge or reasonably should have known; or (c) the RV park or campground entity’s failure to train or improper training of an employee of the RV park or campground entity actively involved in a RV park or campground activity; (2) a RV park or campground is liable for an injury intentionally caused by the RV park or campground entity; and (3) other than as provided in (1) and (2), above, a RV park or campground entity is not liable to any person for a RV park or campground participant injury or damages arising out of a RV park or campground participant
injury if, at the time of the RV park or campground activity from which the injury arises, the required warning sign regarding the RV park or campground’s limited liability was posted.

**H.B. 1492 (Herrero) – Navigation Districts:** would, among other things, authorize a navigation district to act to prevent, detect, and fight a fire or explosion or hazardous material incident that occurs on, or adjacent to, a waterway, channel, or turning basin that is located in the district’s territory, regardless of whether the waterway, channel, or turning basin is located in the corporate limits of a city. (Companion bill is S.B. 278 by Hinojosa.)

**H.B. 1493 (Herrero) – Falsely Implying Governmental Affiliation:** would provide that: (1) a governmental unit is entitled to injunctive relief if another person’s use of an entity name might falsely imply governmental affiliation with the governmental unit; and (2) if a court finds that the person against whom injunctive relief is sought willfully intended to imply governmental affiliation with the governmental unit, the court has discretion to enter judgment in an amount not to exceed three times the amount of the entity’s profits and the governmental unit’s damages and award reasonable attorney’s fees to the governmental unit. (Companion bill is S.B. 275 by Hinojosa.)

**H.B. 1495 (Dutton) – Attorney’s Fees:** would provide that: (1) if a court determines that an order, ordinance, or similar measure of a political subdivision is unenforceable because it is preempted by the state constitution or a state statute, the court shall award the person prevailing in the action challenging the order, ordinance, or measure on that basis court costs and reasonable and necessary attorney’s fees to be paid by the political subdivision; (2) if a court determines that an officer of a political subdivision has failed to perform an act of the office required by the state constitution or a state statute, the court shall award the person prevailing in the action challenging the officer for failure to perform that act court costs and reasonable and necessary attorney’s fees to be paid by the political subdivision for which the officer served at the time of the failure to perform the act; and (3) the provisions in (1) and (2), above, do not apply to a city or county with a population of less than 45,000.

**H.B. 1506 (Zweiner) – Eminent Domain:** would provide that: (1) a governmental entity may take possession of condemned property pending the results of further litigation, if the entity pays the property owner or deposits with the court the amount awarded by the special commissioners; and (2) the possession may not take place before the 180th day after the date of the commissioners’ award.

**H.B. 1517 (Dutton) – Alcohol Sales:** would provide that the Texas Alcoholic Beverage Commission may, on the request of the chief executive officer of a city, extend the hours during which alcoholic beverages may be sold and consumed in a licensed or permitted premises located in a hotel in the city during a special event that is being held in or near the city not to exceed 72 consecutive hours.

**H.B. 1547 (Gates) – County Assistance Districts:** would provide that: (1) if a proposed county assistance district (CAD) includes any territory of a municipality, the governing body of the municipality may exclude the incorporated territory of the municipality and may not exclude territory in the municipality’s extraterritorial jurisdiction from the proposed CAD; and (2) when
a municipality requests that a CAD exclude annexed territory from the CAD, the CAD shall exclude from the CAD territory annexed for full purposes by a municipality, if: (a) the CAD has no outstanding bonds payable wholly or partly from sales and use taxes and the exclusion does not impair any outstanding CAD debt or contractual obligation; and (b) the municipality: (i) provides notice to the CAD that full municipal services will be provided to the annexed territory by a specific date; and (ii) requests that the CAD exclude the annexed territory from the territory of the CAD.

**H.B. 1560 (Goldman) – Licensing and Regulation:** would provide for the continuation and functions of the Texas Department of Licensing and Regulation and, among other things, would: (1) deregulate (no longer license) polygraph examiners and auctioneers; and (2) eliminate certain court-ordered driver education programs. (Companion bill is S.B. 714 by Buckingham.)

**H.B. 1580 (Rosenthal) – Office of Community Violence Intervention:** would, among other things: (1) create the Office of Community Violence Intervention (Office) for the purposes of, among other things: (a) providing leadership, coordination, and technical assistance to promote effective state and local efforts on reducing preventable injuries and deaths resulting from all forms of physical violence; (b) collaborating with governmental entities, law enforcement agencies, community-based organizations, business leaders, and other appropriate individuals in Texas to develop evidence-based policies, strategies, and interventions to reduce the impacts of violence in Texas; and (c) awarding grants; (2) provide that the Office, with the advice of an advisory committee, shall award grants for community violence intervention and prevention through a competitive process to counties and municipalities that are disproportionately impacted by a high incidence of violence; and (3) provide that a county or municipal recipient of a grant award under (2) must distribute not less than 50 percent of the grant money to one or more of the following: (a) a community-based organization; (b) an Indian tribe or tribal organizations; or (c) a public entity whose primary focus is community safety or gun violence prevention.

**H.B. 1591 (Leach) – Funeral Establishments:** would provide that the distance requirements for cemeteries or any use of land for the internment of remains from city limits would not apply to a funeral establishment licensed by the Texas Funeral Service Commission.

**H.B. 1598 (Jarvis Johnson) – Office of Independent Oversight Ombudsman:** would, among other things, create the Office of Independent Oversight Ombudsman as a state agency for the purpose of monitoring the conditions of confinement and treatment of offenders, investigating, evaluating, and securing the rights of offenders, and assisting the Texas Department of Criminal Justice in improving its operations.

**H.B. 1608 (Rosenthal) – Data Collection:** would require the Health and Human Services Commission (Commission) to ensure that each local government entity responsible for providing data to the Commission or a health and services agency in connection with a public benefits program administered by the Commission or agency: (1) provide individuals from whom demographic data is sought the option to report certain detailed data regarding the individual’s race or ethnic origin and sex or gender; and (2) collect certain data from individuals who receive, or were receiving at the time of the individual’s death, benefits under a program.
H.B. 1615 (Cyrier) – Texas Parks and Wildlife Department: would, among other things, continue the functions of the Texas Parks and Wildlife Department until September 1, 2033.

H.B. 1619 (Ramos) – Personal Identification Documents: would, among other things, provide that on request of a person who is a trafficking victim, the state registrar, a local registrar, or a county clerk shall issue without fee a certified copy of the person’s birth record.

H.B. 1620 (Ramos) – Abortion Providers: would repeal the law that: (1) provides, with certain exceptions, that a governmental entity may not enter into a taxpayer resource transaction or contract with an abortion provider or an affiliate of an abortion provider; and (2) provides that the attorney general may bring an action in the name of the state to enjoin a violation of (1) and may recover reasonable attorney’s fees and costs in bringing that action.

H.B. 1652 (Wilson) – Farmers’ Markets: would: (1) define “food producer” as a person who grew, raised, processed, prepared, manufactured, or otherwise added value to the food product the person is selling; (2) provide that a temporary food establishment permit or permit issued by a public health district to a farmer for the sale of food directly to consumers at a farmers’ market, farm stand, or the farmer’s farm or to a food producer: (a) must be valid for a term of not less than one year; (b) may impose an annual fee not to exceed $100; and (c) must cover sales at all locations within the jurisdiction of the permitting authority; and (3) provide that a farmer or food producer who is charged an annual fee in excess of (2)(b) or whose permit does not otherwise comply with the bill may bring an action against the governmental entity that charged the fee or issued the permit to recover: (a) the amount the farmer or food producer was charged in excess of the annual fee authorized by (2)(b); and (b) reasonable and necessary attorney’s fees. (Companion bill is S.B. 617 by Kolkhorst.)

H.B. 1666 (Thierry) – Local Health Departments: would provide that the executive commissioner of Health and Human Services Commission shall establish a separate provider type for local health departments, including health service regional offices acting in the capacity of local health departments, for purposes of enrollment as a provider for and reimbursement under the medical assistance program. (Companion bill is S.B. 73 by Miles.)

H.B. 1676 (Goodwin) – Child Water Safety Requirements: would: (1) provide that an organization, including a school, preschool, kindergarten, nursery school, or day camp or youth camp that takes a child in its care or under its supervision to a body of water (including a pool) or otherwise allows a child access to a body of water shall: (a) determine whether the child is able to swim or is at risk when swimming; and (b) if the organization does not own or operate the body of water, provide the owner or operator of the body of water a written or electronic disclosure that clearly identifies each child who is unable to swim or is at risk when swimming; and (2) require the organization, during the time each child who is unable to swim or is at risk when swimming has access to a body of water, to: (a) provide the child an approved personal flotation device; and (b) ensure the child is wearing the appropriate personal flotation device and the device is properly fitted for the child.

H.B. 1683 (Landgraf) – Oil and Gas Operations: would: (1) prohibit an agency of this state or political subdivision from contracting with or providing assistance to a federal agency or official
with respect to the enforcement of a federal state, order, rule, or regulation purporting to regulate oil and gas operations if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation that does not exist under the laws of Texas; and (2) provide that the prohibition in (1) may be enforced: (a) by denying state grant funds to the political subdivision; and (b) through court action by the attorney general.

**H.B. 1703 (Middleton) – Conflicts Disclosure**: would, among other things, provide that a local government officer is required to file a conflicts disclosure statement if a vendor: (1) is a family member of the officer, defined to include a person within the third degree by blood or the second degree by marriage; (2) has an employment or business relationship with the officer or a family member of the officer, or a business entity in which the officer or a family member of the officer holds an ownership interest or is an employee, that results in the officer, family member, or business entity receiving certain taxable income; (3) has an employment or other business relationship with the officer, a family member of the officer, or a business entity in which the officer or a family member of the officer holds an ownership interest or is an employee, or that the officer anticipates will result in the officer, family member, or business entity receiving any amount of taxable income, including investment income, in the future; or (4) has given to the officer or a family member of the officer, or a business entity in which the officer or family member of the officer holds an ownership interest or is an employee, certain gifts.

**H.B. 1720 (Reynolds) – County Assistance Districts**: would provide that, without a petition or election, a county assistance district may include an area in the district that has no registered voters.

**H.B. 1760 (Krause) – Reporting of Federal Funds**: would require a political subdivision that receives or expends a federal grant or other federal funds that have not been appropriated by the legislature to report to the Legislative Budget Board, the comptroller, and the governor not later than the 150th day of the political subdivision's fiscal year: (a) the total amount of federal funds received or expended in the previous fiscal year; and (b) the use or proposed use of those federal funds.

**H.B. 1767 (Anchia) – Handguns**: would: (1) prohibit a state agency or political subdivision from taking any action that states or implies that a license holder who is carrying a handgun is prohibited from entering or remaining on a premises or other place owned and occupied by the governmental entity or leased to and occupied by the governmental entity, unless the license holder is prohibited from carrying a handgun on the premises under certain laws; and (2) require a resident that gives an agency or political subdivision written notice of a violation of the prohibition in (1) include in the written notice a copy of any document or the specific location of a sign found to be in violation of the prohibition in (1).

**H.B. 1770 (Anchia) – Licensed Handgun Carry**: would provide that a city over 750,000 population may hold an election on the question of whether the city can adopt an ordinance to prohibit a person who holds a license to carry a handgun from carrying in that city.

**H.B. 1772 (Anchia) – Licensed Carry**: would provide that, in relation to the notice required to prohibit licensed carry (e.g., “30.06” and “30.07” signs), the words “Pursuant to Section 30.06,
Penal Code, Concealed Carry of Handguns Prohibited” and/or “Pursuant to Section 30.07, Penal Code, Open Carry of Handguns Prohibited,” along with a pictogram that shows a handgun within a circle and a diagonal line across the handgun, provide sufficient notice to a license holder that carrying is prohibited on the premises.

**H.B. 1818 (Patterson) – Pet Stores:** would provide that: (1) a pet store may not sell a dog or cat unless the pet store obtained the dog or cat from: (a) an animal control agency; (b) an animal shelter; (c) an animal rescue organization; or (c) a licensed breeder; and (2) a pet store that violates (1) is liable to the state for a civil penalty in an amount not to exceed $500 for each dog or cat sold in violation of (1).

**H.B. 1819 (Martinez) – Emergency Services Districts:** would: (1) authorize two or more emergency services districts (ESDs) to adopt and enforce a fire code, including fines for any violations, for the area served by the ESDs if the ESDs have established a joint response area through contracts that includes land in two or more counties; and (2) provide that the board of an ESD that adopts a fire code under (1) may not enforce the fire code in the boundaries of a city that has adopted a fire code, except for an area that has been annexed only for limited purposes in which the city does not enforce a fire code.

**H.B. 1830 (Cyrier) – Animal Health Commission:** this is the Texas Animal Health Commission sunset bill. The bill continues the commission until 2033. (Companion bill is S.B. 705 by Lucio.)

**H.B. 1835 (Canales) – Texas Department of Agriculture:** this is the Texas Department of Agriculture sunset bill. The bill, among other things: (1) continues the department until 2033; and (2) repeals: (a) the Rural Foundation; (b) the Rural Health & Economic Development Advisory Council; and (c) the Early Childhood Health and Nutrition Interagency Council. (Companion bill is S.B. 703 by Buckingham.)

**H.B. 1841 (Lambert) – Local Mental Health Authority:** would provide that each local mental health authority group shall meet at least quarterly to collaborate on planning and implementing regional strategies to reduce: (1) costs to local governments of providing services to persons experiencing a mental health crisis; (2) transportation to mental health facilities of persons served by an authority that is a member of the group; (3) incarceration of persons with mental illness in county jails that are located in an area served by an authority that is a member of the group; and (4) visits by persons with mental illness at hospital emergency rooms located in an area served by an authority that is a member of the group. (Companion bill is S.B. 454 by Kolkhorst.)

**H.B. 1857 (Anchia) – Licensed Carry:** would: (1) prohibit a person who holds a license to carry a handgun from carrying on the premises or property of an indoor or outdoor arena, stadium, golf course, automobile racetrack, amphitheater, auditorium, theater, museum, zoo, civic center, or convention center, unless the license holder is a participant in an event conducted at the facility and a handgun is used in the event; and (2) provide that the prohibition in (1) is not effective without proper notice.
H.B. 1877 (Gates) – Vacant Residential Buildings: would: (1) prohibit a city or county from adopting or enforcing an order, ordinance, or other regulation that requires an owner of a vacant residential building, when repairing damage to the building, to improve the building to a condition that is better than would have been legally acceptable before the damage occurred, including by requiring conformance to updated building code standards; (2) prohibit the governor to exempt a city or county from this prohibition by an executive order issued under the Texas Disaster Act; (3) provide that an owner of a vacant residential building who is required to improve the building in violation of this prohibition may: (a) bring an action against the city or county that violated state law for damages incurred due to the violation; and (b) recover reasonable attorney's fees and litigation costs if the owner prevails in the action; and (4) waive governmental immunity of the city or county to suit and from liability to the extent of liability created by this prohibition.

H.B. 1878 (Gates) – Vacant Residential Buildings: would: (1) prohibit a city or county from adopting or enforcing an order, ordinance, or other regulation that requires an owner of a vacant residential building to obtain a permit to conduct repairs to the building if the repairs are necessary to: (a) protect public safety; or (b) prevent further damage to the building; (2) prohibit the governor to exempt a county or municipality from this prohibition by an executive order issued under the Texas Disaster Act; (3) provide that an owner of a vacant residential building who is required to obtain a permit in violation of this prohibition may: (a) bring an action against the county or municipality that violated state law for damages incurred due to the violation; and (b) recover reasonable attorney's fees and litigation costs if the owner prevails in the action; and (4) waives governmental immunity of the city or county to suit and from liability to the extent of liability created by this prohibition.

H.B. 1879 (Schofield) – Eminent Domain: would, in relation to a property owner’s right to repurchase property from a condemning entity: (1) eliminate the following as elements establishing “actual progress” on a project: (a) the acquisition of a tract or parcel of real property adjacent to the property for the same public use project for which the owner’s property was acquired; and (b) for a governmental entity, the adoption by a majority of the entity's governing body at a public hearing of a development plan for a public use project that indicates that the entity will not complete more than one tolling action before the tenth anniversary of the date of acquisition of the property; and (2) require three of five remaining elements to be met to establish actual progress.

H.B. 1887 (Schofield) – Local Debt: would prohibit a political subdivision from issuing a public security to purchase or lease tangible personal property if the expected useful life of the property ends before the maturity date of the public security.

H.B. 1898 (Beckley) – Tuition Fees for Emergency Operators: would provide, with certain exceptions, that: (1) the governing board of an institution of higher education shall exempt from the payment of tuition and laboratory fees charged by the institution for courses relating to emergency telecommunications, criminal justice, or emergency medical services an undergraduate student who: (a) is employed as an emergency response operator or emergency services dispatcher by Texas or by a political subdivision in Texas; (b) is enrolled in a certificate or degree program relating to emergency telecommunications, criminal justice, or emergency
medical services at the institution; (c) is making satisfactory academic progress toward the student's certificate or degree as determined by the institution; and (d) applies for the exemption at least one week before the last date of the institution's regular registration period for the applicable semester or other term.

**H.B. 1960 (Beckley) – Short-Term Rental Preemption:** would severely limit a city’s authority to regulate short-term rentals. Specifically, the bill would provide that:

1. “short-term rental unit” means a dwelling that is: (a) used or designed to be used as the home of a person, family, or household, including a single-family dwelling or a unit in a multi-unit building, including an apartment, condominium, cooperative, or timeshare; and (b) rented wholly or partly for a fee and for a period of less than 30 consecutive days;
2. the bill does not require a city to regulate a short-term rental unit, but does require a city that elects to regulate a unit to comply with the bill;
3. except as provided by the bill, a city may not: (a) adopt or enforce an ordinance, rule, or other measure that: (i) prohibits or limits the use of property as a short-term rental unit; or (ii) is applicable solely to short-term rental units, or short-term rental unit providers, short-term rental unit tenants, or other persons associated with short-term rental units; or (b) apply a municipal law, including a noise restriction, parking requirement, or building code requirement, or other law to short-term rental units or short-term rental unit providers, short-term rental unit tenants, or other persons associated with short-term rental units in a manner that is more restrictive or otherwise inconsistent with the application of the law to other similarly situated property or persons;
4. in regard to a short-term rental unit, a city may prohibit: (a) the use of the unit to promote activities that are illegal under municipal or other law; (b) the provision or management of the unit by a registered sex offender or any person having been convicted of a felony; (c) the serving of food to a tenant unless the serving of food at the unit is otherwise authorized by municipal law; (d) the rental of the unit to a person younger than 18 years of age; or (d) the rental of the unit for less than 24 hours;
5. in regard to a short-term rental unit, a city may require: (a) a unit provider (an undefined term) to: (i) register the unit; (ii) designate an emergency contact responsible for responding to complaints regarding the unit; (iii) have the unit inspected on an annual basis by the local building code department or fire marshal, as applicable, to verify that the unit meets state and municipal requirements; and (iv) post the number of a permit issued by the city for the unit on every listing advertising the unit on a short-term rental unit listing service; and (b) either: (i) a unit provider or property manager on the provider’s behalf to maintain property and liability insurance for the unit in an amount required by the city; or (ii) the unit provider to provide proof that the short-term rental unit listing service that lists the unit is maintaining property and liability insurance for the unit in an amount required by the municipality;
6. “bedroom” means an area of a residential dwelling intended and used as sleeping quarters, and the term does not include a kitchen, dining room, bathroom, living room, utility room, closet, or storage area;
7. a city may limit the maximum occupancy of individuals 18 years of age or older in a unit to a number that is not less than two individuals multiplied by the number of bedrooms in the unit plus two additional individuals;
8. with regard to registration, a city that adopts a registration requirement: (a) shall approve or deny a registration application not later than the 45th calendar day after the date the city receives the application, or the application is deemed approved; (b) if the municipality approves a registration application, shall issue a permit valid for at least one year following the date of the issuance of the permit; (c) may suspend a permit only in accordance with the bill; and (d) may not charge a registration fee in an amount greater than the lesser of an amount to cover the administrative costs of enforcing the registration requirement or $450; (e) may require the short-term rental unit provider to affirm that the unit does not violate any rules or bylaws of any condominium, cooperative, property owners’ association, or other similar entity that has jurisdiction over the property in which the unit is located; (f) may maintain an Internet website or telephone hotline that enables a member of the public to file a complaint regarding a short-term rental unit; (g) may deny renewal of a permit if the short-term rental unit provider did not provide the city with a renewal application before midnight on the date in which the permit expires; (g) may prohibit transfer of registration permits; (h) may not restrict the number of permits issued for short-term rental units, including units in multi-family dwellings, located in a commercial area or another area outside of a residential area of the city regardless of whether a unit is the primary residence of the unit owner; (i) may not restrict the number of permits issued for short-term rental units that are located within a residential area of the city and are the primary residence of the unit owner; (j) may restrict the number of permits issued for short-term rental units that are located in a residential area and not the primary residence of the owner if the city: (i) finds that active enforcement of the city’s noise restrictions, parking requirements, building code requirements, or other laws is insufficient to protect the health and safety of municipal residents in the residential area; and (ii) does not prohibit more than 12.5 percent of the total number of residential properties in the city from being eligible for a permit; and (k) a registration requirement adopted by a city that is more stringent than requirements in effect immediately before the new requirement takes effect applies only to a permit issued or renewed on or after the effective date of the new requirement;

9. with regard to registration suspension: (a) a city may suspend the registration of a short-term rental unit for a period not to exceed one year if: (i) as a direct result of the operation of the unit, the unit has been in violation of a municipal law related to noise, parking, or habitability standards at least three times during one calendar year; (ii) the unit provider is delinquent in the remittance of a local hotel occupancy tax by more than 90 days and the city has provided sufficient notice and opportunity for the provider to remit the tax; or (iii) the unit provider is in violation of a municipal requirement enacted in accordance with the bill; and (b) the city has the burden of proof of demonstrating that the violation was a direct result of the short-term rental unit’s operation and the unit provider failed to make reasonable attempts to abate the violation;

10. in addition to any penalty provided for an underlying offense or violation, a city may assess a civil penalty against a unit provider not to exceed $200 per day for a violation of the bill;

11. if a short-term rental unit provider knowingly tolerates a violation of the bill, fails to make reasonable attempts to abate a violation, and has violated a municipal law related to unsanitary conditions, noise, over-occupancy, parking, or solid waste five times or more
in a calendar year, the city may assess a civil penalty against the unit provider in an amount not to exceed $2,000 per day for the violation; and

12. the bill does not prohibit a city from contracting with a third party, which may be a short-term rental listing service (defined as a person who facilitates, including by listing short-term rental units on an Internet website, the rental of a short-term rental unit), to provide services that assist in ensuring compliance with municipal requirements imposed in accordance with the bill.

**H.B. 1961 (Beckley) – Short-Term Rental Preemption**: would severely limit a city’s authority to regulate short-term rentals. Specifically, the bill would provide that:

1. “short-term rental unit” means a dwelling that is: (a) used or designed to be used as the home of a person, family, or household, including a single-family dwelling or a unit in a multi-unit building, including an apartment, condominium, cooperative, or timeshare; and (b) rented wholly or partly for a fee and for a period of less than 30 consecutive days;

2. the bill does not require a city to regulate a short-term rental unit, but does require a city that elects to regulate a unit to comply with the bill;

3. except as provided by the bill, a city may not: (a) adopt or enforce an ordinance, rule, or other measure that: (i) prohibits or limits the use of property as a short-term rental unit; or (ii) is applicable solely to short-term rental units, or short-term rental unit providers, short-term rental unit tenants, or other persons associated with short-term rental units; or (b) apply a municipal law, including a noise restriction, parking requirement, or building code requirement, or other law to short-term rental units or short-term rental unit providers, short-term rental unit tenants, or other persons associated with short-term rental units in a manner that is more restrictive or otherwise inconsistent with the application of the law to other similarly situated property or persons;

4. in regard to a short-term rental unit, a city may prohibit: (a) the use of the unit to promote activities that are illegal under municipal or other law; (b) the provision or management of the unit by a registered sex offender or any person having been convicted of a felony; (c) the serving of food to a tenant unless the serving of food at the unit is otherwise authorized by municipal law; (d) the rental of the unit to a person younger than 18 years of age; or (d) the rental of the unit for less than 24 hours;

5. in regard to a short-term rental unit, a city may require: (a) a unit provider (an undefined term) to: (i) register the unit; (ii) designate an emergency contact responsible for responding to complaints regarding the unit; (iii) have the unit inspected on an annual basis by the local building code department or fire marshal, as applicable, to verify that the unit meets state and municipal requirements; and (iv) post the number of a permit issued by the city on every listing advertising the unit on a short-term rental unit listing service; and (b) either: (i) a unit provider, or property manager on the provider’s behalf, to maintain property and liability insurance for the unit in an amount required by the city; or (ii) the unit provider to provide proof that the short-term rental unit listing service that lists the unit is maintaining property and liability insurance for the unit in an amount required by the city;
6. “bedroom” means an area of a residential dwelling intended and used as sleeping quarters, and the term does not include a kitchen, dining room, bathroom, living room, utility room, closet, or storage area;

7. a city may limit the maximum occupancy of individuals 18 years of age or older in a unit to a number that is not less than two individuals multiplied by the number of bedrooms in the unit plus two additional individuals;

8. with regard to registration, a city that adopts a registration requirement: (a) shall approve or deny a registration application not later than the 45th calendar day after the date the city receives the application, or the application is deemed approved; (b) if the city approves a registration application, shall issue a permit valid for at least one year following the date of the issuance of the permit; (c) may suspend a permit only in accordance with the bill; (d) may not charge a registration fee in an amount greater than the lesser of an amount to cover the administrative costs of enforcing the registration requirement or $450; (e) may require the short-term rental unit provider to affirm that the unit does not violate any rules or bylaws of any condominium, cooperative, property owners’ association, or other similar entity that has jurisdiction over the property in which the unit is located; (f) may maintain an Internet website or telephone hotline that enables a member of the public to file a complaint regarding a short-term rental unit; (g) may deny renewal of a permit if the short-term rental unit provider did not provide the city with a renewal application before midnight on the date in which the permit expires; (g) may prohibit transfer of registration permits; (h) may not restrict the number of permits issued for short-term rental units, including units in multi-family dwellings, located in a commercial area or another area outside of a residential area of the city regardless of whether a unit is the primary residence of the unit owner; (i) may not restrict the number of permits issued for short-term rental units that are located within a residential area of the city and are the primary residence of the unit owner; (j) may place a reasonable density restriction or reasonable per capita percentage restriction on the number of permits issued for short-term rental units that are located in a residential area and not the primary residence of the owner if the city: (i) finds that active enforcement of the city’s noise restrictions, parking requirements, building code requirements, or other laws is insufficient to protect the health and safety of city residents in the residential area; (ii) does not prohibit more than 12.5 percent of the total number of residential properties in the city from being eligible for a permit; and (iii) applies the restriction uniformly across the entire city; (k) the registration is considered approved if a city fails to approve or deny a registration application in accordance with certain requirements; and (l) a registration requirement adopted by a city that is more stringent than requirements in effect immediately before the new requirement takes effect applies only to a permit issued or renewed on or after the effective date of the new requirement;

9. with regard to registration suspension: (a) a city may suspend the registration of a short-term rental unit for a period not to exceed one year if: (i) as a direct result of the operation of the unit, the unit has been in violation of a municipal law related to noise, parking, or habitability standards at least three times during one calendar year; (ii) the unit provider is delinquent in the remittance of a local hotel occupancy tax by more than 90 days and the city has provided sufficient notice and opportunity for the provider to remit the tax; or (iii) the unit provider is in violation of a municipal
requirement enacted in accordance with the bill; and (b) the city has the burden of proof of demonstrating that the violation was a direct result of the short-term rental unit’s operation and the unit provider failed to make reasonable attempts to abate the violation;

10. in addition to any penalty provided for an underlying offense or violation, a city may assess a civil penalty against a unit provider not to exceed $200 per day for a violation of the bill;

11. if a short-term rental unit provider knowingly tolerates a violation of the bill, fails to make reasonable attempts to abate a violation, and has violated a municipal law related to unsanitary conditions, noise, over-occupancy, parking, or solid waste five times or more in a calendar year, the city may assess a civil penalty against the unit provider in an amount not to exceed $2,000 per day for the violation;

12. with regard to listing requirements: (a) a short-term rental unit listing service may not list a short-term rental unit that does not hold a permit in violation of a municipal ordinance; and (b) a city that revokes a short-term rental unit permit may notify a short-term rental unit listing service of the revocation for the service to comply with (a);

13. the comptroller’s office shall establish and maintain a statewide database of all cities that have adopted short-term rental unit ordinances and publish the list on its website;

14. the bill does not prohibit: (a) a condominium, cooperative, property owners’ association, or other similar entity from prohibiting or otherwise restricting an owner of property within the entity’s jurisdiction from using the property as a short-term rental unit; (b) a lessor, through the terms of a lease agreement, from restricting the use of the leased property as a short-term rental unit; or (c) a property owner from placing a restrictive covenant or easement on the property that restricts the future use of the property as a short-term rental unit;

15. a person who facilitates a short-term rental but does not collect hotel tax on the short-term rental shall file with the comptroller a report stating: (a) the physical address of the property rented; (b) the name and address of the owner of the property rented; (c) the dates of the rental; (d) the amount paid for the rental if the person facilitated payment for the rental; (e) the listing price for the rental if the person listed a price for the rental; and (f) any other information required by the comptroller;

16. the comptroller shall make information obtained from a report under (15) available to a city or county that imposes a hotel occupancy tax on the short-term rental described by the report; and

17. the bill does not prohibit a city from contracting with a third party, which may be a short-term rental listing service (defined as a person who facilitates, including by listing short-term rental units on an Internet website, the rental of a short-term rental unit), to provide services that assist in ensuring compliance with municipal requirements imposed in accordance with the bill.

**H.B. 1962 (Beckley) – Hotel Occupancy Taxes:** would, among other things: (1) require a short-term rental marketplace to collect the appropriate amount of city hotel occupancy taxes for a city in which a short-term rental is located on each booking charge with respect to that short-term rental; (2) require a short-term rental marketplace to report and remit all taxes collected by the marketplace in the manner required of a person owning, operating, managing, or controlling a
hotel and in accordance with the ordinance adopted by the city imposing the tax, or otherwise by agreement with the comptroller or a third-party vendor, if applicable; (3) provide that a short-term rental marketplace is considered to be the person owning, operating, managing, or controlling the short-term rental for purposes of the collection and enforcement of city hotel occupancy taxes; (4) provide that a host may not collect and is not liable for a city hotel occupancy tax on a booking charge for a rental made through the short-term rental marketplace; (5) provide that a short-term rental marketplace may enter into an agreement with the comptroller to collect and remit to the comptroller city hotel occupancy taxes on each booking charge for a rental made through the short-term rental marketplace, or alternatively may enter into an agreement with a third-party vendor to remit to the city the city hotel occupancy taxes that the short-term rental collects; (6) require an agreement with a third-party vendor described by (5), above, to be approved by the city council in order to be effective; (7) require the comptroller or third-party vendor, as applicable, to promulgate a form a short-term rental marketplace must use to report the taxes collected by the short-term rental marketplace, and require the form to include specific information on receipts, booking charges, and the rate of the tax; (8) prohibit the form described in (7), above, from requiring the identification of a specific guest or the host of a short-term rental; (9) provide that if a short-term rental marketplace collects and remits city hotel occupancy taxes to the comptroller pursuant to an agreement, the comptroller shall: (a) deposit the taxes remitted to the comptroller in trust in the separate suspense account of the city in which the short-term rentals are located; and (b) send to the city treasurer or to the person who performs the office of the city treasurer payable to the city the city’s share of the taxes remitted to the comptroller at least 12 times during each state fiscal year; (10) require the comptroller, before sending any money to a city, to deduct and deposit to the credit of the general revenue fund an amount equal to one percent of the amount of the taxes collected from rentals of short-term rentals located in the city during the period for which a distribution is made as the state’s charge for services provided by the state; and (11) prohibit the comptroller from deducting from the distributions to a city more than $50,000 in each state fiscal year.

H.B. 2020 (J. González) – Attorney’s Fees: would provide that a person may recover reasonable attorney’s fees from an individual, an organization, the state, or an agency or institution of the state in certain civil cases. (This bill is identical to H.B. 1358 by Vasut.)

H.B. 2024 (Rosenthal) – Change of Name and Sex: would, among other things: (1) establish a process by which a person may apply to the state registrar for the issuance of a new birth certificate to reflect and incorporate into the new birth certificate a change to the person’s name and sex or only to the person’s sex; (2) require a person who applies for a new birth certificate under (1) to notify the appropriate local law enforcement authority of the proposed change to the person’s name and sex or only to the person’s sex, as applicable; and (3) provide that for each person to whom the state registrar issues a new birth certificate under (1), the state registrar shall provide a copy of the new birth certificate and accompanying certificate of change to the applicable local law enforcement authority.

H.B. 2041 (Leman) – Eminent Domain: would provide that an entity seeking to acquire property through the use of eminent domain shall, not later than the third business day before the date of a special commissioner’s hearing, disclose to the property owner any and all current and
existing appraisal reports produced or acquired by the entity relating specifically to the owner’s property and used in determining the entity’s opinion of value, if an appraisal report is to be used at the hearing. (Companion bill is S.B. 721 by Schwertner.)

**H.B. 2042 (Leman) – Eminent Domain:** would, among other things: (1) provide that if an entity with eminent domain authority provides a form to an owner of real property requesting the owner’s permission to enter the property to examine the property or conduct a survey of the property in connection with the potential acquisition of the property for a public use, the form must conspicuously state that: (a) the owner has a right to refuse to grant permission to the entity to enter the property and conduct the examination or survey; (b) the entity has a right to sue for a court order authorizing the entity to enter the property and conduct the examination or survey if the owner refuses to grant the permission; (c) the owner has a right to negotiate the terms of the examination or survey of the property; and (d) the entity has the responsibility for any damages arising from an examination or survey of the property; (2) provide that at the time a governmental or private entity with eminent domain authority makes an initial offer to a property owner to acquire real property, the entity must send by first-class mail a landowner’s bill of rights statement to the last known address of the person in whose name the property is listed on the most recent property tax roll; and (3) require a condemning entity that makes an initial offer that includes real property that the entity does not seek to acquire by condemnation to include in the initial offer: (a) a separate identification of the real property that the entity does not seek to acquire by condemnation; and (b) an offer for the real property that the entity does not seek to acquire by condemnation separate from the offer made for the real property sought to be acquired by condemnation. (Companion bill is S.B. 723 by Schwertner.)

**H.B. 2043 (Leman) – Eminent Domain:** would provide that: (1) land qualifies for appraisal for property tax purposes as agricultural land if a portion or parcel of the land is subject to a right of way that is less than 200 feet wide and that was taken by condemnation if the remainder of the parcel of land qualifies for appraisal as agricultural land; and (2) if additional taxes are due because the land is diverted to a nonagricultural use as a result of a condemnation, the additional taxes and interest are the personal obligation of the condemning entity and not the property owner from whom the property was taken. (Companion bill is S.B. 725 by Schwertner.)

**H.B. 2044 (Leman) – Eminent Domain:** would, among other things, in relation to a property owner’s right to repurchase property from a condemning entity: (1) eliminate as an element establishing “actual progress” on a project: (a) the acquisition of a tract or parcel of real property adjacent to the property for the same public use project for which the owner’s property was acquired; and (b) for a governmental entity, the adoption by a majority of the entity's governing body at a public hearing of a development plan for a public use project that indicates that the entity will not complete more than one tolling action before the tenth anniversary of the date of acquisition of the property; and (2) require three of five remaining elements to be met to establish actual progress. (Companion bill is S.B. 726 by Schwertner.)

**H.B. 2119 (Burrows) – Third-Party Food Delivery Service:** would, among other things: (1) define “third-party food delivery service” as a website, mobile application, or other Internet-based service that acts as an intermediary between consumers and multiple restaurants not owned or operated by the service to arrange for the delivery of food or beverages from those restaurants;
preempt a city or county from adopting or enforcing an ordinance or regulation that: (a) applies requirements to a third-party food delivery service that are more restrictive than the requirements that apply to the service under state law; (b) affects the fees charged to a restaurant by a third-party food delivery service; or (c) affects the terms of an agreement between a third-party food delivery service and a restaurant; (3) provide that the Department of State Health Services or a local health authority may not require a third-party food delivery service employee or independent contractor to complete an education program on basic food safety accredited under the bill; and (4) provide that local health authority may not charge a fee to an employee or contractor who provides proof of completion of an education program on basic food safety accredited under the bill. (Companion bill is S.B. 911 by Hancock.)

**H.B. 2144 (Harris) – Public Nuisance:** would, among other things, provide that: (1) a person may be held liable for a public nuisance only if the person causes an unlawful condition and controls that unlawful condition at the time the condition violates an established public right; (2) conditions arising from the following conduct are not considered unlawful conditions for the purposes of a public nuisance: (a) an activity expressly authorized or encouraged by a statute, ordinance, rule, or other similar measure adopted by the state, a political subdivision of the state, the United States, or a regulatory agency of the state or the United States; and (b) the lawful manufacturing, distributing, selling, advertising, or promoting of a lawful product; (3) only the state or a political subdivision of the state may bring a public nuisance action and may do so only by a government attorney of the relevant jurisdiction; (4) to bring a public nuisance action, the state or the political subdivision must have a substantial ownership interest in or authority over the real property or waterway, or ancillary space related to the real property or waterway, to which the public nuisance relates; and (5) a financial expenditure made by the state or a political subdivision related to the remediation, abatement, or injunction of an unlawful condition does not constitute an injury sufficient to confer standing to file or maintain a public nuisance action.

**H.B. 2163 (Stephenson) – First Responder Driver’s License Fees:** would waive the fee for the issuance or renewal of a driver’s license for current first responders, including: (1) peace officers; (2) fire protection personnel; (3) certain volunteer firefighters; (4) ambulance drivers; and (5) individuals certified as emergency services personnel by the Department of State Health Services.

**H.B. 2169 (Sanford) – Handguns:** would, in regard to the eligibility requirements for a license to carry a handgun, repeal the requirement that a person not have been finally determined to be delinquent in the payment of a tax or other money collected by the comptroller, the tax collector of a political subdivision, or any other agency or subdivision of the state.

**H.B. 2199 (Parker) – Digital Identity Work Group:** would, among other things: (1) define "digital identity" as including: (a) credentials issued by federal, state, and local governmental agencies to a person for identification, licensure, registration, and other purposes; (b) credentials conferred to a person to verify the person's skills and qualifications; (c) digital credentials issued for user authentication and access management; and (d) digitally-verifiable claims; and (2) establish the digital identity work group to develop recommendations for the use of digital identity, and to identify optimal policies and state investments related to digital identity technology.
H.B. 2204 (S. Thompson) – Charitable Bingo: would, among other things, require a licensed authorized organization or unit that collects a prize fee for a bingo game conducted in a city or county that was entitled to receive a portion of a bingo prize fee as of January 1, 2019, to remit 50 percent of the amount collected as the prize fee to the Texas Lottery Commission and: (1) remit 50 percent of the amount collected to the county if the location at which the bingo game is conducted is not within the city limits and the county voted to impose the prize fee by November 1, 2019; (2) remit 25 percent of the amount collected as the prize fee to the county if the bingo game is conducted within the city limits and the county voted to impose the prize fee by November 1, 2019; (3) remit 25 percent of the amount collected as the prize fee to the city if the bingo game is conducted within the city limits of a city that voted to impose the prize fee by November 1, 2019; and (4) deposit any remaining amount collected as the prize fee in the general charitable fund of the organization or organizations conducting the bingo game.

H.B. 2205 (Romero) – Swimming Pools: would provide that pool safety standards adopted by rule by the Department of State Health Services must comply with a version of the International Swimming Pool and Spa Code that is not older than the version in effect on May 1, 2019.

H.B. 2210 (Raymond) – Intergovernmental Agreements: would provide that a local government may enter into an interlocal contract with a branch of the armed forces of the United States to provide installation-support services to a military installation located in Texas. (Companion bill is S.B. 780 by Hinojosa.)

H.B. 2215 (Hernandez) – Diaper Changing Stations: would, with certain exceptions, require a person (including a city) who engages in or contracts for the construction of a building, or the renovation of the restrooms of a building, with one or more restrooms accessible to the public, to provide a private space for a diaper changing station that is available in a shared restroom or space, or in each restroom or space designated as a diaper changing station.

H.B. 2262 (Schofield) – Fleet Vehicles: would: (1) provide that a county or city that owns and operates a motor vehicle, trailer, or semitrailer that is exempt from the payment of a registration fee under certain law may choose to register some or all of those vehicles for an extended registration and inspection period of three years; and (2) require a county or city that chooses to register a vehicle as described in (1) to provide for the timely inspection of the vehicle before registration.

H.B. 2303 (Kacal) – Handguns: would (1) provide that a municipal attorney or assistant municipal attorney may establish handgun proficiency by obtaining from a handgun proficiency instructor approved by the Texas Commission on Law Enforcement a sworn statement that indicates that the person, during the 12-month period preceding the date of the person's application to the department, demonstrated to the instructor proficiency in the use of handguns; (2) except a municipal attorney or assistant municipal attorney from state laws that prohibit carrying weapons in certain places; and (3) provide that certain state laws that prohibit displaying a handgun in plain view in a public place do not apply to: (a) peace officers or special investigators; and (b) honorably retired peace officers or other qualified retired law enforcement
officers who hold a certificate of proficiency and carry a photo identification that verifies the person is an honorably retired peace officer or other qualified retired law enforcement officer.

**H.B. 2319 (Jetton) – Federal Lobbyists**: would prohibit: (1) a state agency from using appropriated money to employ a person who is a lobbyist or lobbying firm as defined by the federal Lobbying Disclosure Act of 1995; and (2) a political subdivision or private entity that receives state funds from using the funds to pay a person or entity that is a lobbyist or lobbying firm as defined by the federal Lobbying Disclosure Act of 1995.

**H.B. 2415 (Meyer) – Motor Vehicle Rental Taxes**: would, among other things, require a marketplace rental provider to collect the motor vehicle rental tax for the benefit of a city or county venue project.

**H.B. 2500 (Bailes) – Newspaper Notice**: would provide that a governmental entity or representative may publish notice on a third-party Internet website, as an alternative to certain newspaper notice requirements, if: (1) the governing body finds, after holding a public hearing on the matter that: (a) Internet publication of notices is in the public interest; (b) Internet publication of notices will not, after consideration of the level of Internet access in the applicable area, unreasonably restrict public access to the notices; and (c) the cost of publishing the notices in a newspaper exceeds the cost of Internet publication; (2) the governmental entity or representative posts the findings in (1) on the entity’s or representative’s website; and (3) the governmental entity or representative also prominently posts each notice for public review at the office location of the governmental entity or representative that is the most accessible to the intended recipients of the notice.

**H.B. 2515 (Shaheen) – Short-Term Rentals**: would, among other things: (1) provide that on the receipt of notice of a third violation of a municipal ordinance within a one-year period involving a short-term rental unit that is listed by a short-term rental unit listing service, the listing service shall remove the unit from the listing service's Internet website, application, or other online platform for at least 30 days; (2) provide that certain individuals may bring an action for appropriate injunctive relief against the owner of a short-term rental unit that is the subject of three or more violations of city ordinances and the person may seek to recover reasonable attorney’s fees and court costs; and (3) require a city to provide written notice to a short-term rental unit listing service for a violation of a city ordinance involving a short-term rental unit listed on the listing service.

**H.B. 2549 (Dutton) – Tort Claims Act**: would provide that the election of remedies provision in the Tort Claims Act may not be construed to restrict a plaintiff’s ability to bring a suit against an employee of a governmental unit for assault, battery, false imprisonment, or any other intentional tort, including a tort involving disciplinary action by school authorities.

**H.B. 2554 (Gates) – Joint Vocational School Districts**: would, among other things: (1) establish joint vocational school districts to provide public education to high school students whose educational needs are better served by focused vocational education and training; (2) authorize a city to join a petition by the board of trustees of two or more school districts to establish a joint vocational school district if: (a) the board of trustees of each member district
votes to approve the participation of the city; and (b) the city council votes to approve participation in the joint vocational school district; (3) provide that a city that participates in the petition to establish the joint vocational school district may appoint one trustee to the district’s board of trustees; and (4) require the board of trustees of a joint vocational school district to provide to each participating city an end-of-year financial report for the district.

**H.B. 2574 (Beckley) – Nepotism**: would amend current law by expanding the exception to the nepotism prohibition for appointing an election clerk. (Note: Current law provides an exception to nepotism for the appointment of an election clerk who is not related in the first degree by consanguinity or affinity to an elected official of the authority that appoints the election judges for that election.)

**H.B. 2578 (Leach) – Newspaper Notice**: would: (1) require the comptroller to develop and maintain an Internet website of public information; (2) define the term “public information” to mean a public or legal notice that a governmental entity is required to publish or other information submitted for publication by a governmental entity; (3) require that the public information Internet website be designed to, among other things, allow a governmental entity to easily post public information, and allow a person to subscribe to e-mail notices of public information associated with a specific governmental entity; (4) require a governmental entity to submit for inclusion on the public information Internet website any public or legal notice a statute or rule requires the entity to publish in a newspaper (except those an entity must publish on the Office of Court Administration website); (5) provide a governmental entity’s submission of public information to the public information Internet website satisfies a requirement imposed by a statute or rule to publish notice in a newspaper; and (6) provide that a governmental entity that in good faith attempts to submit public information to the public information Internet website is not subject to liability or other penalty for failing to post the public information to the website or to deliver an e-mail notice of the posted public information.

**H.B. 2590 (Leach) – Building Permits**: would: (1) repeal the statute giving a city the ability to reach a written agreement with a building permit applicant providing for an alternative deadline for granting or denying the permit; and (2) prohibit a city from: (a) denying a building permit solely because the city is unable to comply with the 45-day time period for granting or denying a building permit; and (b) requiring a building permit applicant to waive the 45-day time period for granting or denying a building permit.

**H.B. 2624 (Ordaz Perez) – Credit Access Businesses**: would provide: (1) that the annual percentage rate of an extension of consumer credit in the form of a deferred presentment transaction (including a payday or motor vehicle title loan) that is entered into by a consumer residing in a disaster area and that a credit access business obtains for the consumer or assists the consumer in obtaining may not exceed 30 percent during the designated disaster period and the two-year period immediately following that period; and (2) that, for purposes of (1), above, the annual percentage rate of an extension of consumer credit in the form of a deferred presentment transaction is calculated including the total charges charged to the consumer in connection with the extension of consumer credit, including interest, lender charges, and any fees or any other valuable consideration received by the credit access business.
**H.B. 2662 (Krause) – Regulations:** would permanently eliminate various regulations waived during the COVID-19 pandemic, and:

For city meetings held by telephone conference:
1. provide the governmental body is not prohibited from holding an open or closed meeting from one or more remote locations by telephone conference;
2. remove the requirement that an emergency or public necessity exist;
3. require the notice of the meeting: (a) include the statement “Telephone conference call under Section 551.125, Government Code” in lieu of the place of the meeting; (b) list each physical location where members of the public may listen to or participate in the meeting; (c) include access information for an audio feed of the meeting; and (d) if applicable, include instructions for members of the public to provide testimony to the governmental body;
4. require that any method of access that is provided to the public for listening to or participating in the telephone conference call meeting be widely available at no cost to the public;
5. require that each part of the meeting that is required to be open to the public shall be audible to the public and shall be recorded, and the recording shall be made available to the public;
6. require the identification of each party to the telephone conference be clearly stated prior to speaking; and
7. require that, if the governmental body prepares an agenda packet that would have been distributed to members of the public at a face-to-face meeting, the packet must be available electronically so that members of the public listening remotely can follow along with the meeting.

For city meetings held by videoconference:
1. provide the governmental body is not prohibited from holding an open or closed meeting from one or more remote locations by videoconference;
2. allow a member of the governmental body to participate remotely in a meeting by videoconference call if the audio feed and, if applicable, video feed of the member’s or employee’s participation complies with the other requirements for a videoconference meeting;
3. provide that a member of a governmental body who participates as described in Number 2, above, shall be counted as present at the meeting for all purposes;
4. provide that a member of a governmental body shall be considered absent from any portion of the meeting during which audio communication with the member is lost or disconnected, and that the body may continue the meeting only if members in a number sufficient to constitute a quorum remain audible and visible to each other and, during the open portion of the meeting, to the public;
5. require the notice of the meeting: (a) include the statement “Videoconference call under Section 551.127, Government Code” in lieu of the place of the meeting; (b) list each physical location where members of the public may observe or participate in the meeting; (c) include access information for both audio-only and audiovisual feeds of the meeting; and (d) if applicable, include instructions for members of the public to provide testimony to the governmental body;
6. require that any method of access that is provided to the public for the purpose of observing or participating in a meeting be widely available at no cost to the public;
7. require each portion of a meeting held by videoconference call that is required to be open to the public shall be audible and, if applicable, visible to the public;
8. provide that if a problem occurs that causes a meeting to no longer be audible to the public, the meeting must be recessed until the problem is resolved;
9. require an audio recording of the meeting, and that the recording be made available to the public;
10. provide that the face of each participant who is participating in the call using video communication, while that participant is speaking, be clearly visible and audible to each other participant, and during the open portion of the meeting, to the members of the public, including at any location described by Number 5(b);
11. provide that participant using solely audio communication: (a) shall, while speaking, be clearly audible to each other participant and, during the open portion of the meeting, to the members of the public, including at any location described by Number 5(b);
12. authorize the Department of Information by rule to specify minimum technical quality standards for the meeting, and require that access information described by Number 5(c) be of sufficient quality so that members of the public can observe the demeanor or hear the voice, as applicable, of each participant in the open portion of the meeting;
13. provide that a governmental body: (a) may allow a member of the public to testify at a meeting from a remote location by videoconference call; and (b) must allow a member of the public testify from a remote location using video or audio communication if holding a meeting by videoconference call where public testimony is taken; and
14. require that, if the governmental body prepares an agenda packet that would have been distributed to members of the public at a face-to-face meeting, the packet must be available electronically so that members of the public observing remotely can follow along with the meeting.

For licensed food services establishments (i.e., a place where food is prepared for individual portion service), allow the establishment to sell directly to an individual consumer food, other than prepared food, that:
1. is in its original condition or packaging as received by the establishment;
2. is labeled with the name and source of the food and the date the food is sold;
3. bears an official mark of USDA inspection, if the food is meat or poultry;
4. does not exceed the shelf life as displayed on the packaging; and
5. has been properly refrigerated, if applicable.

For first responder organizations:
1. require the executive commissioner of State Health Services during a state of disaster to provide a first responder organization a grace period of not more than 30 days from the date the organization’s license expires to submit the application and other materials necessary to renew the license.

For emergency medical services providers operating during a state disaster:
1. allow a medical director of an emergency medical services system to authorize certain individuals who are not certified as EMS personnel to provide EMS services; and
2. allow the executive commissioner of State Health Services to temporarily waive skills proficiency testing requirements for EMS personnel and out-of-state advanced emergency medical technicians seeking reciprocity in Texas.

**H.B. 2730 (Deshotel) – Eminent Domain**: Eminent Domain: would make several changes to the eminent domain process. Of primary importance to cities, the bill would:

1. require the attorney general to establish an ombudsman office for the purpose of providing information to landowners whose real property may be acquired by a governmental or private entity through the use of the entity’s eminent domain authority;
2. require the attorney general to make available on the attorney general’s website a landowner’s bill of rights that is written in plain language designated to be easily understood by the average property owner, and include the required language in statute;
3. provide that a person may not receive state certification to buy, sell, lease, or transfer an easement or right-of-way for another for compensation in connection with telecommunication, utility, railroad, or pipeline service unless the person successfully completes at least 16 classroom hours of coursework every two years approved by the Texas Real Estate Commission in:
   a. the law of eminent domain, including the rights of property owners;
   b. appropriate standards of professionalism in contacting and conducting negotiations with property owners; and
   c. ethical considerations in the performance of right-of-way acquisition services;
4. provide that an entity with eminent domain authority must provide a copy of the landowner’s bill of rights statement to a landowner at or before the first in-person contact unless the entity expressly states, at that time, it will not seek to file a condemnation petition;
5. provide that an entity with eminent domain authority makes a bona fide offer when the entity’s initial offer is made in writing and includes:
   a. a copy of the landowner’s bill of rights, unless the entity has previously provided a copy of the statement to the property owner;
   b. an offer of compensation in an amount equal to or greater than one of the following:
      i. the market value of the property rights sought to be acquired, based on an appraisal of the property prepared by a certified general appraiser;
      ii. the estimated price or market value of the property rights sought to be acquired based on data for at least three comparable arm’s-length sales of a property;
      iii. the estimated price or market value of the property rights sought to be acquired based on a comparative market analysis prepared by a licensed real estate broker or certified general appraiser;
      iv. the estimated price of the property rights sought to be acquired based on a broker price opinion prepared by a licensed real estate broker;
      v. the estimated market value of the property rights sought to be acquired based on a market study prepared by a licensed real estate broker or a certified general appraiser; or
      vi. 150 percent of the per acre value for each acre or part of an acre sought to be acquired, based on the total land value for the whole property out of...
which the property rights are sought to be acquired, as reflected in the
most recent tax rolls;
c. as applicable, the complete written report, or a brief written summary, that forms
the basis of the amount of the offer of compensation in 5b above;
d. an instrument of conveyance, as applicable; and e. the name and telephone
number of a representative of the entity;
6. specify the exact terms that must be included in an instrument of conveyance of an
easement associated with the exercise of eminent domain authority;
7. require the judge of a court in which a condemnation petition is filed or to which an
eminent domain case is assigned to, not later than the 15th calendar day after the date the
petition is filed, appoint three special commissioners and two alternate special
commissioners;
8. provide that each party shall have seven calendar days after the date of the order
appointing the special commissioners to strike one of the three special commissioners, in
which case an alternate special commissioner shall serve as a replacement for the special
commissioner based on the order that the alternate special commissioners are listed in the
initial order of appointment;
9. require the special commissioners in an eminent domain proceeding to schedule a hearing
to occur not earlier than the 20th day or later than the 40th day after the date the special
commissioners were appointed, unless otherwise agreed to by the parties; and
10. authorize a special commissioners hearing to be held by videoconference at the request of
either party.

