

City-Related Bills Filed

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Property Tax

H.B. 29 (Murr) – **School District Property Taxes**: would: (1) provide for the elimination of school district maintenance and operations property taxes by January 1, 2026, with certain exceptions; and (2) create a joint interim committee on the elimination of school district maintenance and operations property taxes.

H.B. 32 (Capriglione) – **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. 6**, below).

H.B. 38 (Murr) – **School District Property Taxes**: would: (1) provide for the elimination of school district maintenance and operations property taxes, with certain exceptions; and (2) among other tax increases, raise the state sales and use tax rate to 12 percent to compensate for the loss of school district maintenance and operations property taxes.

H.B. 40 (Zwiener) – **Property Tax Exemptions**: would provide that a person is entitled to an exemption from taxation of the portion of the appraised value of the 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. 25**, below.)

H.B. 84 (Bernal) – Homestead Appraisal: would provide that when determining the market value of a residence homestead, the chief appraiser shall: (1) only consider the value of other residence homesteads in the same neighborhood, and (2) not consider the value of property without a residence homestead exemption when determining the market value for real property with a homestead exemption.

H.B. 144 (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. 16**, below.)

H.B. 145 (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. 10**, below.)

H.B. 147 (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. 16**, below.)

H.B. 159 (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. 215 (Jarvis Johnson) – Homestead Exemptions: would, among other things, provide that: (1) an individual is entitled to an exemption from 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 tax exemption for their residence homestead for at least the preceding 10 years; and (2) the surviving spouse of an individual who qualified for an exemption under (1), above, is entitled to an exemption from 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 they qualified for the exemption; (b) the surviving spouse was 55 years of age or older when their spouse died; and (c) the property was the residence homestead of the surviving spouse when their spouse died and remains their residence homestead.

H.B. 260 (Murr) – Appraisal of Open Space Land: would require the chief appraiser to take into consideration the effect that the presence of a disease or pest, or the designation of an area as a wildlife or livestock disease or pest area, has on the net income from the land when calculating net to land of open-space land located in or adjacent to an area designated as a wildlife or livestock disease or pest area.

H.B. 295 (Toth) – Appraisal Cap: would, among other things: (1) provide that the appraised value of residence homestead for the first year the owner qualifies for a homestead exemption is equal to the market value of the property; (2) provide that the appraised value of residence homestead for a subsequent tax year is equal to the appraised value of the property for the preceding tax year as adjusted by the chief appraiser for the current tax year to reflect any positive change from the preceding tax year in the purchasing power of the dollar for consumers in this state as determined by the comptroller; and (3) require an owner of property to apply for the appraisal increase limitation under (2), 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. 14**, below.)

H.B. 335 (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. 18**, below.)

H.B. 398 (Shine) – Property Tax Exemption: would provide that property owned by a Type A or Type B economic development corporation is exempt from taxation if the property is used for a public purpose.

H.B. 402 (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. 21**, below.)

H.B. 419 (Shine) – Property Tax Exemption: would 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.J.R. 23**, below.)

H.B. 449 (Schofield) – 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 land, open-space land, timberland, parkland, or public access airport property. (See **H.J.R. 28**, below.)

H.B. 456 (Craddick) – Property Tax Exemption: would exempt a royalty interest owned by a charitable organization from property taxation.

H.B. 481 (Goldman) – Property Tax Freeze: would establish a mandatory tax freeze on the residence homestead of individuals who are elderly or disabled and their surviving spouses applicable to all taxing units other than school districts. (See **H.J.R. 30**, below.)

H.B. 523 (Vasut) – Appraisal Review Board: would authorize the appraisal review board, on motion of the chief appraiser or of a property owner, to order the appraised value of an 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:

(1) the property qualifies as that owner's residence homestead; (2) the sales price of the property is at least 10 percent less than the appraised value of the property; and (3) the board makes a finding that the sales price reflects the market value of the property.

H.B. 543 (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. 42**, below.)

H.B. 623 (Cody Harris) – Property Tax Exemption: would exempt the value of animal feed held by the owner for sale at retail from ad valorem taxation. (See **H.J.R. 47**, below.)

H.B. 634 (Lozano) – Appraisal of Open-Space Land: would provide that to qualify for appraisal as open-space land, property must have been devoted principally to agricultural use or to production of timber or forest products for only two of the preceding seven years, reducing the existing requirement that property must have devoted to that use for at least five of the preceding seven years.

H.B. 664 (Bailes) – Appraisal Cap: would reduce the property tax appraisal cap on residence homesteads from ten to 2.5 percent.

H