H.B. 2809 (Murphy) – Contingent Fee Contracts: would except a contingent fee contract
entered into by a city or county for the collection of an unpaid local alcohol permit and license
fees that are more than 60 days past due from the state approval procedures generally applicable
when a political subdivision enters into a contingent fee contract for legal services.

H.B. 2813 (C. Turner) – Extensions of Consumer Credit: would provide that: (1) the annual
percentage rate of an extension of consumer credit is calculated including the total charges
charged to the consumer in connection with the extension of consumer credit, including interest,
lender charges, and any fees or any other valuable consideration received by the credit services
organization or a representative of the organization; (2) the annual percentage rate of an
extension of consumer credit that a credit services organization obtains for a consumer or assists
a consumer in obtaining may not exceed 36 percent; and (3) that a credit access business may
assess fees for its services only in accordance with (1) and (2), above.

H.B. 2829 (White) – Mixed Beverage Sales Tax: would, among other things: (1) lower the rate
of the state sales tax from 6.25 percent to 3.125 percent on the sales price of a taxable item sold
by a restaurant or certain alcohol permittee, with the rate gradually increasing over time back to
6.25 in September 2023; and (2) lower the rate of the mixed beverage sales tax from 8.25 percent
to 2.25 percent of the sales price of an item sold by a alcohol permittee, with the rate gradually
increasing over time back to 8.25 in September 2023.

H.B. 2894 (Holland) – Comptroller Contracts for Travel Services: would, among other
things, prohibit the comptroller from charging a city a fee if a city officer or employee who is
engaged in official city business participates in the comptroller’s contract for travel services for
the purpose of obtaining reduced airline fares and reduced travel agent fees. (Companion bill is
S.B. 1122 by Zaffirini.)

**H.B. 2913 (Capriglione) – Website Postings:** would: (1) with some exceptions, require a
governmental body to post on its website each contract for the purchase of goods or services
from a private vendor along with certain other information; and (2) require that a contract in (1):
(a) be posted on the website within a specified period of time; and (b) have certain information
redacted. (Companion bill is S.B. 929 by Zaffirini.)

**H.B. 2916 (Schofield) – Attorney General:** would provide that the attorney general may
prosecute the offense of sedition, bribery, corrupt influence, riot, and obstructing of a
highway/passageway.

**H.B. 2928 (Jetton) – Newspaper Notice:** would, among other things: (1) authorize a
governmental entity, including a city, required by other law to provide notice by publication in a
newspaper to, as an alternative, satisfy that requirement by posting the notice on the
governmental entity’s Internet website; (2) provide that internet notice posted as an alternative to
required newspaper notice: (a) to the extent possible, must meet requirements provided by law
for the publication of the newspaper notice that can be applied to an Internet website posting,
including requirements related to the timing, duration, content, and appearance of the notice; and
(b) is not required to meet requirements provided by law for the publication of the newspaper
notice that by their nature cannot be applied to an Internet website posting, including
requirements relating to circulation; (3) provide that a governmental entity that chooses to post
internet notice as an alternative to newspaper notice is not required to also publish notice in a
newspaper; and (4) provide that a notice posted on a governmental entity’s Internet website as an
alternative to required newspaper notice must be posted at least one day before the occurrence of
the event to which the notice refers.

**H.B. 2930 (Schofield) – Federal Action:** would: (1) establish a joint legislative committee to
review any federal action to determine whether such action is unconstitutional; (2) provide that
any federal action found by the joint legislative committee to be unconstitutional be sent to the
legislature for a determination, and then on to the governor for approval or disapproval; (3)
prohibit the state or a political subdivision of the state from spending money to implement a
federal action declared unconstitutional; (4) authorize the attorney general (and others) to
prosecute a person who attempts to implement or enforce an unconstitutional federal action for
official oppression, as well as other provisions of law; and (6) entitle a person to seek a
declaratory judgment that a federal action is unconstitutional and give all courts original
jurisdiction over such a proceeding.

**H.B. 3027 (Canales) – Navigation Districts:** would, among other things, authorize a navigation
district to act to prevent, detect, and fight a fire or explosion or hazardous material incident that
occurs on, or adjacent to, a waterway, channel, or turning basin that is located in the district’s
territory, regardless of whether the waterway, channel, or turning basin is located in the
corporate limits of a city.
**H.B. 3046 (Middleton) – Cooperation with Federal Agency:** would, among other things, prohibit a political subdivision from cooperating with a federal government agency in implementing an agency rule that a report published by the Texas attorney general indicates has been found by a court to violate the rights guaranteed to the citizens of the United States by the United States Constitution. (Companion Bill is S.B. 1248 by Creighton.)

**H.B. 3056 (Goodwin) – Cemetery Billboards:** would, among other things: (1) prohibit a person from erecting or maintaining a billboard on cemetery property; (2) prohibit a cemetery organization from entering into a contract or lease authorizing a billboard on cemetery property; and (3) provide that the attorney general may bring an action for an injunction and civil penalties in the amount of $1,000 per day for each violation against a person who is in violation or threatens to violate the bill and may recover reasonable expenses, including court costs, attorney’s fees, investigative costs, witness fees and deposition expenses.

**H.B. 3069 (Holland) – Claims:** would, with certain exceptions, require a governmental entity to bring suit for damages for certain claims against: (1) a registered or licensed architect, engineer, interior designer, or landscape architect in this state, who designs, plans, or inspects the construction of an improvement to real property or equipment attached to real property, not later than five years after the substantial completion of the improvement or the beginning of operation of the equipment in an action arising out of a defective or unsafe condition of the real property, the improvement, or the equipment; and (2) a person who constructs or repairs an improvement to real property not later than five years after the substantial completion of the improvement in an action arising out of a defective or unsafe condition of the real property or a deficiency in the construction or repair of the improvement.

**H.B. 3100 (Campos) – Nonprofit Contracts:** would prohibit a governmental entity, including a city, from entering into a contract with a nonprofit organization unless the contract contains a written verification from the organization that the organization will not use more than 20 percent of the money provided under the contract for an administrative purpose, including for payment of the organization's employee or officer salaries.

**H.B. 3199 (Meza) – Cemeteries:** would, in a city in a county with a population of more than 750,000 or a city in a county adjacent to a county with a population of more than 750,000, provide that: (1) an individual, corporation, partnership, firm, trust, or association may file a written application with the governing body of a municipality to establish or use a cemetery located inside the limits of the municipality; and (2) the governing body by ordinance shall prescribe the information to be included in the application in (1), and may authorize the establishment or use of the cemetery if the governing body determines and states in the ordinance that the establishment or use of the cemetery does not adversely affect public health, safety, and welfare.

**H.B. 3221 (Leach) – Claims:** would: (1) for purposes of certain construction liability claims, provide that a cause of action accrues on the date the written report identifying the construction defect is postmarked by the United States Postal Service; and (2) provide that certain other dates of accrual are unaffected by (1).
**H.B. 3326 (Slayton) – Abortion**: would provide that the governing body of a political subdivision of Texas shall ensure that the political subdivision enforces criminal homicide and assultive offenses in relation to abortion, regardless of any contrary federal statute, regulation, treaty, order, or court decision.

**H.B. 3345 (Wu) – Audits**: would: (1) require a governmental entity, including a city, to: (a) make the records relating to any audit of the governmental entity, including any final report, available to the public on request; and (b) not later than the fifth business day after the date the audit is completed, post the final report for the audit on the governmental entity’s Internet website, or if the governmental entity does not have a website, on a publicly accessible Internet website; (2) authorize a governmental entity to redact any confidential information from the report as necessary to comply with state or federal law; (3) provide that a governmental entity that, without good cause, fails to comply with the requirement in (1) is liable to a person for any reasonable expenses the person incurs in trying to access the audit records, including reasonable attorney’s fees; and (4) provide that the term “audit” for purposes of (1) includes a financial audit, a compliance audit, an economy and efficiency audit, and an effectiveness audit, among other things.

**H.B. 3365 (Klick) – Opioid Settlement**: would: (1) require the attorney general and comptroller to maintain a copy of a statewide opioid settlement agreement, including any amendments to the agreement, and make the copy available on the attorney general's and comptroller's Internet websites; (2) require funds obtained under a statewide opioid settlement agreement to be distributed in accordance with the term sheet; and (3) provide that a governmental entity may not bring a released claim against a released entity. (Companion bill is S.B. 1794 by West.)

**H.B. 3366 (Klick) – Communicable Diseases**: would provide that: (1) any documents, including notices or orders, required to be delivered in person or sent by registered or certified mail under the Communicable Disease Prevention and Control Act may be sent by e-mail with a read receipt requested; and (2) for the purposes of court orders for management of persons with communicable diseases, an electronic signature or a faxed signature shall have the same force and effect as the use of a manual signature.

**H.B. 3385 (Rogers) – Eminent Domain**: would require: (1) the landowner’s bill of rights to notify each property owner that the property owner has the right to submit to the appraisal district office in the county in which the property is taxable a report of decreased value for the owner’s remaining property after the taking; and (2) the statement prepared by the attorney general related to eminent domain to include a copy of the report of decreased value form issued by the comptroller.

**H.B. 3391 (C. Turner) – Extension of Consumer Credit**: would provide that: (1) a fee paid to a third party to assist a consumer in the transacting, arranging, guaranteeing, or negotiating of an extension of credit may not be contracted for, charged, or received by a creditor or third party in connection with the extension of credit if: (a) the extension of credit is secured by a non-purchase money security interest in personal property or is unsecured; and (b) the proceeds of the extension of credit are used for personal, family, or household purposes; and (2) the amount of a
fee contracted for, charged, or received in violation of (1) is considered interest for usury purposes.

**H.B. 3400 (Paddie) – Children of Peace Officers:** would provide that: (1) on request of a peace officer who is a parent of, or person standing in parental relation to, a student and who reasonably fears for the student's safety, the board of trustees of a school district or the board’s designee shall transfer the student to another district campus or to another school district under an agreement; (2) a transfer must be to a campus or school district, as applicable, agreeable to the peace officer making the request; and (3) a school district is not required to provide transportation to a student who transfers to another campus or school district under (1), above.

**H.B. 3410 (Goldman) – Newspaper Notice:** would authorize a governmental entity required by law to provide notice by publication in a newspaper to, as an alternative, satisfy that requirement by posting the notice on the entity’s Internet website.

**H.B. 3411 (Button) – Mixed Beverage Tax:** would lower the rate of the mixed beverage gross receipts tax from 6.7 percent to 4.7 percent until September 1, 2023, at which point the tax rate increases back to 6.7 percent. (Companion bill is **S.B. 1249 by Taylor**.)

**H.B. 3584 (Murr) – Historical Monuments:** would provide: (1) notwithstanding any other law, a monument, marker, or medallion installed by the Texas Historical Commission is state property solely under the commission’s custody and control and may not be altered, removed, relocated, covered, obscured, or concealed without the express written permission of the commission; (2) that the attorney general may file suit in district court to seek civil penalties in of not less than $50 nor more than $1,000 for each day of violation and equitable relief in accordance with current state law against a person who violates this amendment; and (3) a waiver of governmental immunity for any county, city, or other political subdivision to the extent liability is created by the amendment. (Companion bill is **S.B. 1501 by Buckingham**.)

**H.B. 3596 (Leach) – Religious Organizations:** would authorize a person who alleges that a governmental entity, including a city, enacts, adopts, or issues a statute, order, proclamation, decision, or rule that prohibits or limits religious services, to sue a governmental entity for certain types of relief and waive governmental immunity to the extent of liability for that relief. (See **H.J.R. 72, below**.)

**H.B. 3614 (Cain) – Lending and Credit Support Programs:** would require: (1) the comptroller to submit to the legislature and post on the comptroller’s Internet website a report on all lending programs and credit support programs in Texas; and (2) a state agency or political subdivision to provide to the comptroller any information necessary for the comptroller to prepare the report in (1).

**H.B. 3687 (Capriglione) – Community Advocacy:** would: (1) require a political subdivision to prominently display on the political subdivision’s Internet website the following information regarding contracts for services executed by the political subdivision that would require a person to register as a lobbyist under state law: (a) the execution dates; (b) the contract duration terms, including any extension options; (c) the effective dates; (d) the final amount of money the
political subdivision paid in the previous fiscal year; (e) the identity of all parties to the contract; (f) the identity of all subcontractors in the contract; and (g) the legislative agenda of the political subdivision; (2) provide that, in lieu of displaying the items described in (1)(a)-(f), above, a political subdivision may post on the political subdivision’s Internet website the contract for those services; and (3) provide that information required to be displayed on a political subdivision’s website under (1) and (2), above, is public information subject to disclosure under the Public Information Act.

**H.B. 3743 (Capriglione) – Cybersecurity**: would, among other things: (1) prohibit a local government or open-enrollment charter school from making a ransomware payment related to a ransomware cyber-attack; and (2) require the reporting of a ransomware cyber-attack, as soon as practicable after discovering a ransomware cyber-attack, to the office of the attorney general and to the information sharing and analysis organization established by the Department of Information Resources.

**H.B. 3770 (White) – Value Added Tax**: would, among other things, repeal local sales and use taxes and authorize a political subdivision that was authorized to impose a sales and use tax to impose a value added tax not to exceed two percent.

**H.B. 3786 (Holland) – Electronic Submission to Comptroller**: would, among other things, authorize the comptroller to, after providing notice, require a document, payment, notice, report, or other item required to be submitted to the comptroller to be submitted electronically.

**H.B. 3790 (Shaheen) – City Regulation**: would: (1) prohibit a city from adopting or enforcing an ordinance, rule, or regulation that imposes a restriction, condition, or regulation on commercial activity; (2) allow a city to adopt and enforce an ordinance, rule, or regulation that: (a) is essential to directly regulating a uniquely local concern that the city council determines cannot be of similar concern in another city because of the uniqueness of the local concern; (b) is essential to necessary regulation of local land use; (c) is essential to protecting citizens’ physical safety; (d) is expressly authorized to be adopted by a state statute; or (e) requires nondiscrimination in the provision of employment or service to any person on the basis of any state or federally protected class, sexual orientation, or gender identity; (3) provide that a city acting under (2)(a) must contemporaneously adopt a detailed written statement describing the uniquely local concern and the basis for the determination that the concern cannot be of similar concern in another city; and (4) provide that, for purposes of (2)(d), a state statute that provides the statute does not preempt or affect municipal regulatory authority may not be construed to expressly authorize an ordinance, rule, or regulation.

**H.B. 3807 (Hunter) – Lifeguards**: would, among other things, provide that as part of the duty to clean and maintain the condition of public beaches, a city shall: (1) during reasonable daylight hours for the months of March through November, provide occupied lifeguard towers on each side of each pier, jetty, or other structure that protrudes into the Gulf of Mexico that is located within the corporate boundaries; and (2) post within 100 yards of each side of each structure described by (1) signs clearly describing the dangerous water conditions that may occur near the structure.
**H.B. 3834 (Klick) — Local Health Departments**: would provide that the executive commissioner of Health and Human Services Commission shall establish a separate provider type for local health departments, including health service regional offices acting in the capacity of local health departments, for purposes of enrollment as a provider for and reimbursement under the medical assistance program. (Companion bill is S.B. 73 by Miles.)

**H.B. 3852 (Raney) — Third-Party Marketplace Sellers**: would, among other things: (1) require the disclosure of information by a high-volume third-party sellers of consumer goods sold through an online marketplace; and (2) provide that a political subdivision may not establish, mandate, or otherwise require an online marketplace to verify information from a high-volume third-party seller or to disclose information to consumers.

**H.B. 3878 (Hinojosa) — Clean Energy**: would establish a committee regarding economic development and workforce retraining opportunities in the transition to the use of clean energy sources and, among other things, provide that a political subdivision shall provide the committee with facilities, data, and other assistance as requested by the committee to carry out its duties under the bill. (Companion bill is S.B. 955 by Hinojosa.)

**H.B. 3892 (Capriglione) — Cybersecurity**: would, among many other things: (1) require a local government that owns, licenses, or maintains computerized data that includes sensitive personal information to comply, in the event of a breach of system security, with certain notification requirements to the same extent as a person who conducts business in this state; (2) require a political subdivision, not later than 48 hours after a political subdivision discovers a breach or suspected breach of system security or an unauthorized exposure of sensitive personal information, to notify the cybersecurity coordinator, appointed within the Department of Information Resources under the Information Resources Management Act, of the breach; (3) require the cybersecurity coordinator to report to the Department of Information Resources any breach of system security reported by a political subdivision in which the person responsible for the breach: (a) obtained or modified specific critical or sensitive personal information; (b) established access to the political subdivision's information systems or infrastructure; or (c) undermined, severely disrupted, or destroyed a core service, program, or function of the political subdivision, or placed the person in a position to do so in the future; (4) require a city or county with a population of more than 100,000, to adopt and implement a multi-hazard emergency operations plan for use in the city’s and county’s facilities that addresses: (a) mitigation, preparedness, response, and recovery as determined by the cybersecurity council and the governor's public safety office; (b) municipal or county employee training in responding to an emergency; (c) measures to ensure coordination with the Department of State Health Services, Department of Information Resources, local emergency management agencies, law enforcement agencies, local health departments, and fire departments in the event of an emergency; and (d) the implementation of a safety and security audit at least once every three years that follows audit procedures developed by the cybersecurity council or a comparable public or private entity; (5) require a municipality or county to report the results of the safety and security audit to the municipality's or county's governing body and to the cybersecurity council; (6) provides that any document or information collected, developed, or produced during a safety and security audit is not subject to disclosure under the Texas Public Information Act, except under certain conditions; (7) prohibits a political subdivision from making a ransomware payment related to a
ransomware cyber-attack; and (8) requires, as soon as practicable after discovering a ransomware cyber-attack, a political subdivision to report the attack to the office of the attorney general and to the information sharing and analysis organization established by the Department of Information Resources.

**H.B. 3897 (S. Thompson) – Local Alcohol Permit Fees**: would, among other things, provide that the fee that a city may levy and collect for certain alcohol permits issued for premises in the city limits may not exceed on-half of the fee set by rule for the permit issued.

**H.B. 3909 (Harris) – Occupational Licenses**: would provide that: (1) if an individual is required to possess an occupational license issued by a state licensing authority to engage in an occupation, a political subdivision may not adopt or enforce any ordinance, order, rule, regulation, law, or policy that requires the individual to: (a) possess an occupational license issued by the political subdivision to engage in that occupation; or (b) meet any other requirement or precondition to engage in that occupation; (2) an ordinance, order, rule, regulation, law, or policy that violates the prohibition in (1) is void and unenforceable; and (3) the prohibition in (1) does not limit the authority of a political subdivision to adopt and enforce certain regulations.

**H.B. 3955 (Toth) – Federal Rules**: would prohibit a political subdivision from cooperating with a federal government agency in implementing an agency rule that the Texas attorney general identifies as violating a citizen’s rights under the United States Constitution.

**H.B. 3983 (Davis) – Delinquent Fines and Fees**: would: (1) prohibit a city from collecting a fine or fee from a person that has been delinquent for more than five years unless the city has made a reasonable attempts to provided notice to the person; and (2) provide that a city must provide notice as described in (1) by certified mail to the person’s last known address, or any other means available to the city if the city does not have a record of the person’s address.

**H.B. 4050 (Rogers) – Community Advocacy**: would: (1) require each officer or employee of a city or county who communicates directly with a member of the legislature, a committee of the legislature, or an officer of the executive branch to file with the Texas Ethics Commission a written, verified report concerning the communications; (2) require the report to include a list of each communication described in (1) and each expenditure made, or other direct or indirect cost incurred, in making a communication, including travel costs.

**H.B. 4062 (Meza) – Records Management**: would: (1) authorize a city to collect a records management and preservation fee not to exceed $1 for any municipal authorization, permit, license, registration, certification, filing, or other municipal action or approval; and (2) provide that the records management and preservation fee in (1) may be used only to provide funds for specific records management and preservation, including municipal library and archival services.

**H.B. 4069 (Middleton) – Alcoholic Beverage Commission**: would abolish the Texas Alcoholic Beverage Commission and transfer the regulation of alcoholic beverages to the Texas Department of Licensing and Regulation. (Companion bill is S.B. 1975 by Springer.)
**H.B. 4116 (C. Turner)** – **Credit Services Organization**: would prohibit a credit services organization from obtaining an extension of consumer credit for a customer or assist a customer in obtaining an extension of consumer credit unless the organization is licensed by the Office of Consumer Credit Commissioner.

**H.B. 4127 (Schofield)** – **Use of Bond Proceeds**: would: (1) require the ballot for a bond election to state with specificity each project to be funded through the bond proceeds and the amount of bond proceeds to be spent on each project; (2) prohibit a city or county from: (a) spending an amount of bond proceeds on a project that is greater than the amount stated on the ballot for the project; or (b) transferring bond proceeds from one project to another, regardless of whether the projects were approved at the same election; and (3) give an individual who voted in a bond election standing to bring an action in district court for injunctive relief against a city or county that held an election for a violation of (1) or (2), above, regardless of whether the individual is directly or indirectly injured by the violation.

**H.B. 4150 (Buckley)** – **Disabled Veteran Grants**: would, among other things, provide that, for purposes of the law governing the provision of state aid to certain local governments disproportionately affected by the granting of property tax relief to disabled veterans, the term “local government” includes a city with extraterritorial jurisdiction located within two miles of the boundary line of a United States military installation. (Companion bill is **S.B. 524** by Buckingham.)

**H.B. 4183 (Reynolds)** – **Local Motor Fuels Taxes**: would authorize a city council to call an election on the issue of imposing a local motor fuels tax at a rate of one cent per gallon of gasoline or diesel fuel sold in the city to be used, among other things, for the purpose of acquiring rights-of-way, and constructing, maintaining, and policing public roadways.

**H.B. 4190 (K. Bell)** – **Governmental Self-Insurance Funds**: would require a governmental unit that establishes a self-insurance fund to: (1) register the fund with the Texas Department of Insurance on a form prescribed by the commissioner of insurance; and (2) annually file with TDI the fund’s annual financial statements, the fund’s articles of incorporation, and any other information requested by TDI. (Companion bill is **S.B. 376** by Nichols.)

**H.B. 4200 (Hefner)** – **Municipal Regulatory Authority**: would provide that: (1) a home-rule city by ordinance may prohibit a person from performing an abortion, or prescribing a medication to induce an abortion, at a location in the city; (2) except as otherwise specifically provided by state law, a city may not adopt or enforce an ordinance that provides a penalty for conduct punishable under state law as a misdemeanor or by a civil penalty; and (3) a city may not adopt or enforce regulations relating to: (a) the transfer, possession, wearing, carrying, ownership, storage, transportation, licensing, or registration of firearms, air guns, knives, ammunition, or firearm or air gun supplies or accessories; (b) commerce in firearms, air guns, knives, ammunition, or firearm or air gun supplies or accessories; or (c) the discharge of a firearm or air gun at a sport shooting range.
H.B. 4240 (Raymond) – Child Custody Orders: would authorize a city or county in this state to adopt an ordinance or order that imposes a civil penalty of not more than $500 for engaging in interference of child custody.

H.B. 4275 (Klick) – Donor Information: would: (1) with certain exceptions, prohibit a public agency or an officer or employee of a public agency from: (a) requiring an individual to provide donor information to the agency or otherwise compel the release of donor information; (b) requiring certain tax exempt entities provide donor information to the agency or otherwise compel the release of donor information; (c) releasing, publicizing, or otherwise publicly disclosing donor information in the agency’s possession; or (d) requesting or requiring a current or prospective contractor with or grantee of the agency to provide to the agency a list of organizations exempt from federal income tax under certain federal law to which the contractor or grantee has provided financial or nonfinancial support; (2) provide that donor information is excepted from the Public Information Act; (3) waive immunity for suit, and allow a person alleging a violation of the prohibitions in (1) to bring a civil action to obtain injunctive relief, certain damages, and court costs, including reasonable attorney’s and witness fees; and (4) provide criminal penalties for a violation of the prohibitions in (1). (Companion bill is S.B. 1678 by Campbell.)

H.B. 4327 (White) – Veterinary Medicine: would provide that: (1) a veterinarian and the practice of veterinary medicine by the veterinarian are subject only to applicable federal law and regulations and applicable state law (including rules); (2) unless expressly authorized by state law, a city council may not adopt or enforce any ordinance, rule, or regulation that prohibits a veterinarian from performing a medical procedure on an animal that is not prohibited state law; and (3) a municipal ordinance, rule, or regulation that violates (2) is void and unenforceable.

H.B. 4330 (M. González) – Animal Cruelty: would: (1) require a veterinarian licensed to practice veterinary medicine in this state or an employee of the Health and Human Services Commission or the Department of Family and Protective Services who is acting within the scope of practice or employment and has reasonable cause to believe that a person has committed an animal cruelty offense with respect to a domesticated non-livestock animal to report, as soon as possible, the suspected offense to: (a) the county sheriff’s department of the county in which the suspected offense was committed; or (b) the municipal police department of the municipality in which the suspected offense was committed; and (2) provide immunity to a person who makes a report under (1).

H.B. 4350 (Wilson) – Type B General-Law Cities: would: (1) provide that a community may incorporate as a Type B general-law city if, among other things, it has proximity and contiguity between its dwellings; (2) require an application to incorporate as a Type B general-law city to include a plat of the proposed city that contains the dwellings located in the territory as described in (1); and (3) allow a judge to order an election regarding the incorporation of a Type B general-law city if satisfactory proof is made that the application to incorporate complies with all the relevant requirements in state law.

H.B. 4395 (Shaheen) – Cybersecurity Incident Reporting: would require: (1) a local government that owns, licenses, or maintains computerized data that includes sensitive personal
information to comply, in the event of a breach of system security, with certain notification requirements to the same extent as a person who conducts business in the state; and (2) not later than 48 hours after a political subdivision discovers a breach or suspected breach of system security or an unauthorized exposure of sensitive personal information, to notify certain state agencies.

**H.B. 4401 (Goldman) – Occupations Tax:** would repeal the state and local occupations tax imposed on each coin-operated machine (e.g., eight liner machines) that an owner exhibits or displays, or permits to be exhibited or displayed in this state.

**H.B. 4405 (Meza) – Electric Generation and Gas Production Tax:** would impose a state tax on certain electric generators and gas producers.

**H.B. 4518 (Oliverson) – Asset Protection:** would make various changes to the Asset Protection Act and, among other things, provide that a governmental entity that accepts as security for an insurer’s debt or other obligation a pledge or encumbrance of an asset of the insurer that is not made in accordance with the Act’s requirements for encumbrance of assets is considered to have accepted the asset subject to a superior, preferential, and automatically perfected lien in favor of a claimant of the insurer.

**H.B. 4522 (Swanson) – Cooperation with Federal Agency:** would, among other things, prohibit a political subdivision from cooperating with a federal government agency in implementing an agency rule that a report published by the Texas attorney general indicates has been found by a court to violate the rights guaranteed to the citizens of the United States by the United States Constitution or exceeds the powers specifically granted to the federal government by the United States Constitution.

**H.B. 4538 (Cyrier) – Monuments and Memorials:** would, among other things: (1) provide that a monument or memorial located on city property: (a) for at least 40 years may be removed, relocated, or altered only upon approval of a majority of the voters of the city voting at an election for that purpose; and (b) for less than 40 years may be removed, relocated, or altered only by the city council; (2) provide that an additional monument may be added to the surrounding city property on which a monument or memorial is located to complement or contrast with the monument or memorial; (3) authorize a resident of the city to file a complaint with the attorney general asserting the city violated (1), above, and authorize the attorney general to file a petition for a writ of mandamus or other equitable relief to compel a city to comply with (1), above; and (4) define “monument or memorial” as used in (1) to mean a permanent monument, memorial, or other designation, including a statute, portrait, plaque, seal, symbol, cenotaph, building name, bridge name, park name, area name, or street name, that honors an event or person of historic significance.

**H.B. 4550 (Toth) – Universal Basic Income:** would prohibit a political subdivision from adopting or enforcing an ordinance, order, or other measure that provides for a universal basic income, including basic income, monthly income, or minimum income paid to each individual resident of the political subdivision without regard to the individual's circumstances.
H.J.R. 12 (Meza) – Constitutional Amendments: would amend the Texas Constitution to provide that an election on a proposed amendment to the Texas Constitution must be held in November of even-numbered years.

H.J.R. 21 (Craddick) – Infrastructure Funding: would amend the Texas Constitution to create the Grow Texas fund and authorize the appropriation of money from the Grow Texas fund only for use in areas of the state from which oil and gas are produced and only to address infrastructure needs in the manner provided by general law in areas of the state determined by the legislature to be significantly affected by oil and gas production.

H.J.R. 32 (Shine) – Unfunded Mandates: would amend the Texas Constitution to provide that a law enacted by the legislature on or after January 1, 2022, that requires a city or county to establish, expand, or modify a duty or activity that requires the expenditure of revenue is not effective unless the legislature appropriates or otherwise provides, from a source other than the city or county revenue, for the payment or reimbursement of the costs incurred for the biennium in complying with the requirement.

H.J.R. 33 (Swanson) – Regulation of Occupations: would amend the Texas Constitution to prohibit the state or a political subdivision of the state from enacting or enforcing a regulation that imposes a substantial burden on an individual’s right to engage in a lawful occupation or profession unless the regulation is necessary and narrowly tailored to protect against actual and specific harm to the public’s health and safety.

H.J.R. 37 (Raymond) – Gambling: would amend the Texas Constitution to authorize: (1) local option elections to legalize or prohibit the operation of eight-liners or similar gaming devices; and (2) the legislature or a political subdivision to impose a fee on gaming devices approved by a majority of the voters in a local option election under (1). (See H.B. 647, above.)

H.J.R. 65 (Vasut) – Special Session: would amend the Texas Constitution to provide that: (1) the governor shall, by proclamation, convene the legislature in special session on receipt of a petition requesting the special session that is signed by at least two-thirds of the members of each house of the legislature; and (2) the petition must state the date the governor must convene the session and the specific purpose for which the season is convened.

H.J.R. 72 (Leach) – Religious Services: would amend the Texas Constitution to prohibit the state or a political subdivision of the state from enacting, adopting, or issuing a statute, order, proclamation, decision, or rule that prohibits or limits religious services by a religious organization established to support and serve the propagation of a sincerely held religious belief. (Companion resolution is S.J.R. 27 by Hancock.)

H.J.R. 82 (Craddick) – Infrastructure Funding: would amend the Texas Constitution to create the Grow Texas fund and authorize the appropriation of money from the Grow Texas fund only for use in areas of the state from which oil and gas are produced and only to address infrastructure needs in the manner provided by general law in areas of the state determined by the legislature to be significantly affected by oil and gas production.
**H.J.R. 85 (Patterson) – Operation of Industry:** would amend the Texas Constitution to provide that an agency or officer of the executive department of this state, a political subdivision of this state, or an officer of a political subdivision of this state may not prohibit the operation of an industry or other category of business or commercial activity otherwise legally operating in this state.

**H.J.R. 87 (Burns) – Unfunded Mandates:** would amend the Texas Constitution to provide that a law enacted by the legislature on or after January 1, 2022, that requires a city or county to establish, expand, or modify a duty or activity that requires the expenditure of revenue by the city or county is not effective unless the legislature appropriates or otherwise provides, from a source other than the revenue of the city or county, for the payment or reimbursement of the costs incurred for the biennium by the city or county in complying with the requirement.

**H.J.R. 92 (Schofield) – Eminent Domain:** would amend the Texas Constitution to: (1) provide that a person from whom a real property interest is acquired by an entity through eminent domain for a public use, or that person’s heirs, successors, or assigns, is entitled to repurchase the property under certain conditions; and (2) require that a governmental entity offer to sell real property acquired through eminent domain to the person who owned the real property interest immediately before the governmental entity acquired the property interest, or to the person’s heirs, successors, or assigns under certain circumstances.

**H.J.R. 93 (Schofield) – Eminent Domain:** would amend the Texas Constitution to provide that “public use” does not include the taking of property for transfer to a private entity. (Note: the current constitutional provision provides that property may not be taken to transfer to a private entity “for the primary purpose of economic development or enhancement of tax revenues.”)

**H.J.R. 116 (Burns) – Unfunded Mandates:** would amend the Texas Constitution to: (1) provide that a state law enacted through a bill that takes effect on or after January 1, 2022, and that requires a political subdivision to establish, expand, or modify a duty or activity that request the political subdivision to spend revenue must provide for reimbursement to each political subdivision affected by the requirement in an amount equal to the estimated cost to the political subdivision to comply with the requirement or rules adopted under the requirement; (2) provide that (1), above, does not apply to: (a) a law that imposes a requirement on a political subdivision that employs in any capacity a person required to register as a lobbyist under state law; or (2) a law that imposes a requirement that is required to be enacted by: (i) the Texas Constitution; (ii) the United States Constitution; (iii) a federal law; or (iv) an order of a state or federal court; and (3) provide that, notwithstanding (2)(a), above, a political subdivision is entitled to reimbursement under (1) regardless of whether the political subdivision spends public money for membership fees and dues of a nonprofit state association or organization of similar political subdivisions that exists for the betterment of local government and the benefit of all local officials.

**S.B. 10 (Bettencourt) – Community Censorship:** would:

(1) prohibit the governing body of a city or county from spending public money or providing compensation in any manner to directly or indirectly influence or attempt to influence the outcome of any legislation pending before the legislature;
(2) provide that the prohibition in (1), above, does not prevent:
   a. an officer or employee of a city or county from providing information for a
      member of the legislature or appearing before a legislative committee at the
      request of the member of the legislature or the committee;
   b. an elected officer of a city or county from advocating for or against or otherwise
      influencing or attempting to influence the outcome of legislation pending before
      the legislature while acting as an officer of the city or county; or
   c. an employee of a city or county from advocating for or against or otherwise
      influencing or attempting to influence the outcome of legislation pending before
      the legislature if those actions would not require a person to register as a lobbyist
      under the state lobby registration requirement;
(3) provide that if a city or county engages in an activity prohibited in (1), above, a taxpayer
   or resident of the city or county is entitled to appropriate injunctive relief to prevent any
   further prohibited activity; and
(4) provide that a taxpayer or resident who prevails in an action under (3), above, is entitled
   to recover reasonable attorney’s fees and costs incurred in bringing the action from the
   city or county, as applicable.

S.B. 26 (Paxton) – Religious Freedom: would provide that: (1) for purposes of a disaster, the
Texas Religious Freedom Restoration Act is not considered a regulatory statute and may not be
suspended; and (2) a government agency or public official may not issue an order that closes or
has the effect of closing places of worship in Texas or in a geographic area of Texas.
(Companion bill is H.B. 1239 by Sanford.)

S.B. 61 (Zaffirini) – Unfunded Mandates: would establish an unfunded mandate interagency
workgroup and require the group to, among other things, publish an advisory list of mandates for
which the legislature has not provided reimbursement following each regular or special session
of the legislature.

S.B. 65 (Miles) – Official Oppression: would make the offense of official oppression a second
degree felony if the public servant, at the time of the offense, is a licensed peace officer and:
(1) causes bodily injury to another or threatens another with imminent bodily injury; and (2) while
engaging in the conduct described in (1), causes serious bodily injury to another, or uses or
exhibits a deadly weapon.

S.B. 73 (Miles) – Local Health Departments: would: provide that the executive commissioner
of Health and Human Services Commission shall establish a separate provider type for local
health departments, including health service regional offices acting in the capacity of local health
departments, for purposes of enrollment as a provider for and reimbursement under the medical
assistance program.

S.B. 128 (Johnson) – State Holidays: would: (1) abolish Confederate Heroes Day as a state
holiday; and (2) create a new state holiday on June 28 as the “Celebration of Suffrage Day” in
honor of the centuries-long struggle to bring the right of suffrage to all Americans.
**S.B. 133 (Johnson) – Inflation Report by Comptroller**: would require the comptroller to: (1) maintain a list of each dollar amount of certain taxes, fees, fines, and exemptions specified in state statute; and (2) not later than November 1 of each even-numbered year: (a) determine the inflation-adjusted amount of each dollar amount identified in (1), above; and (b) estimate the fiscal effects the inflation-adjusted amounts determined under (1), above, would have on the state and political subdivisions of the state if those amounts had applied during the preceding state fiscal biennium.

**S.B. 149 (Powell) – Unmanned Aircraft**: would provide that it is a criminal offense for a person to intentionally or knowingly operate an unmanned aircraft over a military installation owned or operated by the federal government, the state, or another governmental entity.

**S.B. 150 (Powell) – State Agency Rules**: would require a state agency that is made aware that a proposed rule may have an adverse economic effect on small businesses, micro-businesses, or rural communities after notice of the proposed rule has been published to: (1) prepare an economic impact statement and regulatory flexibility analysis; (2) publish the statement and analysis in the Texas Register as an amendment to the proposed rule; and (3) provide a copy of the statement and the analysis to the standing committee of each house of the legislature charged with reviewing the proposed rule.

**S.B. 157 (Perry) – Eminent Domain Reporting Requirements**: would: (1) exempt a city with a population of less than 25,000 from eminent domain reporting requirements if the city’s eminent domain authority information has not changed from the information reported in the city’s most recently filed report; and (2) provide that for a city described by (1), above, if the city’s eminent domain authority information is the same as the information in the eminent domain database from the previous reporting period, the city, not later than February 1 of the current reporting period, shall confirm the accuracy of the information by electronically updating the city’s previously filed report with the comptroller.

**S.B. 233 (Whitmire) – Discrimination**: would, among other things: (1) prohibit a person, other than certain religious organizations, from denying an individual full and equal accommodation in any place of public accommodation or otherwise discriminating against or segregating the person because of, or based on, the individual’s sexual orientation or gender identity or expression; (2) allow a person described in (1), above, who is aggrieved to file a civil cause of action in district court, to recover actual and punitive damages, attorney’s fees, and injunctive relief, provided that such action is brought not later than the second anniversary of the occurrence or termination of the alleged discriminatory practice; (3) prohibit discrimination in employment on the basis of an individual’s sexual orientation or gender identity or expression; and (4) prohibit a person from refusing to sell or rent a dwelling to an individual because of the individual’s sexual orientation or gender identity or expression. (Companion bill is H.B. 188 by Bernal.)

**S.B. 252 (Bettencourt) – Abuse of Official Capacity**: would: (1) provide that a public servant commits an offense if, with intent to obtain or bestow a benefit or with intent to harm or defraud another, the public servant intentionally or knowingly misuses non-government personal property or any other thing of value, including art work, that has come into the public servant's custody or possession by virtue of the public servant's office or employment by storing or
refurbishing the personal property at government expense, without public benefit; and (2) give the attorney general concurrent jurisdiction with a local prosecutor to prosecute any abuse of office offense (i.e., any offense under Chapter 39, Texas Penal Code).

**S.B. 275 (Hinojosa) – Falsely Imposing Governmental Affiliation:** would provide that: (1) a governmental unit is entitled to injunctive relief if another person’s use of an entity name might falsely imply governmental affiliation with the governmental unit; and (2) if a court finds that the person against whom injunctive relief is sought willfully intended to imply governmental affiliation with the governmental unit, the court has discretion to enter judgment in an amount not to exceed three times the amount of the entity’s profits and the governmental unit’s damages and award reasonable attorney’s fees to the governmental unit.

**S.B. 276 (Hinojosa) – Animal Shelters:** would require an animal shelter to: (1) quarantine an animal with an infectious disease until the animal is no longer infectious; and (2) provide notice to a person who leaves an animal with the shelter to receive veterinary care of: (a) any animal at the shelter with an infectious disease at the time the person’s animal is brought to or picked up from the shelter; and (b) an animal at the shelter diagnosed with an infectious disease during the time the person’s animal is under the care of the shelter.

**S.B. 278 (Hinojosa) – Navigation Districts:** would, among other things, authorize a navigation district to act to prevent, detect, and fight a fire or explosion or hazardous material incident that occurs on, or adjacent to, a waterway, channel, or turning basin that is located in the district’s territory, regardless of whether the waterway, channel, or turning basin is located in the corporate limits of a city.

**S.B. 315 (Huffman) – Sexually Oriented Businesses:** would, among other things: (1) provide that an individual younger than 18 years of age may not be on the premises covered by permit or license issued by the Texas Alcoholic Beverage Commission if a sexually oriented business operates on the premise; (2) provide that the holder of a license or permit covering a premises described in (1), above, may not knowingly or recklessly allow an individual younger than 18 years to be on the premises; (3) provide that if a permit or license holder is found to violate (1), above, the commission shall suspend the permit or license for the first and second violation, and cancel the permit or license for the third violation; (4) prohibit a sexually oriented business from allowing an individual younger than 18 years of age to enter the premises of the business; (5) provide that a sexually oriented business commits an offense if it violates (4), above; (6) amend current law to provide that it is a common nuisance to: (i) employ or enter into a contract for the performance of work or the provision of services with an individual younger than 21 years of age for work or services performed at a sexually oriented business; or (ii) permit an individual younger than 18 years of age to enter the premises of a sexually oriented business; (7) amend current law to provide that a sexually oriented business may not hire or enter into a contract with an individual younger than 21 years of age for the performance of work or the provision of services other than a contract to perform repairs, maintenance or construction services at the business; and (8) amend current law to provide that a child is a person younger than 21 years of age for purposes of the criminal offense of employing, authorizing, or inducing a child to work in a sexually oriented commercial activity or in any place of business permitting, requesting or requiring a child to work nude or topless.
S.B. 344 (Paxton) – Electronic Signatures: would: (1) include as the definition of an “electronic signature” one that employs blockchain or distributed ledger technology; (2) provide that a governmental agency of Texas must accept valid electronic signatures; and (3) provide that an electronic signature that employs blockchain or distributed ledger technology is a valid electronic signature for: (a) the issuance of an apostille by the secretary of state, if the apostille may be signed using an electronic signature; or (b) a contract entered into by a governmental agency.

S.B. 345 (Paxton) – Cybersecurity: would provide that: (1) a local government employee or official that uses a computer to complete at least 25 percent of the employee or official’s required duties shall complete a cybersecurity training certified by the state cybersecurity coordinator and the state’s cybersecurity council; (2) to apply for certain state grants, a local government must submit with its grant application proof of compliance with the cybersecurity training requirements; and (3) a local government that has not complied with the cybersecurity training requirements must repay the grant and will be ineligible for another grant for two years. (Companion Bill is H.B. 1118 by Capriglione.)

S.B. 376 (Nichols) – Governmental Self-Insurance Funds: would require a governmental unit that establishes a self-insurance fund to: (1) register the fund with the Texas Department of Insurance (TDI) on a form prescribed by the commissioner of insurance; and (2) annually file with TDI the fund’s annual financial statements, the fund’s articles of incorporation, and any other information requested by TDI.

S.B. 384 (Powell) – Tuition and Fees for Paramedics: would: (1) require the governing board of an institution of higher education to exempt from the payment of tuition and laboratory fees any student enrolled in one or more courses offered as part of fire science curriculum who is employed as a paramedic by a political subdivision; (2) provide that the governing board of an institution of higher education may, in accordance with Texas Higher Education Coordinating Board rule, exclude a course that is offered through distance education from the exemption that provides a firefighter or paramedic employed by a political subdivision and certain members of volunteer fire departments are exempt from paying tuition or laboratory fees for courses offered as part of a fire science curriculum; and (3) require the Texas Higher Education Coordinating Board to adopt rules governing the granting or denial of an exemption from paying tuition or laboratory fees, including rules: (a) prescribing the educational attainment or level of certification necessary to qualify for an exemption as a paramedic; and (b) relating to the exclusion from the exemption under (2), above, of a distance education course, including prescribing the maximum number of distance education courses that maybe excluded from the exemption. (Companion bill is H.B. 1310 by Guillen.)

S.B. 440 (Blanco) – Flavored Cigarettes, E-Cigarettes and Tobacco Products: would provide that: (1) a person may not sell, give, or cause to be sold or given a cigarette, e-cigarette, or tobacco product with a distinguishable taste or aroma other than the taste or aroma of tobacco; and (2) a person who violates (1), above, is liable to the state for a civil penalty of $250 for each violation.
**S.B. 454 (Kolkhorst)** – Local Mental Health Authority: would provide that each local mental health authority group shall meet at least quarterly to collaborate on planning and implementing regional strategies to reduce: (1) costs to local governments of providing services to persons experiencing a mental health crisis; (2) transportation to mental health facilities of persons served by an authority that is a member of the group; (3) incarceration of persons with mental illness in county jails that are located in an area served by an authority that is a member of the group; and (4) visits by persons with mental illness at hospital emergency rooms located in an area served by an authority that is a member of the group.

**VETOED S.B. 474 (Lucio)** – Unlawful Restraint of Dog: would: (1) prohibit and create a criminal offense for the unlawful restraint of a dog; and (2) provide that the prohibition in (1) does not preempt a local regulation relating to the restraint of a dog or affect the authority of a political subdivision to adopt or enforce an ordinance or requirement relating to the restraint of a dog if the regulation, ordinance, or requirement: (a) is compatible with and equal to, or more stringent than, the prohibition; or (b) relates to an issue not specifically addressed by the prohibition. (Companion bills are H.B. 386 by Pacheco and H.B. 873 by Collier.)

**S.B. 475 (Nelson)** – Cybersecurity: would, among other things: (1) require the Department of Information Resources (DIR) to establish a framework for regional cybersecurity working groups to execute mutual aid agreements that allow state agencies, local governments, and others to assist with responding to a cybersecurity event in the state; (2) require DIR to establish the Texas volunteer incident response team to provide rapid response assistance to any participating entity (which could include a city) under DIR’s direction during a cybersecurity event; and (3) authorize DIR to establish a regional network security center to assist in providing cybersecurity support and network security to certain entities (including cities) that elect to participate in and contract for services through such a center.

**S.B. 509 (Perry)** – Warrant Fees: would provide that a defendant convicted of a felony or a misdemeanor shall pay the following, as reimbursement fees for services performed in the case by a peace officer for executing or processing an issued arrest warrant, capias, or capias pro fine: (1) $75 if the defendant is convicted of a felony, a Class A misdemeanor, or a Class B misdemeanor; or (2) $50 if the defendant is convicted only of a Class C misdemeanor.

**S.B. 524 (Buckingham)** – Disabled Veteran Grants: would, among other things, provide that, for purposes of the law governing the provision of state aid to certain local governments disproportionately affected by the granting of property tax relief to disabled veterans, the term “local government” includes a city with extraterritorial jurisdiction located within two miles of the boundary line of a United States military installation.

**S.B. 552 (Kolkhorst)** – Dog Bites: would require each animal control authority to submit to the Department of State Health Services an annual report regarding dog bites that occurred in the preceding year in the authority’s jurisdiction and resulted in bodily injury, serious bodily injury, or death of a person.

**S.B. 569 (Springer)** – Deceased Resident Report: would, among other things, require the local registrar of deaths to file each abstract with the voter registrar of the decedent’s county of
residence and the secretary of state as soon as possible, but not later than one day after the abstract is prepared. (Note: current law authorizes the local registrar to file the abstract with the voter registrar not later than the 10th day after the abstract is prepared.) (Companion bill is H.B. 1264 by K. Bell.)

**S.B. 616 (Gutierrez) – Casino Gambling**: would allow up to 12 casinos in this state pursuant to a county approval election. (See S.J.R. 36, below.)

**S.B. 617 (Kolkhorst) – Farmers’ Markets**: would: (1) define “food producer” as a person who grew, raised, processed, prepared, manufactured, or otherwise added value to the food product the person is selling; (2) provide that a temporary food establishment permit or permit issued by a public health district to a farmer for the sale of food directly to consumers at a farmers’ market, farm stand, or the farmer’s farm or to a food producer: (a) must be valid for a term of not less than one year; (b) may impose an annual fee not to exceed $100; and (c) must cover sales at all locations within the jurisdiction of the permitting authority; and (3) provide that a farmer or food producer who is charged an annual fee in excess of (2)(b) or whose permit does not otherwise comply with the bill may bring an action against the governmental entity that charged the fee or issued the permit to recover: (a) the amount the farmer or food producer was charged in excess of the annual fee authorized by (2)(b); and (b) reasonable and necessary attorney’s fees. (Companion bill is H.B. 1652 by Wilson.)

**S.B. 621 (Gutierrez) – Nepotism**: would provide that an individual may not be appointed to or hold a position or public office that is to be directly or indirectly compensated from public funds or fees if the individual has been appointed, confirmed for appointment, or voted for appointment in violation of state nepotism law.

**S.B. 645 (Zaffirini) – Natural Gas Vehicle Grant Program**: would expand the natural gas vehicle grant program to fund a used natural gas vehicle of model year 2017 or later that is proposed to replace an on-road heavy-duty or medium-duty motor vehicle, provided that the model year may not be more than six years older than the current model year at the time of the submission of the grant application. (Companion bill is H.B. 963 by Lozano.)

**S.B. 650 (Campbell) – Abortion**: would: (1) provide that a governmental entity may not enter into a taxpayer resource transaction, appropriate money, or spend money to provide to any person logistical support for the express purpose of assisting a woman with procuring an abortion or the services of an abortion provider; and (2) authorize the attorney general to enjoin a violation of the prohibition in (1). (Companion bill is H.B. 1173 by Noble.)

**S.B. 678 (Alvarado) – Small Business Disaster Recovery Loans**: would require the comptroller by rule to establish a loan program to use money from the small business disaster recovery revolving fund to provide financial assistance to small businesses affected by a disaster.

**S.B. 681 (Blanco) – School Bus**: would, among other things: (1) define "idling" as allowing an engine to run while the motor vehicle is not engaged in forward or reverse motion; (2) require the board of trustees of each school district to adopt a policy that minimizes the amount of time that drivers of buses operated or contracted for operation by the district spend idling the bus
engine; (3) to maximize the effectiveness of a policy adopted, a school district may, among other things: (a) review any federal, state, or local regulations relating to engine idling to ensure the district's policy is consistent with those regulations; and (b) encourage local governmental entities to adopt idling reduction plans and programs.

**S.B. 700 (Buckingham)** – Texas Parks and Wildlife Department: would, among other things, continue the functions of the Texas Parks and Wildlife Department until September 1, 2033. (Companion bill is H.B. 1615 by Cyrier.)

**S.B. 703 (Buckingham)** – Texas Department of Agriculture: this is the Texas Department of Agriculture sunset bill. The bill, among other things: (1) continues the department until 2033; and (2) repeals: (a) the Rural Foundation; (b) the Rural Health & Economic Development Advisory Council; and (c) the Early Childhood Health and Nutrition Interagency Council.


**S.B. 714 (Buckingham)** – Licensing and Regulation: would provide for the continuation and functions of the Texas Department of Licensing and Regulation and, among other things, would: (1) deregulate (no longer license) polygraph examiners and auctioneers; and (2) eliminate certain court-ordered driver education programs. (Companion bill is H.B. 1560 by Goldman.)

**S.B. 721 (Schwertner)** – Eminent Domain: would provide that an entity seeking to acquire property through the use of eminent domain shall, not later than the third business day before the date of a special commissioner’s hearing, disclose to the property owner any and all current and existing appraisal reports produced or acquired by the entity relating specifically to the owner’s property and used in determining the entity’s opinion of value, if an appraisal report is to be used at the hearing. (Companion bill is H.B. 2041 by Leman.)

**S.B. 722 (Schwertner)** – Eminent Domain: would provide that an entity that fails to disclose certain appraisal reports in connection with an offer to acquire real property through eminent domain is liable to the property owner for reasonable attorney’s fees incurred by the owner in connection with the entity’s acquisition of the owner’s property.

**S.B. 723 (Schwertner)** – Eminent Domain: would, among other things: (1) provide that if an entity with eminent domain authority provides a form to an owner of real property requesting the owner’s permission to enter the property to examine the property or conduct a survey of the property in connection with the potential acquisition of the property for a public use, the form must conspicuously state that: (a) the owner has a right to refuse to grant permission to the entity to enter the property and conduct the examination or survey; (b) the entity has a right to sue for a court order authorizing the entity to enter the property and conduct the examination or survey if the owner refuses to grant the permission; (c) the owner has a right to negotiate the terms of the examination or survey of the property; and (d) the entity has the responsibility for any damages arising from an examination or survey of the property; (2) provide that at the time a governmental or private entity with eminent domain authority makes an initial offer to a property owner to acquire real property, the entity must send by first-class mail a landowner’s bill of
rights statement to the last known address of the person in whose name the property is listed on the most recent property tax roll; and (3) require a condemning entity that makes an initial offer that includes real property that the entity does not seek to acquire by condemnation to include in the initial offer: (a) a separate identification of the real property that the entity does not seek to acquire by condemnation; and (b) an offer for the real property that the entity does not seek to acquire by condemnation separate from the offer made for the real property sought to be acquired by condemnation. (Companion bill is H.B. 2042 by Leman.)

**S.B. 724 (Schwertner) – Eminent Domain:** would provide that if the amount of damages awarded by the special commissioners in an eminent domain proceeding is at least 20 percent greater than the amount of the condemnor’s final offer, or if the commissioners’ award is appealed and a court awards damages in an amount that is at least 20 percent greater than the amount of the condemnor’s final offer made, the condemnor: (1) shall pay all costs of the eminent domain proceeding; and (2) may be required to pay reasonable attorney’s fees and other professional fees incurred by the property owner in connection with the eminent domain proceeding.

**S.B. 725 (Schwertner) – Eminent Domain:** would provide that: (1) land qualifies for appraisal for property tax purposes as agricultural land if a portion or parcel of the land is subject to a right of way that is less than 200 feet wide and that was taken by condemnation if the remainder of the parcel of land qualifies for appraisal as agricultural land; and (2) if additional taxes are due because the land is diverted to a nonagricultural use as a result of a condemnation, the additional taxes and interest are the personal obligation of the condemning entity and not the property owner from whom the property was taken. (Companion bill is H.B. 2043 by Leman.)

**S.B. 726 (Schwertner) – Eminent Domain:** would, among other things, in relation to a property owner’s right to repurchase property from a condemning entity: (1) eliminate as an element establishing “actual progress” on a project: (a) the acquisition of a tract or parcel of real property adjacent to the property for the same public use project for which the owner’s property was acquired; and (b) for a governmental entity, the adoption by a majority of the entity's governing body at a public hearing of a development plan for a public use project that indicates that the entity will not complete more than one tolling action before the tenth anniversary of the date of acquisition of the property; and (2) require three of five remaining elements to be met to establish actual progress. (Companion bill is H.B. 2044 by Leman.)

**S.B. 780 (Hinojosa) – Intergovernmental Agreements:** would provide that a local government may enter into an interlocal contract with a branch of the armed forces of the United States to provide installation-support services to a military installation located in Texas. (Companion bill is H.B. 2210 by Raymond.)

**S.B. 798 (Nelson) – Family Violence:** would, among other things, allow a victim of dating violence, a victim of family violence, or a child of a victim of dating or family violence, to request, without payment of a fee, a certified copy of the individual’s birth record.

**S.B. 843 (Springer) – Food Service Establishments:** would allow a licensed food service establishment (i.e., a place where food is prepared for individual portion service) to sell directly
to an individual consumer food, other than prepared food, that: (1) is in its original condition or packaging as received by the establishment; (2) is labeled with the name and source of the food and the date the food is sold; (3) bears an official mark of USDA inspection, if the food is meat or poultry; (4) does not exceed the shelf life as displayed on the packaging; and (5) has been properly refrigerated, if applicable. (Companion bill is H.B. 1276 by Parker.)

S.B. 871 (Nichols) – State Board of Plumbing Examiners: would continue the functions of the Texas State Board of Plumbing Examiners.

S.B. 911 (Hancock) – Third-Party Food Delivery Service: would, among other things: (1) define “third-party food delivery service” as a website, mobile application, or other Internet-based service that acts as an intermediary between consumers and multiple restaurants not owned or operated by the service to arrange for the delivery of food or beverages from those restaurants; (2) preempt a city or county from adopting or enforcing an ordinance or regulation that: (a) applies requirements to a third-party food delivery service that are more restrictive than the requirements that apply to the service under state law; (b) affects the fees charged to a restaurant by a third-party food delivery service; or (c) affects the terms of an agreement between a third-party food delivery service and a restaurant; (3) provide that the Department of State Health Services or a local health authority may not require a third-party food delivery service employee or independent contractor to complete an education program on basic food safety accredited under the bill; and (4) provide that local health authority may not charge a fee to an employee or contractor who provides proof of completion of an education program on basic food safety accredited under the bill. (Companion bill is H.B. 2119 by Burrows.)

S.B. 929 (Zaffirini) – Website Postings: would: (1) with some exceptions, require a governmental body to post on its website each contract for the purchase of goods or services from a private vendor along with certain other information; and (2) require that a contract in (1): (a) be posted on the website within a specified period of time; and (b) have certain information redacted. (Companion bill is H.B. 2913 by Capriglione.)

S.B. 955 (Hinojosa) – Clean Energy: would establish a committee regarding economic development and workforce retraining opportunities in the transition to the use of clean energy sources and, among other things, provide that a political subdivision shall provide the committee with facilities, data, and other assistance as requested by the committee to carry out its duties under the bill. (Companion bill is H.B. 3878 by Hinojosa.)

S.B. 982 (Powell) – Data Collection: would require the Health and Human Services Commission to ensure that each local government entity responsible for providing data to the commission or a health and services agency in connection with a public benefits program administered by the commission or agency: (1) provide individuals from whom demographic data is sought the option to report certain detailed data regarding the individual’s race or ethnic origin and sex or gender; and (2) collect certain data from individuals who receive, or were receiving at the time of the individual’s death, benefits under a program. (Companion bill is H.B. 1608 by Rosenthal.)
S.B. 986 (Kolkhorst) – Eminent Domain: would, among other things: (1) require the attorney general, before making any changes to the landowner’s bill of rights statement, to make the proposed statement available on the attorney general’s website and accept public comment regarding the proposed statement for at least 90 days after the date the proposed statement is made available; (2) require the Texas Real Estate Commission to establish an ombudsman office for the purpose of providing information to landowners whose real property may be acquired by a governmental or private entity through the use of the entity’s eminent domain authority; (3) provide that a person may not receive state certification to buy, sell, lease, or transfer an easement or right-of-way for another for compensation in connection with telecommunication, utility, railroad, or pipeline service unless the person successfully completes at least 16 classroom hours of coursework every two years approved by the Texas Real Estate Commission in: (a) the law of eminent domain, including the rights of property owners; (b) appropriate standards of professionalism in contacting and conducting negotiations with property owners; and (c) ethical considerations in the performance of right-of-way acquisition services; (4) require the judge of a court in which a condemnation petition is filed or to which an eminent domain case is assigned to appoint two disinterested real property owners who reside in the county as alternate special commissioners; and (5) provide that if a person fails to serve as a commissioner or is struck by a party to the suit, an alternate special commissioner shall serve as a replacement for the special commissioner based on the order that the alternate special commissioners are listed in the initial order of appointment.

S.B. 1001 (Hughes) – Biometric Identifiers: would: (1) expand the definition of “biometric identifier”; (2) with certain exceptions, prohibit a governmental entity from: (a) capturing an individual’s biometric identifier without the individual’s voluntary consent; and (b) retaining and using an individual’s biometric identifier that is captured using a photo, video recording or audio recording; (3) require a governmental entity that captures an individual’s biometric identifier to destroy all records of the identifier if it was collected under a warrant and charges are not filed, or if it was collected in connection with the investigation of a crime for which the person is acquitted or charges are dropped; (4) provide that the attorney general may seek injunctive relief and civil penalties for a violation of (2) or (3) (as well as other state laws regarding biometric identifiers); and (5) waive governmental immunity from suit and liability.

S.B. 1045 (Eckhardt) – Health Benefits: would provide that a political subdivision’s third-party health benefits administrator or other health benefits vendor is liable for a claim based on a dispute under an employment benefit, including health benefit plan coverage, provided to an employee of the political subdivision by the political subdivision if the underlying claim is based on the vendor’s duty under the vendor’s agreement.

S.B. 1064 (Alvarado) – Fleet Vehicles: would: (1) provide that a county or city that owns and operates a motor vehicle, trailer, or semitrailer that is exempt from the payment of a registration fee under certain law may choose to register some or all of those vehicles for an extended registration and inspection period of three years; and (2) require a county or city that chooses to register a vehicle as described in (1) to provide for the timely inspection of the vehicle before registration. (Companion bill is H.B. 2262 by Schofield.)
**S.B. 1066 (Blanco)** – **Common Nuisance**: would authorize a court to issue a temporary restraining order in a suit to abate certain common nuisances. (Companion bill is **H.B. 167** by Ortega.)

**S.B. 1077 (Paxton)** – **Digital Identity Work Group**: would, among other things: (1) define "digital identity" as including: (a) credentials issued by federal, state, and local governmental agencies to a person for identification, licensure, registration, and other purposes; (b) credentials conferred to a person to verify the person's skills and qualifications; (c) digital credentials issued for user authentication and access management; and (d) digitally-verifiable claims; and (2) establish the digital identity work group to develop recommendations for the use of digital identity, and to identify optimal policies and state investments related to digital identity technology. (Companion Bill is **H.B. 2199** by Parker.)

**S.B. 1121 (Johnson)** – **Change of Name and Sex**: would, among other things: (1) establish a process by which a person may apply to the state registrar for the issuance of a new birth certificate to reflect and incorporate into the new birth certificate a change to the person’s name and sex or only to the person’s sex; (2) require a person who applies for a new birth certificate under (1) to notify the appropriate local law enforcement authority of the proposed change to the person’s name and sex or only to the person’s sex, as applicable; and (3) provide that for each person to whom the state registrar issues a new birth certificate under (1), the state registrar shall provide a copy of the new birth certificate and accompanying certificate of change to the applicable local law enforcement authority. (Companion bill is **H.B. 2024** by Rosenthal.)

**S.B. 1122 (Zaffirini)** – **Comptroller Contracts for Travel Services**: would, among other things, prohibit the comptroller from charging a city a fee if a city officer or employee who is engaged in official city business participates in the comptroller’s contract for travel services for the purpose of obtaining reduced airline fares and reduced travel agent fees. (Companion bill is **H.B. 2894** by Holland.)

**S.B. 1189 (Buckingham)** – **Emergency Services Districts**: would: (1) authorize an emergency services district (ESD) to object to the removal of annexed territory by a city if the removal would have the effect of: (a) reducing the level of emergency services provided to the ESD territory inside or outside the annexed area; or (b) reducing ESD revenue to a level that would be insufficient to carry out the ESD’s purposes in territory outside the annexed area or require the ESD to increase the tax burden on territory outside the annexed area in order to maintain current services and commitments; and (2) provide that if an ESD objects to the removal of territory under (1), above, the city may not remove the annexed territory from the district.

**S.B. 1206 (Hall)** – **Presidential Executive Orders**: would provide that: (1) the state and the governing body of a city, county, or special district or authority may not implement or enforce a federal executive order that has not been affirmed by a vote of Congress of the United States and signed into law, as prescribed by the Constitution of the United States, that exceeds state law; and (2) provide that the state and the governing body of a city, county, or special district or authority and no person employed by, or otherwise under the direction or control of, those entities may enforce or attempt to enforce any federal order, rule, or regulation described by (1).
S.B. 1248 (Creighton) – Cooperation with Federal Agency: would, among other things, prohibit a political subdivision from cooperating with a federal agency in implementing an agency rule that a report published by the Texas attorney general indicates has been found by a court to violate the rights guaranteed to the citizens of the United States by the United States Constitution. (Companion bill is H.B. 3046 by Middleton.)

S.B. 1249 (Taylor) – Mixed Beverage Tax: would lower the rate of the mixed beverage gross receipts tax from 6.7 percent to 4.7 percent until September 1, 2023, at which point the tax rate increases back to 6.7 percent. (Companion bill is H.B. 3411 by Button.)

S.B. 1289 (Eckhardt) – Firearms: would, among other things, provide that a person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm on premises owned or leased by a governmental entity.

S.B. 1297 (Zaffirini) – Child Water Safety Requirements: would: (1) provide that an organization, including a school, preschool, kindergarten, nursery school, or day camp or youth camp that takes a child in its care or under its supervision to a body of water (including a pool) or otherwise allows a child access to a body of water shall: (a) determine whether the child is able to swim or is at risk when swimming; and (b) if the organization does not own or operate the body of water, provide the owner or operator of the body of water a written or electronic disclosure that clearly identifies each child who is unable to swim or is at risk when swimming; and (2) require the organization, during the time each child who is unable to swim or is at risk when swimming has access to a body of water, to: (a) provide the child an approved personal flotation device; and (b) ensure the child is wearing the appropriate personal flotation device and the device is properly fitted for the child. (Companion bill is H.B. 1676 by Goodwin.)

S.B. 1337 (Schwertner) – Emergency Services Districts: would allow an emergency services district to provide public health services, contract with a local government to provide those services, and charge a reasonable fee for performing those services for or on behalf of a person or entity. (Companion bill is H.B. 639 by White.)

S.B. 1363 (Bettencourt) – School District Partnership: would: (1) prohibit the board of trustees of a school district from entering into a contract on or after September 1, 2021 to partner with a municipality to operate a district campus; and (2) authorize the board of trustees of a school district to renew a contract entered into before September 1, 2021, to partner with a municipality for the operation of a district campus.

S.B. 1425 (Bettencourt) – Zero-Based Budgeting: would, among other things, for a city with a population of 225,000 or more, require the budget officer to prepare a zero-based budget every 12th year.

S.B. 1437 (Bettencourt) – Efficiency Audits: would, for a city with a population of 500,000 or more, require the city council to conduct an efficiency audit before seeking voter approval of a property tax rate that exceeds the voter-approval tax rate.
S.B. 1461 (Springer) – Commercial Activity: would, with certain exceptions, prohibit a city from adopting or enforcing an ordinance, rule, or regulation that imposes a restriction, condition, or regulation on commercial activity.

S.B. 1473 (Miles) – Emergency Services Districts: would require an emergency services district board to remove territory from a district on request of a city, only if the city has secured an alternative emergency service provider for the portions of territory located in the city’s extraterritorial jurisdiction. (Companion bill is H.B. 2323 by Schofield.)

S.B. 1486 (Hughes) – Juvenile Curfew: would, except for purposes of emergency management, prohibit a political subdivision from adopting or enforcing an order, ordinance, or other measure that imposes a curfew to regulate the movements or actions of persons younger than 18 years of age. (Companion bill is H.B. 561 by Israel.)

S.B. 1501 (Buckingham) – Historical Monuments: would provide: (1) notwithstanding any other law, a monument, marker, or medallion installed by the Texas Historical Commission is state property solely under the commission's custody and control and may not be altered, removed, relocated, covered, obscured, or concealed without the express written permission of the commission; (2) that the attorney general may file suit in district court to seek civil penalties in of not less than $50 nor more than $1,000 for each day of violation and equitable relief in accordance with current state law against a person who violates this amendment; and (3) a waiver of governmental immunity for any county, municipality, or other political subdivision to the extent liability is created by the amendment. (Companion bill is H.B. 3584 by Murr.)

S.B. 1642 (Creighton) – Navigation Districts: would, among other things, authorize a navigation district to act to prevent, detect, and fight a fire or explosion or hazardous material incident that occurs on, or adjacent to, a waterway, channel, or turning basin that is located in the district’s territory, regardless of whether the waterway, channel, or turning basin is located in the corporate limits of a city. (Companion bill is H.B. 3027 by Canales.)

S.B. 1656 (Bettencourt) – Annual Audits: would require a city’s annual financial statement, including an auditor’s opinion of the statement, to be filed in the office of the city secretary: (1) within 120 days after the last day of the city’s fiscal year for a city with a population of less than 1.75 million; and (2) within 90 days after the last day of the city’s fiscal year for a city with a population of 1.75 million or more.

S.B. 1678 (Campbell) – Donor Information: would: (1) with certain exceptions, prohibit a public agency or an officer or employee of a public agency from: (a) requiring an individual to provide donor information to the agency or otherwise compel the release of donor information; (b) requiring certain tax exempt entities provide donor information to the agency or otherwise compel the release of donor information; (c) releasing, publicizing, or otherwise publicly disclosing donor information in the agency’s possession; or (d) requesting or requiring a current or prospective contractor with or grantee of the agency to provide to the agency a list of organizations exempt from federal income tax under certain federal law to which the contractor or grantee has provided financial or nonfinancial support; (2) provide that donor information is excepted from the Public Information Act; (3) waive immunity for suit, and allow a person
alleging a violation of the prohibitions in (1) to bring a civil action to obtain injunctive relief, certain damages, and court costs, including reasonable attorney’s and witness fees; and (4) provide criminal penalties for a violation of the prohibitions in (1). (Companion bill is **H.B. 4275** by **Klick**.)

**S.B. 1681 (Hancock) – Religious Organizations:** would authorize a person who alleges that a governmental entity, including a city, enacts, adopts, or issues a statute, order, proclamation, decision, or rule that prohibits or limits religious services, to sue a governmental entity for certain types of relief and waive governmental immunity to the extent of liability for that relief. (Companion bill is **H.B. 3596** by **Leach**.)

**S.B. 1711 (Springer) – State and Local Taxes:** would, among other things: (1) compress school district maintenance and operations property tax rates; (2) provide that an individual is entitled to an exemption from property taxation by a school district of a portion of the appraised value of the individual’s residence homestead in an amount equal to 150 percent of the median appraised value of all single family residences in this state in the preceding year as determined by the comptroller; (3) require the comptroller, not later than January 1 of each year, to determine the median appraised value of all single-family residences in this state in the preceding year and publish that value in the Texas Register; (4) provide that a person is entitled to an exemption from taxation of the appraised value of the person’s inventory; (5) make the following services, among others, taxable for purposes of the sales tax: (a) advertising services; (b) automotive services; (c) barbering or cosmetology services; (d) dating services; (e) funeral services; (f) hunting or fishing guide services; (g) interior design or interior decorating services; (h) massage therapy services; (i) packing services; (j) personal instruction services; (k) transport services; and (l) veterinary services; (6) would subject several different types of goods to sales and use taxes, including newspapers, certain types of medicine, snack items, and bakery items; (7) impose a state sales tax on the sale of e-cigarette vapor products; and (8) provide that for purposes of the city sales tax, a sale of a service to construct, repair, restore, remodel, or modify an improvement to real property is consummated at the location of the job site. (See **H.J.R. 97**, below.)

**S.B. 1734 (Springer) – Oil and Gas Operations:** would: (1) prohibit an agency of this state or political subdivision from contracting with or providing assistance to a federal agency or official with respect to the enforcement of a federal state, order, rule, or regulation purporting to regulate oil and gas operations if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation that does not exist under the laws of Texas; and (2) provide that the prohibition in (1) may be enforced: (a) by denying state grant funds to the political subdivision; and (b) through court action by the attorney general. (Companion bill is **H.B. 1683** by **Landgraf**.)

**S.B. 1781 (Creighton) – Claims:** would: (1) for purposes of certain construction liability claims, provide that a cause of action accrues on the date the written report identifying the construction defect is postmarked by the United States Postal Service; and (2) provide that certain other dates of accrual are unaffected by (1). (Companion bill is **H.B. 3221** by **Leach**.)
S.B. 1787 (Gutierrez) – Hotel Occupancy Tax: would require the comptroller to provide a state hotel occupancy tax report to the city and county of each person required to collect the state hotel occupancy tax.

S.B. 1794 (West) – Opioid Settlement: would: (1) require the attorney general and comptroller to maintain a copy of a statewide opioid settlement agreement, including any amendments to the agreement, and make the copy available on the attorney general's and comptroller's Internet websites; (2) require funds obtained under a statewide opioid settlement agreement to be distributed in accordance with the term sheet; and (3) provide that a governmental entity may not bring a released claim against a released entity. (Companion bill is H.B. 3365 by Klick.)

S.B. 1842 (Eckhardt) – Eminent Domain: would, among other things, authorize a city corporation to take immediate possession of property to be acquired by eminent domain after paying to the property owner the amount of damages and costs awarded by the special commissioners or depositing that amount of money with the court subject to the order of the property owner.

S.B. 1879 (Bettencourt) – Community Advocacy: would:

1. provide that a political subdivision or other entity, including a city, may spend money to directly or indirectly influence or attempt to influence the outcome of any legislation pending before the legislature only if the expenditure is authorized by a majority vote of the governing body of the political subdivision or entity in an open meeting of the governing body;
2. require an expenditure under Number 1 to be voted on by the governing body as a stand-alone item on the agenda at the meeting;
3. require a political subdivision or other entity to report to the Texas Ethics Commission and publish on the political subdivision’s or entity’s website: (a) the amount of money authorized for the purpose of directly or indirectly influencing or attempting to influence the outcome of any legislation pending before the legislature; (b) the name of any person required to register as a lobbyist under state law who is retained or employed by, or on behalf of, the political subdivision or entity for the purpose described by (a); and (c) an electronic copy of any contract for services for the purpose described by (a) that is entered into by the political subdivision or entity, or by a person on behalf of the political subdivision or entity, with each person listed under (b);
4. require a political subdivision or other entity to report to the Texas Ethics Commission and publish on the political subdivision or entity’s website the amount of public money spent for membership fees and dues of any nonprofit state association or organization of similarly situated political subdivisions or entities that directly or indirectly influences or attempts to influence the outcome of legislation pending before the legislature;
5. require the Texas Ethics Commission to make available to the public an easily searchable database on the commission’s Internet website containing the reports submitted to the commission under Number 3, above;
6. authorize an interested party to appropriate injunctive relief if a political subdivision or other entity does not comply with Numbers 1 through 4, above; and
7. provide that an officer or employee of a political subdivision or other entity is not subject to the requirements and process spelled out in Numbers 1 through 4, above, if the officer or employee: (a) appears before a legislative committee at the written request of the committee or a member of the legislature; and (b) does not take a position on any legislation.

**S.B. 1904 (Blanco) – Payment of State Taxes In Disaster:** would, among other things, authorize the comptroller to grant to a person whom the comptroller finds to be adversely affected by a disaster an extension to make or file a return or pay a state tax so long as the extension does not exceed 90 days unless the governor by executive order authorizes a longer extension.

**S.B. 1922 (Lucio) – Regulation:** would, with certain exceptions, prohibit a city from regulating an activity or structure in an area in which the residents are ineligible or have only limited eligibility to vote in municipal elections. (Companion bill is H.B. 1885 by Harris.)

**S.B. 1926 (Hughes) – Immigration Enforcement:** would, among other things, authorize a person injured by the tortious acts or omissions of a person unlawfully present in the United States or the personal representative of a person killed by the tortious acts or omissions of a person unlawfully present in the United States to bring a civil action against a local entity or campus police department and recover from the local entity or campus police department damages arising from the personal injury or death under certain circumstances.

**S.B. 1955 (Taylor) – Learning Pods:** would, among other things: (1) exempt any “learning pod” (defined as a voluntary association of parents choosing to group their children together at various times or places to participate in or enhance their primary or secondary academic programming) from the following local government ordinances, rules, regulations, policies, guidelines, or any other local regulatory provisions: (a) all local requirements including, but not limited to staff ratios, certifications, background checks, physical accommodations, or other rules, regulations, guidelines, policies or provisions; (b) all local requirements related to the operation of a day-care, child-care center, or at home daycare, including, but not limited to locally required staff certifications, background checks, physical accommodations or other rules, guidelines, or provisions; (c) any local requirements related to building or fire codes applicable to educational or child-care facilities; and (d) any other local, ordinance, rule, regulation, policy, or guideline which would not be applicable to any group, building or facility but for the operation or presence of a learning pod; and (2) prohibit a local government employee, contractor, or agent from: (a) initiating or conducting any site inspection or other investigation or visit, that would not have been initiated or made but for the operation or presence of a learning pod; and (b) requiring that any learning pod be in any manner required to register or otherwise report its existence or anything related to the operation of a learning pod.

**S.B. 1959 (Creighton) – Water Districts:** would, among other things, provide that when a city consents to the inclusion of land in a water district it may restrict the purposes for which a district may issue bonds to those purposes authorized by law for the district.
S.B. 1975 (Springer) – Alcoholic Beverage Commission: would abolish the Texas Alcoholic Beverage Commission and transfer the regulation of alcoholic beverages to the Texas Department of Licensing and Regulation. (Companion bill is H.B. 4069 by Middleton.)

S.B. 2006 (Bettencourt) – Newspaper Notice: would, among other things, provide that: (1) except for certain publications related to civil suits, a governmental entity or representative required by law to provide notice by publication in a newspaper shall satisfy that requirement by posting the notice: (a) on the governmental entity’s or representative’s Internet website, if applicable; and (b) on the Internet website of a newspaper that meets the requirements of the law requiring notice; and (2) the requirement in (1) applies only to a governmental entity that is a political subdivision and a representative of a political subdivision, and does not apply to: (a) a county with a population of less than 10,000; (b) a municipality with a population of less than 5,000 located in a county with a population of less than 25,000; or (c) another type of political subdivision with a population of less than 5,000 in the subdivision’s boundaries that is located in a county with a population of less than 25,000.

S.B. 2090 (Johnson) – Anticipation Notes: would, among other things: (1) for purposes of the issuance of anticipation notes, modify the definition of emergency to include a severe weather-related event other than a hurricane or tropical storm or an epidemic or pandemic; and (2) provide that a determination by the governing body that the expenses incurred in connection with the issuance of anticipation notes are necessary to address an emergency is not subject to review by the attorney general.

S.J.R. 22 (Huffman) - Local Retirement Systems: would amend the Texas Constitution to provide that the state is not liable and may not appropriate money to pay for any debts or other obligations of a local retirement system.

S.J.R. 27 (Hancock) – Religious Services: would amend the Texas Constitution to prohibit the state or a political subdivision of the state from enacting, adopting, or issuing a statute, order, proclamation, decision, or rule that prohibits or limits religious services by a religious organization established to support and serve the propagation of a sincerely held religious belief. ( Companion resolution is H.J.R. 72 by Leach.)

S.J.R. 36 (Gutierrez) – Casino Gambling: would amend the Texas Constitution to allow up to 12 casinos in this state pursuant to a county approval election. (See S.B. 616, above.)

**Personnel**

H.B. 8 (Pacheco) – Request for Employment Records: would provide that: (1) a law enforcement agency that obtains written consent from a person licensed by the Texas Commission on Law Enforcement (TCOLE) to view the person’s employment history shall make an electronic copy of the person’s employment history available to a hiring law enforcement agency on request; and (2) TCOLE, by rule, shall prescribe the manner by which a law enforcement agency shall make a person's employment records electronically available to a
hiring law enforcement agency, and such rules must provide appropriate privacy and security protections.

**H.B. 21 (Neave) – Sexual Harassment:** would expand the time frame within which an employee must file a complaint alleging sexual harassment with the Texas Workforce Commission from not later than the 180th day of the date the unlawful employment practice occurred to not later than the 300th day after the date the alleged sexual harassment occurred.

**H.B. 34 (Canales) – Disease Presumption:** would, among other things, add a diagnosis of SARS-CoV-2 or COVID-19 by a test approved by the CDC to the workers’ compensation disease presumption statute.

**H.B. 48 (Zwiener) – Sexual Harassment:** would provide that an employer, including a city, or a person who acts directly in the interests of an employer in relation to an employee, commits an unlawful employment practice if sexual harassment of an employee occurs and the employer or the employer’s agents or supervisors: (1) know or should have known that the conduct constituting sexual harassment was occurring; and (2) fail to take immediate and appropriate corrective action. (Companion bill is **S.B. 45** by Zaffirini.)

**H.B. 60 (Reynolds) – Minimum Wage:** would increase the minimum wage to not less than the greater of $15 an hour or the federal minimum wage (currently at $7.25).

**H.B. 87 (Reynolds) – Paid Sick Leave:** would: (1) require certain employers to provide annual paid sick leave to each employee, accruing on the date the employee is hired at a rate of one hour paid sick leave for each 30 hours worked by the employee; and (2) provide that an employee may use such leave for specific reasons, including to attend: (a) to the employee’s or the employee’s family member’s health condition; (b) to family violence related matters; and (c) a meeting at a child family member’s school.

**H.B. 145 (Rodriguez) – Unemployment Benefits:** would, among other things, eliminate the requirement that an individual have been totally or partially unemployed for a waiting period of at least seven consecutive days before being eligible for unemployment benefits.

**H.B. 224 (Ortega) – Local Minimum Wage:** would, among other things, allow: (1) a city to adopt a minimum wage that exceeds the federal minimum wage to be paid by an employer to each of its employees for services performed in the city; and (2) a county to adopt a minimum wage that exceeds the federal minimum wage to be paid by an employer to each of its employees for services performed in the unincorporated areas of the county, including areas located within the extraterritorial jurisdiction of a city.

**H.B. 247 (Meza) – Family and Medical Leave:** would create a state family and medical leave law that, among other things: (1) requires an employer, including a city, to provide an employee who has been employed for at least one year not less than 30 days of leave for specific family and medical reasons; (2) creates a wage replacement fund administered by the Texas Workforce Commission that is funded by an assessment on each employee’s wages in an amount equal to one quarter of one percent of the employee’s average monthly pay; (3) provides that if an
employer provides paid sick leave to its employees, an employee is entitled to use such paid leave for the specific family and medical reasons described in (1), above, in an amount not to exceed the lesser or of the paid leave or 30 days; (4) provides that if an employer does not provide paid leave to its employees, or provides paid leave that may not be used for the specific family and medical reasons described in (1), above, the employee is entitled to wage replacement benefits for leave taken for such reasons; and (5) provides that an employer may not interfere with an employee’s attempt to take leave, discharge an employee or otherwise discriminate against an individual for opposing an practice made unlawful by the bill, or discriminate or discharge an employee for exercising the employee’s rights to leave.

H.B. 255 (Meza) – Adjusted Minimum Wage: would: (1) eliminate the current minimum wage ($7.25 per hour) and replace it with an adjusted minimum wage to be paid to an employee by certain employers, including a city; and (2) provide that on December 1 of each year, the comptroller shall determine the adjusted minimum wage to be paid for the next calendar year by increasing the adjusted minimum wage for that calendar year by the percentage increase, if any, in the consumer price index for the 12 months preceding that date.

H.B. 318 (VanDeaver) – Employment Discrimination: would prohibit a city that employs 20 or more employees from terminating or suspending the employment of, or in any other manner discriminating against, an employee who is a volunteer emergency responder and who is absent from or late to the employee’s employment because the employee is responding to an emergency.

H.B. 360 (Sherman) – Pay Discrimination: would provide that: (1) an employer, including a city, commits an unlawful employment action if the employer: (a) includes a question regarding an applicant’s wage history information on an employment application form; (b) inquires into an applicant’s wage history information in determining whether to hire the applicant or the wages to pay the applicant; or (d) obtains an applicant’s wage history information from a previous employer of the applicant or other source, unless the wages in that previous employment are subject to disclosure under the Public Information Act; (2) an employer may consider an applicant’s wage history information in determining an applicant’s wages if such information is voluntarily disclosed by the employee; (3) upon reasonable request following an initial interview, an employer shall provide to an applicant a pay scale for the employment position for which the applicant is applying; (4) an employer may ask an applicant the applicant’s expectation of wages for the prospective employment position; (5) with certain exceptions, an employer discriminates on the basis of sex by paying wages to an employee at a rate less than the rate at which the employer pays wages to another employee of the opposite sex for the same or substantially similar work on jobs, the performance of which requires equal or substantially similar skill, effort, and responsibility; (6) an employer may not enter into an agreement with an employee that provides that employer may pay the employee a wage at a rate that violates the provisions of the bill, and may not justify a wage differential based on wage history; and (7) require each employer to compile and maintain for a period of at least three years records that: (a) contain the wages paid to each employee; (b) the method, system, computations, and other factors used to establish, adjust, and determine the wage rates paid to the employee; and (c) any other conditions of employment.
H.B. 383 (Pacheco) – Minimum Wage: would provide that the minimum wage shall be not less than the greater of $12 an hour or the federal minimum wage (currently $7.25).

H.B. 396 (Moody) – Disease Presumption: would provide that a nurse, including a nurse employed by a political subdivision, who suffers from COVID-19 on or after February 1, 2020, resulting in disability or death is presumed for workers’ compensation benefit purposes to have contracted the disease during the course and scope of employment as a nurse if the nurse: (1) is assigned to treat a patient diagnosed with the disease or to duties that require the nurse to come in contact with a patient diagnosed with the disease; and (2) contracts the disease during the patient’s admission to the health care facility at which the nurse treated or came in contact with the patient or not later than the 14th day following the date of the patient’s discharge from the facility.

H.B. 419 (Sherman) – Pay Discrimination: would, among other things: (1) provide that an employer, including a city, commits an unlawful employment practice if the employer: (a) relies on an applicant’s or employee’s wage history information in determining whether to hire the applicant, the wages to pay the applicant or employee, or whether to promote or continue to employ the employee; (b) seeks, requests, or requires an applicant’s or employee’s wage history information as a condition of: (i) an applicant being interviewed or receiving an offer of employment; or (ii) a current employee’s continued employment or promotion; (c) seeks, requests, or requires an applicant’s or employee’s wage history information from a previous employer of the applicant or employee or other source, unless the wages in that previous employment are subject to the Public Information Act; (d) refuses to interview, hire, promote or otherwise employ, or retaliates against, an applicant or employee based on wage history information; or (e) refuses to interview, hire, promote or otherwise employ, or retaliates against, an applicant or employee who did not provide wage history information; (2) provide that if an applicant or employee voluntarily discloses the applicant’s or employee’s wage history information to an employer, the employer may consider that information in determining the applicant’s or employee’s wages; (3) provide that an employer may confirm wage history information if at the time an offer of employment with compensation is made, the employee or applicant responds to the offer by providing wage history information to support a wage higher than that offered by the employer; (4) prohibit discrimination or retaliation against person for taking action that is protected by this bill; (5) provides that the bill does not diminish the rights, privileges or remedies of an applicant or employee under any other law or rule or collective bargaining or employment agreement, and (5) an aggrieved applicant or employee may bring a civil action to enforce rights protected by this bill, and an employer may be liable for damages, including injunctive relief and reasonable attorney’s fees and other costs.

H.B. 455 (Deshotel) – Criminal History Inquiries: would: (1) prohibit an employer, including a city, from including a question regarding an applicant’s criminal history record information on an initial employment application form; (2) provide that an employer may inquire into or consider an applicant’s criminal history record information after the employer has determined that the applicant is otherwise qualified and has conditionally offered the applicant employment or has invited the applicant to an interview; and (3) provide that the provisions of this bill do not apply to an applicant for a position for which consideration of criminal history record information is required by law.
**H.B. 499 (Wu) – Pay Equity Task Force:** would: (1) create the Texas Pay Equity Task Force, consisting of, among others, one appointed representative of a city, to: (a) conduct a study to determine whether a disparity exists on the basis of gender, disability, or race in compensation paid to employees of state agencies, counties, and cities; and (b) develop and submit a written report on the study and any recommendations developed to the governor, the lieutenant governor, the speaker of the house, and each member of the legislature no later than November 1, 2022.

**H.B. 540 (Patterson) – Labor Peace Agreement:** would: (1) define a “labor peace agreement” as any agreement between a person and the employees of the person or an entity that represents or seeks to represent those employees that limits or otherwise interferes with the rights of the person under federal labor law; and (2) provide that a city or county may not adopt or enforce an ordinance, order, or other measure that requires a person to enter into a labor peace agreement or to waive or limit any right of the person under federal law as a condition of: (i) being considered for or awarded a contract; or (ii) otherwise engage in a commercial transaction with the city or county.

**H.B. 541 (Patterson) – Disease Presumption:** would: (1) provide that a public safety employee, including a peace officer, firefighter, and emergency medical services employee, who suffers from COVID-19 resulting in disability or death is presumed to have contracted the disease during the course and scope of employment as a public safety employee; and (2) retroactively apply the provisions of this bill to a person who on or after February 1, 2020, but before the effective date of this bill filed a claim for benefits or compensation related to COVID-19 and whose claim was subsequently denied may file another claim on or after the effective date of the bill, and the changes made by this bill would apply to that claim.

**H.B. 550 (Israel) – Whistleblowing:** would: (1) for purposes of anti-retaliation provisions of the Whistleblower Act, expand the persons to whom a public employee may report certain violations of law to include: (a) the employee’s immediate supervisor, or an individual who holds a position above the reporting employee’s immediate supervisor, at the employing entity; (b) an individual or office designated by the employing entity as the individual or office for reporting such grievances; or (c) or a member of the human resources staff of the employing entity; (2) require a public employer, including a city, to: (a) develop and adopt an anti-retaliation policy that: (i) informs its employees of their rights; and (ii) lists the individual to whom its employees may report a violation of law; (b) provide a copy of the anti-retaliation policy to each employee of the first day of the employee’s employment; and (c) notify its employees of any change made to its anti-retaliation policy by e-mail, memorandum, or any other manner that ensures each employee will be informed of the change; (3) require the individuals described in (1), above, to provide a copy of the entity’s anti-retaliation policy if an employee requests such policy; and (4) require the attorney general to post in a prominent location on the attorney general’s internet website: (a) a summary of the rights of public employees under the whistleblower statute; and (b) a notice informing public employees of: (i) the ability to obtain a copy of the anti-retaliation policy adopted by their employment governmental entity or the individuals described in (1), above, and (ii) the requirement that an employing
governmental entity provide a copy of the entity’s anti-retaliation policy to each public employee on the first day of their employment. (Companion bill is S.B. 132 by Johnson.)

**H.B. 582 (Cole) – Paramedics Tuition Exemption:** would provide, among other things, that an institution of higher education shall exempt, from the payment of tuition and laboratory fees, any student who is enrolled in one or more courses offered as part of an emergency medical services curriculum and is employed as a paramedic by the city.

**H.B. 615 (Goodwin) – Minimum Wage:** would provide that: (1) an employer, including a city, shall pay certain employees: (a) for the 2022 calendar year, not less than the greater of $11.25 an hour or the federal minimum wage (currently at 7.25 an hour); and (b) for the 2023 calendar year, not less than the greater of $15 an hour or the federal minimum wage; (2) beginning in the 2024 calendar year, an employer, including a city, shall pay to each employee the greater of the federal minimum wage or an adjusted minimum wage, as determined in (3), below; (3) beginning on December 1, 2023, and on every December 1 of each year thereafter, the comptroller shall calculate the adjusted minimum wage for the next calendar year by increasing the minimum wage paid under (2), above, by the percentage increase, if any, in the consumer price index for the 12 months preceding that date; and (4) the wage of a tipped employee may not be less than 50 percent of the amount required by (1) and (2), above.

**H.B. 637 (Canales) – Disease Presumption:** would, among other things: (1) provide that for purposes of reimbursement of medical expenses for public safety employees, including peace officers, firefighters, and emergency medical services personnel who are exposed to a contagious disease, a disease is not an “ordinary disease of life” if the disease is the basis for a disaster declared by the governor for all or part of the state; (2) expand the applicability of the disease presumption statute to include detention officers, including such officers who are employed by a city; and (3) expand the disease presumption statute to provide that a detention officer, firefighter, peace officer, or emergency medical technician who contracts a disease that is the basis of a state declared disaster for all or part of the state and dies or is totally or partially disabled is presumed to have contracted such disease in the course and scope of employment as a detention officer, firefighter, peace officer, or emergency medical technician. (Companion bill is S.B. 107 by Powell.)

**H.B. 698 (Rosenthal) – Reproductive Discrimination:** would, among other things: (1) provide that an employer commits an unlawful employment practice if the employer discriminates against an employee or a close member of the employee’s family or household on the basis of a reproductive decision including: (a) marital status at the time of a pregnancy; (b) use of assisted reproduction to become pregnant; (c) use of contraception or a specific form of pregnancy; or (d) obtainment or use of any other health care drug, device or service relating to reproductive health; (2) require an employer that provides an employee handbook include in the handbook information regarding the prohibition of discrimination based on a reproductive decision; and (3) make a mandatory arbitration agreement between an employer and an employee void and unenforceable to the extent the agreement limits the reproductive decisions of an employee or employee’s close family or household members.
H.B. 731 (J. González) – Minimum Wage: would increase the minimum wage to not less than
the greater of $15 an hour or the federal minimum wage (currently at $7.25).

H.B. 792 (Burns) – Dispatcher Alternate Work Schedule: would: (1) allow a city to adopt an
alternate work schedule for the police department’s dispatchers if a majority of the dispatchers
vote in favor; and (2) provide a dispatcher working under an alternate work is entitled to
overtime pay if the dispatcher works more hours during a calendar month than the number of
hours in the normal work month of the majority of the employees of the city other than fire
fighters and police officers.

H.B. 1087 (Gervin-Hawkins) – Civil Service Disciplinary Suspensions: would amend current
law to provide that, for purposes of the original written statement regarding the suspension of a
firefighter or police officer in a civil service city, or in any hearing regarding the violation of a
civil service rule: (1) the police chief or fire chief, as applicable, may not complain of an act that
is discovered (as opposed to occurred) earlier than the 180th day preceding the date the police
chief or fire chief suspends the firefighter or police officer; and (2) the act complained of need
not be related to a criminal activity.

H.B. 1216 (Hinojosa) – Civil Service Commission Hearings: would, among other things,
modify current law to provide that:
1. for purposes of appeals to the civil service commission by a police officer:
   a. an appeal by a police officer of a charge for an incident that involves a member of
      the public must also include the name and address of each individual involved;
   b. not later than the 30th day before the date of the civil service commission hearing,
      the commission shall notify each individual listed in an appeal by the police
      officer of the date and time of the hearing, the individual’s right to attend, and
      instructions for exercising the individual’s rights related to the hearing;
   c. not later than the fifth day before the date of the hearing, a member of the public,
      whether listed in the appeal or not, may provide evidence to the commission,
      including documentation in support of an allegation against a police officer that is
      the basis of a disciplinary action;
   d. an individual named by the police officer as directly involved in the incident that
      is the basis of the disciplinary action may request the commission to subpoena
      any books, records, documents, papers, accounts, or witnesses that the individual
      considers pertinent to the case, and such request must be made before the 10th day
      before the date the commission hearing will be held;
   e. if the commission does not subpoena the material as described in (1)(d), above,
      the commission shall, before the third day before the date the hearing will be held,
      make a written report to the individual stating the reason it will not subpoena the
      requested material; and
   f. the commission may consider, if applicable, any evidence submitted by a member
      of the public under (1)(c), above, and any evidence provided in response to that
      evidence;
2. for purposes of a request to the civil service commission by a police chief to demote a
   police officer:
a. before the commission may refuse to grant a request for demotion of a police officer, the commission shall request from the police department the contact information for any individual involved in any incident leading the department to recommend demotion, including a member of the public or another police officer, and shall notify such individual that the individual may request a public hearing and present reasons why the commission should grant the department’s request for demotion of the police officer;

b. if there are no involved individuals as described in (2)(a), above, or the commission does not receive a request for a public hearing from an involved individual before the 10th day after the date notice was given to the individual, the commission may refuse to grant the request for demotion; and

c. before the 10th day before the date the public hearing is held, the commission shall give an individual who is a member of the public with knowledge of a specific incident that is the basis of the recommendation of demotion of a police officer, notice of the time and place of the hearing and of the individual’s right to testify;

3. if a city has adopted civil service, a meet and confer agreement between a city and a police labor union may not conflict or supersede the provisions described in (1) and (2), above; and

4. a collective bargaining agreement affecting police officers may not conflict with the provisions described in (1) and (2), above, and must implement those provisions.

H.B. 1251 (Ramos) – Whistleblower: would provide that: (1) it a Class C misdemeanor for a person to disclose the identity of a public employee who makes a good faith report of a violation of law by the employing state or local governmental entity or another public employee to an appropriate law enforcement authority if the disclosure is made to a person who is not assisting in the investigation or prosecution of the violation of law reported by the public employee; and (2) it is an affirmative defense to prosecution if the public employee who reported the violation of law consented to the disclosure of the employee’s identity.

H.B. 1292 (Sherman) – Pay Equity Task Force: would: (1) establish the Texas Pay Equity Task Force (Task Force) to assess whether a disparity exists on the basis of gender, disability or race in compensation paid to employees of state agencies, counties, and cities; (2) provide that the Task Force be comprised of nine members, including one city representative appointed by the lieutenant governor and another city representative appointed by the speaker of the house; and (3) provide that the Task Force may request payroll information, including the gender, disability status, and race of each employee from a state agency, county, or city.

H.B. 1330 (Canales) – Credit Reports: would prohibit an employer, including a city, from taking an adverse employment action against an employee or applicant based wholly or partly on a credit report unless the employer provides a copy of the report along with instructions regarding how the employee or applicant may provide additional information about the report.

H.B. 1336 (Pacheco) – E-Verify: would, among other things: (1) require a political subdivision to register and participate in the federal electronic verification of employment authorization program in order to verify the information of all new employees; and (2) provide that an
employee of a political subdivision who is responsible for verifying information of new employees is subject to immediate termination for failure to comply with the requirement in (1).

**H.B. 1350 (Minjarez) – Police Arbitration Hearing Rulings:** would provide that: (1) an arbitrator selected to hear an appeal of the disciplinary suspension or dismissal of a city police officer, deputy sheriff, deputy constable, or other police officer, including an appeal under civil service rules, collective bargaining, meet and confer or other similar agreement, shall report to the Department of Public Safety (DPS), for each hearing arbitrated: (a) the ruling in the hearing; (b) the date of the ruling; (c) the sources of the arbitrator’s payment; and (d) amounts paid to the paid to the police officer as a result of the ruling; and (2) DPS shall publish on DPS’s internet website, the information reported under (1), above.

**H.B. 1351 (Minjarez) – Eligibility Requirements for Arbitrators:** would provide that: (1) an arbitrator selected to hear an appeal of the disciplinary suspension or dismissal of a city police officer, deputy sheriff, deputy constable, or other police officer, including an appeal under civil service rules, collective bargaining, meet and confer or other similar agreement must be a resident of, and an attorney licensed to practice in, Texas; and (2) notwithstanding any other law, a collective bargaining agreement, meet and confer agreement, or other similar agreement may not conflict with the provisions of (1), above.

**H.B. 1498 (Martinez) – Disease Presumption:** would, among other things: (1) provide that for purposes of reimbursement of medical expenses for public safety employees, including peace officers, firefighters, and emergency medical services personnel who are exposed to a contagious disease, a disease is not an “ordinary disease of life” if the disease is the basis for a disaster declared by the governor for all or part of the state; (2) expand the applicability of the disease presumption statute to include detention officers, including such officers who are employed by a city; and (3) expand the disease presumption statute to provide that a detention officer, firefighter, peace officer, or emergency medical technician who contracts a disease that is the basis of a state declared disaster for all or part of the state and dies or is totally or partially disabled is presumed to have contracted such disease in the course and scope of employment as a detention officer, firefighter, peace officer, or emergency medical technician. (The companion is S.B. 107 by Powell.)

**H.B. 1563 (Gervin-Hawkins) – Police/Fire Personnel File:** would provide that, in a civil service city: (1) information maintained in a police or fire department personnel file (commonly referred to as the “g” file) is public information subject to disclosure under the Texas Public Information Act unless the information is otherwise confidential; and (2) before the police or fire department responds to a request for information contained in the “g” file, the police or fire department, as applicable, shall provide the fire fighter or police officer with a copy of the request and written notice of the department’s intent to comply with the request.

**H.B. 1589 (Davis) – Paid Military Leave:** would provide that: (1) a person who is an officer or employee of the state, a city, a county, or another political subdivision and who is a member of the Texas military forces, a reserve component of the armed forces, or a member of a state or federally authorized urban search and rescue team is entitled to paid leave of absence for each day the person is called to state active duty by the governor or another appropriate authority in
response to a disaster, not to exceed seven workdays in a fiscal year; and (2) during the leave of absence described in (1), above, the person may not be subjected to loss of time, efficiency rating, personal time, sick leave, or vacation time.

**H.B. 1660 (Pacheco) – E-Verify**: would, among other things: (1) require a political subdivision to register and participate in the federal electronic verification of employment authorization program in order to verify the information of all new employees; and (2) provide that an employee of a political subdivision who is responsible for verifying information of new employees is subject to immediate termination for failure to comply with the requirement in (1).

**H.B. 1687 (Noble) – COVID-19 Vaccine**: would, among other things, provide that an employer, including a city, commits an unlawful employment practice if the employer fails or refuses to hire, discharges, or otherwise discriminates against an individual with respect to the compensation or the terms, conditions, or privileges of employment because the individual has not received a COVID-19 vaccine.

**H.B. 1827 (Martinez Fischer) – Minimum Wage**: would provide that the minimum wage shall be the greater of the current minimum wage ($7.25 per hour) or the following: (1) $10 per hour in 2022; (2) $12.50 per hour in 2023; (3) $14 per hour in 2024; and (4) $15 per hour thereafter.

**H.B. 1915 (C. Turner) – Overtime Pay**: would provide that: (1) for the purpose of calculating the minimum wage paid to an employee, an employer may not use a method that: (1) guarantees weekly pay for a variable number of hours; or (2) establishes a fixed salary for fluctuating hours in a workweek.

**H.B. 1917 (C. Turner) – Minimum Wage**: would increase the minimum wage to not less than the greater of $15 an hour or the federal minimum wage (currently at $7.25/hour).

**H.B. 1940 (Gervin-Hawkins) – Disciplinary Appeals**: would provide that, in an appeal of a disciplinary suspension by a police officer or fire fighter to the civil service commission: (1) the commission, in its decision, shall state whether the original written statement and charges of the police chief or fire chief, as applicable, are supported by substantial evidence in the record; (2) if the commission states in its decision that the statement and charges of the police chief or fire chief, as applicable, are not supported by substantial evidence in the record, the suspended fire fighter or police officer shall be restored to the person’s former position or status in the department’s classified service; and (3) if the commission states in its decision that the statement and charges of the police chief or fire chief, as applicable, are supported by substantial evidence in the record, the commission shall affirm the suspension.

**H.B. 1973 (Canales) – Investigation of Fire Fighters**: would provide that: (1) a city, regardless of whether the city is covered by a meet and confer or collective bargaining agreement, shall not take punitive action (suspension, indefinite suspension, demotion, reprimand, or any combination of these actions) against a paid employee of a city fire department unless an administrative investigation has been conducted by the city in accordance with specific investigation procedures that apply to the investigation of police officers and fire fighters in civil service cities or other
applicable law; and (2) a copy of a signed complaint against a fire fighter shall be given to the fire fighter in accordance with the procedures adopted under (1), above.

**H.B. 1980 (Neave) – Nondisclosure and Confidentiality Agreements:** would provide that, except for a negotiated settlement agreement or administrative action, a nondisclosure or confidentiality agreement or other agreement between an employer and an employee is void and unenforceable as against the public policy to the extent the agreement: (1) prohibits the employee from notifying, or limits the employee’s ability to notify, a local or state law enforcement agency or any state or federal regulatory agency of sexual assault or sexual harassment committed by an employee of the employer or at the employee’s place of employment; or (2) prohibits an employee from disclosing to any person, including during any related investigation, prosecution, legal proceeding, or dispute resolution, facts surrounding any sexual assault or sexual harassment committed by an employee of the employer or at the employee’s place of employment, including the identity of the alleged offender.

**H.B. 2002 (Stanford) – Mental Illness:** would provide that: (1) an employer, including a city, of a first responder (peace officer, fire fighter, or EMS personnel) may not suspend, terminate, or take any other adverse employment action, including a demotion in rank or reduction of pay or benefits, against a first responder solely because the employer knows or believes that the first responder has certain mental illness, except that the employer may take an appropriate adverse employment action that is necessary to ensure public safety; (2) a person may assert a violation of (1), above, against an employer, or as a defense, in a judicial or administrative proceeding and may seek: (a) compensatory damages; (b) reasonable attorney’s fees and court costs; and (c) any other appropriate relief; and (3) sovereign immunity to suit is waived.

**H.B. 2047 (Talarico) – Injuries In the Scope of Duty:** would, among other things, provide that: (1) an employer, including a city (but excluding a city that has adopted civil service for its fire fighters or peace officers), may not take an adverse employment action against a peace officer, detention officer, county jailer, or fire fighter who has sustained a compensable injury on the basis of the person’s inability to perform the duties for which the person was elected, appointed, or employed before the person is certified as having reached maximum medical improvement, unless the person’s treating doctor indicates that the person is permanently restricted from returning to perform the duties for which the person was elected, appointed, or employed; (2) an employer that violates (1), above, shall be liable for reasonable damages incurred by the person as a result of the violation in an amount not to exceed $100,000; and (3) sovereign immunity to suit and from liability is waived, and a peace officer, detention officer, county jailer, or fire fighter may sue an employer for damages described in (2), above, and reinstatement to the person’s former position of employment.

**H.B. 2242 (Patterson) – Line of Duty Illness or Injury Leave:** would provide that, regardless of contrary provisions of a collective bargaining, meet or confer or other similar agreement: (1) a county or city shall provide a firefighter or police officer with a paid leave of absence for an illness or injury related to the person's line of duty; (2) the leave described in (1), above, shall be for a period commensurate with the nature of the line of duty illness or injury, and if necessary, the leave shall continue for at least one year; (3) at the end of the one-year period described in(2), above, the governing body of the city or county, as applicable, may extend the leave at full
or reduced pay; (4) if the leave is not extended or the police officer’s or firefighter’s salary is reduced below 60 percent of the person's regular monthly salary and the person is a member of a pension fund, the person may retire on pension until they are able to return to duty; (5) if pension benefits are not available to a firefighter or police officer who is temporarily disabled by a line of duty injury or illness and if the year at full pay and any extensions granted by the governing body have expired, the firefighter or police officer may use accumulated sick leave, vacation time, and other accrued benefits before the person is placed on temporary leave; (6) if the year at full pay and any extensions granted by the governing body have expired, the firefighter or police officer may use 12 weeks of unpaid leave; (7) a firefighter or police officer who is temporarily disabled by an illness or injury that is not related to the person’s line of duty may: (a) use accumulated sick leave, vacation time, and other accrued benefits before the person is placed on temporary leave; or (b) have another firefighter or police officer volunteer to do the person's work while the person is temporarily disabled by the injury or illness; (8) if able, a firefighter or police officer may return to light duty while recovering from a temporary disability, and, if necessary, the light duty assignment shall continue for at least one year; (9) after recovery from a temporary disability, a firefighter or police officer shall be reinstated at the same rank and with the same seniority the person had before going on temporary leave; and (10) another firefighter or police officer may voluntarily do the work of an injured firefighter or police officer until the person returns to duty.

H.B. 2273 (M. González) – Unemployment Benefits: would allow an individual to qualify for unemployment benefits if the individual involuntarily leaves the workplace because of sexual harassment and: (1) reports the sexual harassment to the individual’s employer or a law enforcement agency; or (2) files a sexual harassment complaint with the Texas Workforce Commission or the Equal Employment Opportunity Commission.

H.B. 2408 (Rodriguez) – Total Unemployment Benefits: would, among other things, provide that: (1) an eligible individual who is totally unemployed in a benefit period is entitled, for the benefit period, benefits at the rate of 2/43 of the wages received by the individual from employment by employers during that quarter in the individual’s base period in which wages were highest; and (2) the maximum weekly benefit amount and the minimum week benefit amount are increased to 60 percent and 15 percent, respectively, of the average weekly wage in covered employment in the state.

H.B. 2485 (Herrero) – Jury Service: would amend current law to add an exemption from jury service for: (1) a firefighter, including a fire chief, who is a permanent, paid employee of the fire department of a city or county or of a special district or authority that provides firefighting services; and (2) a police officer, including a police chief, who is a permanent, paid employee of the police department of a city or county.

H.B. 2502 (Patterson) – First Responder Lifetime Income Benefits: would: (1) provide that, for a claim for lifetime income benefits by an employee who is a first responder, the maximum weekly income benefit in effect on the date the claim for lifetime income benefits is finally adjudicated by the Texas Division of Workers’ Compensation or a court, as applicable, is applicable for the entire time that the benefit is payable; (2) add the following injuries to the list of injuries that are eligible for lifetime income benefits until the death of the employee: (a) an
injury to the spine that results in substantial paralysis to the extent that the employee must use a wheelchair for mobility, regardless of whether minimal movement of an affected limb is possible; and (b) a physically traumatic injury to the brain resulting in the person having an incurable mental illness or intellectual disability; and (3) the amount of lifetime income benefits of an employee who is a first responder is 100 percent of the employee’s average weekly wage.

**H.B. 2507 (S. Thompson) – Pay Discrimination:** would provide, among other things, that: (1) for the purpose of an allegation of discrimination in payment of compensation, an unlawful employment practice occurs each time: (a) a discriminatory compensation decision or other discriminatory practice affecting compensation is adopted; (b) an individual becomes subject to a discriminatory compensation decision or other discriminatory practice affecting compensation; or (c) an individual is adversely affected by application of a discriminatory compensation decision or other discriminatory practice affecting compensation, including each time wages affected wholly or partly by the decision or other practice are paid; (2) an employer, including a city, commits an unlawful employment practice if the employer: (a) verbally or in writing inquires into an applicant’s wage history information from the applicant or from a previous employer of the applicant; or (b) requires disclosure of an applicant’s wage history; and (3) an employer commits an unlawful employment practice if the employer terminates, discriminates or retaliates against an employee, applicant, or other person because the person inquired about, disclosed, compared, or otherwise discussed an employee’s wages or an applicant’s prospective wages.

**H.B. 2524 (Reynolds) – Discrimination:** would, among other things, provide that: (1) a person engages in a discriminatory practice if the person, because of the sexual orientation or gender identity or expression of an individual: (a) denies that individual full and equal accommodation in any place of public accommodation; or (b) otherwise discriminates against or segregates or separates the individual based on sexual orientation or gender identity or expression; (2) an aggrieved person may file a civil action in district court not later than the second anniversary of the occurrence of the termination of an alleged discriminatory practice to obtain the following relief with respect to the discriminatory practice: (a) actual and punitive damages; (b) reasonable attorney’s fees; (c) court costs; and (d) any permanent or temporary injunction, temporary restraining order, or other order, including an order enjoining the defendant from engaging in the practice or other appropriate action; and (3) an employer, including a city, may not discriminate against a person on the basis of sexual orientation or gender identity or expression.

**H.B. 2542 (Rose) – Criminal History:** would provide, among other things, that: (1) an employer that employs at least 15 individuals for each working day in at least 20 or more calendar weeks in the current or preceding calendar year may evaluate an individual’s suitability for an employment position by performing an assessment of the individual’s criminal history; (2) the assessment performed under (1), above, must include an evaluation of the: (a) nature and gravity of any offense in the individual’s criminal history; (b) length of time that has elapsed since the date: (i) the offense was committed; and (ii) the individual fully discharged the individual’s sentence; and (c) nature and duties of the employment position for which the individual has applied; (3) an employer may not: (a) publish or cause to be published information about an employment position that states or implies that an individual’s criminal history automatically disqualifies the individual from consideration for the position; (b) solicit or
otherwise inquire about the criminal history of an individual in an application for an employment position; (c) solicit criminal history record information about an individual or consider an individual’s criminal history unless the employer has first made a conditional employment offer to the individual; (d) refuse to make a conditional employment offer to an individual solely because the individual did not provide criminal history record information before an offer was made; or (e) take an adverse action against an individual because of the individual’s criminal history unless the employer has determined that the individual is unsuitable for the employment position based on an assessment conducted by the employer under (2), above; (4) an employer who takes an adverse action against an individual based on the individual’s criminal history shall inform the individual in writing that the adverse action was based on the individual’s criminal history; (5) the Texas Workforce Commission (TWC) may assess an administrative penalty against an employer in an amount not to exceed $500 for each employment position posting or adverse action that is in violation of the provisions of this bill, provided that on an employer’s first violation, TWC may issue a warning notice to the employer in lieu of assessing the administrative penalty and provide training materials to the employer about compliance; and (6) this bill does not apply to an employment position for which an individual may be disqualified based on the individual’s criminal history under a federal, state, or local law or in compliance with a legally mandated insurance or bond requirement.

**H.B. 2598 (Patterson) – Workers’ Compensation:** would provide that, for purposes of workers’ compensation coverage for post-traumatic stress disorder (PTSD), the date of injury for PTSD suffered by certain first responders is the 30th day after the date on which the first responder is first diagnosed with the disorder.

**H.B. 2810 (C. Turner) – Unemployment Benefits:** would provide that an individual is not disqualified for unemployment benefits: (1) for a benefit period in which the individual’s total or partial unemployment is caused by: (a) a labor dispute at another place that: (i) is owned or operated by the same employing unit that owns or operates the premises where the individual is or was last employed; and (ii) supplies material or services necessary to the continued and usual operation of the premises where the individual is or was last employed; and (2) if the individual has been locked out of the individual’s place of employment or has been placed on emergency leave without pay by the individual’s employer.

**H.B. 2823 (Bonnen) – E-Verify:** would provide, among other things, that:

1. an employer, excluding a governmental entity, may not knowingly employ a person not lawfully present in the United States;
2. an employer who violates (1), above, is subject to the suspension of each license held by the employer;
3. a licensing authority, including a city, that receives, from the Texas Workforce Commission, a final order suspending a license shall immediately determine if the authority has issued a license to the person named on the order and, if a license has been issued: (a) record the suspension of the license in the licensing authority’s records; (b) report the suspension as appropriate; and (c) demand surrender of the suspended license if required by law for other cases in which a license is suspended;
4. a licensing authority shall implement the terms of a final order suspending a license without additional review or hearing, provided that the authority may provide notice as appropriate to the license holder or to others concerned with the license;

5. a licensing authority may not modify, remand, reverse, vacate, or stay an order suspending a license and may not review, vacate, or reconsider the terms of a final order suspending a license;

6. person who is the subject of a final order suspending a license is not entitled to a refund for any fee or deposit paid to the licensing authority;

7. a person who continues to engage in the business, occupation, profession, or other licensed activity after the implementation of the order suspending a license by the licensing authority is liable for the same civil and criminal penalties provided for engaging in the licensed activity without a license or while a license is suspended that apply to any other license holder of that licensing authority;

8. a licensing authority is exempt from liability to a license holder for any authorized act performed by the authority;

9. the licensing authority may not issue or renew any other license for the person during the suspension period;

10. a licensing authority may charge a fee to a person who is the subject of an order suspending a license in an amount sufficient to recover the administrative costs incurred by the authority;

11. a political subdivision, including a city, shall register and participate in the E-verify program to verify information of all new employees; and

12. an employee of a political subdivision who is responsible for verifying information of new employees of the political subdivision as required by (11), above, is subject to immediate termination of employment if the employee fails to comply with that provision.

H.B. 2826 (Bonnen) – Law Enforcement Employment Records: would provide that: (1) in a civil service city: (a) a police officer is entitled to view the contents of the officer’s personnel file maintained by the department (commonly known as the “g” file), and is entitled, on request, to a copy of any document in the officer’s file; (b) a police department shall include in an officer’s “g” file any statement that the officer requests to be included in the file; (2) before a law enforcement agency may hire a person licensed by the Texas Commission on Law Enforcement (TCOLE), the agency head or the agency head’s designee must submit to TCOLE, on a form prescribed by TCOLE, confirmation that the agency reviewed the person’s employment records from each of the person’s previous law enforcement employers; (3) TCOLE, by rule, shall prescribe the manner by which a law enforcement agency shall make a person’s employment records available to a hiring law enforcement agency; and (4) a law enforcement agency’s failure to review a person’s employment records as required under (2), above, or to make a person’s employment records available as required under (3), above, constitutes grounds for imposing an administrative penalty in an amount set by TCOLE not to exceed $1,000 per day per violation.

H.B. 2869 (Longoria) – Collective Bargaining: would provide, among other things, that: (1) a public employer and an association that is a bargaining agent for police officers or fire fighters, as applicable, shall submit to binding interest arbitration if the parties: (a) reach an impasse in
collective bargaining; or (b) are unable to settle after the 61st day after the date the appropriate lawmaking body fails to approve a contract reached through collective bargaining.

**H.B. 2939 (Muñoz) – Certification Election:** would provide that, for purposes of meet and confer, in a certification election to determine whether a police officer’s association represents a majority of the covered policies officers, the association may not be recognized as the association to represent a majority of the covered police officers unless a majority of covered officers voting at the election vote in favor of the recognition.

**H.B. 2962 (Muñoz) – Petitions:** would provide that a city may not adopt or enforce a charter provision, ordinance, policy, or other measure that prohibits an employee of the city’s police or fire department from signing a petition authorized by the meet and confer, civil service, and collective bargaining laws.

**H.B. 2972 (P. Morales) – Pay Discrimination:** would provide, among other things, that: (1) with respect to an allegation of discrimination in payment of compensation, an unlawful employment practice occurs each time: (a) a discriminatory compensation decision or other discriminatory practice affecting compensation is adopted; (b) an individual becomes subject to a discriminatory compensation decision or other discriminatory practice affecting compensation; or (c) an individual is adversely affected by application of a discriminatory compensation decision or other discriminatory practice affecting compensation, including each time wages affected wholly or partly by the decision or other practice are paid; and (2) liability may accrue, and an aggrieved person may obtain relief, including recovery of back pay for the allowed period, if the unlawful employment practices that have occurred during the period for filing a complaint are similar or related to unlawful employment practices with regard to discrimination in payment of compensation that occurred outside the period for filing a complaint.

**H.B. 3120 (Capriglione) – Workers Compensation:** would provide that lifetime income benefits are paid until the death of the employee for, among other things: (1) a physically traumatic injury to the brain resulting in permanent cognitive defects that: (a) render the employee permanently unemployable without significant accommodations; or (b) affect the non- vocational quality of the employee’s life so as to eliminate the employee’s ability to engage in a range of usual cognitive processes; (2) third degree burns that cover at least 40 percent of the body and require grafting, or third degree burns covering the majority of: (a) both hands; (b) both feet; (c) one hand and one foot; or (d) one hand or foot and the face; or (3) permanent and total disability in certain circumstances if the employee is: (a) a first responder; and (b) employed by a political subdivision that self-insures, either individually or collectively.

**H.B 3124 (Vasut) – Employees Carrying Handguns:** would provide that: (1) an employer that is a governmental entity may not prohibit an employee of the entity from carrying a handgun that the employee is not otherwise prohibited by state or federal law from carrying: (a) on premises owned or leased by the governmental entity; (b) while performing the employee's duties on premises other than premises owned or leased by the governmental entity; or (c) in any other location or circumstance in which the employee would otherwise be permitted to carry a handgun under law; and (2) the term “premises” includes a building or a portion of a building,
but does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.

**H.B. 3149 (Bucy) – Drug Testing Policies:** would provide that: (1) a state agency or a political subdivision of this state may not: (a) establish a drug testing policy that requires an employee or independent contractor of the agency or political subdivision, as a condition of employment or contract, to submit to a drug test the intent of which is to screen for the presence of cannabinoids; (b) as a condition of employment or contract with the agency or political subdivision, administer or require the administration of a drug test to the employee or contractor the intent of which is to screen for the presence of cannabinoids; (c) establish for the employee or contractor as a condition of employment or contract a test result that is negative for the presence of cannabinoids; or (d) prohibit an employee or contractor as a condition of employment or contract from: (i) prescribing or obtaining a prescription for low-THC cannabis or using low-THC cannabis for authorized medical use; or (ii) using a consumable hemp product; (2) a state agency or a political subdivision of this state may not question an employee about the employee’s use of low-THC cannabis or hemp and shall comply with all relevant state and federal privacy laws; (3) a person may assert an actual or threatened violation of (1) or (2), above, as a claim or defense in a judicial or administrative proceeding and obtain: (a) compensatory damages; (b) injunctive relief; (c) declaratory relief; and (d) other appropriate relief, including reasonable attorney’s fees; (4) a person may commence an action for a violation of (1) or (2) and relief may be granted regardless of whether the person has sought or exhausted available administrative remedies; (5) sovereign or governmental immunity, as applicable, is waived and abolished to the extent of liability for the relief provided in (3), above; (6) the following persons are not subject to arrest, prosecution, or penalty in any manner, or denial of any right or privilege, including any administrative or civil penalty or disciplinary action imposed by a court or state licensing board, for conduct involving authorized medical use: (a) a patient for whom authorized medical use is prescribed, or the parent or caregiver of the patient; (b) a dispensing organization; or (c) a director, manager, or employee of a dispensing organization who is registered with the Department of Public Safety; (7) a person described by (6), above, may not be presumed to have engaged in conduct constituting child abuse, neglect, or endangerment solely because the person engaged in conduct involving authorized medical use; (8) property used in the cultivation, research, testing, processing, distribution, transportation, and delivery of low-THC cannabis for authorized medical use is not contraband for purposes of asset forfeiture, and is not subject to seizure or forfeiture solely for the use of the property for the authorized activities; and (9) a person is not subject to arrest, prosecution, or the imposition of any sentence or penalty for the delivery, possession with intent to deliver, or manufacture of any item that meets the definition of drug paraphernalia, if that item is delivered, possessed with intent to deliver, or manufactured for the sole purpose of providing that item to: (a) person for whom authorized medical use is prescribed; or (b) a licensed dispensing organization.

**H.B. 3173 (Lopez) – Police Credit History Hiring Policy:** would provide that: (1) a law enforcement agency of a city or county may not adopt or enforce a hiring policy provision that: (a) automatically disqualifies from consideration peace officer position applicants because of poor credit history; and (b) considers credit history information about events that occurred more than five years before the date of application.
H.B. 3174 (Lopez) – Police Marihuana Hiring Policy: would provide that: (1) law enforcement agency of a city or county may not adopt or enforce a hiring policy provision that: (a) automatically disqualifies peace officer position applicants because of prior marihuana use; and (b) considers marihuana use that occurred more than three years before the date of application; (2) a law enforcement agency is not prohibited from adopting or enforcing a hiring policy provision that disqualifies applicants for other acts or conditions related to marihuana, including: (a) the sale or distribution of marihuana by the applicant; or (b) an applicant’s criminal history related to the possession of marihuana.

H.B. 3226 (Hinojosa) – Essential Workers Minimum Wage: would provide that an employer, including a city, shall pay to each individual who is designated as an essential critical infrastructure worker by the United States Department of Homeland Security, Cybersecurity and Infrastructure Security Agency and employed by the employer not less than the greater of: (1) $15 an hour; or (2) the federal minimum wage (currently $7.25 an hour).

H.B. 3259 (Sanford) – Injuries in the Scope of Duty: would provide, among other things, that: (1) an employer, including a city (but excluding a city that has adopted civil service for its fire fighters or peace officers), may not take an adverse employment action against a peace officer, detention officer, county jailer, or fire fighter who has sustained a compensable injury on the basis of the person’s inability to perform the duties for which the person was elected, appointed, or employed before the person is certified as having reached maximum medical improvement, unless the person’s treating doctor indicates that the person is permanently restricted from returning to perform the duties for which the person was elected, appointed, or employed; (2) an employer that violates (1), above, shall be liable for reasonable damages incurred by the person as a result of the violation in an amount not to exceed $100,000; and (3) sovereign immunity to suit and from liability is waived, and a peace officer, detention officer, county jailer, or fire fighter may sue an employer for damages described in (2), above, and reinstatement to the person’s former position of employment.

H.B. 3620 (C. Turner) – Unemployment Compensation: would provide, among other things, that: (1) for purposes of eligibility for unemployment compensation, an individual’s base period is the four consecutive completed calendar quarters, prescribed by the Texas Workforce Commission (TWC), in the five consecutive completed calendar quarters preceding the first day of an individual’s benefit year; (2) for an individual precluded because of a medically verifiable illness or injury from working during a major part of a calendar quarter of the period that would otherwise be the individual’s base period, the base period is the first four calendar quarters of the five consecutive calendar quarters preceding the calendar quarter in which the illness began or the injury occurred if the individual files an initial claim for benefits not later than 24 months after the date on which the individual’s illness or injury began or occurred; (3) for an individual who does not have sufficient benefit wage credits to qualify for benefits under the computation of the base period as provided by (1) or (2), the base period is the four most recently completed calendar quarters preceding the first day of the individual’s benefit year; (4) for an individual who does not have sufficient benefit wage credits to qualify for benefits under the computation of the base period as provided by (1), (2), or (3), the base period is the three most recently completed calendar quarters preceding the first day of the individual’s benefit year and the portion of the calendar quarter in which the individual’s benefit year commences that occurs
before the first day of the individual’s benefit year; (5) for purposes of establishing qualifications for benefits under the base period computation provided under (3) or (4), an individual for whom wage information for the most recent calendar quarter or current calendar quarter is not yet accessible to or obtainable by the TWC may demonstrate that qualification by providing an affidavit supported by payroll documentation available to the individual for that calendar quarter; (6) work is not suitable and benefits may not be denied to an otherwise eligible individual for refusal to accept new work if: (a) the place of performance of the work offered is in violation of federal, state, or local protocols relating to the spread of infectious diseases, including COVID-19; or (b) the work offered presents an unreasonable risk of exposure to infectious diseases, including COVID-19, that cannot be mitigated with reasonable care; (7) if TWC finds that in any seven-day period the number of initial claims filed is more than five times the number of initial claims filed in the preceding seven-day period, the Commission shall suspend for a period of 30 days the following eligibility conditions to authorize an individual who is otherwise eligible to receive benefits under this subtitle to receive those benefits: (a) the condition that an individual be actively seeking work; and (b) the condition that an individual have been totally or partially unemployed for a waiting period; and (8) the total extended benefit amount payable to an eligible individual for the individual’s eligibility period is increased to 60 percent of the total amount of regular benefits that were payable to the individual in the individual’s applicable benefit year, provided that, if TWC finds that in any seven-day period the number of initial claims filed under is more than five times the number of initial claims filed in the preceding seven-day period, TWC may not seek to recover the amount of any improper benefits received during the 30-day period beginning on the first day of the seven-day period in which the increased number of initial claims were filed.

H.B. 3623 (C. Turner) – Workers’ Compensation: would provide that: (1) post-traumatic stress disorder suffered by a health care provider is a compensable injury only if it is based on a diagnosis that: (a) the disorder is caused by one or more events occurring in the course and scope of the health care provider’s employment during a public health disaster; and (b) the preponderance of the evidence indicates that the event or events were a producing cause of the disorder; and (2) the date of injury for post-traumatic stress disorder suffered by a health care provider is the date on which the health care provider first knew or should have known that the disorder may be related to the health care provider’s employment.

H.B. 3697 (Hernandez) – Unemployment Benefits: would provide that an individual is not disqualified for unemployment benefits if the individual leaves the workplace to care for the individual’s minor child due to an unexpected illness, accident, or other unforeseeable event, but only if no reasonable, alternative care was available.

H.B. 3704 (Hernandez) – Unemployment Benefits: would allow an individual to qualify for unemployment benefits if the individual involuntarily leaves the workplace because of sexual harassment and: (1) reports the sexual harassment to the individual’s employer or a law enforcement agency; or (2) files a sexual harassment complaint with the Texas Workforce Commission or the Equal Employment Opportunity Commission.

H.B. 3712 (E. Thompson) – Training and Hiring of Peace Officers: would provide that: (1) the basic peace officer training course required as part of a peace officer training program may
be no less than 720 hours; (2) the Texas Commission on Law Enforcement (TCOLE) shall develop and maintain a model training curriculum and model policies for peace officers who conduct field training; (3) before the first day of each 24 month training unit during which peace officers are required to complete 40 hours of continuing education programs, TCOLE shall specify the mandated topics to be covered in up to 16 of the required hours; and (4) TCOLE shall develop and make available to all law enforcement agencies in this state a model policy for the pre-employment investigation of a person licensed by TCOLE.

**H.B. 3775 (Leach) – Severance Pay**: would provide that: (1) a political subdivision, including a city, may not, as part of a severance package or as part of any other agreement or settlement made in relation to the termination of a person's employment or contract as an independent contractor, make a payment to an employee or independent contractor if: (a) the payment would: (i) be paid from tax revenue; and (ii) exceed the amount of compensation, at the rate at the termination of employment or the contract, the employee or independent contractor would have been paid for 20 weeks; or (b) the employee or independent contractor was terminated for misconduct; and (2) a political subdivision shall post each severance agreement in a prominent place on the political subdivision's internet website.

**H.B. 3796 (Morales Shaw) – Discrimination**: would prohibit discrimination in employment on the basis of gender identity or expression and sexual orientation.

**H.B. 3816 (Hunter) – Disease Presumption**: would, among other things: (1) add a detention officer to the disease presumption statute; and (2) provide that a detention officer, firefighter, peace officer, or emergency medical technician who contracts a disease that is the basis of a state declared disaster for all or part of the state and dies or is totally or partially disabled as a result of the disease is presumed to have contracted the disease during the course and scope of employment as a detention officer, firefighter, peace officer, or emergency medical technician.

**H.B. 3860 (J. González) – Discrimination**: would prohibit discrimination in public accommodations and employment on the basis of an individual’s sexual orientation, gender identity or status as a military veteran. (Companion bill is S.B. 1540 by Menéndez.)

**H.B. 3898 (Anchia) – Funding Public Retirement Systems**: would provide, among other things, that: (1) the governing body of a public retirement system and, if the system is not a statewide retirement system, its associated governmental entity shall jointly, if applicable: (a) develop and adopt a written funding policy that details a plan for achieving a funded ratio of the system that is equal to or greater than 100 percent; (b) timely revise the policy to reflect any significant changes to the policy, including changes required as a result of formulating and implementing a funding soundness restoration plan; and (c) submit a copy of the policy and each change to the policy to each active member and annuitant of the system not later than the 31st day after the date the policy or change is adopted; (2) the written funding policy in (1) must outline any automatic contribution or benefit changes designed to prevent having to formulate a revised funding soundness restoration plan, including any automatic risk-sharing mechanisms that have been implemented, the adoption of an actuarially determined contribution structure, and other adjustable benefit or contribution mechanisms; (3) a public retirement system shall notify the associated governmental entity in writing if the system receives an actuarial valuation
indicating that the system’s actual contributions are not sufficient to fully fund the unfunded actuarial accrued liability within 30 years; (4) the governing body of a public retirement system and the governing body of the associated governmental entity shall jointly formulate a funding soundness restoration plan if the system’s actuarial valuation shows that the system’s expected funding period: (a) has exceeded 30 years for three consecutive annual actuarial valuations, or two consecutive annual actuarial valuations in the case of a system that conducts the valuations every two or three years; or (b) effective September 1, 2025: (i) exceeds 40 years; or (ii) exceeds 30 years and the funded ratio of the system is less than 65 percent; and (5) the governing body of a public retirement system and the governing body of the associated governmental entity that have an existing funding soundness restoration plan shall formulate a revised funding soundness restoration plan if the system becomes subject to (4) before the 10th anniversary of a specific timeframe, except if: (a) the system’s actuarial valuation shows that the system’s expected funding period exceeds 30 years but is less than or equal to 40 years; (b) the system is implementing a contribution rate structure that uses or will ultimately use an actuarially determined contribution structure; and (c) the actuarial valuation shows that the system is expected to achieve full funding.

**H.B. 3902 (Anchia) – Texas Municipal Retirement System:** would provide, among other things, that: (1) the Texas Municipal Retirement System (TMRS) retirement annuity of a person who is reemployed by a city in which the employee most recently performed creditable service before the person’s retirement shall not be suspended, provided that the person does not become an employee of the reemploying city at any time during the 12 consecutive months after the effective date of the person’s last retirement from the reemploying city; and (2) if the annuity payments of a person who resumed employment with the person’s reemploying municipality before September 1, 2021, were discontinued and suspended, on filing of a written application with TMRS, TMRS shall resume making the annuity payments to the person, provided: (a) the person’s retirement that preceded the resumption of employment was based on a bona fide termination of employment; (b) the person did not become an employee of the person’s reemploying municipality at any time during the 12 consecutive months after the effective date of the person’s retirement; and (c) the person has not terminated employment with the reemploying municipality. (Companion bill is **S.B. 1105** by Hughes.)

**H.B. 4100 (Talarico) – Family and Medical Leave:** would provide, among other things, that: (1) an employer, including a city, shall pay a contribution on the wages of an employee to a family and medical leave fund that will be administered by the comptroller in accordance with the direction of the Texas Workforce Commission (TWC); (2) an employer may deduct all or a portion of the cost of contributions described in (1) from an employee’s wage; and (3) for each calendar year, TWC shall establish a contribution rate for all employers.

**H.B. 4122 (Rose) – Discrimination:** would prohibit, among other things, employment discrimination on the basis of an individual’s sexual orientation or gender identity or expression.

**H.B. 4195 (Ellzey) – Discrimination:** would provide that an employer, including a city, commits an unlawful employment practice if the employer retaliates or discriminates against a person who engages in lawful conduct involving the exercise of civil rights guaranteed by the United States or Texas Constitutions: (1) during a period of time that is not during the person’s
assigned working hours; and (2) in a location that is not the person’s work site or on the premises of the employer.

**H.B. 4221 (Rodriguez) – Unemployment Benefits:** would provide that: (1) if the Texas Workforce Commission (TWC) finds that in any seven-day period the number of initial unemployment claims filed is more than five times the number of initial claims in the preceding seven-day period, TWC shall suspend for a period of 30 days the following eligibility conditions to authorize an individual who is otherwise eligible to receive benefits to receive those benefits: (a) the condition that an individual be actively seeking work; and (b) the condition that an individual have been totally or partially unemployed for a waiting period; and (2) the period of a suspension imposed under (1) shall begin on the first day of the seven-day period in which the increased number of initial claims were filed.

**H.B. 4301 (Dean) – Disease Presumption:** would provide, among other things, that firefighter, peace officer, or emergency medical technician who contracts a disease that is the basis for a state declared disaster for all or part of the state that results in death or total or partial disability is presumed to have contracted the disease during the course and scope of employment as a firefighter, peace officer, or emergency medical technician. (Companion bills are S.B. 22 and S.B. 527 by Springer and S.B. 463 by Lucio.)

**H.B. 4388 (Herrero) – Reemployment Rights:** would provide that: (1) an employee may bring suit in state court against the state or local government under the federal Uniformed Services Employment and Reemployment Rights Act (USERRA) to enforce their rights and benefits under that act; (2) in any action brought under (1), a court may require the employer to: (a) comply; (b) compensate the person for any lost wages or benefits; (c) pay the person an amount equal to the amount referred to in (2)(b) as liquidated damages, if the court determines that the employer's failure to comply was willful; and (3) sovereign immunity to suit is waived and abolished to the extent of liability created by (1) or under USERRA.

**H.B. 4390 (Herrero) – Reemployment Rights:** would provide that sovereign immunity to suit is waived and abolished to the extent of liability created under state or federal law related to reemployment rights after military service.

**H.B. 4409 (A. Johnson) – Law Enforcement Records:** would provide that: (1) a law enforcement agency that obtains a consent form to view the employment records of a person licensed by the Texas Commission on Law Enforcement shall make the person's employment records available to a hiring law enforcement agency, on request, including by secure electronic means; and (2) the receiving agency of the employment records in (1) must maintain the confidentiality of the records.

**H.B. 4438 (J. Johnson) – Independent Hearing Examiners:** would eliminate the ability of a police officer in a civil service city from filing an appeal with an independent hearing examiner.

**H.B. 4473 (Walle) – Expressing Breast Milk:** would provide that a public employer shall provide a place, other than a bathroom, that is shielded from view and free from intrusion from other employees and the public where the employee can express breast milk.
**H.B. 4484 (Walle)** – **Minimum Wage**: would increase the minimum wage to not less than the greater of $15 an hour or the federal minimum wage (currently at $7.25).

**S.B. 14 (Creighton)** – **Employment Policies**: would provide that: (1) a municipality or county may not adopt or enforce an ordinance, order, rule, regulation, or policy requiring any terms of employment that exceed or conflict with federal or state law relating to any form of employment leave, hiring practices, employment benefits, scheduling practices, or other terms of employment; (2) an ordinance, order, rule, regulation, or policy that violates (1) is void and unenforceable; and (3) the provision described in (1) does not affect: (a) the Texas Minimum Wage Act; or (b) a contract or agreement relating to terms of employment voluntarily entered into between a private employer or entity and a governmental entity.

**S.B. 22 (Springer)** – **Disease Presumption**: would provide, among other things, that a firefighter, peace officer, or emergency medical technician who contracts a disease that is the basis of a state declared disaster that results in such individual’s death or total or partial disability is presumed to have contracted the disease during the course and scope of employment as a firefighter, peace officer, or emergency medical technician.

**S.B. 24 (Huffman)** – **Pre-employment Procedures**: would provide, among other things, that: (1) before a law enforcement agency may hire a person licensed for a peace officer position, the agency shall: (a) obtain the officer’s written consent, on a form and in the manner prescribed by the Texas Commission on Law Enforcement (TCOLE), for the agency to review required information; and (b) submit to TCOLE, on a form and in the manner prescribed by TCOLE, confirmation that the agency, to the best of the agency’s ability before hiring the person: (i) contacted each entity or individual necessary to obtain the information required to be reviewed; (ii) obtained and reviewed as related to the officer, as applicable: (A) personnel files and other employee records from each previous law enforcement agency employer, including the employment application submitted to the previous employer; (B) employment termination reports maintained by TCOLE; (C) service records maintained by TCOLE; (D) proof that the officer meets the minimum qualifications for enrollment in a peace officer training program; (E) a military veteran’s Department of Defense Form DD-214 or other military discharge record; (F) criminal history record information; (G) information on pending warrants as available through the Texas Crime Information Center and National Crime Information Center; (H) evidence of motor vehicle financial responsibility; (I) driving record from the Department of Public Safety; (J) claim history for claims made against automobile insurance policies; (K) the officer’s social media activity; (L) proof of U.S. citizenship; and (M) information on the officer’s background from at least three personal references and at least two professional references; (2) if an entity or individual contacted for information required to be reviewed under (1) (b) refused to provide the information or did not respond to the request for information, the confirmation submitted to TCOLE must document the manner of the request and the refusal or lack of response; (3) the head of a law enforcement agency shall review and sign each confirmation form required under (1)(b) before submission to TCOLE, and the failure to do so, constitutes grounds for suspension of the agency’s head license issued by TCOLE; and (4) a law enforcement agency, agency head, or other law enforcement official is not liable for civil damages for making a person’s information available to a hiring law enforcement agency under (1).
S.B. 32 (Zaffirini) – Student Loan Repayment: would direct the Texas Higher Education Coordinating Board to establish a student loan repayment assistance program for certain eligible frontline workers (including peace officers, fire fighters, and emergency medical technicians) for exceptional service to the State of Texas during the pandemic.

S.B. 45 (Zaffirini) – Sexual Harassment: would provide that an employer, including a city or a person who acts directly in the interests of an employer in relation to an employee, commits an unlawful employment practice if sexual harassment of an employee occurs and the employer or the employer’s agents or supervisors: (1) know or should have known that the conduct constituting sexual harassment was occurring; and (2) fail to take immediate and appropriate corrective action. (Companion bill is H.B. 48 by Zwiener.)

S.B. 107 (Powell) – Disease Presumption: would, among other things: (1) provide that for purposes of reimbursement of medical expenses for public safety employees, including peace officers, firefighters, and emergency medical services personnel, who are exposed to a contagious disease, a disease is not an “ordinary disease of life” if the disease is the basis for a disaster declared by the governor for all or part of the state; (2) expand the applicability of the disease presumption statute to include detention officers, including such officers who are employed by a city; and (3) expand the disease presumption statute to provide that a detention officer, firefighter, peace officer, or emergency medical technician who contracts a disease that is the basis of a state declared disaster for all or part of the state and dies or is totally or partially disabled is presumed to have contracted such disease in the course and scope of employment as a detention officer, firefighter, peace officer, or emergency medical technician.

S.B. 132 (Johnson) – Whistleblower Act: would: (1) for purposes of anti-retaliation provisions of the Whistleblower Act, expand the persons to whom a public employee may report certain violations of law to include: (a) the employee’s immediate supervisor, or an individual who holds a position above the reporting employee’s immediate supervisor, at the employing entity; (b) an individual or office designated by the employing entity as the individual or office for reporting such grievances; or (c) or a member of the human resources staff of the employing entity; (2) require a public employer, including a city, to: (a) develop and adopt an anti-retaliation policy that: (i) informs its employees of their rights; and (ii) lists the individual to whom its employees may report a violation of law; (b) provide a copy of the anti-retaliation policy to each employee of the first day of the employee’s employment; and (c) notify its employees of any change made to its anti-retaliation policy by e-mail, memorandum, or any other manner that ensures each employee will be information of the change; (3) require the individuals described in (1), above, to provide a copy of the entity’s anti-retaliation policy to each employee of the first day of the employee’s employment; and (4) require the attorney general to post in a prominent location on the attorney general’s internet website: (a) a summary of the rights of public employees under the whistleblower statute; and (b) a notice informing public employees of: (i) the ability to obtain a copy of the anti-relation policy adopted by their employment governmental entity or the individuals described in (1), above, and (ii) the requirement that an employing governmental entity provide a copy of the entity’s anti-retaliation policy to each public employee on the first day of their employment. (Companion bill is H.B. 550 by Israel.)
S.B. 209 (Eckhardt) – Nondisclosure Agreements: would: (1) provide that a nondisclosure or confidentiality agreement or other agreement between an employer and employee is void and unenforceable if such agreement prohibits or limits the employee from notifying a local or state law enforcement agency or any state or federal regulatory agency of sexual assault or sexual harassment committed by the employee or at the employee’s place of employment; (2) provide that a mandatory arbitration agreement between an employer and employee is void and unenforceable if the agreement requires mandatory arbitration of a dispute involving an allegation of sexual assault or sexual harassment; and (3) prohibit an employer from discriminating against an individual in connection with an employment relationship because the individual refuses to sign an agreement described in (1) and (2).

S.B. 255 (Menéndez) – Unemployment Compensation: would: (1) provide that a person who has received unemployment compensation benefits to which the person was not entitled solely due to Texas Workforce Commission error is not liable for the amount of those benefits; and (2) prohibit the Texas Workforce Commission from seeking to recover the benefits described in (1).

S.B. 333 (Johnson) – Police Disciplinary Rules: would, among other things, amend current law to provide that:

1. in a city that has adopted civil service:
   a. the police chief may not suspend a police officer for an act that occurred earlier than the 730th day before the date the officer is suspended;
   b. the police chief, in the original written statement and charges and in any hearing conducted under the civil services rules involving a police officer:
      i. may not complain of an act that is discovered earlier than the 360th day preceding the date the police chief suspends the police officer;
      ii. must allege that the act complained of is related to criminal activity; and
      iii. is not required to prove that the officer had the culpable mental state for the alleged criminal activity or committed the alleged criminal activity beyond a reasonable doubt;
   c. the police chief may not suspend a police officer that is indicted for a felony or officially charged with the commission of a Class A or B misdemeanor if the act directly related to the felony indictment or misdemeanor complaint occurred earlier than the 730th day before the date the officer is suspended;
   d. the police chief may, within 30 days after the date of final disposition of the felony indictment or misdemeanor complaint described in (1)(c), above, bring a charge against the police officer for a violation of civil service rules, if the action directly related to the felony indictment or misdemeanor complaint against the police officer was discovered on or after the 360th day before the date of the indictment or complaint;
   e. the police chief may order an indefinite suspension of a police officer based on an act that is classified as a felony or a Class A or B misdemeanor after the 360-day period following the date of the discovery of the act by the police department if the police chief considers delay to be
necessary to protect a criminal investigation of the police officer’s conduct; and

f. the police chief must file with the attorney general a statement describing the criminal investigation and its objectives within 360 days after the date of the discovery of the act by the police department, if the police chief intends to order an indefinite suspension as described in (1)(e), above;

2. in a city that has adopted civil service and has a population of 1.5 million or more:

a. the police chief may not suspend a police officer for an act that is directly related to a felony indictment or misdemeanor complaint of any other crime involving moral turpitude that occurred earlier than the 730th day before the date the officer is suspended;

b. the police chief may, within 60 days after the date of final disposition of the indictment or complaint, bring a charge against a police officer for violation of civil service rules if the action directly related to the felony indictment or misdemeanor described in (2)(a), above, was discovered on or after the 360th day before the date of the indictment or complaint;

c. the police chief may order an indefinite suspension of a police officer based on act classified as a felony or any other crime involving moral turpitude after the 360-day period following the date of the discovery of the act by the department if the department considers delay to be necessary to protect a criminal investigation of the person’s conduct; and

d. the police chief must file with the attorney general a statement describing the criminal investigation and its objectives within 360 days after the date of the discovery of the act by the department if the police chief intends to order an indefinite suspension of the officer after the 360-day period;

e. the police chief may not suspend a police officer for an act that violates a civil service rule if the act occurred earlier than 730th day before the date the officer is suspended;

f. the police chief may not suspend the police officer later than the 360th day after the date the department discovers or becomes aware of the civil service rule violation;

g. the suspension of a police officer for violation of a civil service rule is void and the officer is entitled to the officer’s full pay if:

(i) the department fails to file the written statement during the required time;

(ii) the suspension is imposed later than the 730th day after the date the act for which the officer was suspended occurred; or

(iii) the suspension is imposed later than the 360th day after the date the department discovers or becomes aware of the violation that resulted in the suspension;

h. the police chief may not indefinitely suspend a police for an act that violates a civil service rule if the act occurred earlier than the 730th day before the date the officer is indefinitely suspended;

i. the police chief may not complain of an act by a police officer that violates a civil service rule in the original written statement and charges and in any hearing conducted under the civil service rules if the act was not
discovered within the 360-day period preceding the date on which the police chief indefinitely suspends the police officer;
3. a meet and confer agreement between a city and a police officers association may not conflict with and does not supersede the provisions described in (1) and (2), above, if the city has adopted civil service; and
4. a city may not adopt or implement a collective bargaining agreement affecting police officers that conflicts with the provisions described in (1) and (2), above.

**S.B. 389 (Eckhardt) – Local Minimum Wage:** would, among other things, allow: (1) a city to adopt a minimum wage that exceeds the federal minimum wage to be paid by an employer to each of its employees for services performed in the city; and (2) a county to adopt a minimum wage that exceeds the federal minimum wage to be paid by an employer to each of its employees for services performed in the unincorporated areas of the county, including areas located within the extraterritorial jurisdiction of a city. (The companion bill is **H.B. 224** by Ortega.)

**S.B. 439 (Blanco) – Disease Presumption:** would provide that a nurse, including a nurse employed by a political subdivision, who suffers from COVID-19 on or after February 1, 2020, resulting in disability or death is presumed for workers’ compensation benefit purposes to have contracted the disease during the course and scope of employment as a nurse if the nurse: (1) is assigned to treat a patient diagnosed with the disease or to duties that require the nurse to come in contact with a patient diagnosed with the disease; and (2) contracts the disease during the patient’s admission to the health care facility at which the nurse treated or came in contact with the patient or not later than the 14th day following the date of the patient’s discharge from the facility. (The companion is **H.B. 396** by Moody.)

**S.B. 463 (Lucio) – Disease Presumption:** would provide, among other things, that a firefighter, peace officer or emergency medical technician who contracts a disease that is the basis of a state declared disaster that results in death or total or partial disability is presumed to have contracted the disease during the course and scope of employment as a firefighter, peace officer or emergency medical technician.

**S.B. 469 (Blanco) – Unemployment Benefits:** would provide that: (1) during a public health disaster, the Texas Workforce Commission (TWC) shall suspend the following eligibility conditions to authorize an individual who is otherwise eligible to receive unemployment benefits to receive benefits: (a) the condition that an individual be actively seeking work; and (b) the condition that an individual has been totally or partially unemployed for a waiting period; and (2) the period of a suspension imposed under (1), above, begins on the date the public health disaster is declared, and TWC may reinstate the conditions described by (1), above, only after the public health disaster expires.

**S.B. 527 (Springer) – Disease Presumption:** would provide, among other things, that a firefighter, peace officer, or emergency medical technician who contracts a disease that is the basis of a state declared disaster that results in death or total or partial disability is presumed to have contracted the disease during the course and scope of employment as a firefighter, peace officer or emergency medical technician.
S.B. 551 (Campbell) – Employment Benefits: would provide that a municipality or county may not adopt or enforce an ordinance, order, rule, or regulation that requires an employer in the municipality or county to provide employment benefits to its employees.

S.B. 578 (Eckhardt) – Reproductive Discrimination: would, among other things: (1) provide that an employer commits an unlawful employment practice if the employer discriminates against an employee or a close member of the employee’s family or household on the basis of a reproductive decision including: (a) marital status at the time of a pregnancy; (b) use of assisted reproduction to become pregnant; (c) use of contraception or a specific form of pregnancy; or (d) obtainment or use of any other health care drug, device or service relating to reproductive health; (2) require an employer that provides an employee handbook include in the handbook information regarding the prohibition of discrimination based on a reproductive decision; and (3) make a mandatory arbitration agreement between an employer and an employee void and unenforceable to the extent the agreement limits the reproductive decisions of an employee or employee’s close family or household members (Companion bill is H.B. 698 by Rosenthal.)

S.B. 818 (Powell) – Unemployment Compensation: would provide that: (1) benefits computed on benefit wage credits of an employee or former employee may not be charged to the account of an employer if the employee’s last separation from the employer’s employment before the employee’s benefit year: (a) was caused by the employee being called to provide service in the uniformed services or in the Texas military forces, provided that the employer has not been found to be in violation of federal or state reemployment provisions with respect to the employee; and (2) an individual is not disqualified for unemployment benefits if the individual’s separation from employment was caused by the individual being called to provide services in the uniformed services or the Texas military forces.

S.B. 819 (Powell) – Unemployment Compensation: would provide that: (1) benefits computed on benefit wage credits of an employee or former employee may not be charged to the account of an employer if the employee’s last separation from the employer’s employment before the employee’s benefit year resulted from the employee leaving the employee’s workplace to protect the employee or employee’s immediate family from family violence or stalking or violence related to a sexual assault; and (2) an individual is not disqualified for unemployment benefits if the individual leaves the workplace to protect the individual or the individual’s immediate family from family violence or stalking or violence related to a sexual assault.

S.B. 1105 (Hughes) – TMRS Return To Work: would provide, among other things, that: (1) the retirement annuity of a person who is reemployed by a city in which the employee most recently performed creditable service before the person’s retirement shall not be suspended, provided that the person does not become an employee of the reemploying city at any time during the 12 consecutive months after the effective date of the person’s last retirement from the reemploying city; and (2) if the annuity payments of a person who resumed employment with the person’s reemploying municipality before September 1, 2021, were discontinued and suspended, on filing of a written application with TMRS, TMRS shall resume making the annuity payments to the person, provided: (a) the person’s retirement that preceded the resumption of employment was based on a bona fide termination of employment; (b) the person did not become an employee of the person’s reemploying municipality at any time during the 12 consecutive
months after the effective date of the person’s retirement; and (c) the person has not terminated employment with the reemploying municipality.

**S.B. 1205 (Schwertner) – Request for Employment Records:** would provide that: (1) a law enforcement agency that obtains written consent from a person licensed by the Texas Commission on Law Enforcement (TCOLE) to view the person’s employment history shall make an electronic copy of the person’s employment history available to a hiring law enforcement agency on request; and (2) TCOLE, by rule, shall prescribe the manner by which a law enforcement agency shall make a person's employment records electronically available to a hiring law enforcement agency, and such rules must provide appropriate privacy and security protections. (Companion bill is **H.B. 8** by Pacheco.)

**S.B. 1309 (Creighton) – Discrimination:** would, among other things, prohibit discrimination on the basis of sexual orientation or gender identity or expression of an individual in public accommodations and by an employer, including a city.

**S.B. 1359 (Hughes) – Mental Health Leave Policy:** would provide, among other things, that: (1) each law enforcement agency shall develop and adopt a policy allowing the use of mental health leave by peace officers employed by the agency who experience a traumatic event in the scope of that employment; and (2) the policy adopted under (1) must: (a) provide clear and objective guidelines establishing the circumstances under which a peace officer is granted mental health leave and may use mental health leave; (b) entitle a peace officer to mental health leave without a deduction in salary or other compensation; (c) enumerate the number of mental health leave days available to a peace officer; and (d) detail the level of anonymity for a peace officer who takes mental health leave.

**S.B. 1401 (Springer) – Quarantine Leave:** would provide that: (1) a political subdivision, including a city, shall place a fire fighter, peace officer, or emergency medical technician employed by the political subdivision on paid quarantine leave if the person is ordered by a supervisor or a health authority to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty; (2) an individual described in (1) who is on quarantine leave shall be entitled to: (a) all employment benefits and compensation, including leave accrual, pension benefits, and health benefit plan benefits; and (b) costs related to the quarantine, including lodging, medical, and transportation costs; and (3) a political subdivision may not reduce any leave balance accrued by a fire fighter, peace officer, or emergency medical technician in connection with the quarantine leave required by (1). (Companion bill is **H.B. 2073** by Burrows.)

**S.B. 1450 (Birdwell) – Workers Compensation:** would provide that lifetime income benefits are paid until the death of an employee for, among other things: (1) a physically traumatic injury to the brain resulting in permanent cognitive defects that: (a) render the employee permanently unemployable without significant accommodations; or (b) affect the non-vocational quality of the employee’s life so as to eliminate the employee’s ability to engage in a range of usual cognitive processes; (2) third degree burns that cover at least 40 percent of the body and require grafting, or third degree burns covering the majority of: (a) both hands; (b) both feet; (c) one hand and one foot; or (d) one hand or foot and the face; and (3) permanent and total disability in
certain circumstances if the employee is: (a) a first responder; and (b) employed by a political subdivision that self-insures, either individually or collectively. (Companion bill is H.B. 3120 by Capriglione.)

S.B. 1540 (Menéndez) – Discrimination: would prohibit discrimination in public accommodations and employment on the basis of an individual’s sexual orientation, gender identity or status as a military veteran. (Companion bill is H.B. 3860 by J. González.)

S.B. 1619 (Bettencourt) – Retirement Plans: would provide, among other things, that: (1) a municipality that is the sponsoring authority of a public retirement system that was created under and is governed by a state statute, but is not part of a statewide retirement system, may adopt by ordinance or resolution, as applicable, provisions that supplement or supersede the operative provisions of the public retirement system’s governing statute; and (2) the provisions adopted under (1) above: (a) apply only to a person who becomes eligible in the public retirement system after December 31, 2019; (b) may create a defined contribution plan, hybrid retirement plan, or other alternative retirement plan instead of a defined benefit plan required or authorized under the system’s governing statute; and (c) apply to benefits, participation, eligibility requirements, source or amount of funding, and administration of the system.

S.B. 1620 (Bettencourt) – Pension Fund Obligations: would provide that a municipality may issue an obligation in an amount that exceeds $50 million to fund all or any part of an unfunded mandated only if the issuance is approved by a majority of the qualified voters of the municipality voting at an election held for that purpose.

S.B. 1621 (Bettencourt) – Retirement Annuity: would provide, among other things, that: (1) a person who is eligible for membership in a public retirement system wholly or partly because the person was elected or appointed to an elected office is not eligible to receive a service retirement annuity under the retirement system if the person is convicted of a qualifying felony committed while in office and arising directly from the official duties of that elected office; (2) a person who is a member or annuitant of a public retirement system employed by the associated governmental entity of the public retirement system, other than a person described by (1), is not eligible to receive a service retirement annuity under the retirement system if the person is convicted of a qualifying felony offense for embezzlement, extortion, or other theft of public money or conspiracy or the attempt to commit such felony offense while employed by the associated governmental entity and arising directly from the official duties related to that employment; and (3) not later than the 30th day after the conviction of a person of a qualifying felony, the governmental entity which the person was elected or appointed to or is employed by must provide written notice of the conviction to the public retirement system in which the person participates.

S.B. 1669 (Hall) – Vaccines: would provide, among other things, that: (1) a person may not discriminate against or refuse to provide a public accommodation to an individual based on the individual’s vaccination history or immunity status for a communicable disease by: (a) providing to the individual a public accommodation that is different or provided in a different manner than the accommodation provided or manner of providing the accommodation to other members of the public; (b) subjecting the individual to segregation or separate treatment in any matter related
to providing the public accommodation to the individual; (c) restricting in any way the individual’s enjoyment of a public accommodation in a manner that distinguishes the individual’s enjoyment from the enjoyment of other members of the public; (d) treating the individual differently from other members of the public in determining whether the individual satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition that individuals must satisfy before a public accommodation is provided; or (e) denying the individual an opportunity to participate in a program in a manner that differs from the manner the opportunity is provided to other members of the public; (2) an employer commits an unlawful employment practice if the employer discriminates against an individual if the individual is unvaccinated or not immune to a communicable disease; (3) a licensing authority may not deny an application for an occupational license, suspend, revoke, or refuse to renew an occupational license, or take any other disciplinary action against an individual based on: (a) the individual’s vaccination history or immunity status for a communicable disease; or (b) the individual’s refusal to be vaccinated or participate in administering a vaccine; and (4) a governmental entity or official, including the governor, a state agency, a political subdivision, or a political subdivision official, may not: (a) require an individual to be vaccinated; (b) require an individual to participate in the administration of a vaccine; or (c) discriminate or impose a civil or criminal penalty against an individual who refuses vaccination or participation in the administration of a vaccine.

S.B. 1805 (Johnson) – Civil Service: would provide, among other things, that in a civil service city: (1) the department head of a police department may appoint a person who does not meet the requirements for appointment to assistant police chief to the assistant police chief if: (a) the department head requests and is granted approval for the appointment from the governing body of the municipality; and (b) the department head provides a justification for hiring outside of the department to the civil service commission and the commission determines that: (i) the justification is valid; and (ii) the appointment will improve the department’s operations; (2) a fire fighter or police officer commits a Class C misdemeanor if the person: (a) takes part in political activities while in uniform or on active duty; or (b) engages in a strike against the governmental agency that employs the person; (3) a notice of an entrance examination or promotional examination shall be posted in plain view in a conspicuous location in the main lobby of the city hall and in the civil service commission’s office; (4) a fire fighter is not eligible for promotion to the rank of captain or its equivalent unless the fire fighter has at least four years of actual service in the fire department for which the fire fighter would serve as that rank; (5) if a fire fighter is recalled on active military duty for not more than 60 months, the two-year service required for a promotion does not apply and the fire fighter is entitled to have time spent on active military duty considered as duty in the fire department; (6) if a police officer is serving in a beginning position in a police department, the two-year service period required for a promotion begins on completion of the police officer’s probationary period; (7) if a police officer is recalled on active military duty for not more than 60 months, the two-year service required for a promotion does not apply and the police officer is entitled to have time spent on active military duty considered as duty in the police department; (8) a demoted police officer is not eligible for promotion unless the police officer has served continuously in the next lower position for at least two years after the demotion; (9) a commission rule prescribing cause for removal, suspension, or demotion of a police officer is valid only if it involves one or more of the following grounds: (a) acts of incompetency, neglect, or failure to perform a job function deemed essential to the position as set
forth in the police department’s job description for the position; (b) acts showing lack of good moral character; (c) violation of a municipal charter provision; (d) violation of an applicable police department rule or special order; (d) a plea of guilty, an adjudication of guilt, or a verdict of guilty after a criminal trial of any felony offense or certain misdemeanor offenses; or (e) acts constituting an offense under (9)(d), regardless of criminal prosecution, including any act in any jurisdiction other than this state, which if committed in this state would constitute such an offense unless a court has held the offense as unconstitutional; (10) other than in a city that has a population of more than 1.5 million, if the head of a police department determines that a police officer under the department head’s supervision or jurisdiction violated a civil service rule, the department head may: (a) suspend the police officer for a period not to exceed 15 calendar days; (b) suspend the police officer indefinitely, which is equivalent to dismissal from the department; or (c) recommend to the commission to demote the police officer to any lower rank in the classified civil service; (11) if the department head suspends or recommends to demote a police officer under (10), the department head shall, within five business days after the date of suspension or recommended demotion, file a written statement with the commission, and the written statement must identify each civil service rule alleged to have been violated by the police officer and describe the alleged acts of the police officer that the department head contends are in violation of the civil service rules; and (12) the civil service director or the director’s designee may not release any information contained in a fire fighter’s or police officer’s personnel file unless the release of the information is: (a) required by law; or (b) requested by a local, state, or federal law enforcement agency conducting a criminal history check on a current or former police officer.

S.B. 1835 (Eckhardt) – Discrimination: would increase the statute of limitations for filing a complaint for an unlawful employment practice with the Texas Workforce Commission to 300 days after the date the alleged unlawful employment practice occurred.

S.B. 1864 (Powell) – Telecommunicators: would add, for purposes of workers’ compensation, telecommunicators to the provisions that provide for PTSD presumption and expedited provision of medical benefits.

S.B. 1928 (Hughes) – E-Verify: would, among other things: (1) require a political subdivision to register and participate in the federal electronic verification of employment authorization program in order to verify the information of all new employees; and (2) provide that an employee of a political subdivision who is responsible for verifying information of new employees is subject to immediate termination for failure to comply with the requirement in (1).

S.B. 1978 (Miles) – Early Voting Employee Leave: would provide that: (1) a person commits an offense if, with respect to another person over whom the person has authority in the scope of employment, the person knowingly: (a) refuses, while early voting is in progress, to permit the other person to be absent from work for the purpose of attending the polls to vote; or (b) subjects or threatens to subject the other person to a penalty for attending the polls to vote while early voting is in progress; and (2) the provisions of (1), above, do not apply in connection with an election in which polls are open while early voting is in progress for two consecutive hours outside of the voter’s working hours. (Companion bills are H.B. 1150 by Vo and H.B. 1152 by Vo.)
**S.B. 2045 (Menéndez) – Pay Discrimination:** would: (1) extend the statute of limitations on pay discrimination claims to include each time: (a) a discriminatory compensation decision or other practice is adopted; (b) an individual becomes subject to a discriminatory compensation decision or other practice; (c) an individual is adversely affected by application of a discriminatory compensation decision or other practice, including each time wages affected wholly or partly by the decision or other practice are paid; and (2) allow, in certain instances, liability and back pay and benefit damages to accrue for up to two years preceding the date of filing a complaint for pay discrimination.

**S.B. 2101 (Zaffirini) – Total Unemployment Benefits:** would, among other things, provide that: (1) an eligible individual who is totally unemployed in a benefit period is entitled, for the benefit period, benefits at the rate of 2/43 of the wages received by the individual from employment by employers during that quarter in the individual’s base period in which wages were highest; and (2) the maximum weekly benefit amount and the minimum week benefit amount are increased to 60 percent and 15 percent, respectively, of the average weekly wage in covered employment in the state. (Companion bill is H.B. 2408 by Rodriguez.)

**S.B. 2102 (Zaffirini) – Unemployment Benefits:** would, among other things, eliminate the requirement that an individual be totally or partially unemployed for a waiting period of at least seven consecutive days before being eligible for unemployment benefits. (Companion bill is H.B. 145 by Rodriguez.)

**S.B. 2103 (Zaffirini) – Shared Work Plan:** would provide that the Texas Workforce Commission may approve a shared work plan if the plan reduces the normal weekly hours of work for an employee in the affected unit by at least 10 percent but not more than 60 percent. (Companion bill is H.B. 157 by Rodriguez.)

**Purchasing**

**H.B. 263 (Meza) – Rest Breaks:** would provide that: (1) a governmental entity, including a city, that enters into a contract with a contractor for general construction services shall require such contractor and any subcontractor to provide at least a 10-minute paid rest break within every four-hour period of work to each employee performing work under the contract; (2) each construction contract shall include terms that: (a) authorize an employee of a contractor or subcontractor required to work without a rest break to make a verbal or written complaint to the governmental entity contracting with the contractor; (b) explain that, on confirmation of such violation, the governmental entity shall provide to the contractor written notice of the violation by hand delivery or certified mail; (c) inform a contractor that the governmental entity may impose an administrative penalty if the contractor fails to comply after the date on which the contractor receives notice of the violation; and (d) explain that a penalty amount may be withheld from a payment otherwise owed to a contractor; (3) a governmental entity may impose an administrative penalty in an amount of not less than $100 and not more than $500 per day if any employee is required to work without a rest break, and that a proceeding to impose an administrative penalty is a contested case under the Administrative Procedure Act; (4) each
governmental shall develop procedures for the administration of the provisions of this bill; and (5) the bill does not preempt a local ordinance, rule, or other measure by a city requiring rest breaks in accordance with a construction contract, provided that such ordinance, rule, or measure is compatible with and equal to or more stringent than the provisions of the bill.

**H.B. 633 (Morrison) – Prevailing Wage Rates**: would provide that, for purposes of awarding a contract for the construction of a public work, a political subdivision, including a city, may determine the prevailing wage rates in the locality in which the public work is to be performed by using data compiled by the Texas Workforce Commission’s Labor Market and Career Information Department, including occupational employment statistics wage data for: (1) the local workforce development area or metropolitan statistical area relating to the locality in which the public work is performed; or (2) the state, but only if there is no data available for the relevant local workforce development area or the metropolitan statistical area for the specific occupation, as classified by the United States Bureau of Labor Statistics in the 2018 Standard Occupational Classification system, for which data is sought.

**H.B. 676 (Hernandez) – Historically Underutilized Businesses**: would, among other things, provide that persons with a disability as defined by the federal Americans with Disabilities Act are included in the state’s list of historically underutilized businesses.

**H.B. 692 (Shine) – Public Works Contracts Retainage**: would provide that:

1. “warranty period” means the period of time specified in a contract during which certain terms applicable to the warranting of work performed under the contract are in effect;
2. a governmental entity: (a) shall include in each public works contract a provision that establishes the circumstances under which a public works project is considered substantially complete; (b) may release the retainage for substantially completed portions of the project, or fully completed and accepted portions of the project; (c) shall maintain an accurate record of accounting for the retainage withheld on periodic contracts payments and the retainage released to the prime contractor for a public works contract; and (d) shall, for certain public works contracts with a value of $10 million or more, pay any remaining retainage on periodic contract payments, and the interest earned on the retainage, to the prime contractor on completion of the contract;
3. if the total value of a public works contract is $1 million or more, a governmental entity may not withhold retainage in an amount that exceeds five percent of the contract price, and the rate of retainage may not exceed five percent for any item in a bid schedule or schedule of values for the project;
4. except certain contacts funded through the Texas Water Development Board from the limitation described in (3), above;
5. for a competitively awarded contract with a value of $10 million or more, and for a contract awarded using a method other than competitive bidding, a governmental entity and prime contractor may agree to deposit in an interest-bearing account the retainage withheld on periodic contract payments;
6. a governmental entity may not withhold retainage: (a) after completion of the contract by the prime contractor, including during the warranty period; or (b) for the purpose of requiring the prime contractor, after completion of the contract, to perform work on
manufactured goods or systems that were specified by the designer of record and properly installed by the contractor;

7. on application to a governmental entity for final payment and release of retainage, the governmental entity may withhold retainage if there is a bona fide dispute between the governmental entity and the prime contractor and the reason for the dispute is that labor, services, or materials provided by the prime contractor or the prime contractor’s subcontractors were not provided in compliance with the contract; and

8. if there is no bona fide dispute as described (7), above, and neither party is in default, a prime contractor is entitled to: (a) cure any noncompliant labor, services, or materials; or (b) offer the governmental entity a reasonable amount of money as compensation for any noncompliant labor, services, or materials that cannot be promptly cured.

H.B. 751 (Israel) – Cloud Computing Services: would add cloud computing services to the definition of the term “personal property” for purposes of the Public Property Finance Act.

H.B. 776 (Walle) – Workers’ Compensation Insurance: would require a city that enters into a building or construction contract to require the contractor on the public project to provide a written certificate that any subcontractor on the project provides workers’ compensation insurance for each employee of the subcontractor on the public project.

H.B. 863 (Romero) – Public Works Contracts: would: (1) prohibit a contractor who is awarded a public works contract by a public body (including a city) or such contractor’s subcontractor from improperly classifying a worker employed by said contractor or subcontractor as an independent contractor for the purpose of avoiding to pay the worker the prevailing wage rate; (2) impose a penalty of $90 to each contractor or subcontractor for each worker misclassified as an independent contractor for each calendar day or part of the day that the worker is misclassified; (3) require that the public body include the penalty described under (2) in the contract; (4) require an audit, by the public body, of the public work contract for compliance with the provisions of (2) throughout the term of the contract and not later than the 30th day before the date the work is schedule to be completed on the contract; and (5) provide that payment of wages for a public work may only be satisfied by payment to the employee in the form of per diem wages.

H.B. 923 (Reynolds) – Professional Services: would add attorneys to the list of professionals that must be procured according to the Professional Services Procurement Act.

H.B. 1418 (Leach) – Professional Services: would: (1) prohibit a governmental entity from requiring, in a contract for architectural or engineering services for the construction or repair to real property, that architectural or engineering service must be performed at a level of professional skill and care beyond that which would be provided by an ordinarily prudent architect or engineer; and (2) provide that a contractor is not responsible for the consequences of defects in and may not warranty plans, specifications, or other design or bid documents provided to the contractor by: (a) the person with whom the contractor entered into the contract; or (b) another person on behalf of the person with whom the contractor entered into the contract. (Companion bill is S.B. 219 by Hughes.)
H.B. 1428 (Huberty) – Contingent Fee Contracts: would except the following types of contingent fee contracts from certain requirements: (1) a contract entered into by a political subdivision for the collection of certain delinquent obligations; and (2) a contract entered into by a political subdivision for certain public security services. (Companion bill is S.B. 515 by Huffman.)

H.B. 1476 (K. Bell) – Goods/Services Contracts: would: (1) require a governmental entity to notify a vendor of a disputed amount in an invoice submitted for payment by the vendor not later than the 21st day after the date the entity receives the invoice, and include in the notice a detailed statement of the amount of the invoice which is disputed; and (2) provide that a governmental entity may withhold from payments required no more than 110 percent of the disputed amount.

VETOED H.B. 1477 (K. Bell) – Public Work Contracts: would, among other things: (1) define: (a) “public work contract” to include work performed on public property leased by a governmental entity to a nongovernmental entity; and (b) “prime contractor” to include a person that makes a public work contract with a person who leases any public property; and (2) require a performance and payment bond when a governmental entity authorizes a nongovernmental entity leasing public property from the governmental entity to contract with a prime contractor.

H.B. 1649 (Middleton) – Insurance: would: (1) provide that, regardless of whether the contract is subject to competitive bidding requirements, a city may not enter into an insurance or risk pool contract unless: (a) the city receives at least two bids or proposals from different persons for the contract; and (b) the city files the contract with the Texas Department of Insurance; and (2) except from the requirement in (1) a procurement that is available from only one source.

H.B. 1739 (Romero) – Airport Contracts: would provide that: (1) a local government, including a city, or a person operating an airport on behalf of a local government may not enter into a contract for the acquisition, construction, improvement, or renovation of airport infrastructure or equipment, including a terminal, security system, or passenger boarding bridge, used at an airport or an air navigation facility associated with an airport (an “airport infrastructure or equipment contract”) with the following entities: (a) an entity that a federal court determines has misappropriated intellectual property or trade secrets from another entity organized under federal, state, or local law and is owned wholly or partly by, is controlled by, or receives subsidies from the government of a country that: (i) is identified under federal law as a priority foreign country; or (ii) is subject to monitoring by the Office of the United States Trade Representative for compliance with a measure or trade agreement; or (b) any entity that owns, controls, is owned or controlled by, is under common ownership with, or is a successor to an entity described by (1)(a), above; and (2) an airport infrastructure or equipment contract for goods or services entered into by a local government or a person operating an airport on behalf of a local government must contain a written statement by the entity with which the local government or person is contracting verifying that the entity is not an entity described by (1), above.

H.B. 1865 (Cain) – State Preference: would, among other things: (1) provide that, with certain exceptions, a political subdivision authorized to deploy resources in response to a disaster must, when purchasing personal protective equipment, give preference to equipment manufactured in
Texas and offered for sale by a bidder in Texas; and (2) allow a city, when making a purchase of certain property or services, to enter into a contract with a bidder whose principal place of business is Texas, regardless of whether that bidder is the lowest bidder, if the city finds the bidder offers the best combination of contract price and additional economic development opportunities for the city. (Companion bill is S.B. 1400 by Hughes.)

H.B. 1974 (Canales) – Contingent Fee Contracts: would define the term “contingent fee contract” to include an amendment to a contingent fee contract if the amendment changes the scope of representation or may result in the filing of a lawsuit or the amending of a petition in an existing lawsuit.

H.B. 2051 (Gervin-Hawkins) – Payment Bonds: would increase the amount of a public works contract for which a payment bond is required from $25,000 to $100,000.

H.B. 2116 (Krause) – Architects and Engineers: would: (1) with certain exceptions, provide that a covenant or promise in, in connection with, or collateral to a contract for engineering or architectural services related to an improvement to real property is void and unenforceable if the covenant or promise provides that a licensed engineer or registered architect must defend a party, including a third party; (2) provide that a covenant or promise in, in connection with, or collateral to a contract for engineering or architectural services related to an improvement to real property may provide for the reimbursement of an owner’s reasonable attorney’s fees in proportion to the engineer’s or architect’s liability; and (3) provide that a contract for engineering or architectural services related to an improvement to real property may not require a licensed engineer or registered architect to perform professional services to a level of professional skill and care beyond that which would be provided by an ordinarily prudent engineer or architect with the same professional license under the same or similar circumstances.

H.B. 2156 (Raymond) – Flag Purchases: would require: (1) each U.S. flag purchased by a city to be manufactured in the United States using materials grown, produced, or manufactured in the United States; and (2) each Texas state flag purchased by a city to be manufactured in this state using materials grown, produced, or manufactured in this state.

H.B. 2246 (Shine) – Employee-Owned Businesses: would, among other things, provide that in purchasing goods or services, a local government may give preference to an employee-owned company domiciled in Texas if other considerations are equal.

H.B. 2558 (Capriglione) – Firearms: would: (1) prohibit a governmental entity from entering into a contract with a company for the purchase of goods or services unless the contract contains a written verification from the company that it: (a) doesn’t have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (b) will not discriminate during the term of the contract against a firearm entity or firearm trade association; and (2) provide that the prohibition in (1) applies only to a contract paid partly or wholly from public funds between a governmental entity and a company with at least 10 full-time employees that has a value of at least $100,000.
**H.B. 2581 (Kacal) – Construction and Civil Works Projects:** would, among other things: (1) allow a governmental entity to: (a) implement a prequalification process to eliminate unqualified offerors from and prequalify potential offerors meeting minimum standards for consideration for a civil works project for which a request for bids, proposals, or qualifications is authorized; and (b) directly solicit qualifications from potential offerors 30 days before the project solicitation is issued if the competitive requirements and other applicable law are followed; (2) provide that: (a) an offeror who submits a bid, proposal, or response to a request for qualifications for a construction contract under certain law may, after the contract is awarded, make a request in writing to the governmental entity to provide documents related to the evaluation of the offeror’s submission; and (b) not later than the 30th day after the date a request is made, the governmental entity shall deliver to the offeror the documents relating to the evaluation of the submission including, if applicable, its ranking of the submission; (3) provide that for civil works projects, the weighted value assigned to price must be at least 50 percent of the total weighted value of all selection criteria; however, if the governing body of a governmental entity determines that assigning a lower weighted value to price is in the public interest, the governmental entity may assign to price a weighted value of not less than 40 percent of the total weighted value of all selection criteria; and (4) provide that when the competitive sealed proposal procurement method is used, the governmental entity shall make the evaluations, including any scores, public and provide them to all offerors not later than the seventh business day after the date the contract is awarded.

**H.B. 3583 (Paddie) – Energy Savings Performance Contract:** would: (1) limit the scope of an energy savings performance contract by, among other things, excluding from the term “energy savings performance contract” the design or construction of a highway, road, street, bridge, underground utility, water supply project, water plant, wastewater plant, water and wastewater distribution or conveyance facility, wharf, dock, airport runway or taxiway, drainage project, or other similar or related civil engineering construction project; (2) prohibit modifying the scope of an energy savings performance contract through a change order or addendum that adds to the scope of work for projects not awarded under an original contract; (3) repeal the law that exempts energy savings performance contracts from certain contracting and delivery procedures for construction contracts. (Companion bill is S.B. 1554 by Hinojosa.)

**H.B. 3656 (C. Turner) – Construction Workers:** would, among other things,: (1) require a person who contracts to perform certain construction to properly classify each person providing construction services as either an employee or independent contractor; (2) provide that a person for whom an individual is providing construction services is not required to report to the Texas Workforce Commission (Commission) that the individual is an employee if the person shows that the individual is an independent contractor under the criteria in the bill, and provides to the individual, and files with the IRS, an IRS Form 1099, or similar form; and (3) require the Commission to notify a governmental entity if the Commission determines a contractor has violated the provisions of the bill.

**H.B. 3674 (Capriglione) – Purchase of Personal Protective Equipment:** would, among other things: (1) require a governmental entity, including a municipality, purchasing personal protective equipment to ensure the bid documents provided to all bidders and the contract include a requirement that the personal protective equipment be produced in the United States;
require a governmental entity to adopt rules to promote compliance with this requirement; and (3) provide an exception for a governmental entity responsible for the purchase if: (a) personal protective equipment produced in the United States is not: (i) produced in sufficient quantities; (ii) reasonably available; or (iii) of a satisfactory quality; (b) use of personal protective equipment produced in the United States will increase the total cost of the purchase by more than 20 percent; or (c) complying with that section is inconsistent with the public interest.

**H.B. 4101 (J. Johnson) – Small Businesses:** would provide that: (1) the governing body of a governmental entity may establish a program to limit bidding on certain contracts to bidders that are small businesses; and (2) the governing body of a governmental entity that establishes a program under (1) may accept bids on a contract only from bidders that are small businesses if: (a) the governing body determines the contract is appropriate for performance by a small business; and (b) the contract requires an expenditure of not more than $1 million.

**H.B. 4229 (Sanford) – Construction Projects:** would provide that a contract for the construction of the following projects that require an expenditure of $5 million or less (current law provides $1.5 million or less) may be awarded using the competitive sealed proposal procedure: (1) a contract for the construction of highways, roads, streets, bridges, utilities, water supply projects, water plants, wastewater plants, water and wastewater distribution or conveyance facilities, wharves, docks, airport runways and taxiways, drainage projects, or related types of projects associated with civil engineering construction; or (2) a contract for the construction of buildings or structures that are incidental to projects that are primarily civil engineering construction projects. (Companion bill is S.B. 1812 by Springer.)

**H.B. 4359 (Parker) – Critical Infrastructure:** would, among other things, prohibit a governmental entity from entering into a contract or other agreement relating to “critical infrastructure” (defined to mean a communication infrastructure system, cybersecurity system, electric grid, hazardous waste treatment system, or water treatment facility) in this state with a company that is: (1) owned by or the majority of stock or other ownership interest of the company is held or controlled by: (a) individuals who are citizens of China, Iran, North Korea, Russia, or certain other counties; or (b) a company or other entity, including a governmental entity, that is owned or controlled by citizens of or is directly controlled by the government of China, Iran, North Korea, Russia, or certain other countries; or (2) headquartered in China, Iran, North Korea, Russia, or certain other countries. (Companion bill is S.B. 2116 by Campbell.)

**S.B. 13 (Birdwell) – Energy Boycott:** would, among other things, prohibit a governmental entity from entering into a contract with a company for goods or services unless the contract contains a written verification from the company that it: (1) does not boycott energy companies; and (2) will not boycott energy companies during the term of the contract.

**S.B. 19 (Schwertner) – Firearms:** would: (1) prohibit a governmental entity from entering into a contract with a company for the purchase of goods or services unless the contract contains a written verification from the company that it: (a) doesn’t have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (b) will not discriminate during the term of the contract against a firearm entity or firearm trade association; and (2) provide that the prohibition in (1) applies only to a contract paid partly or wholly from
public funds between a governmental entity and a company with at least 10 full-time employees that has a value of at least $100,000.

S.B. 58 (Zaffirini) – Cloud Computing Services: would add cloud computing services to the definition of the term “personal property” for purposes of the Public Property Finance Act.

S.B. 59 (Zaffirini) – Comptroller Purchasing Program: would authorize the comptroller to advertise its state purchasing program for local governments in any available media or otherwise promote the purchasing program.

S.B. 219 (Hughes) – Professional Services: would: (1) prohibit a governmental entity from requiring, in a contract for architectural or engineering services for the construction or repair to real property, that architectural or engineering service must be performed at a level of professional skill and care beyond that which would be provided by an ordinarily prudent architect or engineer; and (2) provide that a contractor is not responsible for the consequences of defects in and may not warranty plans, specifications, or other design or bid documents provided to the contractor by: (a) the person with whom the contractor entered into the contract; or (b) another person on behalf of the person with whom the contractor entered into the contract.

S.B. 515 (Huffman) – Contingent Fee Contracts: would except the following types of contingent fee contracts from certain requirements: (1) a contract entered into by a political subdivision for the collection of certain delinquent obligations; and (2) a contract entered into by a political subdivision for certain public security services. (Companion bill is H.B. 1428 by Huberty.)

S.B. 779 (Hinojosa) – Professional Services: would add a forensic analyst, forensic science expert, and any service within the scope of the practice of forensic science to the list of professional services that must be procured in accordance with the Professional Services Procurement Act.

S.B. 799 (Nelson) – Professional Services: would, among other things, give a governmental entity contracting for the services of physicians, optometrists, and registered nurses, where the number of contracts awarded is not otherwise limited, the option of making the selection and award on the basis of: (1) the provider’s agreement to payment of a set fee, as a range or lump sum amount; and (2) the provider’s affirmation and the governmental entity’s verification that the provider has the necessary license and experience.

S.B. 1014 (Buckingham) – Public Work Contracts: would, among other things: (1) define: (a) “public work contract” to include work performed on public property leased by a governmental entity to a nongovernmental entity; and (b) “prime contractor” to include a person that makes a public work contract with a person who leases any public property; and (2) require a performance and payment bond when a governmental entity authorizes a nongovernmental entity leasing public property from the governmental entity to contract with a prime contractor. (Companion bill is H.B. 1477 by K. Bell.)

S.B. 1097 (Creighton) – Public Works Contracts Retainage: would provide that:
1. “warranty period” means the period of time specified in a contract during which certain terms applicable to the warranting of work performed under the contract are in effect;
2. a governmental entity: (a) shall include in each public works contract a provision that establishes the circumstances under which a public works project is considered substantially complete; (b) may release the retainage for substantially completed portions of the project, or fully completed and accepted portions of the project; (c) shall maintain an accurate record of accounting for the retainage withheld on periodic contracts payments and the retainage released to the prime contractor for a public works contract; and (d) shall, for certain public works contracts with a value of $10 million or more, pay any remaining retainage on periodic contract payments, and the interest earned on the retainage, to the prime contractor on completion of the contract;
3. if the total value of a public works contract is $1 million or more, a governmental entity may not withhold retainage in an amount that exceeds five percent of the contract price, and the rate of retainage may not exceed five percent for any item in a bid schedule or schedule of values for the project;
4. except certain contacts funded through the Texas Water Development Board from the limitation described in (3), above;
5. for a competitively awarded contract with a value of $10 million or more, and for a contract awarded using a method other than competitive bidding, a governmental entity and prime contractor may agree to deposit in an interest-bearing account the retainage withheld on periodic contract payments;
6. a governmental entity may not withhold retainage: (a) after completion of the contract by the prime contractor, including during the warranty period; or (b) for the purpose of requiring the prime contractor, after completion of the contract, to perform work on manufactured goods or systems that were specified by the designer of record and properly installed by the contractor;
7. on application to a governmental entity for final payment and release of retainage, the governmental entity may withhold retainage if there is a bona fide dispute between the governmental entity and the prime contractor and the reason for the dispute is that labor, services, or materials provided by the prime contractor or the prime contractor’s subcontractors were not provided in compliance with the contract; and
8. if there is no bona fide dispute as described (7), above, and neither party is in default, a prime contractor is entitled to: (a) cure any noncompliant labor, services, or materials; or (b) offer the governmental entity a reasonable amount of money as compensation for any noncompliant labor, services, or materials that cannot be promptly cured. (Companion bill is H.B. 692 by Shine.)

S.B. 1098 (Creighton) – Airport Contracts: would provide that: (1) a local government, including a city, or a person operating an airport on behalf of a local government may not enter into a contract for the acquisition, construction, improvement, or renovation of airport infrastructure or equipment, including a terminal, security system, or passenger boarding bridge, used at an airport or an air navigation facility associated with an airport (an “airport infrastructure or equipment contract”) with the following entities: (a) an entity that a federal court determines has misappropriated intellectual property or trade secrets from another entity organized under federal, state, or local law and is owned wholly or partly by, is controlled by, or receives subsidies from the government of a country that: (i) is identified under federal law as a
priority foreign country; or (ii) is subject to monitoring by the Office of the United States Trade Representative for compliance with a measure or trade agreement; or (b) any entity that owns, controls, is owned or controlled by, is under common ownership with, or is a successor to an entity described by (1)(a), above; and (2) an airport infrastructure or equipment contract for goods or services entered into by a local government or a person operating an airport on behalf of a local government must contain a written statement by the entity with which the local government or person is contracting verifying that the entity is not an entity described by (1), above. (Companion bill is **H.B. 1739 by Romero**.)

**S.B. 1400 (Hughes) – State Preference**: would, among other things: (1) provide that, with certain exceptions, a political subdivision authorized to deploy resources in response to a disaster must, when purchasing personal protective equipment, give preference to equipment manufactured in Texas and offered for sale by a bidder in Texas; and (2) allow a city, when making a purchase of certain property or services, enter into a contract with a bidder whose principal place of business is Texas, regardless of whether that bidder is the lowest bidder, if the city finds the bidder offers the best combination of contract price and additional economic development opportunities for the city. (Companion bill is **H.B. 1865 by Cain**.)

**S.B. 1554 (Hinojosa) – Energy Savings Performance Contract**: would: (1) limit the scope of an energy savings performance contract by, among other things, excluding from the term “energy savings performance contract” the design or construction of a highway, road, street, bridge, underground utility, water supply project, water plant, wastewater plant, water and wastewater distribution or conveyance facility, wharf, dock, airport runway or taxiway, drainage project, or other similar or related civil engineering construction project; (2) prohibit modifying the scope of an energy savings performance contract through a change order or addendum that adds to the scope of work for projects not awarded under an original contract; and (3) repeal the law that exempts energy savings performance contracts from certain contracting and delivery procedures for construction contracts. (Companion bill is **H.B. 3583 by Paddie**.)

**S.B. 1812 (Springer) – Construction Projects**: would provide that a contract for the construction of the following projects that require an expenditure of $5 million or less (current law provides $1.5 million or less) may be awarded using the competitive sealed proposal procedure: (1) a contract for the construction of highways, roads, streets, bridges, utilities, water supply projects, water plants, wastewater plants, water and wastewater distribution or conveyance facilities, wharves, docks, airport runways and taxiways, drainage projects, or related types of projects associated with civil engineering construction; or (2) a contract for the construction of buildings or structures that are incidental to projects that are primarily civil engineering construction projects. (Companion bill is **H.B. 4229 by Sanford**.)

**S.B. 1821 (Huffman) – Contingent Fee Contracts**: would define the term “contingent fee contract” to include an amendment to a contingent fee contract if the amendment changes the scope of representation or may result in the filing of a lawsuit or the amending of a petition in an existing lawsuit. (Companion bill is **H.B. 1974 by Canales**.)

**S.B. 2116 (Campbell) – Critical Infrastructure**: would, among other things, prohibit a governmental entity from entering into a contract or other agreement relating to “critical
infrastructure” (defined to mean a communication infrastructure system, cybersecurity system, electric grid, hazardous waste treatment system, or water treatment facility) in this state with a company that is: (1) owned by or the majority of stock or other ownership interest of the company is held or controlled by: (a) individuals who are citizens of China, Iran, North Korea, Russia, or certain other counties; or (b) a company or other entity, including a governmental entity, that is owned or controlled by citizens of or is directly controlled by the government of China, Iran, North Korea, Russia, or certain other countries; or (2) headquartered in China, Iran, North Korea, Russia, or certain other countries. (Companion bill is H.B. 4359 by Parker.)

Transportation

H.B. 114 (Toth) – High-Speed Rail: would restrict certain state agency actions in relation to high-speed rail projects.

H.B. 427 (K. King) – Electric/Hybrid Vehicles: would add an additional annual vehicle registration fee for electric ($200) and hybrid ($100) vehicles.

H.B. 442 (Israel) – Speed Limits: would provide that the prima facie speed limit in an urban district is: (1) 30 miles per hour on a street, or 25 miles per hour if the street is located in a residential district and is not officially designated or marked as part of the state highway system; and (2) 15 miles per hour in an alley.

H.B. 443 (Israel) – Pedestrians: would require the operator of a vehicle to stop and yield the right-of-way to a pedestrian in various instances.

H.B. 502 (Wu) – License Plates: would require the Texas Department of Motor Vehicles to include in its rules for the placement of license plates authorization for a motor vehicle to display only a rear license plate, if the application for the vehicle’s registration pays an annual fee of $50.

H.B. 555 (Lopez) – Road Construction Vehicles: would: (1) require a driver to change lanes or slow down on approaching certain highway or construction vehicles, utility service vehicles, and solid waste vehicles; and (2) require a vehicle repairing a guardrail, doing sign maintenance, and placing/removing temporary traffic-control devices to be equipped with lamps and comply with lighting standards established by the Texas Department of Transportation.

H.B. 795 (Goodwin) – Highway Safety Corridors: would: (1) require the Texas Department of Transportation (TxDOT) to designate as a highway safety corridor a portion of a roadway containing a site with a high number of traffic fatalities, as identified by the city council; (2) require TxDOT to adopt rules regarding the process a city must use to identify a highway safety corridor; and (3) require TxDOT to erect signs along a highway safety corridor reading “Fines double: highway safety corridor.”

H.B. 934 (Raymond) – Motor-Assisted Scooters: would: (1) provide that a person may operate a motor-assisted scooter (scooter) on a street or highway only: (a) in a bicycle lane; or (b) on a
street or highway without a bicycle lane if the posted speed limit is 30 miles per hour or less and the operator complies with certain other requirements; (2) authorize a city to: (a) further restrict the speed at which and locations a person may operate a scooter; (b) impose a minimum age requirement for the operator of a scooter; (c) impose higher penalties for a violation of a traffic law by an operator of a scooter; (d) restrict the locations a person may park a scooter; and (e) require the operator of a scooter to wear a safety helmet; (3) prohibit a person from using a scooter to carry more than one person; (4) limit the speed of a scooter to 15 miles per hour if the person is standing, or 20 miles per hour if the person is seated; and (5) require a person operating a scooter to yield the right-of-way to a pedestrian.

**H.B. 1054 (Bell) – High Speed Rail:** would, before a private entity begins operation of high-speed rail, require the entity to file with the Texas Department of Transportation a bond to be sufficient to restore real property used for the service to its original condition if the service ceases operation.

**H.B. 1105 (Paddie) – Digital License Plates:** would provide that motor vehicles required to register may be issued a digital license plate.

**H.B. 1199 (Metcalf) – License Plates:** would provide that a person may operate a passenger car or light truck on a public highway with only one rear license plate displayed. (Companion bill is H.B. 1274 by Crockett.)

**H.B. 1209 (Cortez) – Red Light Cameras:** would provide that photographic traffic signal enforcement contracts, including those executed before May 17, 2019, are void.

**H.B. 1257 (Ashby) – Property in Right-of-Way:** would authorize a law enforcement agency to remove an unattended manufactured home from a roadway or right-of-way without consent of the owner if the agency determines that the home blocks the roadway or endangers public safety.

**H.B. 1274 (Crockett) – License Plates:** would provide that a person may operate a passenger car or light truck on a public highway with only one rear license plate displayed. (Companion bill is H.B. 1199 by Metcalf.)

**H.B. 1281 (Wilson) – Golf Carts:** would: (1) allow a neighborhood electric vehicle and golf cart to be operated in a master planned community: (a) that is a residential subdivision or has in place a uniform set of restrictive covenants; and (b) for which a county or city has approved one or more plats; (2) provide that a person may operate a golf cart in a master planned community described in (1) without a golf cart license plate; and (3) allow a city to prohibit the operation of a golf cart on a highway in the following areas if the city council determines the prohibition is necessary in the interest of safety: (a) in a master planned community described in (1); (b) on a public or private beach that is open to vehicular traffic; or (c) on a highway for which the posted speed limit is not more than 35 miles per hour. (Companion bill is S.B. 206 by Schwertner.)

**H.B. 1651 (Wilson) – Pavement Consumption Fee:** would require the Texas Department of Transportation to conduct a study on the feasibility of: (1) charging a pavement consumption fee for the operation of certain motor vehicles on public highways; and (2) adjusting or eliminating
registration or permit fees that are used for the maintenance of highway by a governmental entity and imposed on commercial motor vehicles subject to the pavement consumption fee.

**H.B. 1946 (Goodwin) – Highway Safety Corridors:** would: (1) require the Texas Department of Transportation (TxDOT) to designate as a highway safety corridor a portion of a roadway containing a site with a high number of traffic fatalities, as identified by the city council; (2) require TxDOT to adopt rules regarding the process a city must use to identify a highway safety corridor; and (3) require TxDOT to erect signs along a highway safety corridor reading “Fines double: highway safety corridor.”

**H.B. 1998 (Lucio) – Weight Limitations:** would provide that a vehicle or combination of vehicles that is powered by an engine fueled primarily by liquefied petroleum gas may exceed certain weight limitations by an amount that is equal to the difference between the weight of the vehicle attributable to the liquefied petroleum gas tank and fueling system carried by that vehicle and the weight of a comparable diesel tank and fueling system, provided that the maximum gross weight of the vehicle or combination of vehicles may not exceed 82,000 pounds.

**H.B. 2081 (Reynolds) – Crosswalk:** would provide that it is a criminal offense for a person, with criminal negligence, to operate a motor vehicle within the area of a crosswalk and cause bodily injury to a pedestrian or a person operating a bicycle, scooter, electronic personal assistive mobility device, neighborhood electric vehicle, or golf cart.

**H.B. 2637 (Cook) – Urban Air Mobility:** would require the Texas Transportation Commission to appoint an advisory committee to assess current state law and any potential changes to state law that are needed to facilitate the development of urban air mobility operations and infrastructure in this state. (Companion bill is S.B. 763 by Powell.)

**H.B. 2673 (Guillen) – Grants:** would provide that, for a grant awarded by the Texas Department of Transportation for the construction of a transportation project in a county with a population of less than 25,000 or a city with a population of less than 15,000, the department must reimburse a grant recipient for costs incurred by the recipient that exceed the amount of the grant if the project is managed by the department.

**H.B. 2700 (Martinez) – Highway Maintenance:** would: (1) provide that the Texas Department of Transportation and a city may enter into an agreement to allow the city to maintain all or a portion of the state highway right-of-way located in the city or the city’s extraterritorial jurisdiction; and (2) provide that an agreement under (1) must provide compensation to the city that is equal to the cost the department would incur if the department or a contractor acting on behalf of the department maintained the right-of-way.

**H.B. 2931 (Israel) – Gas Tax:** would increase the rate of the state gasoline tax from 20 to 40 cents per gallon. (Companion bill is S.B. 1041 by Eckhardt.)

**H.B. 3286 (Schofield) – Parking:** would provide that: (1) a county or city with a population greater than 220,000 may accept a written request for the posting of signs that regulate parking of commercial motor vehicles in a public right-of-way adjacent to commercial property after 10
p.m. and before 6 a.m., if the request is signed by the owner or managing member of a commercial property who operates a business on the property; (2) a county or city that receives a request meeting the requirements of (1) may post signs as requested, or as determined necessary by the county or city, in a public right-of-way that is within ten feet of a property line that is adjacent to the right-of-way; and (3) a sign posted under (2) must: (a) state, in letters at least two inches in height, that overnight parking of a commercial motor vehicle is restricted from 10 p.m. to 6 a.m. in the right-of-way, or a portion of the right-of-way; (b) display arrows that properly delineate the area subject to parking restriction; and (c) be placed facing a public roadway giving access to the right-of-way.

**H.B. 3486 (S. Thompson) – Alert System**: would: (1) require the Texas Department of Transportation (TxDOT) to enter into an agreement with a private entity to provide information necessary for certain statewide alert systems (e.g., Amber Alerts, Silver Alerts) through a system of dynamic message signs that are: (a) located across the state; and (b) capable of displaying digital images useful in locating the missing individual; (2) require that the agreement in (1) generate net revenue to the state, and prohibit tax revenue from being used to fund the installation and operation of the dynamic message signs; and (3) provide that TxDOT does not have to comply with (1) if it would result in the loss of federal highway funding or other punitive action would be taken against the state due to noncompliance with federal law, regulation, or policy. (Companion bill is S.B. 826 by Hughes.)

**H.B. 3797 (Israel) – Electric and Hybrid Vehicles**: would impose an additional fee for the registration or renewal of registration of an electric or hybrid vehicle. (Companion bill is S.B. 1720 by Eckhardt.)

**H.B. 3877 (Israel) – Speed Limit**: would decrease the prima facie speed limit in cities with a population greater than 950,000 to 25 miles per hour in an urban district on a street other than an alley and to 15 miles per hour in an alley. (Companion bill is S.B. 221 by Zaffirini.)

**H.B. 3990 (Romero) – Vehicle Collisions**: would, among other things: (1) require a law enforcement officer who investigates a right-angle collision at an intersection to file a written report stating the occurrence and location of the collision with: (a) the Texas Department of Transportation; and (b) if the collision occurred in a municipality, the municipal police department of the municipality; and (2) provide that, if during any 12-month period a governmental entity receives under this section 10 or more reports of right-angle collisions that occur at the same intersection, the governmental entity must perform a traffic study of that location and shall take the actions that the governmental entity determines reasonable and necessary to improve the safety at the location.

**H.J.R. 109 (Walle) – Transportation Funding**: would amend the Texas Constitution to provide that dedicated revenue transferred to the state highway fund may be used for constructing, maintaining, and acquiring rights-of-way for: (1) public transportation; (2) public bicycle paths; and (3) public sidewalks. (Companion bill is S.J.R. 40 by Miles.)

**S.B. 206 (Schwertner) – Golf Carts**: would: (1) allow a neighborhood electric
A vehicle and golf cart to be operated in a master planned community: (a) that is a residential subdivision or has in place a uniform set of restrictive covenants; and (b) for which a county or city has approved one or more plats; (2) provide that a person may operate a golf cart in a master planned community described in (1) without a golf cart license plate; and (3) allow a city to prohibit the operation of a golf cart on a highway in the following areas if the city council determine the prohibition is necessary in the interest of safety: (a) master planned community described in (1); (b) on a public or private beach that is open to vehicular traffic; or (c) on a highway for which the posted speed limit is not more than 35 miles per hour.

**S.B. 221 (Zaffirini) – Speed Limit**: would decrease the prima facie speed limit in cities with a population greater than 950,000 to 25 miles per hour in an urban district on a street other than an alley and 15 miles per hour in an alley.

**S.B. 355 (Miles) – Signs on Public Right-of-Way**: would provide that a person who places, commissions the placement of, uses, or benefits from the placement of a sign on the right-of-way of a public road that is not otherwise authorized by law may be liable for a civil penalty of $10,000 for each violation.

**S.B. 490 (Paxton) – Digital License Plates**: would provide that motor vehicles required to register may be issued a digital license plate. (Companion bill is **H.B. 1105** by **Paddie**.)

**S.B. 763 (Powell) – Urban Air Mobility**: would require the Texas Transportation Commission to appoint an advisory committee to assess current state law and any potential changes to state law that are needed to facilitate the development of urban air mobility operations and infrastructure in this state. (Companion bill is **H.B. 2637** by **Cook**.)

**S.B. 826 (Hughes) – Digital Billboards**: would: (1) require the Texas Department of Transportation (TxDOT) to enter into an agreement with a private entity to provide information necessary for certain statewide alert systems (e.g., Amber Alerts, Silver Alerts) through a system of dynamic message signs that are: (a) located across the state; and (b) capable of displaying digital images useful in locating the missing individual; (2) require that the agreement in (1) generate net revenue to the state, and prohibit tax revenue from being used to fund the installation and operation of the dynamic message signs; and (3) provide that TxDOT does not have to comply with (1) if it would result in the loss of federal highway funding or other punitive action would be taken against the state due to noncompliance with federal law, regulation, or policy.

**S.B. 1041 (Eckhardt) – Gas Tax**: would increase the rate of the state gasoline tax from 20 to 40 cents per gallon. (Companion bill is **H.B. 2931** by **Israel**.)

**S.B. 1055 (Huffman) – Crosswalk**: would provide that it is a criminal offense for a person, with criminal negligence, to operate a motor vehicle within the area of a crosswalk and cause bodily injury to a pedestrian or a person operating a bicycle, scooter, electronic personal assistive mobility device, neighborhood electric vehicle, or golf cart. (Companion bill is **H.B. 2081** by **Reynolds**.)
**S.B. 1274 (Nichols) – Highway Maintenance**: would: (1) authorize a Texas Department of Transportation district engineer to temporarily lower a prima facie speed limit for a highway in a district if the district engineer determines that the prima facie speed limit for the highway is unreasonable or unsafe because of highway maintenance activities at the site; and (2) provide that a temporary speed limit established under (1): (a) is a prima facie prudent and reasonable speed limit enforceable in the same manner as other prima facie speed limits; and (b) supersedes any other established speed limit that would permit a person to operate a motor vehicle at a higher rate of speed. (Companion bill is H.B. 3282 by Canales.)

**S.B. 1290 (Eckhardt) – Pedestrians and Bicycles**: would require the operator of a motor vehicle to exercise due care to avoid colliding with a pedestrian or a person operating a bicycle on a highway or street.

**S.B. 1375 (Huffman) – Parking**: would: (1) in order to aid in the enforcement of an ordinance regulating the operation of vehicles for hire, allow a home rule city to authorize an employee to initiate the removal and storage of a vehicle operated in violation of its ordinance without authorization by a peace officer; and (2) in order to aid in the enforcement of an ordinance regulating parking, allow a city to authorize an employee to initiate the removal and storage of a vehicle in an area where on-street parking is regulated and that: (a) is parked illegally; or (b) is parked legally, but has been unattended for more than 48 hours and is reasonably believed to be abandoned. (Companion bill is H.B. 914 by Hernandez.)

**S.B. 1560 (Nichols) – State Highway Fund**: would provide that, notwithstanding any other law, all dedications of permit fee revenue to the state highway fund made under certain state law related to oversize or overweight vehicles are rededicated to the state highway fund for the purposes of acquiring, constructing, and maintaining public roadways. (Companion bill is H.B. 4508 by Ashby.)

**S.B. 1720 (Eckhardt) – Electric and Hybrid Vehicles**: would impose an additional fee for the registration or renewal of registration of an electric or hybrid vehicle. (Companion bill is H.B. 3797 by Israel.)

**S.B. 1743 (Zaffirini) – Parking**: would, among other things, provide that a municipal court judge may defer imposition of a judgment to allow certain defendants to complete a disabled parking course for an offense of impermissibly parking a vehicle in a space designated for persons with disabilities.

**S.J.R. 40 (Miles) – Transportation Funding**: would amend the Texas Constitution to provide that dedicated revenue transferred to the state highway fund may be used for constructing, maintaining, and acquiring rights-of-way for: (1) public transportation; (2) public bicycle paths; and (3) public sidewalks. (Companion bill is H.J.R. 109 by Walle.)

**S.J.R. 59 (Nichols) – State Highway Fund**: would amend the Texas Constitution to provide that all revenue received from fees for permits for oversize or overweight vehicles that general law directs to the state highway fund be used only to acquire, construct, and maintain public roadways. (Companion resolution is H.J.R. 161 by Ashby.)
**Utilities and Environment**

**H.B. 11 (Paddie) – Extreme Weather Emergency Preparedness:** would: (1) define “extreme weather emergency” as a period when: (a) the previous day's highest temperature did not exceed 10 degrees Fahrenheit and the temperature is predicted to remain at or below that level for the next 24 hours according to the nearest National Weather Service reports; or (b) the National Weather Service issues a heat advisory for any county in the relevant service territory, or when such an advisory has been issued on any one of the previous two calendar days; (2) require the Public Utility Commission (PUC) to adopt rules that require each provider of generation in the ERCOT power region to: (a) implement measures to prepare generation facilities to provide adequate electric generation service during an extreme weather emergency; (b) make all reasonable efforts to prevent interruptions of service during an extreme weather emergency; (c) reestablish service within the shortest possible time, should an interruption occur due to an extreme weather emergency; and (d) make reasonable efforts to manage emergencies resulting from a failure of service caused by an extreme weather emergency, including issuing instructions to its employees on procedures to be followed in the event of an extreme weather emergency; (3) require the PUC to adopt rules to require each electric cooperative, municipally owned utility, and transmission and distribution utility providing transmission or distribution service in the ERCOT power region to: (a) implement measures to prepare facilities to maintain service quality and reliability during a weather emergency; (b) make all reasonable efforts to prevent interruptions of service during an extreme weather emergency; (c) reestablish service within the shortest possible time, should an interruption occur due to an extreme weather emergency; and (d) make reasonable efforts to manage emergencies resulting from a failure of service caused by an extreme weather emergency, including issuing instructions to its employees on procedures to be followed in the event of an extreme weather emergency; and (4) provide that the rules adopted under (2) and (3) may not neglect any local neighborhood or geographic area, including rural areas, communities or less than 1,000 people, and low-income areas.

**H.B. 12 (Raymond) – Study on Statewide Extended Power Outage:** would:
1. require the Texas Division of Emergency Management to conduct a study on the efficacy of existing mass notification deployments by local governmental entities throughout this state and the feasibility of establishing a statewide disaster alert system;
2. provide that the study in (1) must: (a) identify the costs to local governmental entities associated with existing local disaster alert or notification systems; (b) examine the potential benefits to local governmental entities of implementing an alert system in coordination with this state, including: (i) improving this state's ability to coordinate state and local responses to disasters; and (ii) eliminating barriers to successful mass notification and communication encountered by local governmental entities during disasters; (c) examine the importance of a local governmental entity's discretion regarding the entity’s level and manner of participation in the alert system; (d) examine potential costs to local governmental entities or this state associated with implementing the alert system; (e) examine the ability of local governments to communicate with ERCOT, the PUC, and electric utilities that serve their area; and (f) identify any state or
local governmental entity actions necessary to implement a comprehensive alert system that would include alerts related to extended power outages;

3. provide that TDEM shall prepare a report on the findings of the study and submit it to the governor, lieutenant governor, and the legislature;

4. provide that an electric utility, ERCOT, and the PUC shall provide information related to the comprehensive alert system to TDEM on request and such information is confidential and excepted from disclosure under the Public Information Act;

5. provide that TDEM, with the cooperation of the office of the governor, the PUC, and ERCOT, may develop and implement a statewide disaster alert system to activate in the event of a disaster affecting any location in this state;

6. provide that if, based on the findings of the study conducted in Number 1, above, the division and office of the governor conclude that the benefits to this state and local governmental entities of implementing a coordinated alert system outweigh any additional costs, TDEM, with the cooperation of the office and other appropriate state agencies and using money available for the purpose, shall develop and implement the alert system;

7. provide that a local governmental entity that chooses to participate in an alert system in Number 5, above, may use available local funds for that purpose and may contract with TDEM for services associated with the alert system and that a local governmental entity is not required to use local funds to allow an electric utility to participate in the alert system;

8. provide that an alert system in Number 5, above may be: (a) operated in conjunction with any other emergency alert system required by federal or state law; and (b) designed to notify persons statewide of a disaster affecting any location in this state;

9. provide that an alert system in Number 5, above, designed to communicate about an extended power outage must apply to areas served by non-ERCOT utilities;

10. provide that when TDEM determines a disaster has occurred or the occurrence or threat of disaster is imminent or is notified of a declaration of disaster, TDEM may immediately activate any alert system implemented in Number 5, above, and that a participating local governmental entity may, in coordination with TDEM, choose the manner in which the alert system is activated and notifications are issued within the entity's geographic region;

11. provide that TDEM, or local governmental entity, as appropriate, may issue updated notifications for the duration of the disaster;

12. require an electric utility to notify ERCOT, the PUC, and TDEM of an interruption in service that is likely to last more than 24 hours;

13. provide that a notification issued under Number 5, above, may include information necessary to: (a) assist a person affected by the disaster with making informed decisions regarding the person’s safety; and (b) enable a person in another location in this state to assist an affected person;

14. provide that TDEM may terminate the activation of an alert system when: (a) the division determines that the threat or danger has passed or the disaster has been addressed to the extent that emergency conditions no longer exist; (b) the service interruption caused by the extended power outage has ended; or (c) the state of disaster is terminated; and

15. provide that TDEM may adopt rules to implement the alert system and may consult with the PUC, ERCOT, or an electric utility when drafting the rules.
H.B. 13 (Paddie) – Texas Energy Disaster Reliability Council: would, among other things: (1) create the Texas Energy Disaster Reliability Council to: (a) prevent an extended power outage caused by a disaster; (b) implement procedures to manage emergencies caused by a disaster; (c) maintain records of critical infrastructure facilities to maintain service in a disaster; (d) coordinate the delivery of fuel to electric generators in a disaster; (e) monitor supply chains in the electric grid to minimize service disruptions; and (f) study and make recommendations on methods to maintain reliability in the electric grid, including gas supply networks, during a disaster; (2) require the council to convene as soon as reasonably possible during or prior to a disaster to address an extended power outage caused by a disaster in order coordinate fuel supplies and to minimize the duration of the extended power outage; (3) provide that in carrying out its functions, the council may consult and coordinate with: (a) the United States Department of Energy; (b) the United States Department of Homeland Security; (c) the North American Electric Reliability Corporation; (d) the Texas Reliability Entity; (e) federal and state agencies; (f) members of the electric industry; (g) members of the gas industry; and (h) grid security experts; (4) require an electric or gas utility to provide any information requested by the council; and (5) require the council to prepare a report to the legislature on the reliability and stability of the electric supply chain in Texas.

H.B. 14 (Goldman) – Electricity Supply Chain Mapping: would: (1) create the Texas Electricity Supply Chain Mapping Committee to: (a) map the state's electricity supply chain in order to designate priority electricity service needs in extreme weather events; (b) identify critical infrastructure sources along the electricity supply chain; (c) develop a communication system between the critical infrastructure sources, the Public Utility Commission, and ERCOT to ensure that electricity supply is prioritized to those sources in an extreme weather event; (d) make recommendations on measures to prepare facilities that provide electric and gas service to maintain service in an extreme weather event; (e) designate priority service needs in extreme weather events; and (f) publish a report; and (2) require the PUC to create and maintain a database identifying the critical infrastructure sources with priority electricity needs during an extreme weather event.

H.B. 17 (Deshotel) – Restriction on Regulation of Utility Services: would: (1) define “regulatory authority” as the Public Utility Commission, Railroad Commission, or the governing body of a municipality, in accordance with the context; (2) define “utility” as a person, company, or corporation engaged in furnishing water, gas, telephone, light, power, or sewage service to the public; (3) prohibit a regulatory authority, planning authority, or political subdivision of this state from adopting or enforcing an ordinance, resolution, regulation, code, order, policy, or other measure that has the purpose, intent, or effect of directly or indirectly banning, limiting, restricting, discriminating against, or prohibiting the connection or reconnection of a utility service or the construction, maintenance, or installation of residential, commercial, or other public or private infrastructure for a utility service based on the type or source of energy to be delivered to the end-use customer; (4) prohibit an entity, including a regulatory authority, planning authority, political subdivision, or utility, from imposing any additional charge or pricing difference on a development or building permit applicant for utility infrastructure that: (a) encourages those constructing homes, buildings, or other structural improvements to connect to a utility service based on the type or source of energy to be delivered to the end-use customer; or (b) discourages the installation of facilities for the delivery of or use of a utility service based
on the type or source of energy to be delivered to the end-use customer; and (5) provide that the bill does not limit the ability of a regulatory authority or political subdivision to choose utility services for properties owned by the regulatory authority or political subdivision.

**H.B. 37 (Zwiener) – Oil and Gas Pipeline Routing:** would, among other things: (1) provide that, with certain exceptions, a person may not begin construction of a pipeline before the person obtains a permit from the Public Utility Commission (PUC) that authorizes the route of the pipeline; (2) provide that the PUC may only approve an application and grant a permit if the PUC determines that the route of the pipeline moderates negative effects on the affected community and landowners after the consideration of: (a) community values; (b) recreational and park areas; (c) historical and aesthetic values; (d) environmental integrity; (e) public safety; and (f) economic development; (3) require the PUC to grant or deny a permit not later than the first anniversary of the date the application for the permit is filed; (4) provide that the PUC and the attorney general may enforce the routing permit requirements through judicial review and by imposing administrative penalties; and (5) authorize a procedure for a person to complain to the PUC of a claimed violation of the pipeline routing process.

**H.B. 50 (J. Johnson) – Concrete Plants:** would limit the state law under which the Texas Commission on Environmental Quality may issue an air quality permit for a concrete plant located in an area of a city not subject to zoning regulations, and require that such a plant comply with certain notice and hearing requirements.

**H.B. 56 (J. Johnson) – Concrete Plants:** would extend the distance within which a concrete plant or crushing facility must be from a single- or multi-family residence, school, or place of worship from 440 yards to 880 yards.

**H.B. 65 (J. Johnson) – Concrete Plants:** would require that an applicant for a standard permit for certain concrete plants mail notice of the application to each household within 880 yards of the proposed plant.

**H.B. 176 (Zweiner) – Plastic Bag Regulation:** would delete the provision in the Texas Health and Safety Code that the Texas Supreme Court held preempts city plastic bag regulations.

**H.B. 289 (Collier) – Concrete Plant:** would provide that a representative of a school, place of worship, licensed day-care center, hospital, or medical facility or a person residing within 880 yards of a proposed concrete plant may request a public hearing from the Texas Commission on Environmental Quality regarding the construction of a concrete plant.

**H.B. 291 (Murr) – Aggregate Production Operations:** would: (1) require an aggregate production operation first required to be registered on or after January 1, 2016, that occupies at least 10 acres, and is located in the boundaries or extraterritorial jurisdiction of a city, to file a reclamation plan and provide a related performance bond; and (2) provide that the reclamation plan described in (1) may be amended with approval of the city.
**H.B. 416 (Walle) – Concrete Batch Plants**: would require a plot plan for an application for a standard permit for a concrete batch plant issued by the Texas Commission on Environmental Quality.

**H.B. 448 (Bailes) – Eminent Domain for Pipeline Companies**: would provide that if an entity regulated by the Railroad Commission proposes to acquire property by eminent domain, a property owner may file a written complaint with the commission regarding alleged misconduct by the entity while exercising that authority.

**H.B. 520 (Beckley) – Utility Right-of-Way Planting**: would provide that the Texas Department of Transportation – in consultation with the Department of Agriculture – by rule shall require a utility (including a city utility) that disturbs the right-of-way of a state highway while constructing or maintaining a utility facility in the right-of-way to install, at the utility’s expense, in the right-of-way after the construction or maintenance is complete plants that: (1) are native, regionally appropriate, and pollinator-friendly; and (2) generally grow roots less than four feet below the surface.

**H.B. 605 (Gervin-Hawkins) – School Drinking Water**: would, among other things, require: (1) a school district to adopt a healthy and safe school water plan that provides for periodic lead testing; (2) a school district to restrict access to a water source within 48 hours of learning that a test result shows lead levels that exceed 15 parts per billion; and (3) the Texas Education Agency, in collaboration with Texas Commission on Environmental Quality, the Department of State Health Services, regional education service centers, and other stakeholders, to develop a model healthy and safe school water plan that may be used by a school district to comply with the bill.

**H.B. 631 (Darby) – Municipal Waste and Hazardous Waste**: would, among other things: (1) preempt political subdivisions from adopting a rule or ordinance that conflicts or is inconsistent with: (a) the rules of the Texas Commission on Environmental Quality (TCEQ); (b) a permit issued by TCEQ; or (c) the legal requirements for a municipal solid waste facility; and (2) provide that an applicant for a solid waste permit is not required to obtain a permit for the siting, construction, or operation of a municipal solid waste facility from a local government or other political subdivision of the state as a prerequisite to a permit being issued by TCEQ.

**H.B. 714 (Reynolds) – Texas Environmental Justice Advisory Council**: would: (1) establish the Texas Environmental Justice Advisory Council; (2) establish an Environmental Justice Review Board; and (3) include, among others, local government officials as members of the Environmental Justice Review Board.

**H.B. 753 (Cain) – Solid Waste**: would prohibit a city from: (1) charging a person granted a franchise to provide solid waste management services in the city franchise fees of more than two percent of the gross receipts of the franchisee for the sale of services in the city; and (2) restricting the right of an entity to contract with a person other than the city, or an exclusive franchisee of the city, for solid waste management services for commercial, industrial, or multifamily residential waste.
**H.B. 767 (Huberty)** – Aggregate Production Best Management Practices: would require the Texas Commission on Environmental Quality to adopt and make available best management practices for aggregate production operations to comply with applicable environmental law and rules.

**H.B. 806 (Gates)** – Nonsubmetered Billing: would, among other things, provide that: (1) each municipally owned utility (MOU) that bills for nonsubmetered master metered utility service shall make publicly available for each apartment house, manufactured home rental community, and multiple use facility billed a statement that includes: (a) a current copy of the MOU’s rate structure applicable to the billed service; and (b) a list of fees and charges applicable to the billed service; and (2) a MOU may not charge: (a) a dwelling unit base charge for nonsubmetered master metered utility service if the utility charges a master meter charge for the same apartment house, manufactured home rental community, or multiple use facility; or (b) a master meter charge for nonsubmetered master metered utility service if the charge is based on the number of dwelling units.

**H.B. 824 (Bucy)** – Municipal Drainage Service Charges: would: (1) authorize a city to exempt property from all or a portion of drainage charges if the property is used as a principle residence of an individual who is a disabled veteran, 65 years of age or older, a veteran of the armed forces of the United States, or a member of the armed services of the United States on active deployment; and (2) authorize a city to impose additional eligibility requirements for an exemption under (1).

**H.B. 837 (Lucio)** – Certificates of Convenience and Necessity: would provide that the Public Utility Commission (PUC) by rule shall require the municipality or franchised utility to submit a report to the PUC verifying that the municipality or franchised utility has paid all required adequate and just compensation to the retail public utility for obtaining the Certificate of Convenience and Necessity for an annexed area previously served by the retail public utility.

**H.B. 872 (Bernal)** – Confidentiality of Government-Operated Utility Customer Information: would: (1) provide that information is excepted from disclosure under the Public Information Act if it is information maintained by a government-operated utility that: (a) discloses whether services have been discontinued or are eligible for disconnection by the government-operated utility; or (b) is collected as part of an advanced metering system for usage, services, and billing, including amounts billed or collected for utility usage, except that all such information is to be made available to that customer or their designated representative; (2) amend the existing confidentiality provision for personal and utility usage information for government-operated utility customers by making that information confidential unless the customer requests that the government-operated utility disclose such information on an appropriately marked form or other written request for disclosure (Note: current law makes personal information and utility usage information confidential only if the customer elects to keep the information confidential on a form provided by the government-operated utility); and (3) provide that a government-operated utility may post notice of the customer’s right to request disclosure of personal and utility usage information, along with the form to elect for disclosure, on the government-operated utility’s website in lieu of sending the notice and form with each customer’s utility bill.
**H.B. 884 (Harris) – Local Government Regulations based on Utility Service Type**: would: (1) prohibit a political subdivision from issuing a building permit based on the type of utility service provided to the project; (2) require a political subdivision issuing a building permit to ensure that all applicable permits and fees contain requirements and amounts that do not: (a) exceed the requirements and amounts for the use of other types of utility services; or (b) have the effect of restricting a permit applicant’s ability to use a specific type of utility service from a provider that is authorized to provide service; (3) provide that an ordinance, order, or other regulation adopted by a political subdivision may not restrict a person’s ability to use a specific type of utility service from a provider that is authorized to provide service; and (4) prohibit a political subdivision from imposing a fine, penalty, or other requirement based on type of utility service that has the effect of restricting a utility provider’s authority to operate or serve customers.

**H.B. 889 (Dutton) – Concrete Plant Permitting**: would provide that a representative of a school, place of worship, licensed day-care center, hospital, medical facility, or a person residing within 440 yards of a proposed wet batching, dry batching, or central mixing concrete plant may request a public hearing prior to the construction or permitting of the concrete plant.

**H.B. 960 (Allen) – Texas Commission on Environmental Quality Public Meetings**: would require a public meeting for certain permits issued by the Texas Commission on Environmental Quality that are held on the request of a member of the legislature to be held in the house district in which the facility or proposed facility is located or proposed to be located.

**H.B. 963 (Lozano) – Natural Gas Vehicle Grant Program**: would expand the natural gas vehicle grant program to fund a used natural gas vehicle of model year 2017 or later that is proposed to replace an on-road heavy-duty or medium-duty motor vehicle, provided that the model year may not be more than six years older than the current model year at the time of the submission of the grant application.

**H.B. 1021 (Murphy) – Electric Utility Rates**: would: (1) define “employee compensation and benefits” to include base salaries, wages, incentive compensation, and benefits, but not pension, other postemployment benefits, or incentive compensation; and (2) provide that, when establishing an electric utility’s rates, the regulatory authority (including a city) shall presume that employee compensation and benefits expenses are reasonable and necessary, if the expenses are consistent with recent market compensation studies not earlier than three years before the initiation of the proceedings to establish the rates.

**H.B. 1043 (Anchia) – Safety and Pollution Penalty**: would amend current law to increase the administrative penalty that may be assessed by the Railroad Commission to an amount that does not exceed $25,000 a day for each non-pipeline safety violation of a provision of: (1) state law that pertains to the safety or the prevention or control of pollution; or (b) a rule, order, license, permit, or certificate that pertains to safety or prevention or control of pollution issued by the commission.

**H.B. 1130 (White) – Excavation Activities**: would provide that: (1) an operator or excavator may file a civil action for damages for certain requirements relating to excavation; and (2) the
prevailing party in an action in (1), above, may recover reasonable attorney’s fees, court costs, and other expenses in certain circumstances.

**H.B. 1155 (Vo) – Municipal Utility Districts**: would provide that once the board of a municipal utility district that is located in the extraterritorial jurisdictions of more than one municipality has selected the municipality that may exercise authority within the district as a whole, the board may not change that selection without the consent of all affected municipalities.

**H.B. 1191 (Goodwin) – Environmental Justice Commission**: would, among other things: (1) define “permitting facility” as a facility required to obtain a permit from the Texas Commission on Environmental Quality for wastewater discharge, injection wells, and under the Solid Waste Disposal Act and Clean Air Act; (2) define “environmental justice community” as a United States census block group, as determined in accordance with the most recent United States census, for which: (a) 30 percent or more of the noninstitutionalized population consists of persons who have an income below 200 percent of the federal poverty level; or (b) 50 percent or more of the population consists of members of racial minority or ethnic minority groups; (3) create the Office of Environmental Justice (OEJ) within TCEQ to protect the public health, general welfare, and physical property of environmental justice communities in regard to issuance of permits; (4) provide that when TCEQ is considering a permit within three miles of an environmental justice community, that the OEJ shall provide a recommendation not later than the 7th day after the last day of the public comment period applicable to the permit to TCEQ on whether the permit should be issued and shall, in making its recommendation, consider: (a) whether the cumulative effects of pollution from the proposed permitted facility or change to an existing facility on the affected environmental justice community exceed the statewide average; and (b) any existing or anticipated vulnerabilities in the affected environmental justice community; and (5) provide that TCEQ shall consider the recommendation of the OEJ in making its determination about whether to issue a permit in addition to other factors required by law.

**H.B. 1267 (Walle) – Concrete Plants**: would provide that a representative of a school, place of worship, licensed day-care center, hospital, medical facility, or a person residing within 440 yards of a proposed concrete plant may request a public hearing prior to the construction or permitting of the concrete plant.

**H.B. 1282 (Deshotel) – Restriction on Regulation of Utility Services**: would: (1) define “regulatory authority” as the Public Utility Commission, Railroad Commission, or the governing body of a municipality, in accordance with the context; (2) define “utility” as a person, company, or corporation engaged in furnishing water, gas, telephone, light, power, or sewage service to the public; (3) prohibit a regulatory authority, planning authority, or political subdivision of this state from adopting or enforcing an ordinance, resolution, regulation, code, order, policy, or other measure that has the purpose, intent, or effect of directly or indirectly banning, limiting, restricting, discriminating against, or prohibiting the connection or reconnection of a utility service or the construction, maintenance, or installation of residential, commercial, or other public or private infrastructure for a utility service based on the type or source of energy to be delivered to the end-use customer; (4) prohibit an entity, including a regulatory authority, planning authority, political subdivision, or utility, from imposing any additional charge or pricing difference on a development or building permit applicant for utility infrastructure that:
(a) encourages those constructing homes, buildings, or other structural improvements to connect to a utility service based on the type or source of energy to be delivered to the end-use customer; or (b) discourages the installation of facilities for the delivery of or use of a utility service based on the type or source of energy to be delivered to the end-use customer; and (5) provide that the bill does not limit the ability of a regulatory authority or political subdivision to choose utility services for properties owned by the regulatory authority or political subdivision.

**H.B. 1289 (Reynolds) – Notice of Accidental Spills:** would require the Texas Commission on Environmental Quality to notify the appropriate local government officials of a discharge or spill as soon as possible after TCEQ receives mandatory notice from the individual operating, in charge of, or responsible for the activity or facility where an accidental discharge or spill occurs.

**H.B. 1435 (Lucio III) – Certificates of Convenience and Necessity:** would provide that: (1) when an area is newly annexed to a municipality and the municipally owned utility petitions the Public Utility Commission for a certificate of convenience and necessity to serve the newly annexed area, the PUC: (a) shall make an express finding of whether the retail public utility is capable of providing continuous and adequate service to the incorporated or annexed area based solely on information provided by the municipality and the retail public utility; and (b) may grant single certification to the municipality only if the PUC makes a finding under the bill that the municipality demonstrated that the retail public utility is not capable of providing continuous and adequate service to the incorporated or annexed area; (2) if the PUC grants single certification to the municipality under (1), above, the PUC shall determine in its order the monetary amount that is adequate and just to compensate the retail public utility for any of the retail public utility’s property that is affected by the single certification; and (3) before an aggrieved party files an appeal with the district court in Travis County, the party may appeal to the PUC in a separate hearing before the PUC issues a final order under (1) and (2), above.

**H.B. 1484 (Metcalf) – Water and Sewer Rates:** would: (1) provide that a person who files an application for the purchase or acquisition of a water or sewer system may request that the regulatory authority—including a city—with original jurisdiction over the rates for water or sewer service provided by the person to the customers of the system authorize the person to charge initial rates for the service that are: (a) shown in a tariff filed with a regulatory authority by the person for another water or sewer system; and (b) in force for the other water or sewer system on the date the application is filed; and (2) prohibit the regulatory authority from requiring a person making a request under (1), above, to initiate a new rate proceeding to establish the initial rates for service the person will provide to the customers of the purchased or acquired system.

**H.B. 1501 (Dean) – Natural Gas and Propane:** would: (1) preempt a governmental entity from adopting or enforcing a rule, charter provision, ordinance, order, or other regulation that prohibits or restricts, directly or indirectly, the use of natural gas or propane or the connection to any utility provider lawfully operating in Texas in the construction, renovation, maintenance, or alteration of a residential or commercial structure; and (2) provide that a rule, charter provision, ordinance, order, or other regulation adopted by a governmental entity that conflicts with (1), above, is void.

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H.B. 1510 (Metcalf) – Response and Resilience of Certain Utilities: would: (1) provide that system restoration costs also include reasonable and necessary weatherization and storm-hardening costs incurred, as well as reasonable estimates of costs to be incurred by an electric utility, but such estimates shall be subject to true-up and reconciliation after the actual costs are known; (2) create the Texas Electric Utility System Restoration Corporation as a nonprofit special purpose public corporation and instrumentality of Texas for the essential public purpose of providing a lower cost financing mechanism available to the Public Utility Commission and an electric utility to attract low-cost capital to finance system restoration costs; (3) provide that the Corporation in (2) shall be self-funded and the state shall not budget for or provide any general fund appropriations for the Corporation; and (4) provide an order of priority for natural gas deliveries if the curtailment of natural gas is necessary during a state of disaster as declared by the governor or an extreme weather emergency. (Companion bill is S.B. 1782 by Creighton.)

H.B. 1520 (Paddie) – Gas Utilities: would, among other things: (1) provide that the Texas Public Finance Authority may, either directly or by means of a trust or trusts established by it, issue obligations or other evidences of indebtedness for financing customer rate relief (CRR) bonds approved by the Railroad Commission (RRC); (2) provide that at the request of the RRC, the Authority in (1) shall issue obligations or other evidences of indebtedness in the amount of the requested CRR bonds, plus the issuance costs, and shall make a grant of the proceeds of the obligations or evidences of indebtedness to the RRC; (3) define “gas utility” as: (a) an operator of natural gas distribution pipelines that delivers and sells natural gas to the public and that is subject to the RRC’s jurisdiction; and (b) a gas utility that transmits, transports, delivers, or sells natural gas or synthetic natural gas to operators of natural gas distribution pipelines and whose rates for such services are established by the RRC in a cost of service rate proceeding; (4) provide that the RRC may authorize the issuance of CRR bonds if the RRC finds that the proposed structuring, expected pricing, and proposed financing costs of the CRR bonds are reasonably expected to provide benefits to customers comparing the net present value of the costs to customers resulting from the issuance of CRR bonds and the costs that would result from the application of conventional methods of financing or recovering gas utility extraordinary costs and other costs authorized by a financing order; and (5) provide that the RRC may assess to a gas utility costs associated with administering the bill and such assessments shall be recovered from rate-regulated customers as part of a gas cost. (Companion bill is S.B. 1579 by Hancock.)

H.B. 1534 (Reynolds) – Greenhouse Gas Emissions: would, among other things: (1) require the Texas Commission on Environmental Quality (TCEQ) to adopt, charge, and collect an annual fee on each permitted electric generating facility that is subject to federal greenhouse gas reporting requirements; (2) provide that the fee in (1) is in the amount of $5 per ton of carbon dioxide equivalent emitted from the facility each year, unless TCEQ has adopted a rule that provides for an automatic annual increase in the amount of the fee; (3) provide that a facility in (1) shall submit an annual report required by federal greenhouse gas reporting to TCEQ, which TCEQ will use to calculate the total fee in (1) to be imposed on the facility; (4) require TCEQ to establish by rule a grant program through which electric utilities, municipally owned utilities, and electric cooperatives may receive money from the greenhouse gas emissions fee account to assist those utilities with meeting their statutory energy efficiency goals; (5) with some exceptions, require TCEQ to make grant money available to an electric utility, municipally-owned utility, or electric cooperative in proportion to the percentage of electric energy consumed
by the retail customers in Texas that are served by the electric utility, municipally-owned utility, or electric cooperative; and (6) provide that a grant received by an unbundled transmission and distribution utility under (4) may be considered as part of the utility’s energy efficiency budget for the purposes of determining compliance with the required annual expenditures for the targeted low-income energy efficiency programs required by law.

H.B. 1714 (Muñoz) – Municipally Owned Utility Fees: would provide that: (1) a municipality with a population of less than 150,000 that owns, operates, or controls a water or sewer utility may assess a fee of not more than $1 per month; and (2) the fee in (1) may be transferred to the general fund of the municipality for the purposes of funding an animal shelter owned or operated by the municipality.

H.B. 1820 (Zwiener) – TCEQ Penalties: would, among other things: (1) provide that the Texas Commission Environmental Quality (TCEQ) may increase the amount of a penalty assessed under the bill by an amount not to exceed an unspecified percentage of the maximum authorized penalty if the alleged violator has a history of previous violations; (2) require TCEQ to adjust its penalties for inflation each year; (3) require TCEQ to adopt rules to impose permit conditions that establish a: (a) maximum number of emissions events that may occur in a year before the commission will temporarily revoke the facility's permit or take another enforcement action; and (b) maximum volume of emissions events, expressed in terms of a percentage of permitted emissions, that may occur in a year before the commission will temporarily revoke the facility's permit or take another enforcement action; (4) establish an excessive emissions event penalty of not less than $1 per pound of each pollutant released that: (a) exceeds an authorized emission limit for the pollutant, or (b) is not authorized by any permit, permit by rule, or regulation; (5) create a toxic chemical emergency alert system; (6) require that the penalty for violation of a community right-to-know statute must be tripled if a first responder is injured as a result of exposure to a hazardous material while responding to an incident at the facility that is subject to the penalty; (7) increase the penalty for each violation not provided for in statute to $50,000 per day; (8) require that each day a continuing violation of a law under TCEQ’s jurisdiction occurs to be considered a separate violation with certain exceptions; and (9) repeal the affirmative defense to TCEQ enforcement of an emission event under the Clean Air Act.

H.B. 1873 (Gates) – Municipally Owned Water Utilities: would provide that: (1) a city may not charge a late payment fee that is more than the greater of $5 or two percent of the amount past due, not to exceed $500; (2) notwithstanding the provisions of a resolution or ordinance, a customer charged a late fee may appeal the charge by filing a petition with the utility commission; and (3) the utility commission shall hear the appeal described in (2) de novo and the city charging the fee has the burden of proof to establish the fee complies with (1).

H.B. 1912 (Wilson) – Concrete Plants: would, among other things, require that at a Texas Commission on Environmental Quality (TCEQ) meeting or hearing regarding the issuance or renewal of a standard permit for certain aggregate production operations and concrete batch plants TCEQ shall: (1) accept written questions about the facility from the public until the 15th day before the date of the hearing or meeting; and (2) not later than the 14th day before the date of the hearing or meeting, notify certain entities (including each municipality and county in

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which the facility is located or proposed to be located) of the date, time, and place of the hearing or meeting.

**H.B. 1947 (Ordaz Perez) – Medical Waste:** would: (1) require an applicant for a permit to construct, operate, or maintain a facility to store, process, or dispose of medical waste, to send notice of the application or notice of intent to: (a) the state senator and representative who represent the area in which the facility is or is to be located; (b) the commissioners court of the county in which the facility is or is to be located; and (c) the governing bodies of the city and school district in which the facility is or is to be located, as applicable; (2) require the Texas Commission on Environmental Quality (TCEQ) to reject an application submitted by a person who has not complied with (1); and (3) provide that TCEQ may not issue a permit for a new medical waste facility or the subsequent areal expansion of a medical waste facility or unit of that facility if the boundary of the facility or unit is to be located within 500 feet of an established residence, farm, ranch, church, school, university, community college, day-care center, surface water body used for a public drinking water supply, or dedicated public park.

**H.B. 1951 (Patterson) – Electricity Pricing:** would require: (1) the Public Utility Commission and the Energy Reliability Council of Texas independent system operator to adopt rules, operating procedures, and protocols to eliminate or compensate for any distortion in electricity pricing in the ERCOT power region caused by a federal tax credit provided for electricity produced from certain renewable resources; (2) that the rules adopted under (1) ensure that costs imposed on the system by the sale of electricity that is eligible for a federal tax credit, including costs of maintaining sufficient capacity to serve load at the summer peak demand caused by the loss of new investment from below-market prices, are paid by the parties that impose the costs; and (3) the PUC and ERCOT independent system operator to eliminate any rules, operating procedures, or protocols that attempt to adjust electricity prices to reflect the value of reserves at different reserve levels based on the probability of reserves falling below the minimum contingency level and the value of lost load.

**H.B. 1965 (Beckley) – ERCOT:** would, among other things, require the Public Utility Commission to adopt rules to develop a process for obtaining emergency reserve power generation capacity as appropriate to prevent blackout conditions caused by shortages of generated power in the ERCOT power region.

**H.B. 2000 (Huberty) – Reliability Projects:** would, among other things: (1) establish the state utilities reliability fund as a special fund in the state treasury outside the general revenue fund to be used by the Texas Water Development Board (TWDB), without further legislative appropriation, for the purpose of financing projects that enhance the reliability of water, electricity, natural gas and broadband utilities in Texas by supporting projects to weatherize facilities and to provide adequate capacity during periods of high demand; (2) provide that the TWDB, for the purpose of providing financial assistance under the bill, shall prioritize projects that enhance the reliability of water, electricity, natural gas and broadband utilities for Texas by establishing a point system; (3) require the TWDB to give the highest consideration in awarding points to projects that will have a substantial effect, including projects that will, among other things: (a) weatherize facilities to protect against cold weather; and (b) create excess capacity that will be used during periods of high demand to provide continuous and adequate electric,
natural gas, water and broadband service; and (4) provide the bill only takes effect on the date on which the voters of Texas approve a constitutional amendment proposed by the 87th Legislature creating the state utilities reliability fund. (See H.J.R. 2, below.)

**H.B. 2016 (Thierry) – ERCOT**: would, among other things, require the Public Utility Commission to adopt rules to develop a process for obtaining emergency reserve power generation capacity as appropriate to prevent blackout conditions caused by shortages of generated power in the ERCOT power region.

**H.B. 2038 (Talarico) – Lead Service Lines**: would require a public water system, which includes a city, to replace lead service lines in each public school, private school, or child care facility that is served by the system.

**H.B. 2148 (Stephenson) – Public Water Supplies**: would require the Texas Commission on Environmental Quality to give notice of the contamination to the owner or operator of each public water supply system that may be affected by the contamination as soon as possible after TCEQ detects or becomes aware of contamination of water that is a source for a public water supply and not later than the time TCEQ notifies the news media of the contamination.

**H.B. 2224 (C. Bell) – Municipal Water Rates**: would provide that a city or a municipally owned utility may not establish a rate, applicable only to entities that qualify for a sales tax or property tax exemption, that is higher than a rate established for entities that receive comparable utility services. (Companion bill is S.B. 784 by Creighton.)

**H.B. 2275 (Zwiener) – Critical Infrastructure Resiliency**: would: (1) create a water infrastructure resiliency fund that may be used by the Texas Water Development Board (TWDB) only: (a) to make a grant to an entity, including local government entities that provide water or wastewater services, for weatherizing and hardening water and wastewater systems, including, but not limited to: (i) covering wells; (ii) purchasing reserve power supply such as onsite generation and energy storage systems; and (iii) building connectivity to neighboring water suppliers; (b) to pay the necessary and reasonable expenses of the board in administering the infrastructure fund; (2) provide that in making grants under (1), the TWDB shall consider: (a) the expected number of individuals who will benefit from the project; (b) existing infrastructure and overall need for the project; (c) the potential benefit of the project to low income communities and areas in disparate parts of the state; (d) equitable geographic distribution of grants awarded throughout the state; (e) projects that utilize distributed energy resources; (f) the existence of matching federal funds for the project and if available federal funds have been exhausted; and (g) the total effect of the project's goals; (3) provide that a local government entity that provides water or wastewater service that receives a grant under (1) is required to provide a match of at least ten percent with an unspecified percentage of that match coming from local resources; (4) create a critical infrastructure resiliency fund that may be used by the Texas Division of Emergency Management (TDEM) to make a grant to an entity, including a municipally owned utility; (5) create the electric grid improvement account as an account that is part of the critical infrastructure fund, which TDEM may use to provide grants for related activities to: (a) localized improvements to the electric grid and other energy systems with onsite generation including, but not limited to, smart metering; and (b) improvements at and between buildings to create micro-
grids using onsite generation and energy storage; (6) create a local communications resiliency account that is part of the critical infrastructure fund, which TDEM may use to provide grants for activities related to: (a) hardening lines of emergency communication; and (b) purchasing reserve power supply such as onsite generation and energy storage systems necessary to sustain emergency communications; and (7) create a medical infrastructure resiliency account that is part of the critical infrastructure fund, which TDEM may use to provide grants for activities related to purchasing reserve power supply such as onsite generation and energy storage systems necessary to sustain critical medical care.

**H.B. 2350 (Zwiener) – TWDB Financial Assistance**: would, among other things: (1) create a water resource restoration program to be administered by the Texas Water Development Board to assist in enhancing water quality in Texas through the provision of financial assistance to political subdivisions for locally directed projects; (2) provide that a proposed project must be compatible with the goals of the program and include the application of best management practices for the primary purpose of water quality protection and improvement and may include: (a) the preservation or restoration of regional scale natural landscape features, including forests, floodplains, and wetlands; (b) practices that reduce impervious cover in a watershed; (c) practices that increase water infiltration and retention, including the use of bioretention, trees, green roofs, permeable pavements, rain gardens, constructed wetlands, and cisterns; (d) the implementation of green streets in public rights-of-way or urban forestry program to manage stormwater and enhance tree health; (e) the expanded use of tree box filters; (f) stormwater collection and distribution systems, including cisterns, separate stormwater sewer systems, and downspout disconnection systems that use onsite stormwater management and remove stormwater from sewer systems; (g) soil quality enhancement activities; (h) the removal and replacement of turf with native grasses and vegetation that improve water infiltration; (i) the establishment or restoration of permanent riparian buffers, floodplains, wetlands, and other natural features including vegetative buffers, grass swales, soft bioengineered stream banks, and stream daylighting; (j) the management of wetlands to improve water quality and support water infiltration and retention; and (k) sustainable landscaping to improve hydrologic processes; (3) provide that a proposed project may not include: (a) passive recreation activities and trails including bike trails, playgrounds, athletic fields, picnic tables, and picnic grounds; (b) non-permeable surface parking lots; (c) stormwater ponds or dirt-lined detention basins that serve an extended or filtration function; (d) in-line and end-of-pipe treatment systems that only filter or detain stormwater without the use of natural plants and trees; (e) underground stormwater control and treatment devices, including hydrodynamic separators, baffle systems for grit, trash removal, and oil and grease separators; (f) stormwater conveyance systems, including pipes and concrete channels, that are not soil or vegetation based; (g) hardening, channelizing, dredging, or straightening streams or stream banks; (h) street sweepers, sewer cleaners, and vacuum trucks unless they support nature-based infrastructure projects; (i) supplemental environmental projects required as a part of a consent decree; or (j) the acquisition of property, an interest in property, or improvements to property through the use of eminent domain; and (4) require the TWDB to adopt rules to establish a means of prioritizing projects in disadvantaged communities.

**H.B. 2368 (Shaw) – Water Quality**: would require the Texas Commission on Environmental Quality (TCEQ) to establish and maintain a portal for local governments to access: (1)
information TCEQ has about water quality, including the results of an investigation it conducts; and (2) any discharge monitoring report TCEQ receives.

**H.B. 2369 (Shaw) – Weather-Related Disaster Emission Events**: would require the Texas Commission on Environmental Quality to adopt rules to implement, in the event of a state or federally declared weather-related disaster, a system of staggered shutdowns for regulated entities located in the area covered by the disaster declaration that are required to report emissions events using certain criteria.

**H.B. 2370 (Morales Shaw) – Concrete Plants**: would, among other things, provide that a representative of a school, place of worship, licensed day-care center, hospital, or medical facility or a person residing within 440 yards of a proposed concrete plant is an affected person and may request a permit application hearing with the Texas Commission on Environmental Quality.

**H.B. 2381 (Larson) – Texas Energy and Communications Commission**: would establish the Texas Energy and Communications Commission to consolidate the functions of the Public Utility Commission of Texas and the Railroad Commission of Texas. (Companion bill is S.B. 853 by Menéndez.)

**H.B. 2422 (Zweiner) – Aggregate Productions**: would authorize certain counties to: (1) prohibit the construction or expansion of an aggregate production operation at a location less than one mile from a residence, school, place of worship, hospital, or land platted for residential development; and (2) establish conditions on the construction or expansion of an aggregate production operation for locations in the county based on development patterns, distance from a roadway, traffic conditions, emission of dust from an operation, or public safety.

**H.B. 2470 (Rodriguez) – Public Utility Commission/Energy Blackouts**: would require: (1) the Public Utility Commission to adopt rules to develop a process for obtaining emergency reserve power generation capacity as appropriate to prevent blackout conditions caused by shortages of generated power in the ERCOT power region; (2) the rules in (1) to provide: (a) parameters for estimating the amount of emergency reserve power generation capacity necessary to prevent blackout conditions; and (b) mechanisms for equitably sharing the costs of making the reserve capacity available and the costs of generated power provided to prevent blackout conditions; (3) an independent organization for the ERCOT power region to adopt procedures and enter contracts as necessary to ensure the availability of a defined amount of emergency reserve power generation capacity the organization may call on to prevent blackouts caused by shortages of generated power; and (4) the independent organization to use all other sources of power and demand reduction available before the independent organization calls on the emergency reserve power generation capacity to prevent blackout conditions. (Duplicate bills are: H.B. 2472 by Thierry, H.B. 2480 by Reynolds, H.B. 2506 by Jarvis Johnson, H.B. 2657 by Larson, and H.B. 3178 by Rosenthal.)

**H.B. 2476 (Allison) – Weather Emergency Preparedness**: would require: (1) the Railroad Commission to require an operator of a gas well to implement measures to prepare the well to operate during a weather emergency; (2) the Public Utility Commission to require each provider
of generation in the ERCOT power region to implement measures to prepare generation facilities to provide adequate electric generation service during a weather emergency; (3) the PUC to adopt rules that require each electric cooperative, municipally owned utility, and transmission and distribution utility providing transmission or distribution service in the ERCOT power region to implement measures to prepare facilities to maintain service quality and reliability during a weather emergency; and (4) the RRC to adopt rules regarding measures gas pipeline facility operators must implement to prepare gas pipeline facilities to maintain service quality and reliability during a weather emergency.

**H.B. 2481 (Reynolds) – Gas Weather Emergency Preparedness:** would require: (1) the Public Utility Commission to require each provider of generation in the ERCOT power region to implement measures to prepare generation facilities to provide adequate electric generation service during a weather emergency; (2) the PUC to adopt rules that require each electric cooperative, municipally owned utility, and transmission and distribution utility providing transmission or distribution service in the ERCOT power region to implement measures to prepare facilities to maintain service quality and reliability during a weather emergency; and (3) the Railroad Commission to adopt rules regarding measures gas pipeline facility operators must implement to prepare gas pipeline facilities to maintain service quality and reliability during a weather emergency.

**H.B. 2483 (P. King) – Utility Facilities for Restoring Service:** would provide that: (1) a transmission and distribution utility may lease or own and operate facilities that provide temporary, emergency electric energy to aid in restoration of service to its own distribution customers during a widespread outage; (2) a transmission and distribution utility may procure and own, or enter into a cooperative agreement with other utilities to jointly procure and own, long lead time facilities that would aid in restoration of electric service for its own distribution customers following a widespread outage; (3) the Public Utility Commission shall permit a transmission and distribution utility that leases or owns and operates facilities under this section to recover the costs of leasing or ownership and operation of the facilities, using the rate of return on investment established in the final order of the utility's most recent base rate proceeding; (4) the PUC shall also authorize a utility to defer incremental operations and maintenance expenses associated with the leasing or ownership of the facilities for recovery in a future ratemaking proceeding; (5) a utility may request recovery of the costs of leasing or ownership and operation of the facilities under the bill, including any deferred expenses, through a proceeding for periodic rate adjustments or in another ratemaking proceeding; and (6) at the time the utility seeks cost recovery of the facilities under (5), it shall submit an analysis of the costs and benefits of owning versus leasing the facilities, if the facilities are available in the competitive marketplace.

**H.B. 2526 (Shaheen) – Electric Grid Study:** would: (1) require the Public Utility Commission to conduct a study on electric grid resilience and emergency response in electric power generation; (2) require that the study in (1) must include: (a) an analysis of: (i) technologies, methods, and concepts that may improve community resilience to frequent or long-duration power outages; (ii) upgrades and improvements to grid infrastructure to accommodate projected changes in power demand; and (iii) previous long-duration power outages that occurred over a large area to identify common elements and best practices for electricity restoration and the mitigation and prevention of future outages; and (b) the development of: (i) methods to improve
government and community preparation for long-duration power outages and power outages that occur over a large area; (ii) tools to help electric utilities ensure continuous delivery of electricity to emergency facilities; (iii) tools to improve coordination between the independent organization for the ERCOT power region, entities that distribute electric energy, and political subdivisions; (iv) technologies and capabilities to withstand and address the current and predicted effect of extreme weather events and other natural disasters, including the effect of the changing climate on electric grid infrastructure; (v) methods to improve information sharing between relevant federal and state agencies in the event of a mass power outage, or a physical or cyber attack on electric infrastructure; (vi) advance monitoring, analytics, operation, and controls of electric grid systems to improve electric grid resilience; (vii) methods to maintain cybersecurity during restoration of electric grid infrastructure and operation; and (viii) methods to strengthen against or otherwise natural hazards; (3) provide that in conducting the study, the PUC may collaborate with other state agencies, institutions of higher education, nonprofit corporations, electric utilities, and other interested persons; and (4) provide that the PUC shall report the results of the study to the legislature by September 1, 2022.

**H.B. 2563 (Crockett) – Solar Energy:** would provide that a transmission and distribution utility or electric utility must allow the owner of a solar energy device that is interconnected to the utility’s electricity distribution system, at the discretion of the owner, to: (1) decline to sell electricity produced by the solar energy device to the distribution system; or (2) temporarily disconnect from the utility’s electricity distribution system to use on site the electricity produced by the solar energy device during a power outage or interruption.

**H.B. 2573 (Kuempel) – Water Regulations:** would provide that a city may not extend into its extraterritorial jurisdiction a city ordinance that imposes cut and fill depth requirements or other water quality regulations on a project that are more stringent than the applicable minimum state and federal water quality requirements unless the project is located in an area that is an aquifer recharge or contributing zone.

**H.B. 2604 (Allison) – Load Shedding:** would require the Public Utility Commission to adopt rules that require each electric utility, municipally owned utility, and electric cooperative to exclude any circuits that provide power to a public elementary or secondary school facility from participation in the utility’s or cooperative's attempt to shed load in response to a rolling blackout initiated by an independent organization or another reliability council or power pool in which the utility or cooperative operates.

**H.B. 2638 (Meza) – Load Shedding:** would require the Public Utility Commission to adopt rules that require each electric utility, municipally owned utility, and electric cooperative that is subject to a rolling blackout initiated by an independent organization or another reliability council or power pool in which the utility or cooperative operates to rotate customer curtailment so that no part of the distribution system that serves a multifamily property with more than 25 units is subject to an outage of more than 6 hours.

**H.B. 2642 (Campos) – Load Shedding:** would provide that a municipal housing authority, in cooperation with the municipality in which the authority is located and with any electric utility, municipally owned utility, or electric cooperative that provides power to housing facilities
operated by the authority, shall prioritize in an emergency the provision of electric utility services to each housing facility that is operated by the authority and that has residents that are elderly or disabled individuals.

**H.B. 2646 (Jarvis Johnson) – Concrete Plant:** would provide that, in determining whether to approve an application for a standard permit for a concrete batch plant, the executive director of the Texas Commission on Environmental Quality must base the decision, in part, on a consideration of the potential harm to local property values and the location of the facility relative to homes, schools, churches, parks, and other community assets.

**H.B. 2652 (Larson) – Surface Water and Groundwater Study:** would establish an advisory board to study surface water and groundwater interaction and require the board to provide a report of its findings to the governor, lieutenant governor, speaker of the house of representatives, and each member of the legislature. (Companion bill is **S.B. 1039 by Eckhardt**.)

**H.B. 2661 (Muñoz) – Rolling Blackouts:** would require the Public Utility Commission to: (1) adopt rules that require each electric utility, municipally owned utility, and electric cooperative that is subject to a rolling blackout initiated by an independent organization to rotate customer curtailment so that no customer is subject to an outage of more than 12 hours; and (2) conduct a study on: (a) methods to make the imposition of a rolling blackout equitable across Texas; and (b) measures needed in Texas to prevent the necessity of rolling blackouts.

**H.B. 2686 (Reynolds) – Interconnection of Transmission Facilities:** would require the Public Utility Commission to: (1) identify transmission facilities in ERCOT that may be interconnected with transmission facilities outside of ERCOT for the purpose of allowing federal regulation of transmission service and wholesale power sales in ERCOT; and (2) require an electric utility, municipally owned utility, or electric cooperative that owns a transmission facility identified in (1) to make requests, obtain approvals, enter into contracts, and construct facilities as necessary to interconnect the facility with a transmission facility outside of ERCOT.

**H.B. 2687 (Reynolds) – Prevention of Power Blackouts:** would, among other things: (1) require the Public Utility Commission to adopt rules that require a power generation company operating in the ERCOT power region to: (a) weatherize the company's generation facilities and associated equipment on an annual basis so that the facilities and equipment are able to operate in extreme cold and heat; and (b) submit annual weatherization plans to the PUC and the independent organization for the ERCOT power region; (2) provide that if the PUC or independent organization for the ERCOT power region determines that changes in the amounts of existing ancillary service obligations required by load serving entities are needed: (a) the PUC by rule may address the imbalance; and (b) the independent organization may make changes to its ancillary service obligations through a stakeholder process to address the imbalance; (3) require the PUC to adopt rules to establish a process for obtaining emergency response services in addition to ancillary services as appropriate to prevent rolling blackout conditions caused by shortages of supply in the ERCOT power region; (4) require the PUC to ensure that the total cost for ensuring emergency response services does not exceed $100 million annually; (5) in accordance with the rules in (3), require the independent organization for the ERCOT power region to contract with qualified loads, electric storage companies, and power generation
companies, including aggregation of loads and generators, for a defined amount of emergency response service capacity the organization may call on to ensure that power shortages or demand spikes do not create a need for rolling blackouts; and (6) provide that before the independent organization for the ERCOT power region calls on the emergency response service capacity to prevent rolling blackouts, the organization shall use all market sources of power, including electric energy storage and demand reduction, in accordance with PUC rules.

**H.B. 2708 (Patterson) – Hazardous and Solid Waste Remediation Fee**: would provide that money in the account attributable to fees on the sale of batteries may be used for environmental remediation at the site of a closed battery recycling facility located in the city limits of a city if the city submits to the Texas Commission on Environmental Quality a voluntary compliance plan for the site and is paying or has paid for part of the costs of the environmental remediation of the site.

**H.B. 2717 (Landgraf) – Boil Water Notices**: would: (1) require the operator of a public drinking water supply system, when required by a Texas Commission on Environmental Quality rule to issue a boil water notice to its customers, to: (a) provide the notice in writing to each customer as prescribed by TCEQ rule to the street address of the customer; and (b) attempt to reach each customer by electronic means to provide notice as prescribed by TCEQ rule; (2) require the operator of a public drinking water supply system to notify each customer that the boil water notice has expired in the manner described by (1); and (3) provide that TCEQ may require that a public utility that furnishes water to the public complete a program of weatherization if TCEQ finds that the public utility is at risk of being unable to provide water to customers for a significant period of time due to weather-related failures in equipment or infrastructure.

**H.B. 2762 (Rogers) – Load Shedding**: would require the Public Utility Commission to adopt rules that require each electric utility, municipally owned utility, and electric cooperative to exclude any circuits that provide power to a hospital facility or to a facility necessary to provide water to wholesale customers from participation in the utility's or cooperative's attempt to shed load in response to a rolling blackout initiated by an independent organization or another reliability council or power pool in which the utility or cooperative operates.

**H.B. 2763 (Rogers) – Load Shedding**: would require the Public Utility Commission to adopt rules that require each electric utility, municipally owned utility, and electric cooperative to exclude any circuits that provide power to a commercial or public radio or television broadcasting facility from participation in the utility's or cooperative's attempt to shed load in response to a rolling blackout initiated by an independent organization or another reliability council or power pool in which the utility or cooperative operates.

**H.B. 2786 (Vasut) – Load Shedding**: would: (1) define “critical customer” as a customer for whom electric service is considered crucial for the protection or maintenance of public safety, including a: (a) hospital facility; (b) nursing facility, assisted living facility, or facility that provides hospice services; (c) police or fire station; or (d) critical water and wastewater facility; (2) define “critical industrial or residential customer” as: (a) an industrial customer for whom an interruption or suspension of electric service would create a dangerous or life-threatening
condition on the customer's premises; or (b) a residential customer who has a person permanently residing in the customer's home who has been diagnosed by a physician as: (i) having a serious medical condition that requires an electric-powered medical device or electric heating or cooling to prevent the impairment of a major life function through a significant deterioration or exacerbation of the person's medical condition; or (ii) being dependent upon an electric-powered medical device to sustain life; (3) except as provided by (4) and (5), require the Public Utility Commission to adopt rules that require each electric utility, municipally owned utility, and electric cooperative that is subject to a rolling blackout initiated by an independent organization to: (a) exclude any parts of the utility's or cooperative's distribution system that provide power to a critical customer from participation in the utility's or cooperative's attempt to shed load; and (b) rotate curtailment of all other parts of the distribution system so that no customer is subject to an outage of more than: (i) 24 hours; or (ii) 12 hours during an extreme weather emergency; (4) provide that the PUC may allow an electric utility, municipally owned utility, or electric cooperative to maintain an outage for more than 24 hours for a part of the distribution system if necessary to supply critical customers; and (5) provide that the PUC may require that an electric utility, municipally owned utility, or electric cooperative exclude a critical industrial or residential customer from load shedding under (3)(a).

**H.B. 2805 (Goodwin) – Public Utility Agency Boards:** would: (1) provide that if a public utility agency has a service area that includes the unincorporated area of a county that is outside the boundaries of the agency's participating public entities, the commissioners court of the county that is outside the boundaries of the agency’s participating public entities may appoint the same number of directors as the number appointed by the participating public entity with the largest population that is less than the population of the unincorporated area; and (2) require a director of a public utility agency to be a customer of the public utility agency and reside in the area served by the agency.

**H.B. 2814 (C. Turner) – Oil and Gas Wells:** would provide that: (1) the Railroad Commission of Texas must require an applicant for a permit to drill a new oil or gas well to indicate in the application whether the proposed well site is located within 1,500 feet of the property line of a child-care facility, private school, or primary or secondary public school; (2) the Railroad Commission may not grant an application for a permit to drill a new oil or gas well that is located within 1,500 feet of the property line of a child-care facility, private school, or primary or secondary public school unless: (a) the commission holds a public hearing in the county in which the proposed well site is located to receive public comments on whether granting the permit application is in the public interest; and (b) the commission considers the comments received when determining whether to grant the application; and (3) the bill does not affect the authority of a political subdivision to enact, amend, or enforce an ordinance or other measure related to the drilling of new oil or gas wells.

**H.B. 2816 (Thierry) – Electric Reliability Standards:** would require the independent organization to determine the amount of reserve capacity necessary to maintain a one-in-ten reliability standard in the ERCOT power region.

**H.B. 2828 (Canales) – One-Time Payment to Utility Customers:** would, among other things: (1) require the Public Utility Commission to establish a program to provide onetime cash
payments from state funds appropriated for that purpose to retail customers of municipally owned utilities, electric cooperatives, and retail electric providers in the ERCOT power region in the amount of: (a) $250 for each residential retail account; and (b) $250 for each commercial retail account; and (2) require each municipally owned utility, electric cooperative, and retail electric provider to provide to the PUC a list of each retail account served by the utility, cooperative, or provider after February 13, 2021, and before February 19, 2021.

**H.B. 2838 (Longoria) – Rolling Blackouts**: would: (1) require the Public Utility Commission to adopt rules that require each electric utility, municipally owned utility, and electric cooperative that is subject to a rolling blackout initiated by an independent organization to rotate customer curtailment so that no customer is subject to an outage of more than 12 hours; and (2) provide that the PUC may make exceptions to the requirements in (1) to the extent necessary to supply facilities the PUC determines are critical to maintaining public health and safety.

**H.B. 2849 (Larson) – Winter Weather Emergency Preparedness**: would require the Public Utility Commission to adopt rules that require each provider of generation in the ERCOT power region to implement measures to prepare the provider’s generation facilities to provide adequate electric generation during a winter weather emergency.

**H.B. 2861 (Bucy) – Load Shedding**: would require the Public Utility Commission to adopt rules to require each electric utility, municipally owned utility, and electric cooperative to exclude any circuits that provide power to a facility that treats patients with end stage renal disease from participation in the utility's or cooperative's attempt to shed load in response to a rolling blackout initiated by an independent organization or another reliability council or power pool in which the utility or cooperative operates.

**H.B. 2877 (Beckley) – Notice of Widespread Outage**: would provide that as soon as practicable after: (1) an electric utility, municipally owned utility, or electric cooperative experiences a widespread power outage or a widespread electric service emergency, the utility or cooperative shall notify by telephone and e-mail each: (a) United States senator who represents Texas; (b) member of the United States House of Representatives who represents a district affected by the disruption or emergency; (c) statewide elected official; (d) member of the legislature who represents a district affected by the disruption or emergency; (e) elected official of a county government who represents an area affected by the disruption or emergency; and (f) elected official of a municipal government who represents an area affected by the disruption or emergency; (2) an electric utility, municipally owned utility, or electric cooperative experiences a widespread natural gas shortage or a widespread natural gas emergency, the utility or cooperative shall notify by telephone and e-mail each: (a) United States senator who represents Texas; (b) member of the United States House of Representatives who represents a district affected by the disruption or emergency; (c) statewide elected official; (d) member of the legislature who represents a district affected by the disruption or emergency; (e) elected official of a county government who represents an area affected by the disruption or emergency; and (f) elected official of a municipal government who represents an area affected by the disruption or emergency; and (3) a retail public utility experiences a widespread water service outage or a widespread water service emergency, the utility shall notify by telephone and e-mail each: (a) United States senator who represents Texas; (b) member of the United States House of
Representatives who represents a district affected by the disruption or emergency; (c) statewide elected official; (d) member of the legislature who represents a district affected by the disruption or emergency; (e) elected official of a county government who represents an area affected by the disruption or emergency; and (f) elected official of a municipal government who represents an area affected by the disruption or emergency.

**H.B. 2898 (Lopez) – Utility Shutoff Notice:** would provide that: (1) not later than three hours after an electric utility, municipally owned utility, or electric cooperative intentionally shuts off electric power to a customer in response to an emergency event, the utility or cooperative shall notify the customer by e-mail or text message of: (a) the shutoff; (b) the estimated time and date that the utility or cooperative will restore electric power to the customer; and (c) whether the shutoff is part of a rolling outage; and (2) not later than three hours after a retail public utility intentionally shuts off water service to a customer in response to an emergency event, the utility shall notify the customer of the shutoff and the estimated time and date that the utility will restore water service to the customer by e-mail or text message.

**H.B. 2905 (Morrison) – Public-Private Partnership Water Projects:** would provide that: (1) a person that receives money from the state water implementation revenue fund may enter into an agreement with a private entity to design, develop, finance, or construct a certain projects funded by the Texas Water Development Board and may use money received from the fund to make payments for the agreement; (2) an eligible political subdivision that receives money from the flood infrastructure fund may enter into a contract as provided for by law with a private entity to design, develop, finance, or construct a flood project and may use money from the fund to make payments under a contract; and (3) an eligible political subdivision that receives money from the water infrastructure fund may enter into a contract as provided for by law with a private entity to design, develop, finance, or construct a flood project and may use money from the fund to make payments under a contract.

**H.B. 2979 (Paul) – Backup Power Supply:** would: (1) require the Commission on State Emergency Communications to develop minimum performance standards for equipment and operation of 9-1-1 service to be followed in developing regional plans, including requirements that the plans provide for the installation and use of a backup power supply for a power outage; (2) require a city that owns or operates a utility service to provide water service to ensure that the utility system has a backup power supply for water treatment during a power outage; and (3) provide that the Texas Commission on Environmental Quality may not grant a new certificate of convenience and necessity to an applicant unless the applicant demonstrates that the applicant has a backup power supply for water treatment during a power outage.

**H.B. 2990 (Shaw) – Permit Applications Available Online:** would, among other things, require an applicant: (1) for certain environmental and water use permits issued by the Texas Commission on Environmental Quality to post a copy of the application on a publicly accessible Internet website and provide to TCEQ the address of the website; and (2) applying to appropriate unappropriated state water to post a copy of the application, the map, and any supporting materials on a publicly accessible Internet website and provide TCEQ with the address of that website in its application. (Companion bill is S.B. 348 by Zwiener.)
**H.B. 2991 (Shaw) – Rolling Blackouts:** would require the Public Utility Commission to adopt rules to require each electric utility, municipally owned utility, and electric cooperative: (1) to exclude any circuits that provide power to an assisted living facility, a facility that provides hospice services, or a nursing facility from participating in the utility’s or cooperative’s attempt to shed load in response to a rolling blackout initiated by an independent organization or another reliability council or power pool in which the utility or cooperative operates; and (2) to rotate customer curtailment so that no part of the distribution system is subject to an outage of more than 12 hours in a 24 hour period when it is subject to a rolling blackout initiated by an independent organization or another reliability council or power pool in which the utility or cooperative operates.

**H.B. 3030 (Goodwin) – Notice of Outage:** would: (1) define “significant interruption of service” as an interruption of essential products and services provided by a public service provider that lasts one or more hours and affects the provider's entire system, a major division of the provider's system, a community, a critical load, or service to interruptible customers, and a scheduled interruption lasting more than four hours that affects customers who are not notified in advance and includes: (a) a loss of service to 20 percent or more of the provider's customers, or 20,000 customers for a provider serving more than 200,000 customers; and (b) interruptions adversely affecting a community such as interruptions of governmental agencies, military bases, universities and schools, major retail centers, and major employers; (2) require all public service providers to enter into a contract for an emergency notification system for use in informing the provider’s customers, governmental entities, and other affected persons regarding: (a) notice of a disaster, emergency, or significant interruption of service; and (b) any actions a recipient is required to take during a disaster, emergency, or significant interruption of service; (3) require the emergency notification system under a contract in (2) to provide notice of a significant interruption of service as soon as reasonably possible after the interruption occurs and include in the notification: (a) the general location of the interruption; (b) the cause of the interruption, if known; (c) the date and time that the interruption began; (d) the estimated date and time that service will be restored; and (e) the name and telephone number of the public service provider; and (4) provide that if the duration of a significant interruption of service is longer than 24 hours, the emergency notification system under a contract in (2) must provide an update to the information required in (3) not less than once every 24 hours that the interruption continues.

**H.B. 3038 (Goodwin) – Electric Distribution Upgrades:** would, among other things: (1) require each transmission and distribution utility, municipally owned utility, and electric cooperative to install and connect to an information network, for each customer, an advanced meter capable of allowing the utility or cooperative to shut off the customer's power when a rolling blackout is necessary; (2) require a transmission and distribution utility, municipally owned utility, and electric cooperative to develop or acquire the equipment or software necessary to shut off a customer’s power in the event of a rolling blackout by using an advanced meter in (1); (3) require a utility or cooperative to make the software in (2) available to: (a) a county or municipal government, for the purpose of identifying critical load public safety customers; and (b) a retail electric provider, for the purpose of providing the utility or cooperative with a preferential order for customer curtailment; (4) require each transmission and distribution utility, municipally owned utility, and electric cooperative to make upgrades to the distribution system operated by the utility or cooperative for the purpose of more evenly distributing a rolling
blackout; (5) require each transmission and distribution utility, municipally owned utility, and 
electric cooperative to install under-frequency relays throughout the distribution system operated 
by the utility or cooperative and rotate which relays are active every year; (6) provide that a 
transmission and distribution utility, municipally owned utility, and electric cooperative may 
recover reasonable and necessary costs incurred in implementing (1)-(5); (7) require each 
transmission and distribution utility, municipally owned utility, and electric cooperative to make 
a plan for using advanced metering technology, software, equipment, and other upgrades to a 
distribution system authorized by the bill to deploy a rolling blackout; (8) provide that a critical 
load public safety customer includes: (a) long-term care facilities; (b) food pantries; (c) homeless 
shelters; (d) temporary shelters identified by the county government; and (e) critical 
telecommunications facilities; (9) require the Public Utility Commission to allow the county to 
designate a critical load public safety customer; (10) require a transmission and distribution 
utility, municipally owned utility, or electric cooperative to identify customers in the utility’s or 
cooperative’s service area who qualify as critical load public safety customers under PUC rules 
and are not designated as critical load public safety customers; and (11) require a utility or 
cooperative to notify the following entities of any critical load public safety customers identified 
in (10): (a) the PUC; (b) the independent system operator for the ERCOT power region, if 
applicable; and (c) a county or municipality where the customer resides.

**H.B. 3059 (Guerra) – Load Shedding**: would require the Public Utility Commission to adopt 
rules to require each electric utility, municipally owned utility, and electric cooperative to 
exclude any circuits that provide power to a facility necessary to provide water to wholesale 
customers and a facility necessary to provide natural gas transmission services from participation 
in the utility’s or cooperative’s attempt to shed load in response to a rolling blackout initiated by 
an independent organization or another reliability council or power pool in which the utility or 
cooperative operates.

**H.B. 3061 (Davis) – Electricity Generation**: would: (1) require the Public Utility Commission 
to adopt rules that require each provider of generation in the ERCOT power region to: (a) submit 
to the PUC annual maintenance plans showing how the provider will maintain generation assets; 
(b) periodically inspect and maintain generation assets to ensure that the assets can withstand 
extreme weather conditions; and (c) report to the independent organization for the ERCOT 
power region annual forecasts of the provider’s generation capacity for a five-year period 
beginning with the year following the year in which the forecast is submitted; (2) require the 
PUC to require a person who operates a natural gas generation facility to maintain at the site of 
the facility an amount of natural gas as a reserve that will allow the facility to provide generation 
for at least 48 hours that equals at least 10 percent of the net dependable capability of the facility 
in the event of a natural gas shortage; (3) define “net dependable capability” as the maximum 
load in megawatts, net of station use, which a generating unit or generating station can carry 
under specified conditions for a given period of time, without exceeding approved limits of 
temperature and stress; and (4) require the PUC to submit a report to the legislature on the 
potential costs and benefits of establishing an emergency strategic electric energy reserve, 
including the feasibility of establishing a natural gas reserve and of constructing a state-owned 
power plant.
**H.B. 3079 (Larson) – Water and Sewer Rates:** would, among other things: (1) provide that the Public Utility Commission may not hold a hearing or otherwise prescribe just and reasonable amounts to be charged under a contract for the rates a municipally owned utility charges if it furnishes wholesale water or sewer service to another political subdivision unless the PUC determines the amount charged under the contract harms the public interest; and (2) provide a judicial review process to challenge a PUC decision in (1). (Companion bill is **S.B. 997** by Nichols.)

**H.B. 3084 (Larson) – Interregional Water Projects:** would, among other things: (1) provide that the purpose of the interregional water planning council is to: (a) identify and propose water projects for the state water plan that involve multiple water planning areas; (b) develop proposals for innovative funding mechanisms for the projects identified in (1)(a); and (c) share best practices regarding operation of the regional, interregional, and state water planning processes; and (2) require the council to prepare a report to the Texas Water Development Board on the council’s work, including projects and funding methods proposed under (1)(a) and (b).

**H.B. 3090 (Vasut) – Power Generation:** would: (1) define “intermittent power generation facility” as a power generation facility with a power output that, in the course of the facility's ordinary and proper operation, cannot be predicted, controlled, or varied at will and includes a solar or wind generation facility; and (2) provide that an intermittent power generation facility, the construction of which began after September 1, 2021, may not operate in Texas unless the owner of the facility certifies to the Public Utility Commission that, in the event of a power output disruption at the facility: (a) the owner can supply or has a contract that guarantees the supply of not less than 50 percent of the facility's average output over a 48-hour period; and (b) the owner's additional or contracted power supply comes from: (i) a power generation facility with a power output that, in the course of the facility's ordinary and proper operation, can be predicted, controlled, or varied at will, including a hydroelectric, biomass, natural gas, coal, or nuclear generation facility; or (ii) an electric energy storage facility.

**H.B. 3177 (Rosenthal) – Power Generation:** would provide that a transmission and distribution utility, municipally owned utility, or electric cooperative that transmits or distributes power purchased at wholesale in the ERCOT power region may construct, own, and operate facilities as necessary to: (1) access transmission service from outside of the ERCOT power region; and (2) purchase power at wholesale from outside of the ERCOT power region.

**H.B. 3181 (Rosenthal) – Electric Emergency Preparedness:** would require the Public Utility Commission to: (1) adopt rules that require each provider of generation in the ERCOT power region to implement measures to prepare the provider's generation facilities to provide full electric generation service at ambient temperatures between 0 degrees Fahrenheit and 120 degrees Fahrenheit; and (2) reduce the base capacity rating of a generation facility that is operated in violation of a rule adopted under (1) by 10 percent annually until the generation facility is no longer in violation or until the base capacity rating is reduced to zero.

**H.B. 3182 (Rosenthal) – Gas Pipeline and Electric Emergency Preparedness:** would, among other things: (1) require the Public Utility Commission to adopt rules that require each provider of generation in the ERCOT power region to: (a) prepare, submit to the PUC, and update as
necessary an emergency operations plan for providing adequate electric generation service
during a weather emergency; and (b) implement measures to prepare generation facilities to
provide adequate electric generation service during a weather emergency; (2) require the PUC to
adopt rules that require each electric cooperative, municipally owned utility, and transmission
and distribution utility providing transmission or distribution service in the ERCOT power region
to: (a) prepare, submit to the PUC, and update as necessary an emergency operations plan for
maintaining service quality and reliability during a weather emergency; and (b) implement
measures to prepare facilities to maintain service quality and reliability during a weather
emergency; (3) provide that an emergency operations plans under (1) and (2) are public
information except for the portions considered confidential under the Public Information Act or
other state or federal law; (4) require the Railroad Commission to adopt rules regarding measures
gas pipeline facility operators must implement to prepare gas pipeline facilities to maintain
service quality and reliability during a weather emergency; (5) require the PUC to analyze the
emergency operations plans in (1) and (2) and prepare an annual weather emergency
preparedness report on power generation, transmission, and distribution for submission to the
lieutenant governor, the speaker of the house of representatives, and the members of the
legislature; and (6) provide that the PUC may require an updated report from a utility in (1) and
(2) if the PUC finds that an emergency operations plan on file does not contain adequate
information to determine whether the entity can provide adequate service during a weather
emergency.

H.B. 3183 (Rosenthal) – Gas Pipeline and Wells Emergency Preparedness: would, among
other things: (1) require the Railroad Commission to adopt rules that require an operator of a gas
well to: (a) implement measures to prepare the well to operate during sustained periods of cold
weather; and (b) provide to the RRC a biannual report of the efforts the operator has taken to
implement the measures required in (1)(a); (2) provide that a failure to submit a report under
(1)(b) is punishable by: (a) for a first violation, a fine of $5,000; and (b) for a subsequent or
continuing violation of more than four months: (i) a fine of $7,500; or (ii) a revocation of each
permit authorizing the operation of a well for which a report has not been submitted; (3) require
the RRC to submit an annual report to the legislature regarding the rules adopted under (1); (4)
require the RRC to adopt rules regarding measures gas pipeline facility operators must
implement to prepare gas pipeline facilities to maintain service quality and reliability during
sustained periods of cold weather, including requiring: (a) the installation of condensate drains in
pipelines; (b) that drains installed in (4)(a) be installed in a manner that ensures the drain remains
free of frost at all times; and (c) that valves, pumps, and other pressure-sensitive equipment be
protected from weather by insulation or heaters; (5) require a pipeline facility operator to submit
to the RRC a biannual report of the efforts the operator has taken to implement the measures in
(4)(c); and (6) provide that a failure to submit a report in (5) is punishable by: (a) for a first
violation, a fine of $5,000; and (b) for a subsequent or continuing violation of more than four
months: (i) a fine of $7,500; or (ii) a revocation of each permit authorizing the operation of the
pipeline facility.

H.B. 3213 (Sherman) – Electric and Gas Emergency Preparedness: would: (1) require the
Railroad Commission to adopt rules that require an operator of a gas well to implement measures
to prepare the well to operate during a weather emergency; (2) require the Public Utility
Commission to adopt rules that require each provider of generation in the ERCOT power region
to: (a) ensure that adequate maintenance and inspection of freeze protection elements is
done on a timely and repetitive basis; (b) inspect and maintain generating unit heat tracing
equipment; (c) inspect and maintain generating unit thermal insulation; (d) make a plan to erect
adequate windbreaks and enclosures, where needed; (e) develop and annually conduct winter-
specific and plant-specific operator awareness and maintenance training; (f) ensure that
winterization supplies and equipment are in place before the winter season; (g) ensure that
adequate staffing is in place for cold weather events; (h) take preventative action in anticipation
of cold weather events in a timely manner; (i) install insulation and heated pipes as necessary; (j)
use crushers to break up frozen coal; (k) ensure that equipment can withstand ambient
temperatures of -40 degrees Fahrenheit for at least two days; and (l) heat any wind turbines and
ensure that the turbines can withstand temperatures of -22 degrees Fahrenheit for at least two
days; (3) require the PUC to adopt rules that require each electric cooperative, municipally
owned utility, and transmission and distribution utility providing transmission or distribution
service in the ERCOT power region to: (a) ensure that transmission facilities are capable of
performing during cold weather conditions; (b) ensure that communications responsibility is
placed on more than one system operator or on several key personnel during an emergency; (c)
consider using persons who are not otherwise responsible for emergency operations for
communications during an emergency or likely emergency; (d) conduct critical load review for
gas production and transmission facilities and determine the level of protection such facilities
should be accorded in the event of system stress or load shedding; (e) train operators in proper
load shedding procedures and conduct periodic drills to maintain load shedding skills; (f) install
insulation and heated pipes as necessary; and (g) ensure that equipment can withstand ambient
temperatures of -40 degrees Fahrenheit for at least two days; and (4) require an independent
organization for the ERCOT power region to: (a) communicate with transmission and
distribution utilities, municipally owned utilities, and electric cooperatives about deteriorating
weather conditions in a timely manner; and (b) provide transmission and distribution utilities,
municipally owned utilities, and electric cooperatives with access to information about loads on
the systems of the utilities and cooperatives that could be curtailed by the organization to provide
operating reserves or as emergency interruptible load service.

**H.B. 3308 (Lucio III) – Storm Mitigation Special Districts:** would, among other things,
provide that: (1) the governing body of a local government may establish a program to create
districts to facilitate the use of conduit financing for certain storm mitigation and resiliency,
energy, water, and indoor air projects to record owners of real property; (2) a local government
shall be authorized to issue bonds, notes, and other evidences of indebtedness to provide loans
under the program; and (3) a local government may enter into a contract with the record owner
of property within a district to finance one or more qualified projects on the property and the
contract may provide for the repayment of the cost of a project through assessments on the
property benefited.

**H.B. 3362 (Reynolds) – Electricity:** would, among other things: (1) provide that a retail electric
customer is entitled to: (a) participate in demand response programs through retail electric
providers and demand response providers; and (b) receive notice from the retail electric provider
that serves the customer: (i) when the independent organization for the ERCOT power region
issues an emergency energy alert about low operating reserves to providers of generation in the
power region; or (ii) of imminent rolling outages and the length of time the outages are planned
or expected to last; (2) require the Public Utility Commission to adopt rules that require each retail electric provider in the ERCOT power region to create a residential demand response program to reduce the average total residential load by at least: (a) one percent of peak summer and winter demand by December 31, 2022; (b) two percent of peak summer and winter demand by December 31, 2023; (c) three percent of peak summer and winter demand by December 31, 2024; and (d) five percent of peak summer and winter demand by December 31, 2025; and (3) require the PUC to adopt rules that require all electric utilities, municipally owned utilities, and electric cooperatives that own transmission and distribution assets in this state to file and implement an outage plan that includes a plan for shutting off customer access to electricity in the event of the need for rolling outages to prevent brown-outs and black-outs. (Companion bills are S.B. 2052 by Menéndez and S.B. 2109 by Schwertner.)

**H.B. 3382 (Rogers)** – **Notice of Excavations**: would require, not later than two hours after the time the notification center receives a notice of intent to excavate from an excavator or from a different notification center, the notification center must notify each owner of land in the proposed area of excavation.

**H.B. 3412 (T. King)** – **Concrete Crushing Facilities**: would require the Texas Commission on Environmental Quality to require certain concrete crushing facilities to remove the aggregate produced by the facility not later than the 30th day after the expiration of the authorization to operate.

**H.B. 3460 (Hernandez)** – **Grant Program**: would: (1) require the comptroller to establish and administer a program to provide grants to local governments which may be used only to provide direct financial assistance to the local governments’ eligible residents who were affected by the winter disaster of 2021; (2) require the comptroller to establish: (a) the formula to be used to distribute the grants to local governments; (b) deadlines for the disbursement and spending of grant money; (c) a standardized application process to be used by each local government that receives a grant under the bill; and (d) procedures for: (i) monitoring the disbursements of grants by local governments to ensure compliance with the bill; and (ii) the return of grant money that was not used by a local government to provide direct financial assistance; (3) provide that a local government may: (a) use grant money awarded under the bill only for the purpose described by (1); (b) provide direct financial assistance to an eligible resident in any amount that is not less than $1,000 or more than $2,500 if the local government determines that the eligible resident was affected by the winter disaster of 2021; (c) prioritize the award of grants to eligible residents most in need of assistance, as determined by the local government; and (d) contract with a qualifying nonprofit to ensure the local government's eligible residents are made aware of the grant program; and (4) provide that the comptroller may solicit and accept gifts, grants, and donations from any source for the purpose of awarding grants under the bill.

**H.B. 3470 (Thierry)** – **Electricity**: would, among other things: (1) provide that the penalty for a violation of a reliability standard adopted by the independent organization or of a Public Utility Commission rule relating to reliability in the wholesale electric market may be in an amount not to exceed $100,000 and that each day a violation continues or occurs is a separate violation for purposes of imposing a penalty; (2) require the PUC to adopt rules to establish a classification system for violations of (1) based on various factors; (3) provide that the PUC may, on its own
motion, issue a cease and desist order: (a) after providing notice and an opportunity for a hearing if practicable or without notice or opportunity for a hearing; and (b) if the PUC determines the conduct of a person is fraudulent, among other things; (4) provide that the PUC may impose an administrative penalty against a person who violates a cease and desist order; (5) add certain additional requirements for certification of an independent organization for the ERCOT power region; (6) provide that a municipally owned utility or electric cooperative shall provide the utility's or cooperative's customers access to interconnection of distributed renewable generation and payment for surplus electricity produced; (7) require the governing body of a municipally owned utility or board of directors of an electric cooperative to provide oversight and adopt rates, rules, and procedures to allow interconnection and payment for surplus electricity on or before the 120th day after the date the governing body or board receives a bona fide request for interconnection; (8) require a municipally owned utility or electric cooperative that had retail sales of 500,000 megawatt hours or more in 2010 shall file the utility's or cooperative's interconnection and surplus electricity rates, rules, and procedures with the State Energy Conservation Office not later than January 1, 2022, and make timely updates to the filed rates, rules, and procedures; and (9) require the PUC to provide for access to easily comparable information regarding retail electric providers’ offers to residential distributed renewable generation owners for their surplus electricity on a website.

H.B. 3475 (Rose) – Load Shedding: would: (1) require the Public Utility Commission to adopt rules that require each electric utility, municipally owned utility, and electric cooperative to exclude any circuits that provide power to a grocery store from participation in the utility or cooperative’s attempt to shed load in response to a rolling black out initiated by an independent organization; and (2) provide that the PUC may adopt criteria to determine which grocery stores are entitled to be excluded from load shedding under (1).

H.B. 3476 (Schofield) – Certificates of Convenience and Necessity: would: (1) prohibit a city from requiring, as a condition of consent to grant a retail public utility a certificate of public convenience and necessity for a service area within the boundaries of the extraterritorial jurisdiction of a municipality, that all water and sewer facilities be designed and constructed in accordance with the municipality's standards for facilities; and (2) provide that the Public Utility Commission must include, as a condition of a certificate of public convenience and necessity granted for a service area within the extraterritorial jurisdiction of a city, that all water and sewer facilities be designed and constructed in accordance with the PUC’s standards for water and sewer facilities.

H.B. 3539 (Zwiener) – Natural Gas: would require the Railroad Commission to require storage facilities to maintain onsite generation necessary to pump gas from the facility for a minimum of 12 hours.

H.B. 3543 (Larson) – Bill Payment: would require: (1) the comptroller to establish a program to provide bill payment assistance using state money appropriated for that purpose to retail customers of municipally owned utilities, electric cooperatives, and retail electric providers in the ERCOT power region; and (2) the program in (1) to: (a) provide assistance only for unusually high bills for services provided after February 13, 2021, and before February 19, 2021; (b) establish criteria for determining whether a bill is unusually high; and (c) allow a customer to
apply for assistance to the municipally owned utility, electric cooperative, or retail electric provider that served the customer during the time period (a); and (d) require a municipally owned utility, electric cooperative, or retail electric provider that receives an application under (c) to: (i) submit the application to the comptroller; and (ii) provide to the customer any assistance sent by the comptroller to the utility, cooperative, or provider in response to the application.

**H.B. 3594 (Leach) – Concrete Plants**: would: (1) provide that, at the time a standard permit for a permanent concrete plant that performs wet batching, dry batching, or central mixing is filed with the Texas Commission on Environmental Quality (TCEQ), the central baghouse must be located at least 440 yards from a public or private airport; and (2) require the TCEQ by rule to prohibit the operation of a concrete crushing facility within 440 yards of a public or private airport.

**H.B. 3603 (Leach) – Concrete Plants**: would provide that if a concrete batch plant withdraws its application for a standard permit, the applicant may not submit an application for the same plant earlier than the 365th day after the date on which the original application is withdrawn.

**H.B. 3604 (Leach) – Concrete Plants**: would extend the distance within which a concrete plant or crushing facility must be from a single- or multi-family residence, school, or place of worship from 440 yards to 880 yards. (Companion bill is **S.B. 953 by Hinojosa**.)

**H.B. 3615 (P. King) – District Cooling Systems**: would: (1) define “district cooling system” as a system that produces chilled water at a central plant and pipes that water to buildings for air conditioning; (2) define “municipally owned utility” as, among other things, any district cooling system operated by the utility; (3) provide that information related to a chilled water program or program designed to used chilled water to reduce peak demand is not confidential as a public power utility competitive matter under the Public Information Act; and (4) and provide that information reasonably related to a municipally owned utility’s rate review process and how the city or municipally owned utility sets rates for electric service and chilled water service or any other service designed by the city or municipally owned utility to curb peak demand or shift load are subject to disclosure under the Public Information Act. (Companion bill is **S.B. 1470 by Buckingham**.)

**H.B. 3637 (Goodwin) – Mobile Source Emissions**: would: (1) establish the Texas Transportation Electrification Council, which is administratively attached to the Texas Department of Transportation; (2) require the council to: (a) develop a comprehensive plan for the development of public electric vehicle charging infrastructure and associated technologies in Texas through the year 2040; (b) provide policy recommendations that state agencies may adopt to encourage an adequate network of public electric vehicle charging infrastructure and associated technologies to meet the future electrified transportation needs in Texas; and (c) conduct an assessment of existing and planned public electric vehicle charging infrastructure and associated technologies in Texas; (3) provide that in performing the council’s duties, the council shall seek advice and input from municipally owned electric utilities and state and local transportation agencies, among others; (4) require the council to prepare and submit to the governor, the lieutenant governor, each member of the legislature, and relevant state and federal...
agencies a written report of the council's findings that includes the information in (2); and (5) require the Texas Commission on Environmental Quality to conduct a study on policies pertaining to the recovery and recycling of lithium-ion and other propulsion batteries sold with electric vehicles in Texas.

**H.B. 3639 (Lopez) – Utility Shutoffs**: would, among other things provide that: (1) not later than three hours after an electric utility, municipally owned utility, or electric cooperative intentionally shuts off electric power to a customer in response to an emergency event, the utility or cooperative shall notify the customer of the shutoff by e-mail or text message and the notice must include the following information: (a) the estimated time and date that the utility or cooperative will restore electric power to the customer; and (b) whether the shutoff is part of a rolling outage; and (2) not later than three hours after a retail public utility intentionally shuts off water service to a customer in response to an emergency event, the utility shall notify the customer of the shutoff by e-mail or text message and the notice must include the estimated time and date that the utility will restore water service to the customer.

**H.B. 3648 (Geren) – Natural Gas**: would require: (1) the Public Utility Commission to work with the Railroad Commission of Texas (RRC) and adopt rules to designate certain gas entities and facilities as critical during an energy emergency; (2) at a minimum, the PUC’s rules to: (a) ensure that transmission and distribution utilities, municipally owned utilities, electric cooperatives, and ERCOT are provided with the designations as required by (3), below; (b) provide for a prioritization for load-shed purposes of the entities and facilities designated under (1) during an energy emergency; and (c) provide discretion to transmission and distribution utilities, municipally owned utilities, and electric cooperatives to prioritize power delivery and power restoration among the customers on their respective systems, as circumstances require; and (3) that the RRC adopt rules that: (a) determine eligibility and designation requirements for persons owning, operating, or engaging in the activities under the RRC’s jurisdiction to provide critical customer designation and critical gas supply information, as defined by the RRC, to transmission and distribution utilities, municipally owned utilities, electric cooperatives, and ERCOT; and (b) consider essential operational elements when defining critical customer designations and critical gas supply information, including natural gas production, processing, transportation, and the delivery of natural gas to generators.

**H.B. 3650 (Lucio III) – Water and Sewer**: would, among other things, transfer the powers, duties, functions, programs, and activities of the Public Utility Commission of Texas relating to the economic regulation of water and sewer service, including the issuance and transfer of certificates of convenience and necessity, the determination of rates, and the administration of hearings and proceedings involving those matters from the PUC to the Texas Commission on Environmental Quality.

**H.B. 3693 (Fierro) – Load Shedding**: would require the Public Utility Commission to adopt rules that require each electric utility, municipally owned utility, and electric cooperative to exclude any circuits that provide power to a retailer or their distribution centers from participation in the utility's or cooperative's attempt to shed load in response to a rolling blackout initiated by an independent organization or another reliability council or power pool in which the utility or cooperative operates.
**H.B. 3696 (Deshotel) – Distributed Renewal Generation Resources**: would: (1) provide that “distributed renewable energy” means electric generation with a capacity of not more than 2,000 kilowatts provided by a renewable energy technology that is installed on a retail electric customer’s side of the meter; (2) provide that “small commercial customer” means a commercial customer having a peak demand of 1,000 kilowatts or less; (3) preempt a city from prohibiting or restricting the installation of a solar energy device by a residential or small commercial customer except to the extent: (a) a property owner’s association may prohibit the installation; or (b) the interconnection guidelines and interconnection agreement of a municipally owned utility serving the customer’s service area, the rules of the Public Utility Commission of Texas, or the protocols of an independent organization, limit the installation of solar energy devices due to reliability, power quality, or safety of the distribution system; and (4) provide that the bill does not apply to: (a) a transaction involving the sale or transfer of the real property on which a distributed renewable generation resource is located; (b) a person, including a person acting through the person's officers, employees, brokers, or agents, who markets, sells, solicits, negotiates, or enters into an agreement for the sale or financing of a distributed renewable generation resource as part of a transaction involving the sale or transfer of the real property on which the distributed renewable generation resource is or will be affixed; or (c) a third party that enters into an agreement for the financing of a distributed renewable generation resource. (Companion bill is S.B. 398 by Menéndez.)

**H.B. 3700 (Hernandez) – Load Shedding Calculations**: would, among other things require: (1) the Public Utility Commission to adopt rules that require each transmission and distribution utility, municipally owned utility, and electric cooperative in the ERCOT power region to submit annually to the independent organization certified for the ERCOT power region a determination of the utility's or cooperative's peak load for the summer season and peak load for the winter season; and (2) the independent organization certified for the ERCOT power region to make annual determinations of load shed percentages for use during emergency curtailment based on the peak load information submitted under (1).

**H.B. 3716 (Toth) – Bulk-Power System Equipment**: would require the Public Utility Commission (PUC) to: (1) adopt rules that prohibit the acquisition, importation, transfer, or installation of bulk-power system equipment in Texas as part of a transaction that the PUC determines presents an undue security or safety risk to the bulk-power system in Texas because of potential: (a) sabotage to or subversion of the design, integrity, manufacturing, production, distribution, installation, operation, or maintenance of the bulk-power system in Texas; or (b) catastrophic effects for the security or resiliency of critical infrastructure or the economy of Texas; (2) design or negotiate measures to mitigate risks described in (1); (3) require that a person acquiring, importing, transferring, or installing bulk-power system equipment in Texas incorporate a mitigation measure in the acquisition, importation, transfer, or installation; (4) establish and publish criteria for preapproving particular equipment and particular vendors in the bulk-power system equipment market as compliant with the bill; and (5) publish a list of pre-approved equipment and vendors. (Companion bill is S.B. 1488 by Hall.)

**H.B. 3717 (Burns) – Sale of Utility System**: would provide that a municipality is not required to hold an election to authorize the sale of a municipal retail water or sewer utility system if the
Texas Commission on Environmental Quality has issued a Notice of Violation to the utility system and the governing body of the municipality finds, by official action, that the municipality is either financially or technically unable to restore the system to compliance with the applicable law or regulations.

**H.B. 3727 (Middleton) – On-Site Sewage:** would require the Texas Commission on Environmental Quality to adopt rules governing the installation of on-site sewage disposal systems, including rules that allow for aerobic drip emitter systems to be installed on subdivided or platted properties less than one-half acre in size serving single-family residences that are supplied by a public drinking water system if site-specific planning materials have been: (1) submitted by a licensed engineer or registered sanitarian; and (2) approved by the appropriate authorized agent.

**H.B. 3749 (Lucio III) – Electricity During Extreme Weather:** would require: (1) the Public Utility Commission (PUC) to conduct regular inspections of facilities and equipment used by providers of generation in the ERCOT power region to ensure adequate weatherization preparedness for extreme weather conditions; (2) the PUC to publish a notification on its Internet website as soon as practicable after an independent organization for the ERCOT power region declares an emergency alert; (3) the PUC to adopt rules to develop a procedure for auditing emergency operations plans developed by: (a) electric utilities; (b) power generation companies; (c) municipally owned utilities; (d) electric cooperatives; (e) retail electric providers; and (f) the independent organization certified for the ERCOT power region; and (4) the governor to appoint a task force to study the actions of the PUC, the independent organization certified for the ERCOT power region, and electricity market participants during February 2021 in response to the extreme weather event of that month.

**H.B. 3750 (Lucio III) – Texas Water Development Board Financing:** would provide that: (1) a political subdivision may use financial assistance from the Texas Water Development Board (TWDB) to pay for the installation, maintenance, operation, and fueling of a backup power generator for a facility of a public water supply and sanitary sewer system; (2) assistance under the bill shall only be provided to political subdivisions that demonstrate an inability to pay for the installation, maintenance, operation, and fueling of a backup power generator described by (1) in accordance with TWDB rules; (3) if the TWDB determines that a political subdivision to which assistance has been provided under (1) is ineligible to receive the assistance, the board may seek reimbursement from the political subdivision; and (4) the TWDB shall adopt rules to implement the bill.

**H.B. 3792 (Shaheen) – Electric Grid Resilience:** would, among other things: (1) prohibit a city from enacting or enforcing an ordinance or other measure that bans, limits, or otherwise regulates inside the boundaries of the extraterritorial jurisdiction of the city a micro-grid that is certified by the Texas Grid Security Commission; and (2) require the Texas Grid Security Commission to establish resilience standards for cities in certain essential service areas. (Companion bill is **S.B. 1606 by Hall**.)

**H.B. 3912 (Hinojosa) – Weather Preparedness:** would, among other things: (1) require the Railroad Commission (RRC) to adopt rules that require an operator of a gas well to implement
measures to prepare the well to operate during a weather emergency; (2) provide that the rules in (1) must: (a) require an operator of a gas well to implement the required measures at the expense of the provider; and (b) require the provider to submit to the RRC an annual report that shows the costs of implementing the required measures and that the costs were paid out of the operator's net profits; (3) require the Public Utility Commission (PUC) to adopt rules that require each provider of generation in the ERCOT power region to implement measures to prepare generation facilities to provide adequate electric generation service during a weather emergency; (4) provide that the rules in (3) must: (a) require a provider of generation to implement the required measures at the expense of the provider; and (b) require the provider to submit to the PUC an annual report that shows the costs of implementing the required measures and that the costs were paid out of the provider's net profits; (5) require the PUC to adopt rules that require each electric cooperative, municipally owned utility, and transmission and distribution utility providing transmission or distribution service in the ERCOT power region to implement measures to prepare facilities to maintain service quality and reliability during a weather emergency; (6) require the PUC to conduct a study on the possible ways to provide funding for the measures required by the rules in (5) so that the cost of the measures is not paid by retail customers; (7) require the RRC to adopt rules regarding measures gas pipeline facility operators must implement to prepare gas pipeline facilities to maintain service quality and reliability during a weather emergency; and (8) require the RRC to conduct a study on the possible ways to provide funding for the measures required by the rules in (7) so that the cost of the measures is not paid by retail customers.

H.B. 3916 (Goldman) – Distributed Power: would, among other things, provide that: (1) no regulatory authority, planning authority, electric cooperative, municipally-owned utility, utility, or political subdivision may adopt or enforce an ordinance, resolution, regulation, code, order, policy, or other measure that has the purpose, intent, or effect of directly or indirectly banning, limiting, restricting, discriminating against, or prohibiting the synchronous connection or reconnection of distributed generation or the construction, maintenance, or installation of residential, commercial, or other public or private infrastructure to accommodate receipt of power from distributed generation; (2) if located in the ERCOT power region, a regulatory authority, planning authority, electric cooperative, municipally-owned utility, utility, or political subdivision will facilitate the sale of power from distributed generation into the ERCOT wholesale market at the option of the end-use customer and may, at the option of the end-use customer, either act as the Qualified Scheduling Entity to facilitate the wholesale sale of power from distributed generation or allow a third-party entity to provide such Qualified Scheduling Entity services; (3) an entity, including a regulatory authority, planning authority, electric cooperative, municipally-owned utility, utility, or political subdivision, may not impose any additional charge or pricing difference on a development, building permit applicant, ERCOT wholesale market access, or interconnection agreement for utility infrastructure that discourages or prohibits the connection or reconnection of distributed generation; and (4) the bill does not limit the ability of a regulatory authority or political subdivision to choose utility services for properties owned by the regulatory authority or political subdivision.

H.B. 4011 (Rodriguez) – Hardening of Certain Utilities: would repeal state law provisions that exempt utility facilities owned or controlled by a utility regulated by the Public Utility Commission from the requirement to harden utility facilities and critical infrastructure in order to maintain operations of essential services during a natural disaster.
**H.B. 4077 (C. Turner) – Water Service:** would provide that if for any reason water service furnished to a tenant is interrupted, the landlord must promptly notify the utility company that is responsible for providing water service of the interruption in service, including a utility company operated by a political subdivision.

**H.B. 4120 (Deshotel) – Electricity and Schools:** would provide that: (1) each electric utility that provides electric service to a retail customer shall offer to a school district or open-enrollment charter school served by the electric utility time-of-use rates to promote efficient: (a) charging of electric school buses; and (b) energy use in school buildings; (2) each transmission and distribution utility in the ERCOT power region shall offer to any retail electric provider in its service area that serves a school district or open-enrollment charter school a rate structure that allows the retail electric provider to offer time-of-use rates to the district or school to promote efficient: (a) charging of electric school buses; and (b) energy use in school buildings; (3) a regulatory authority shall provide a mechanism for approving a tariff in accordance with (1) and (2); (4) a school district or open-enrollment charter school may contract with an electric utility to: (a) install make-ready infrastructure on the utility's side of the meter required to facilitate interconnection of electric vehicle charging equipment, including a new service connection, transformer, conductor, connector, conduit, or meter; and (b) provide any necessary construction to comply with local regulations related to the charging equipment; (5) electric utilities shall use their best efforts to: (a) encourage and facilitate interconnection processes for school energy sources; and (b) provide information about distribution system capacity and needs to market providers of on-site distributed renewable generation, energy storage, and electric school buses; (6) a school district or open-enrollment charter school, or a person acting on behalf of a school district or open-enrollment charter school, may, without registering as a power generation company: (a) provide distribution system grid services using a school energy source or a combination of school energy sources; and (b) receive appropriate compensation for electricity sold under (6)(a); and (7) the independent organization for the ERCOT power region shall adopt rules or protocols to allow a school district or open-enrollment charter school, or a person acting on behalf of a school district or open-enrollment charter school, to sell energy and ancillary services from school energy sources in the wholesale market without registering as a power generation company. (Companion bill is S.B. 1303 by Blanco.)

**H.B. 4126 (Vasut) – Natural Gas and Electricity:** would provide that the following are false, misleading, or deceptive acts or practices prohibited under the Texas Deceptive Trade Practices Act: (1) taking advantage of a disaster declared by the governor or the president of the United States by selling or leasing natural gas or electricity at an exorbitant or excessive price; or (2) demanding an exorbitant or excessive price in connection with the sale or lease of natural gas or electricity.

**H.B. 4147 (Larson) – Water Rates:** would, among other things: (1) provide that any person entitled to receive or use water from any canal, ditch, flume, lateral, dam, reservoir, or lake or from any conserved or stored supply may present to the Texas Commission on Environmental Quality a written petition showing, among other things: (a) that the person is entitled to receive or use the water; (b) that the person is willing and able to pay the price demanded for the water; and (c) that the party owning or controlling the water supply fails or refuses to supply the
available water to the petitioner; (2) provide that the Public Utility Commission (PUC) may not fix a rate which a political subdivision may charge for water furnished to another political subdivision on a wholesale basis that is less than the amount required to meet: (a) the debt service and public security requirements of that political subdivision or that impairs the political subdivision's financial integrity; and (b) the costs of preparedness for weather emergencies; (3) provide that in any proceeding in which a rate charged under a written contract is challenged, the PUC must determine that the rate seriously harms the public interest before holding a hearing on or otherwise determining or prescribing just and reasonable rates; and (4) provide that a party adversely affected by a determination of the PUC that a rate charged under a written contract seriously harms the public interest may seek judicial review of the PUC’s determination before any PUC proceeding to determine or prescribe just and reasonable rates.

**H.B. 4161 (Frank) – Potable Reuse of Wastewater**: would: (1) define “direct potable reuse” as the introduction of treated reclaimed water either directly into a potable water system or into the raw water supply entering a drinking water treatment plant; and (2) require the Texas Commission on Environmental Quality (TCEQ) to develop and make available to the public a regulatory guidance manual to explain TCEQ rules that apply to potable reuse. (Companion bill is S.B. 905 by Perry.)

**H.B. 4224 (Bucy) – Weather Preparedness for Electricity**: would require the Public Utility Commission (PUC) to: (1) adopt rules to establish best practices and procedures for providers of generation in the ERCOT power region for, among other things: (a) winterization, including supplies, equipment, personnel, and preventative action checklists for preparations for extreme weather events; and (b) maintenance and inspections, especially of freeze protection elements; (2) adopt rules that require each provider of generation in the ERCOT power region to: (a) prepare, submit to the PUC, and update as necessary a plan for, among other things: (i) using the best practices and procedures to provide adequate electric generation service during a winter weather emergency; and (ii) conducting regular preventative maintenance for freeze protection elements; and (b) implement the plan submitted under (2)(a); (3) regularly inspect the facilities of providers of generation for compliance with rules adopted under (1) and (2); (4) adopt rules to establish best practices and procedures for electric cooperatives, municipally owned utilities, and transmission and distribution utilities providing transmission or distribution service in the ERCOT power region for, among other things: (a) winterization, including supplies, equipment, personnel, and preventative action checklists for preparations for extreme weather events; and (b) maintenance and inspections, especially of freeze protection elements; (5) adopt rules that require each electric cooperative, municipally owned utility, and transmission and distribution utility providing transmission or distribution service in the ERCOT power region to: (a) prepare, submit to the PUC, and update as necessary a plan for, among other things: (i) using the best practices and procedures to maintain service quality and reliability during a winter weather emergency; and (ii) conducting regular preventative maintenance for freeze protection elements; and (b) implement the plan submitted under (5)(b); and (6) regularly inspect facilities of electric cooperatives, municipally owned utilities, and transmission and distribution utilities providing transmission or distribution service in the ERCOT power region for compliance with rules adopted under (4) and (5).
**H.B. 4234 (Raymond) – Water Treatment Report:** would, among other things, require the Texas Commission in Environmental Quality and the Public Utility Commission to produce an annual report on water treatment facilities in Texas, which shall include: (1) for the year preceding the production of the report: (a) an analysis of events related to water treatment facilities and the consequences of those events; and (b) a summary of challenges experienced by the water treatment facilities or any vulnerabilities or system failures that were exposed; (2) projected: (a) changes in the physical condition of water treatment facilities, including expected wear and tear on the facilities; and (b) effects of population increase on the performance of water treatment facilities; and (3) the identification of means to prevent unplanned downtime for water treatment facilities in times of disaster.

**H.B. 4236 (Raymond) – ERCOT Reserve Margin:** would require: (1) the independent organization certified for the ERCOT power region to adopt a target planning reserve margin for ERCOT of not less than 15 percent of peak electric demand; and (2) the Public Utility Commission to adopt rules as necessary to achieve and enforce the minimum target planning reserve margin required under (1).

**H.B. 4264 (Shaheen) – Electric Utilities:** would require: (1) electric utilities, power generation companies, municipally owned utilities, and electric cooperatives that operate generation facilities in Texas to adopt and implement an electric service emergency operations plan for use during an emergency; and (2) the Public Utility Commission to analyze electric service emergency operations plans and prepare a weather emergency preparedness report on power generation weatherization preparedness.

**H.B. 4288 (Dominguez) – Utility Projects:** would: (1) require a municipality or water district to begin construction of a project for which the municipality or district raises a tax or utility rate not later than the first anniversary of the date the municipality or district initially raised that rate; and (2) provide that a violation of this timeframe would require the municipality or water district to: (a) lower the tax or utility rate to the rate in effect immediately before the rate was raised for the project that is the subject of the violation; and (b) refund to each taxpayer or ratepayer, as applicable, an amount equal to the amount paid by the taxpayer or ratepayer for the project that is the subject of the violation.

**H.B. 4332 (Zwiener) – Distributed Renewable Generation:** would, among other things: (1) provide that “distributed renewable energy” means electric generation with a capacity of not more than 2,000 kilowatts provided by a renewable energy technology that is installed on a retail electric customer’s side of the meter; (2) provide that “small commercial customer” means a commercial customer having a peak demand of 1,000 kilowatts or less; (3) preempt a city from prohibiting or restricting the installation of a solar energy device by a residential or small commercial customer except to the extent: (a) a property owner’s association may prohibit the installation; or (b) the interconnection guidelines and interconnection agreement of a municipally owned utility serving the customer’s service area, the rules of the Public Utility Commission of Texas, or the protocols of an independent organization, limit the installation of solar energy devices due to reliability, power quality, or safety of the distribution system; and (4) provide that the bill does not apply to: (a) transaction involving the sale or transfer of the real property on which a distributed renewable generation resource is located; (b) a person, including a person...
acting through the person's officers, employees, brokers, or agents, who markets, sells, solicits, negotiates, or enters into an agreement for the sale or financing of a distributed renewable generation resource as part of a transaction involving the sale or transfer of the real property on which the distributed renewable generation resource is or will be affixed; or (c) a third party that enters into an agreement for the financing of a distributed renewable generation resource; (5) require a city or a county to implement an online, automated permitting platform that verifies code compliance and instantaneously issues permits for a residential photovoltaic solar energy system or an energy storage system paired with a residential photovoltaic solar energy system consistent with the system parameters and configurations, including an inspection checklist; and (6) provide that a city or county with a population of less than 10,000 is exempt from (5).

**H.B. 4336 (Vasut) – Electric Transformers**: would provide that unless permitted by a municipality in which a residential property is located, a transmission and distribution utility may not require placement of a ground level electric transformer on the portion of the residential property that is adjacent to a public street.

**H.B. 4341 (Biedermann) – Aggregate Production Operations**: would, among other things, transfer the regulation of aggregate production operations from the Texas Commission on Environmental Quality to the Railroad Commission of Texas on delegation by the United States Environmental Protection Agency to the Railroad Commission authority to issue relevant permits.

**H.B. 4378 (Paddie) – Financial Stability of ERCOT**: would, among other things, require: (1) the Public Utility Commission (PUC) to adopt and enforce rules to promote adequacy of generation supply; (2) the rules adopted under (1) to require (a) appropriate price signals in the wholesale power market; and (b) seasonal or annual procurement of energy or generation capacity; (3) the PUC to ensure the costs of procuring adequate generation supply under the bill shall be equitably apportioned to market participants; and (4) the PUC to ensure that each participant in the wholesale power market posts sufficient collateral or otherwise provides sufficient assurance that it will meet its financial obligations incurred in high and low customer demand conditions.

**H.B. 4414 (Herrero) – Payment Assistance**: would require the Public Utility Commission to adopt rules to require municipally owned utilities, electric cooperatives, and retail electric providers in the ERCOT power region to waive any bill increases for retail electric customers who receive an unusually high bill for services provided during a state of disaster or emergency declared by the president of the United States or a state of disaster declared by the governor.

**H.B. 4424 (J. González) – Gas Utilities**: would: (1) remove incentive compensation from the definition of “employee compensation and benefits”; and (2) provide that, when establishing an electric utility’s rates, the regulatory authority – including a city – shall presume that employee compensation and benefits expenses are reasonable and necessary, if the expenses are consistent with recent market compensation studies not earlier than three years before the initiation of the proceedings to establish the rates.
**H.B. 4430 (E. Thompson) – Power Generation Resiliency Loan Program:** would: (1) require the Public Utility Commission (PUC) to establish a power generation resiliency program to award loans to owners of power generation facilities for the purpose of improving the facilities to prevent facility failures; (2) require the PUC to adopt rules to establish criteria for projects that qualify for a loan under (1); (3) establish the power generation resiliency revolving account in the general revenue fund for the purposes of providing loans to power generators under the resiliency program in (1); and (4) provide that the account in (3) consists of: (a) appropriations of money to the account by the legislature; (b) gifts, donations, and grants, including federal grants; (c) payments on loans made under (1); and (d) interest earned on the investment of the money in the account.

**H.B. 4462 (Hinojosa) – Electricity Storage:** would require the Public Utility Commission, in coordination with the independent organization for the ERCOT power region, to adopt rules necessary to meet the goal of having electric energy storage capacity to meet twenty percent of peak summer and winter demand within ERCOT by December 31, 2026.

**H.B. 4542 (Martinez Fischer) – Municipally Owned Utilities:** would provide that a municipally owned utility that transmits or distributes power purchased at wholesale in ERCOT may make requests, obtain approvals, enter into contracts, and construct facilities as necessary to: (1) access transmission service from outside of ERCOT; and (2) purchase power at wholesale from outside of ERCOT.

**H.B. 4557 (Anchia) – Utilities and Billing:** would, among other things, provide that: (1) any telecommunications provider, retail electric provider, or electric utility may not charge a customer's telephone or retail electric bill a fee for any amount directly or indirectly related to a power outage due to a mechanical failure incurred by the billing utility; (2) if a customer's telephone or retail electric bill is charged a fee for any amount directly or indirectly related to a power outage, the billing utility must provide the customer written notice of such charge, which must be: (a) referred to as "BLACKOUT FEES"; (b) printed on the first page of the customer's bill; and (c) in type that is at least 10-point font, boldfaced, capitalized, underlined, and otherwise set out from surrounding written material so as to be conspicuous with other information on the customer's bill; (3) the Texas Division on Emergency Management (TDEM), with the cooperation of the office of the governor, the Public Utility Commission, and ERCOT, shall develop and implement a statewide disaster alert system to activate in the event of a disaster affecting any location in Texas; and (4) a participating local governmental entity in the alert system in (3) shall, in coordination with TDEM, choose the manner in which the alert system is activated and notifications are issued within the entity's geographic region.

**H.B. 4562 (Anchia) – Extreme Weather Emergency Preparedness:** would, among other things: (1) define “extreme weather emergency” as a period when: (a) the previous day's highest temperature did not exceed 10 degrees Fahrenheit and the temperature is predicted to remain at or below that level for the next 24 hours according to the nearest National Weather Service reports; or (b) the National Weather Service issues a heat advisory for any county in the relevant service territory, or when such an advisory has been issued on any one of the previous two calendar days; (2) require the Railroad Commission (RRC) to adopt rules to require each provider of gas supply for generation in the ERCOT power region to: (a) implement measures to
prepare generation facilities, including weatherization protocols and standards, to provide adequate supply during an extreme weather emergency; (b) make all reasonable efforts to prevent interruptions of gas supply during an extreme weather emergency; (c) reestablish supply within the shortest possible time, should an interruption occur due to an extreme weather emergency; and (d) make reasonable efforts to manage emergencies resulting from a failure of service caused by an extreme weather emergency, including issuing instructions to its employees on procedures to be followed in the event of an extreme weather emergency; (3) provide that the rules in (2) may not neglect any local neighborhood or geographic area, including rural areas, communities of less than 1,000 people, and low-income areas; (4) require the RRC to adopt rules that require each gas producer providing supply intended for generation in the ERCOT power region to: (a) register with the transmission distribution utility serving the power for the location of the gas wellhead, equipment or facility, as critical infrastructure; (b) contact the transmission distribution utility providing the power to the gas wellhead, equipment or facility within 4 hours after power is lost during an extreme weather emergency; and (c) report outages of power to gas wellheads, equipment or a facility providing gas for supply of electric generation in the ERCOT region within 4 hours of notification or knowledge of power loss and during an extreme weather emergency; and (5) require the RRC to require incident reports for power outages that result in a loss of gas supply intended for electric generation in the ERCOT market.

H.B. 4567 (Anchia) – System Benefit Fund: would provide that: (1) money in the system benefit fund may be appropriated to provide funding solely for certain regulatory purposes; and (2) at the top of the priority list for the funding in (1) are programs to provide bill payment assistance to low-income electric customers who during the time of a declared disaster that occurred in year 2021 or after had an indexed plan, or a variable rate plan, and have been impacted by high energy bills as a result of the declared natural disaster.

H.J.R. 2 (Huberty) – State Utilities Reliability Fund: would amend the Texas Constitution to, among other things, provide that: (1) the State Utilities Reliability Revenue Fund is created as a special fund in the state treasury outside the general revenue fund, which shall be administered, without further appropriation, by the Texas Water Development Board or that board's successor in function; and (2) provide that the State Utilities Reliability Fund shall serve as a utility infrastructure bank in order to enhance the financing capabilities of the Texas Water Development Board or that board's successor in function under a revenue bond program designed to enhance the reliability of water, electricity, natural gas and broadband utilities in Texas, including utilities owned by public and private entities, by supporting projects to weatherize facilities and to provide adequate capacity during periods of high demand. (See H.B. 2000, above.)

S.B. 3 (Schwertner) – Utility Preparedness: would, among other things:

1. define “energy emergency alert” as an alert issued by an independent organization that power supply on a regional electric network in Texas may be inadequate to meet demand;
2. provide that with the cooperation of the Texas Department of Transportation, the office of the governor, and the Public Utility Commission of Texas (PUC), the Texas Department of Emergency Management (TDEM) shall develop and implement a statewide alert to be activated when an energy emergency alert is issued;
require TDEM to create a page on its Internet website for each state of disaster declared by the governor to provide information to the public about that disaster;

4. establish the Texas Energy Reliability Council to ensure that high priority human needs are met in the event of necessary curtailment of natural gas distribution or supplies;

5. require the Railroad Commission (RRC) to adopt rules to require an operator of a gas well to implement measures to prepare the well to operate during a weather emergency;

6. require the RRC to adopt rules to require an operator of a gas well that experiences repeated or major weather-related forced interruptions of production to: (a) contract with a person who is not an employee of the provider to assess the operator's weatherization plans, procedures, and operations; and (b) submit the assessment to the RRC;

7. provide that if the RRC determines that a person has violated a rule adopted under (5) or (6), the RRC shall notify the attorney general of the violation and the attorney general shall initiate a suit to recover a penalty for the violation;

8. provide that a person who violates a provision of a rule adopted under (5) or (6) is liable for a penalty of not more than $1,000,000 for each offense;

9. provide that a municipally owned utility shall regularly provide with bills sent to retail customers of the utility information about: (a) the utility's procedure for implementing rolling blackouts; (b) the types of customers who may be considered critical customers or critical load according to PUC rules; (c) the procedure for a customer to apply to be considered a critical customer or critical load according to PUC rules adopted; and (d) reducing electricity use at times when rolling blackouts may be implemented;

10. require the PUC to adopt rules to require each municipally owned utility, electric cooperative, qualifying facility, power generation company, or exempt wholesale generator, that provides generation service to implement measures to prepare the provider's generation assets to provide adequate electric generation service during a winter weather emergency according to reliability standards adopted by the PUC;

11. require the PUC to adopt rules that require a provider of generation service described by (10) that experiences repeated or major weather-related forced interruptions of service to: (a) contract with a person who is not an employee of the provider to assess the provider's weatherization plans, procedures, and operations; and (b) submit the assessment to the PUC and the independent organization for the ERCOT power region;

12. provide that the penalty for a violation of (10) or (11) may be in an amount not to exceed $1,000,000 for a violation and each day a violation continues or occurs is a separate violation for purposes of imposing a penalty;

13. require the PUC to adopt rules that require each electric cooperative, municipally owned utility, and transmission and distribution utility providing transmission service in the ERCOT power region to implement measures to prepare the cooperative's or utility's facilities to maintain service quality and reliability during a winter weather emergency according to standards adopted by the PUC;

14. require the PUC to impose an administrative penalty on a person who violates a rule adopted under (13);

15. require the PUC to adopt a system to allocate load shedding among electric cooperatives, municipally owned utilities, and transmission and distribution utilities providing transmission service in the ERCOT power region during a rolling blackout initiated by an independent organization for the region;
provide that a retail electric provider may not offer a contract for service at a variable rate;

require the PUC to adopt rules to require the operator of a wind power generating unit or solar power generating unit providing output in the ERCOT power region to: (a) commit to the independent organization for the ERCOT power region to provide a specific load; and (b) if the operator cannot meet the load commitment using the generating unit, meet the load commitment using electric energy storage or through a purchase from another generating unit;

require the RRC to adopt rules regarding measures gas pipeline facility operators must implement to prepare gas pipeline facilities to maintain service quality and reliability during extreme weather conditions;

require the RRC to adopt rules to require a gas pipeline facility operator that experiences repeated or major weather-related forced interruptions of service to: (a) contract with a person who is not an employee of the provider to assess the operator's weatherization plans, procedures, and operations; and (b) submit the assessment to the RRC; and

require the RRC to assess an administrative penalty the penalty for each violation of (18) not to exceed $1,000,000 and each day a violation continues may be considered a separate violation for the purpose of penalty assessment.

**S.B. 182 (Schwertner) – Municipally-Owned Utilities**: would: (1) require certain municipally-owned electric utilities (MOUs) to provide customer choice if the five-year average electric rate paid by customers of a MOU is 10 percent greater than the five-year average electric rate paid by customers in a similarly situated region open to customer choice; (2) require the Public Utility Commission (PUC) to make an electric rate comparison of approximately one-fifth of MOUs located in the ERCOT power region and not open to customer choice by comparing the average electric rate paid in the previous five years by: (a) customers of the MOU; and (b) customers who are located in a region that is open to customer choice and similarly situated to the region served by the utility, as determined by the PUC; and (3) provide that the PUC may not make a rate comparison of an MOU if the MOU was the subject of a rate comparison under (2) in the previous four years.

**S.B. 211 (Zaffirini) – TCEQ Judicial Review**: would, among other things, create a uniform deadline of 30 days to appeal an order, decision, or other act of the Texas Commission on Environmental Quality (TCEQ) for both water and solid waste orders.

**S.B. 304 (Eckhardt) – Zero-Carbon Electric Generation**: would: (1) define “zero-carbon energy technology” as a technology that relies exclusively on an energy source that does not emit a greenhouse gas in the production of electricity; (2) provide that it is the intent of the legislature that the amount of electric power generated in Texas from zero-carbon energy technology for delivery by a retail electric provider, municipally owned utility, or electric cooperative each year will increase to meet the following percentages on or before the specified dates: (a) by January 1, 2025, not less than 65 percent of the annual total; (b) by January 1, 2030, not less than 85 percent of the annual total; and (c) by January 1, 2035, 100 percent of the annual total; (3) require the Public Utility Commission (PUC) to promulgate rules that: (a) establish the minimum annual zero-carbon energy technology generation requirement for each retail electric provider, municipally owned utility, and electric cooperative operating in this state in a manner designed
to produce, on a statewide basis, compliance with the requirement prescribed by (2), above; and (b) specify reasonable standards that zero-carbon energy generation must meet to count toward compliance with the requirement in (2), above; (c) establish a zero-carbon energy generation credits trading program; (d) establish a means for a retail electric provider, municipally owned utility, or electric cooperative to satisfy the requirements of (2), above, by generating electricity using biomass fuel instead of directly owning or purchasing energy generated using zero-carbon energy technologies; and (e) establish a carbon offset alternative payment program; and (4) provide that the PUC may cap the price of zero-carbon energy credits and may suspend the goal established by (2), above, as necessary to protect the reliability and operation of the grid.

**S.B. 307 (Eckhardt) – Transmission of Water for Wholesale Service**: would provide that a person may transmit potable water by pipeline of more than 24 inches in diameter across two or more county lines for the purpose of providing wholesale water service only if the person is a local government corporation created to aid and act on behalf of the counties through which the pipeline travels.

**S.B. 364 (Miles) – Clean Air Act Affirmative Defenses**: would repeal provisions allowing the Texas Commission on Environmental Quality to establish affirmative defenses for enforcement actions if a facility has an emission event that results in the unauthorized emissions of air contaminates from one or more emissions points at a regulated entity.

**S.B. 365 (Miles) – Environmental Justice Reports**: would:

1. define “affecting facility” as a facility required to obtain a permit from the Texas Commission on Environmental Quality (TCEQ) for wastewater discharge, injection wells, and under the Solid Waste Disposal Act and Clean Air Act;
2. define “environmental justice community” as a United States census block group, as determined in accordance with the most recent United States census, for which: (a) 30 percent or more of the noninstitutionalized population consists of persons who have an income below 200 percent of the federal poverty level; or (b) 50 percent or more of the population consists of members of racial minority or ethnic minority groups;
3. require that a person applying for a permit for a new affecting facility or the expansion of an affecting facility submit to TCEQ an environmental justice report stating whether the facility or expansion is to be located in an environmental justice community and include demographic information to support the applicant’s conclusion as to whether the facility or expansion is to be located in an environmental justice community;
4. require that TCEQ review the environmental justice report and determine whether the affecting facility or expansion is to be located in an environmental justice community and publish its determination and findings in writing;
5. provide that if TCEQ determines that the affecting facility or expansion is to be located in an environmental justice community, the applicant must, before TCEQ may issue a permit: (a) file with TCEQ a public participation plan that meets the requirements of (6), below, and obtain TCEQ ’s approval of the plan; (b) consult with the chief elected official of the city in which the facility or expansion is to be located (if it will be located in a city) to evaluate the need for a community environmental benefit agreement in accordance with (8), below; and (c) participate in a public hearing under (7), below;
6. provide that a public participation plan must: (a) contain measures to facilitate effective public participation in the regulatory process, including measures that allow residents of the environmental justice community to have an appropriate opportunity to participate in decisions about a proposed affecting facility or expansion that may adversely affect residents’ environment or health, and seek out and facilitate the participation of those who potentially would be affected by the facility or expansion; and (b) include a certification that the applicant will undertake the measures contained in the plan;

7. provide that, if TCEQ determines that an affecting facility or expansion is to be located in an environmental justice community, TCEQ shall provide notice and conduct a hearing to address issues of environmental justice posed by the construction or expansion of the facility;

8. provide that a city or county and the owner or developer of an affecting facility may enter into a community environmental benefit agreement under which the owner or developer agrees to mitigate adverse impacts reasonably related to the facility, including impacts on the environment, traffic, parking, and noise; and

9. provide that, before negotiating the terms of a community environmental benefit agreement, the city or county shall provide a reasonable and public opportunity for residents of the potentially affected environmental justice community to be heard concerning the need for, and terms of, an agreement.

**S.B. 366 (Miles) – TCEQ Administrative Penalties:** would: (1) provide that the amount of an administrative penalty assessed by the Texas Commission on Environmental Quality may not be less than $250 a day for each violation; and (2) the minimum penalty provision in (1), above, does not apply to an administrative penalty assessed against a facility operator who violates the Public Employer Community Right-to-Know Act or the Nonmanufacturing Facilities Community Right-to-Know Act.

**S.B. 387 (Schwertner) – Appeal Water Service Rates in ETJ:** would provide that:

1. a ratepayer for water or sewer service in the extraterritorial jurisdiction of a municipality may appeal the rates for that service to the Public Utility Commission (PUC) if the rates for the service increase when a new service provider takes over the provision of the service, and the retail public utility that is the new service provider is:
   a. subject to the appellate jurisdiction of the PUC for the service area as:
      i. a nonprofit water supply or sewer service corporation;
      ii. an utility under the jurisdiction of a municipality inside the corporate limits of the municipality;
      iii. a municipally owned utility, if the ratepayers reside outside the corporate limits of the municipality;
      iv. a certain type of district or authority that provides water or sewer service to household users; and
      v. an utility owned by an affected county, if the ratepayer's rates are actually or may be adversely affected; or
   b. the utility is a municipality or utility or water supply corporation rendering retail water service without a certificate of public convenience and necessity;
2. A ratepayer may appeal the increased rates by filing a petition for review with the PUC and the service provider not later than the 90th day after the effective date of the increased rates;
3. The petition in (2), above, must be signed by the lesser of 10,000 or 10 percent of the ratepayers whose rates have been increased due to the takeover by the new service provider;
4. Among other things, the PUC shall hear the appeal de novo and shall fix in its final order the rates the governing body of the provider should have fixed and may consider only:
   a. The information that was available to the governing body that approved the increased rates at the time the governing body approved the rates; and
   b. Evidence of reasonable expenses incurred by the service provider in the appeal proceedings;
5. The rates established by the PUC remain in effect until the first anniversary of the effective date proposed by the service provider for the rates being appealed or until changed by the service provider, whichever date is later, unless the PUC determines that a financial hardship exists;
6. Provide that the PUC may, on a motion by the PUC or by the appellant, establish interim rates to be in effect until a final decision is made under (4), above;
7. In an appeal under the bill, the PUC shall use a methodology that preserves the financial integrity of the service provider and ensure that every rate made, demanded, or received by the service provider is just and reasonable and that rates may not be unreasonably preferential, prejudicial, or discriminatory but must be sufficient, equitable, and consistent in application to each class of customers; and
8. A ratepayer described by (1), above, may use the appeal process in the bill to appeal increased rates charged to the ratepayer by a new service provider by filing a petition for review with the PUC and the service provider not later than December 1, 2021, if the new service provider began providing service to the ratepayer on or after September 1, 2016.

**S.B. 398 (Menéndez) – Distributed Renewal Generation Resources:** Would: (1) provide that “distributed renewable energy” means electric generation with a capacity of not more than 2,000 kilowatts provided by a renewable energy technology that is installed on a retail electric customer’s side of the meter; (2) provide that “small commercial customer” means a commercial customer having a peak demand of 1,000 kilowatts or less; (3) preempt a city from prohibiting or restricting the installation of a solar energy device by a residential or small commercial customer except to the extent: (a) a property owner’s association may prohibit the installation; or (b) the interconnection guidelines and interconnection agreement of a municipally owned utility serving the customer’s service area, the rules of the Public Utility Commission of Texas, or the protocols of an independent organization, limit the installation of solar energy devices due to reliability, power quality, or safety of the distribution system; and (4) provide that the bill does not apply to: (a) transaction involving the sale or transfer of the real property on which a distributed renewable generation resource is located; (b) a person, including a person acting through the person's officers, employees, brokers, or agents, who markets, sells, solicits, negotiates, or enters into an agreement for the sale or financing of a distributed renewable generation resource as part of a transaction involving the sale or transfer of the real property on which the distributed renewable
generation resource is or will be affixed; or (c) a third party that enters into an agreement for the financing of a distributed renewable generation resource.

**S.B. 582 (Lucio) – Municipally-Owned Utilities:** would provide that a municipality is not required to hold an election to authorize the sale of a municipal retail water or sewer utility system if the governing body of the municipality finds by official action that a condition exists to justify the sale.

**S.B. 597 (Zaffirini) – Municipal Drainage Service Charges:** would: (1) authorize a city to exempt property from all or a portion of drainage charges if the property is used as a principle residence of an individual who is a disabled veteran, 65 years of age or older, a veteran of the armed forces of the United States, or a member of the armed services of the United States on active deployment; and (2) authorize a city to impose additional eligibility requirements for an exemption under (1). (Companion bill is **H.B. 824 by Bucy**.)

**S.B. 668 (Menéndez) – Confidentiality of Government-Operated Utility Customer Information:** would: (1) provide that information is excepted from disclosure under the Public Information Act if it is information maintained by a government-operated utility that: (a) discloses whether services have been discontinued or are eligible for disconnection by the government-operated utility; or (b) is collected as part of an advanced metering system for usage, services, and billing, including amounts billed or collected for utility usage, except that all such information is to be made available to that customer or their designated representative; (2) amend the existing confidentiality provision for personal and utility usage information for government-operated utility customers by making that information confidential unless the customer requests that the government-operated utility disclose such information on an appropriately marked form or other written request for disclosure (Note: current law makes personal information and utility usage information confidential only if the customer elects to keep the information confidential on a form provided by the government-operated utility); and (3) provide that a government-operated utility may post notice of the customer’s right to request disclosure of personal and utility usage information, along with the form to elect for disclosure, on the government-operated utility’s website in lieu of sending the notice and form with each customer’s utility bill. (Companion bill is **H.B. 872 by Bernal**.)

**S.B. 744 (Springer) – Electric Utilities:** would, among other things, require an electric utility to create and post on its website a map of Feeder lines and all other lines that connect a substation to the area where power is to be finally distributed to the consumers.

**S.B. 784 (Creighton) – Municipal Water Rates:** would provide that a city or a municipally owned utility may not establish a rate, applicable only to entities that qualify for a sales tax or property tax exemption, that is higher than a rate established for entities that receive comparable utility services. (Companion bill is **H.B. 2224 by C. Bell**.)

**S.B. 817 (Gutierrez) – Winterization for Electric Utilities:** would:

1. require the Public Utility Commission to require electric utilities, power generation companies, municipally owned utilities, and electric cooperatives that operate generation facilities in Texas to:
a. prepare for extreme weather events to ensure reliable operation, meaning operating the elements of the power system within equipment and electric system thermal, voltage and stability limits, so that instability, uncontrolled separation or cascading will not occur as a result of a sudden disturbance, including a cybersecurity incident or unanticipated failure of system elements;
b. obtain or perform a comprehensive engineering analysis to identify potential freezing problems or other cold weather operational issues;
c. ensure that its heat tracing, insulation, lagging and wind breaks are designed to maintain water temperature (in those lines with standing water) at or above 40 degrees when ambient temperature, taking into account the accelerated heat loss due to wind, falls below freezing;
d. determine the duration that a power system can maintain water, air, or fluid systems above freezing when offline, and have contingency plans for periods of freezing temperatures exceeding this duration;
e. establish policies that make winter preparation a priority each fall, establish personnel accountability and audit procedures, and reinforce the policies annually;
f. develop a winter preventive maintenance program for its freeze protection elements, which should specify inspection and testing intervals both before and during the winter, and at the end of winter, an additional round of inspections and testing should be performed and an evaluation made of freeze protection performance, in order to identify potential improvements, required maintenance, and freeze protection component replacement for the following winter season;
g. prioritize repairs identified by the inspection and testing the proper functioning of freeze protection systems will be completed before the following winter;
h. perform an assessment for each generating unit to determine the proper placement of temporary or permanent wind breaks or enclosures to protect and prevent freezing of critical and vulnerable elements during extreme weather, including in enclosed or semi-enclosed spaces and provide that temporary wind breaks should be designed to withstand high winds, and should be fabricated and installed before extreme weather begins;
i. install thermometers in rooms containing equipment sensitive to cold and in freeze protection enclosures to ensure that temperature is being maintained above freezing and to determine the need for additional heaters or other freeze protection; and
j. fulfill any other standard adopted by the commission by rule concerning extreme weather preparedness;

2. require, before each winter begins and before a forecast freezing weather, electric utilities, power generation companies, municipally owned utilities, and electric cooperatives that operate generation facilities in this state shall inspect, test, or maintain:
a. the power supply to all heat trace circuits, including all breakers and fuses;
b. the continuity of all heat trace circuits, check the integrity of all connections in the heat trace circuits, and ensure that all insulation on heat traces is intact;
c. all heat trace controls or monitoring devices for proper operation, including but not limited to thermostats, local and remote alarms, lights, and monitoring cabinet heaters;
d. the amperage and voltage for its heat tracing circuits and calculate whether the circuits are producing the output specified in the design criteria, and maintain or repair the circuits as needed;

e. all accessible thermal insulation and verify that there are no cuts, tears, or holes in the insulation, or evidence of degradation; and

f. the valves and connections are insulated to the same temperature specifications as the piping connected to it;

3. require electric utilities, power generation companies, municipally owned utilities, and electric cooperatives that operate generation facilities in Texas to train their personnel annually to increase awareness of the capabilities and limitations of the freeze protection monitoring system, proper methods to check insulation integrity and the reliability and output of heat tracing, and prioritization of repair orders when problems are discovered;

4. require that, during an extreme weather event, electric utilities, power generation companies, municipally owned utilities, and electric cooperatives that operate generation facilities in Texas to:

a. schedule additional personnel for around-the-clock coverage of the power system; and

b. drain any non-critical service water lines in anticipation of severe cold weather; and

5. provide that a violation of Numbers 1-4, above that interrupts the delivery of water, electric, or gas utility service in Texas is punishable by a fine to not exceed $100,000 for each day the system remains in violation.

S.B. 830 (Zaffirini) – Certificates of Convenience and Necessity: would provide that the Public Utility Commission by rule shall require the municipality or franchised utility to submit a report to the PUC verifying that the municipality or franchised utility has paid all required adequate and just compensation to the retail public utility for obtaining the Certificate of Convenience and Necessity for an annexed area previously served by the retail public utility. (Companion bill is H.B. 837 by Lucio.)

S.B. 845 (Zaffirini) – Weatherization of Utilities: would, among other things: (1) require the Public Utility Commission to adopt minimum weatherization standards for electric utilities, transmission and distribution utilities, electric cooperatives, municipally owned utilities, and generation providers that ensure services remain reasonably reliable in extreme weather conditions; (2) impose an administrative penalty on utilities that fail to comply with (1) as follows: (a) 30 days after a violator is notified that a violation has been identified, the PUC shall impose of a penalty of not less than $25,000, unless: (i) the violator has requested a second inspection by the PUC during which they demonstrate the violation was remedied; or (ii) the violator has submitted a plan regarding how the violation will be cured, including a date by which the corrective measures will be complete, that is approved by the PUC; (b) 31 days after a violator is notified that a violation has been identified, the PUC shall impose a minimum administrative penalty of not less than $2,500 for each day it continues; (c) 91 days after a violator is notified that a violation has been identified, the PUC shall impose a minimum administrative penalty of not less than $5,000, but not to exceed $25,000, per day for each day it continues; and (3) provide that the imposition of administrative penalties for a violation under (1)
will cease upon completion of a second inspection conducted by the PUC during which they find the violation was remedied.

**S.B. 853 (Menéndez) – Texas Energy and Communications Commission**: would establish the Texas Energy and Communications Commission to consolidate the functions of the Public Utility Commission of Texas and the Railroad Commission of Texas. (Companion bill is **H.B. 2381 by Larson**.)

**S.B. 905 (Perry) – Potable Reuse of Wastewater**: would: (1) define “direct potable reuse” as the introduction of treated reclaimed water either directly into a potable water system or into the raw water supply entering a drinking water treatment plant; and (2) require the Texas Commission on Environmental Quality to develop and make available to the public a regulatory guidance manual to explain TCEQ rules that apply to potable reuse.

**S.B. 952 (Hinojosa) – Concrete Batch Plants**: would require a plot plan for an application for a standard permit for a concrete batch plant issued by the Texas Commission on Environmental Quality. (Companion bill is **H.B. 416 by Walle**.)

**S.B. 953 (Hinojosa) – Concrete Plants**: would extend the distance within which a concrete plant or crushing facility must be from a single- or multi-family residence, school, or place of worship from 440 yards to 880 yards. (Companion bill is **H.B. 56 by Jarvis Johnson**.)

**S.B. 997 (Nichols) – Water and Sewer Rates**: would, among other things: (1) provide that the Public Utility Commission may not hold a hearing or otherwise prescribe just and reasonable amounts to be charged under a contract for the rates a municipally owned utility charges if it furnishes wholesale water or sewer service to another political subdivision unless the PUC determines the amount charged under the contract harms the public interest; and (2) provide a judicial review process to challenge a PUC decision in (1). (Companion bill is **H.B. 3079 by Larson**.)

**S.B. 1039 (Eckhardt) – Surface Water and Groundwater Study**: would establish an advisory board to study surface water and groundwater interaction and require the board to provide a report of its findings to the governor, lieutenant governor, speaker of the house of representatives, and each member of the legislature. (Companion bill is **H.B. 2652 by Larson**.)

**S.B. 1209 (Schwertner) – Concrete Plants**: would, among other things, provide that at a Texas Commission on Environmental Quality (TCEQ) meeting or hearing regarding the issuance or renewal of a standard permit for certain aggregate production operations and concrete batch plants TCEQ shall: (1) accept written questions about the facility from the public until the 15th day before the date of the hearing or meeting; and (2) not later than the 14th day before the date of the hearing or meeting, notify certain entities (including each city and county in which the facility is located or proposed to be located) of the date, time, and place of the hearing or meeting. (Companion bill is **H.B. 1912 by Wilson**.)

**S.B. 1242 (Buckingham) – Electricity**: would, among other things, provide that in an application proceeding for a municipally owned utility seeking a certificate for a new
transmission line or facility in the extraterritorial jurisdiction of the municipality, an electric utility may file a motion requesting that the Public Utility Commission consider granting the certificate to the electric utility.

**S.B. 1261 (Birdwell) – Greenhouse Gases**: would: (1) provide that to the extent not preempted by federal law, the state has exclusive jurisdiction over the regulation of greenhouse gas emissions in Texas; and (2) preempt a city or other political subdivision from enacting or enforcing an ordinance or other measure that directly or indirectly regulates greenhouse gas emissions.

**S.B. 1262 (Birdwell) – Restriction on Regulation of Utility Services**: would: (1) define “regulatory authority” as the Public Utility Commission, Railroad Commission, or the governing body of a municipality, in accordance with the context; (2) define “utility” as a person, company, or corporation engaged in furnishing water, gas, telephone, light, power, or sewage service to the public; (3) prohibit a regulatory authority, planning authority, or political subdivision of this state from adopting or enforcing an ordinance, resolution, regulation, code, order, policy, or other measure that has the purpose, intent, or effect of directly or indirectly banning, limiting, restricting, discriminating against, or prohibiting the connection or reconnection of a utility service or the construction, maintenance, or installation of residential, commercial, or other public or private infrastructure for a utility service based on the type or source of energy to be delivered to the end-use customer; (4) prohibit an entity, including a regulatory authority, planning authority, political subdivision, or utility, from imposing any additional charge or pricing difference on a development or building permit applicant for utility infrastructure that: (a) encourages those constructing homes, buildings, or other structural improvements to connect to a utility service based on the type or source of energy to be delivered to the end-use customer; or (b) discourages the installation of facilities for the delivery of or use of a utility service based on the type or source of energy to be delivered to the end-use customer; and (5) provide that the bill does not limit the ability of a regulatory authority or political subdivision to choose utility services for properties owned by the regulatory authority or political subdivision. (Companion bill is H.B. 17 by Deshotel.)

**S.B. 1294 (Eckhardt) – Environmental Justice Commission**: would, among other things: (1) define “permitting facility” as a facility required to obtain a permit from the Texas Commission on Environmental Quality for wastewater discharge, injection wells, and under the Solid Waste Disposal Act and Clean Air Act; (2) define “environmental justice community” as a United States census block group, as determined in accordance with the most recent United States census, for which: (a) 30 percent or more of the noninstitutionalized population consists of persons who have an income below 200 percent of the federal poverty level; or (b) 50 percent or more of the population consists of members of racial minority or ethnic minority groups; (3) create the Office of Environmental Justice (OEJ) within TCEQ to protect the public health, general welfare, and physical property of environmental justice communities in regard to issuance of permits; (4) provide that when TCEQ is considering a permit within three miles of an environmental justice community, that the OEJ shall provide a recommendation not later than the 7th day after the last day of the public comment period applicable to the permit to TCEQ on whether the permit should be issued and shall, in making its recommendation, consider: (a) whether the cumulative effects of pollution from the proposed permitted facility or change to an
existing facility on the affected environmental justice community exceed the statewide average; and (b) any existing or anticipated vulnerabilities in the affected environmental justice community; and (5) provide that TCEQ shall consider the recommendation of the OEJ in making its determination about whether to issue a permit in addition to other factors required by law. (Companion bill is H.B. 1191 by Goodwin.)

**S.B. 1303 (Blanco) – Electricity and Schools**: would provide that: (1) each electric utility that provides electric service to a retail customer shall offer to a school district or open-enrollment charter school served by the electric utility time-of-use rates to promote efficient: (a) charging of electric school buses; and (b) energy use in school buildings; (2) each transmission and distribution utility in the ERCOT power region shall offer to any retail electric provider in its service area that serves a school district or open-enrollment charter school a rate structure that allows the retail electric provider to offer time-of-use rates to the district or school to promote efficient: (a) charging of electric school buses; and (b) energy use for school buildings; (3) provide that a regulatory authority shall provide a mechanism for approving a tariff in accordance with (1) and (2); (4) provide that a school district or open-enrollment charter school may contract with an electric utility to: (a) install make-ready infrastructure on the utility's side of the meter required to facilitate interconnection of electric vehicle charging equipment, including a new service connection, transformer, conductor, connector, conduit, or meter; and (b) provide any necessary construction to comply with local regulations related to the charging equipment; (5) electric utilities shall use their best efforts to: (a) encourage and facilitate interconnection processes for school energy sources; and (b) provide information about distribution system capacity and needs to market providers of on-site distributed renewable generation, energy storage, and electric school buses; (6) a school district or open-enrollment charter school, or a person acting on behalf of a school district or open-enrollment charter school, may, without registering as a power generation company: (a) provide distribution system grid services using a school energy source or a combination of school energy sources; and (b) receive appropriate compensation for electricity sold under (6)(a); and (7) the independent organization for the ERCOT power region shall adopt rules or protocols to allow a school district or open-enrollment charter school, or a person acting on behalf of a school district or open-enrollment charter school, to sell energy and ancillary services from school energy sources in the wholesale market without registering as a power generation company.

**S.B. 1350 (Miles) – Concrete Plants**: would, among other things, provide that the only person who may request a hearing in relation to certain permits for a concrete plant that performs wet batching, dry batching, or central mixing are: (a) the city or county in which the proposed plant will be located; and (b) persons actually residing in a permanent residence within 440 yards of the proposed plant. (Companion bill is H.B. 1627 by S. Thompson.)

**S.B. 1352 (Miles) – Public Utility Commission/Energy Blackouts**: would require: (1) the Public Utility Commission to adopt rules to develop a process for obtaining emergency reserve power generation capacity as appropriate to prevent blackout conditions caused by shortages of generated power in the ERCOT power region; (2) the rules in (1) to provide: (a) parameters for estimating the amount of emergency reserve power generation capacity necessary to prevent blackout conditions; and (b) mechanisms for equitably sharing the costs of making the reserve capacity available and the costs of generated power provided to prevent blackout conditions; (3)
an independent organization for the ERCOT power region to adopt procedures and enter contracts as necessary to ensure the availability of a defined amount of emergency reserve power generation capacity the organization may call on to prevent blackouts caused by shortages of generated power; and (4) the independent organization to use all other sources of power and demand reduction available before the independent organization calls on the emergency reserve power generation capacity to prevent blackout conditions. (Companion bills are H.B. 2470 by Rodriguez, H.B. 2472 by Thierry, H.B. 2480 by Reynolds, H.B. 2506 by Jarvis Johnson, H.B. 2657 by Larson, H.B. 3178 by Rosenthal, and H.B. 4167 by Fierro.)

**S.B. 1382 (Creighton)** – Water Wells: would provide that: (1) a hospital may drill a water well on property owned by the hospital for the purpose of producing water to supplement the hospital's water supply in the event that an emergency or natural disaster prevents the hospital from receiving water from the hospital's usual source; and (2) the authority of a groundwater conservation district to regulate groundwater production or other law governing a groundwater conservation district is not affected by (1).

**S.B. 1443 (Campbell)** – Power Outage: would, among other things: (1) require the Public Utility Commission to adopt rules that require each retail electric provider and electric cooperative that sells electricity to a customer to implement a registration process by which a new customer of that retail electric provider or electric cooperative may report to that retail electric provider or electric cooperative that the customer is a vulnerable customer; (2) require a retail electric provider or electric cooperative that sells electricity to a customer to maintain customer information to allow that retail electric provider or electric cooperative to quickly identify vulnerable customers during a power outage and notify the relevant transmission and distribution utilities to prioritize those customers for power restoration; and (3) require the PUC to adopt rules that require each retail electric provider and electric cooperative that sells electricity to a customer that chooses to implement a mass alert system to communicate to individual customers of potential emergency situations and power outages to notify each of their customers of the existence of such mass alert system in certain circumstances.

**S.B. 1470 (Buckingham)** – District Cooling Systems: would: (1) define “district cooling system” as a system that produces chilled water at a central plant and pipes that water to buildings for air conditioning; (2) define “municipally owned utility” as, among other things, any district cooling system operated by the utility; and (3) provide that information related to a chilled water program or program designed to used chilled water to reduce peak demand is not confidential as a public power utility competitive matter under the Public Information Act; and (4) provide that information reasonably related to a municipally owned utility’s rate review process and how the city or municipally owned utility sets rates for electric service and chilled water service or any other service designed by the city or municipally owned utility to curb peak demand or shift load are subject to disclosure under the Public Information Act. (Companion bill is H.B. 3615 by P. King.)

**S.B. 1482 (Zaffirini)** – Solid Waste Landfill Facilities: would: (1) define “special flood hazard area” as the land in a floodplain subject to not less than one percent chance of flooding in a year as designated by the director or administrator of the Federal Emergency Management Agency; (2) provide that the Texas Commission on Environmental Quality may not issue a permit for a
new municipal solid waste landfill facility or a lateral expansion of an existing municipal solid waste landfill facility that is contingent on the removal of the facility from a special flood hazard area; (3) provide that TCEQ may not issue a permit for a new municipal solid waste landfill facility or a lateral expansion of an existing municipal solid waste landfill facility if a part of the facility is or will be located in a special flood hazard area unless the applicant has obtained a letter from FEMA of map change demonstrating the entire facility has been removed from the special flood hazard area; and (4) require that TCEQ coordinate with all applicable regional and local governments to verify that all required map changes to the Flood Insurance Rate Map have been acquired from FEMA and that all necessary permits have been issued for the facility by the governmental entities or agencies with jurisdiction over the facility.

**S.B. 1488 (Hall) – Bulk-Power System Equipment:** would require the Public Utility Commission to: (1) adopt rules that prohibit the acquisition, importation, transfer, or installation of bulk-power system equipment in Texas as part of a transaction that the PUC determines presents an undue security or safety risk to the bulk-power system in Texas because of potential: (a) sabotage to or subversion of the design, integrity, manufacturing, production, distribution, installation, operation, or maintenance of the bulk-power system in Texas; or (b) catastrophic effects for the security or resiliency of critical infrastructure or the economy of Texas; (2) design or negotiate measures to mitigate risks described in (1); (3) require that a person acquiring, importing, transferring, or installing bulk-power system equipment in Texas incorporate a mitigation measure in the acquisition, importation, transfer, or installation; (4) establish and publish criteria for pre-approving particular equipment and particular vendors in the bulk-power system equipment market as compliant with the bill; and (5) publish a list of pre-approved equipment and vendors.

**S.B. 1579 (Hancock) – Gas Utilities:** would, among other things: (1) provide that the Texas Public Finance Authority may, either directly or by means of a trust or trusts established by it, issue obligations or other evidences of indebtedness for financing customer rate relief (CRR) bonds approved by the Railroad Commission (RRC); (2) provide that at the request of the RRC, the Authority in (1) shall issue obligations or other evidences of indebtedness in the amount of the requested CRR bonds, plus the issuance costs, and shall make a grant of the proceeds of the obligations or evidences of indebtedness to the RRC; (3) define “gas utility” as: (a) an operator of natural gas distribution pipelines that delivers and sells natural gas to the public and that is subject to the RRC’s jurisdiction; and (b) a gas utility that transmits, transports, delivers, or sells natural gas or synthetic natural gas to operators of natural gas distribution pipelines and whose rates for such services are established by the RRC in a cost of service rate proceeding; (4) provide that the RRC may authorize the issuance of CRR bonds if the RRC finds that the proposed structuring, expected pricing, and proposed financing costs of the CRR bonds are reasonably expected to provide benefits to customers comparing the net present value of the costs to customers resulting from the issuance of CRR bonds and the costs that would result from the application of conventional methods of financing or recovering gas utility extraordinary costs and other costs authorized by a financing order; and (5) provide that the RRC may assess to a gas utility costs associated with administering the bill and such assessments shall be recovered from rate-regulated customers as part of a gas cost. (Companion bill is **H.B. 1520** by Paddie.)
S.B. 1593 (Bettencourt) – Electricity Reliability: would require the Public Utility Commission (PUC) to: (1) retain an independent third-party monitor to ensure that electric utilities comply with system reliability standards; and (2) establish an enforcement division to make full use of the authority granted to the PUC to ensure that electric utilities comply with state and federal rules and regulations.

S.B. 1606 (Hall) – Electric Grid Resilience: would, among other things: (1) prohibit a city from enacting or enforcing an ordinance or other measure that bans, limits, or otherwise regulates inside the boundaries of the extraterritorial jurisdiction of the city a micro-grid that is certified by the Texas Grid Security Commission; and (2) require the Texas Grid Security Commission to establish resilience standards for cities in certain essential service areas. (Companion bill is H.B. 3792 by Shaheen.)

S.B. 1682 (Hancock) – Reliability Projects: would, among other things: (1) establish the state utilities reliability fund as a special fund in the state treasury outside the general revenue fund to be used by the Texas Water Development Board (TWDB), without further legislative appropriation, for the purpose of financing projects that enhance the reliability of water, electricity, natural gas and broadband utilities in Texas by supporting projects to weatherize facilities and to provide adequate capacity during periods of high demand; (2) provide that the TWDB, for the purpose of providing financial assistance under the bill, shall prioritize projects that enhance the reliability of water, electricity, natural gas and broadband utilities for Texas by establishing a point system; (3) require the TWDB to give the highest consideration in awarding points to projects that will have a substantial effect, including projects that will, among other things: (a) weatherize facilities to protect against cold weather; and (b) create excess capacity that will be used during periods of high demand to provide continuous and adequate electric, natural gas, water and broadband service; and (4) provide that contingent on passage and adoption by an election of the voters of legislation relating to proposing constitutional amendments creating the State Utilities Reliability Fund and the State Utilities Reliability Revenue Fund by the 87th Legislature, $2,000,000,000 is appropriated out of the economic stabilization fund to the State Utilities Reliability Fund to implement the provisions of the bill. (See S.J.R. 62, below.)

S.B. 1746 (Zaffirini) – Financial Assistance: would, among other things: (1) create a water resource restoration program to be administered by the Texas Water Development Board (TWDB) to assist in enhancing water quality in Texas through the provision of financial assistance to political subdivisions for locally directed projects; (2) provide that a proposed project under (1) must be compatible with the goals of the program and include the application of best management practices for the primary purpose of water quality protection and improvement and may include: (a) the preservation or restoration of regional scale natural landscape features, including forests, floodplains, and wetlands; (b) practices that reduce impervious cover in a watershed; (c) practices that increase water infiltration and retention, including the use of bioretention, trees, green roofs, permeable pavements, rain gardens, constructed wetlands, and cisterns; (d) the implementation of green streets in public rights-of-way or urban forestry program to manage stormwater and enhance tree health; (e) the expanded use of tree box filters; (f) stormwater collection and distribution systems, including cisterns, separate stormwater sewer systems, and downspout disconnection systems that use onsite stormwater management and
remove stormwater from sewer systems; (g) soil quality enhancement activities; (h) the removal and replacement of turf with native grasses and vegetation that improve water infiltration; (i) the establishment or restoration of permanent riparian buffers, floodplains, wetlands, and other natural features including vegetative buffers, grass swales, soft bioengineered stream banks, and stream daylighting; (j) the management of wetlands to improve water quality and support water infiltration and retention; and (k) sustainable landscaping to improve hydrologic processes; (3) provide that a proposed project under (1) may not include: (a) passive recreation activities and trails including bike trails, playgrounds, athletic fields, picnic tables, and picnic grounds; (b) non-permeable surface parking lots; (c) stormwater ponds or dirt-lined detention basins that serve an extended or filtration function; (d) in-line and end-of-pipe treatment systems that only filter or detain stormwater without the use of natural plants and trees; (e) underground stormwater control and treatment devices, including hydrodynamic separators, baffle systems for grit, trash removal, and oil and grease separators; (f) stormwater conveyance systems, including pipes and concrete channels, that are not soil or vegetation based; (g) hardening, channelizing, dredging, or straightening streams or stream banks; (h) street sweepers, sewer cleaners, and vacuum trucks unless they support nature-based infrastructure projects; (i) supplemental environmental projects required as a part of a consent decree; or (j) the acquisition of property, an interest in property, or improvements to property through the use of eminent domain; and (4) require the TWDB to adopt rules to establish a means of prioritizing projects under (1) in disadvantaged communities. (Companion bill is H.B. 2350 by Zwiener.)

**S.B. 1749 (Hancock) – Natural Gas**: would require: (1) the Public Utility Commission (PUC) to work with the Railroad Commission (RRC) to adopt rules to designate certain gas entities and facilities as critical during an energy emergency; (2) at a minimum, the PUC’s rules to: (a) ensure that transmission and distribution utilities, municipally owned utilities, electric cooperatives, and ERCOT are provided with the designations as required by (3), below; (b) provide for a prioritization for load-shed purposes of the entities and facilities designated under (1) during an energy emergency; and (c) provide discretion to transmission and distribution utilities, municipally owned utilities, and electric cooperatives to prioritize power delivery and power restoration among the customers on their respective systems, as circumstances require; and (3) that the RRC adopt rules that: (a) determine eligibility and designation requirements for persons owning, operating, or engaging in the activities under the RRC’s jurisdiction to provide critical customer designation and critical gas supply information, as defined by the RRC, to transmission and distribution utilities, municipally owned utilities, electric cooperatives, and ERCOT; and (b) consider essential operational elements when defining critical customer designations and critical gas supply information, including natural gas production, processing, transportation, and the delivery of natural gas to generators. (Companion bill is H.B. 3648 by Geren.)

**S.B. 1750 (Hancock) – Severe Weather Preparedness**: would: (1) define “coordinating agencies” as the Public Utility Commission (PUC), the Railroad Commission (RRC), and the Texas Division of Emergency Management; (2) define “coordinated entities” as public utilities, power generation companies, ERCOT, and entities engaged in the production, transport, gathering, storage, or shipping of natural gas; (3) require the PUC and the RRC to each establish rules to require each coordinated entity subject to their respective jurisdictions to establish and submit a winter preparedness emergency operations plan with certain criteria; (4) require the
coordinating agencies to jointly analyze emergency operations plans developed by coordinated entities in each even-numbered year and prepare a weather emergency preparedness report on power generation and natural gas weatherization preparedness; (5) provide that the plans submitted in (4) are confidential; and (6) provide that the PUC and the RRC may, after notice and opportunity for hearing, impose an administrative penalty on entities subject to their respective jurisdictions for failure to timely submit an emergency operations plan or respond to a notice of potential deficiency.

**S.B. 1782 (Creighton) – Response and Resilience of Certain Utilities:** would: (1) provide that system restoration costs also include reasonable and necessary weatherization and storm-hardening costs incurred, as well as reasonable estimates of costs to be incurred by an electric utility, but such estimates shall be subject to true-up and reconciliation after the actual costs are known; (2) create the Texas Electric Utility System Restoration Corporation as a nonprofit special purpose public corporation and instrumentality of Texas for the essential public purpose of providing a lower cost financing mechanism available to the Public Utility Commission and an electric utility to attract low-cost capital to finance system restoration costs; (3) provide that the Corporation in (2) shall be self-funded and the state shall not budget for or provide any general fund appropriations for the Corporation; and (4) provide an order of priority for natural gas deliveries if the curtailment of natural gas is necessary during a state of disaster as declared by the governor or an extreme weather emergency. (Companion bill is **H.B. 1510** by Metcalf.)

**S.B. 1802 (Zaffirini) – Solid Waste Facilities:** would: (1) require the Texas Commission on Environmental Quality to adopt specific, uniform road specifications and safety standards for access to solid waste facilities that accept or process municipal or hazardous waste; and (2) provide that the rules adopted under (1) must require the permit holder to be financially responsible for access route improvements and maintenance and to reimburse a local governmental entity for any costs incurred by that entity for improvements made to and maintenance of the access routes.

**S.B. 1843 (Eckhardt) – Weather Preparedness:** would, among other things: (1) require the Public Utility Commission (PUC) to adopt rules that require each provider of generation or electric energy storage in the ERCOT power region to implement measures to prepare generation and storage facilities to provide adequate electric generation service during extreme weather conditions, including extreme heat, cold, drought, and rain; (2) provide that the rules in (1) must include provisions for weatherization, securing fuel sources, and securing water sources and must be based on climate models over a 15-year period provided by the Office of the Texas State Climatologist; (3) require the PUC to adopt rules that require each electric cooperative, municipally owned utility, and transmission and distribution utility providing transmission or distribution service or demand response equipment in the ERCOT power region to implement measures to prepare facilities to maintain service quality and reliability during extreme weather conditions, including extreme heat, cold, drought, and rain; and (4) provide that the rules in (3) must include provisions for weatherization and be based on climate models over a 15-year period provided by the Office of the Texas State Climatologist.

**S.B. 1913 (Blanco) – Medical Waste:** would: (1) require an applicant for a permit to construct, operate, or maintain a facility to store, process, or dispose of medical waste, to send notice of the
application or notice of intent to: (a) the state senator and representative who represent the area in which the facility is or is to be located; (b) the commissioners court of the county in which the facility is or is to be located; and (c) the governing bodies of the city and school district in which the facility is or is to be located; (2) require the Texas Commission on Environmental Quality (TCEQ) to reject an application submitted by a person who has not complied with (1); and (3) provide that TCEQ may not issue a permit for a new medical waste facility or the subsequent areal expansion of a medical waste facility or unit of that facility if the boundary of the facility or unit is to be located within 500 feet of an established residence, farm, ranch, church, school, university, community college, day-care center, surface water body used for a public drinking water supply, or dedicated public park. (Companion bill is H.B. 1947 by Ordaz Perez.)

**S.B. 1988 (Miles) – Electric Utility Liability:** would expand the limitation on liability for electric utilities to include transportation.

**S.B. 1999 (Springer) – Load Shedding:** would require the Public Utility Commission to adopt rules that require each electric utility, municipally owned utility, and electric cooperative to exclude any circuits that provide power to a commercial or public radio or television broadcasting facility from participation in the utility's or cooperative's attempt to shed load in response to a rolling blackout initiated by an independent organization or another reliability council or power pool in which the utility or cooperative operates. (Companion bill is H.B. 2763 by Rogers.)

**S.B. 2000 (Springer) – Water and Sewer Rates:** would: (1) provide that a person who files an application for the purchase or acquisition of a water or sewer system may request that the regulatory authority—including a city—with original jurisdiction over the rates for water or sewer service provided by the person to the customers of the system authorize the person to charge initial rates for the service that are: (a) shown in a tariff filed with a regulatory authority by the person for another water or sewer system; and (b) in force for the other water or sewer system on the date the application is filed; and (2) prohibit the regulatory authority from requiring a person making a request under (1) to initiate a new rate proceeding to establish the initial rates for service the person will provide to the customers of the purchased or acquired system. (Companion bill is H.B. 1484 by Metcalf.)

**S.B. 2052 (Menéndez) – Electricity:** would, among other things: (1) provide that a retail electric customer is entitled to: (a) participate in demand response programs through retail electric providers and demand response providers; and (b) receive notice from the retail electric provider that serves the customer: (i) when the independent organization for the ERCOT power region issues an emergency energy alert about low operating reserves to providers of generation in the power region; or (ii) of imminent rolling outages and the length of time the outages are planned or expected to last; (2) require the Public Utility Commission (PUC) to adopt rules that require each retail electric provider in the ERCOT power region to create a residential demand response program to reduce the average total residential load by at least: (a) one percent of peak summer and winter demand by December 31, 2022; (b) two percent of peak summer and winter demand by December 31, 2023; (c) three percent of peak summer and winter demand by December 31, 2024; and (d) five percent of peak summer and winter demand by December 31, 2025; and (3) require the PUC to adopt rules that require all electric utilities, municipally owned utilities, and
electric cooperatives that own transmission and distribution assets in Texas to file and implement an outage plan that includes a plan for shutting off customer access to electricity in the event of the need for rolling outages to prevent brown-outs and black-outs. (Companion bill is H.B. 3362 by Reynolds.)

**S.B. 2075 (Menéndez) – Electricity:** would provide that taking advantage of a disaster declared by the governor or the president of the United States by selling electricity as a retail electric provider under a contract that allows for the charging of prices that are at least 300 percent more than the average price charged by the provider during the month immediately preceding the date of the declaration of the disaster qualifies for false, misleading, or deceptive acts or practices prohibited under the Texas Deceptive Trade Practices Act.

**S.B. 2076 (Menéndez) – Electricity:** would, among other things: (1) require the Public Utility Commission (PUC) to adopt rules to develop a process for obtaining emergency reserve power generation capacity as appropriate to prevent blackout conditions caused by shortages of generated power in the ERCOT power region, and require the rules provide: (a) parameters for estimating the amount of emergency reserve power generation capacity necessary to prevent blackout conditions; and (b) mechanisms for equitably sharing the costs of making the reserve capacity available and the costs of generated power provided to prevent blackout conditions; (2) require the independent organization certified for the ERCOT power region to, in accordance with (1), adopt procedures and enter contracts as necessary to ensure the availability of a defined amount of emergency reserve power generation capacity the organization may call on to prevent blackouts caused by shortages of generated power; (3) require the PUC to establish a program to provide bill payment assistance using state money appropriated for that purpose to retail customers of municipally owned utilities, electric cooperatives, and retail electric providers in the ERCOT power region; and (4) provide that the program in (3) must: (a) provide assistance only for unusually high bills for services provided after February 13, 2021, and before February 19, 2021, to low-income customers; (b) establish criteria for determining whether a bill is unusually high; (c) allow a customer to apply for assistance to the municipally owned utility, electric cooperative, or retail electric provider that served the customer during the time period in (4)(a); and (d) require a municipally owned utility, electric cooperative, or retail electric provider that receives an application under (4)(c) to: (i) submit the application to the PUC; and (ii) provide to the customer any assistance sent by the PUC to the utility, cooperative, or provider in response to the application.

**S.B. 2078 (Menéndez) – Electricity to Water Facilities:** would require the Public Utility Commission to: (1) adopt rules that require each electric utility, municipally owned utility, and electric cooperative to exclude any circuits that provide power to a facility necessary to provide water to wholesale customers from participation in the utility's or cooperative's attempt to shed load in response to a rolling blackout initiated by an independent organization or another reliability council or power pool in which the utility or cooperative operates; (2) establish a grant program to provide certain water providers funds to purchase generators to provide a backup power supply for water treatment during a power outage; and (3) adopt rules to establish criteria for the receipt of a grant under (2), and provide that the criteria must prioritize facilities in: (a) areas with a high frequency or duration of power outages relative to other areas of Texas; and (b) economically distressed areas.
S.B. 2109 (Schwertner) – Electricity: would, among other things: (1) provide that a retail electric customer is entitled to: (a) participate in demand response programs through retail electric providers and demand response providers; and (b) receive notice from the retail electric provider that serves the customer: (i) when the independent organization for the ERCOT power region issues an emergency energy alert about low operating reserves to providers of generation in the power region; or (ii) of imminent rolling outages and the length of time the outages are planned or expected to last; (2) require the Public Utility Commission (PUC) to adopt rules that require each retail electric provider in the ERCOT power region to create a residential demand response program to reduce the average total residential load by at least: (a) one percent of peak summer and winter demand by December 31, 2022; (b) two percent of peak summer and winter demand by December 31, 2023; (c) three percent of peak summer and winter demand by December 31, 2024; and (d) five percent of peak summer and winter demand by December 31, 2025; and (3) require the PUC to adopt rules that require all electric utilities, municipally owned utilities, and electric cooperatives that own transmission and distribution assets in Texas to file and implement an outage plan that includes a plan for shutting off customer access to electricity in the event of the need for rolling outages to prevent brown-outs and black-outs. (Companion bill is H.B. 3362 by Reynolds.)

S.B. 2114 (Lucio) – Certificates of Convenience and Necessity: would provide that: (1) when an area is newly annexed to a municipality and the municipally owned utility petitions the Public Utility Commission (PUC) for a certificate of convenience and necessity to serve the newly annexed area, the PUC: (a) shall make an express finding of whether the retail public utility is capable of providing continuous and adequate service to the incorporated or annexed area based solely on information provided by the municipality and the retail public utility; and (b) may grant single certification to the municipality only if the PUC makes a finding under the bill that the municipality demonstrated that the retail public utility is not capable of providing continuous and adequate service to the incorporated or annexed area based solely on information provided by the municipality and the retail public utility; and (2) if the PUC grants single certification to the municipality under (1), the PUC shall determine in its order the monetary amount that is adequate and just to compensate the retail public utility for any of the retail public utility’s property that is affected by the single certification; and (3) before an aggrieved party files an appeal with the district court in Travis County, the party may appeal to the PUC in a separate hearing before the PUC issues a final order under (1) and (2). (Companion bill is H.B. 1435 by Lucio.)

S.B. 2142 (Hughes) – ERCOT Pricing: would, among other things, require the Public Utility Commission to: (1) order the independent organization certified for the ERCOT power region to correct the prices of wholesale power and ancillary services sold in the ERCOT market during the period beginning 11:55 p.m., February 17, 2021, and ending 9 a.m., February 19, 2021, to reflect the prices of wholesale power and ancillary services that would have been paid in the ERCOT market during that period absent any action of the independent organization or commission to raise prices; and (2) require the independent organization to issue all orders and take all other actions necessary to correct the prices not later than March 20, 2021.

S.J.R. 62 (Hancock) – State Utilities Reliability Fund: would amend the Texas Constitution to, among other things, provide that: (1) the State Utilities Reliability Revenue Fund is created as a
special fund in the state treasury outside the general revenue fund, which shall be administered, without further appropriation, by the Texas Water Development Board or that board's successor in function; and (2) provide that the State Utilities Reliability Fund shall serve as a utility infrastructure bank in order to enhance the financing capabilities of the Texas Water Development Board or that board's successor in function under a revenue bond program designed to enhance the reliability of water, electricity, natural gas and broadband utilities in Texas, including utilities owned by public and private entities, by supporting projects to weatherize facilities and to provide adequate capacity during periods of high demand. (See S.B. 1682, above.)

S.J.R. 64 (Gutierrez) – Telecommunications and Information Infrastructure: would amend the Texas Constitution to authorize the legislature to provide for a state agency to issue and sell general obligation bonds in an amount not to exceed $1 billion to be appropriated for the purpose of construction, maintenance, improvement, or repair of telecommunications or information services infrastructure projects.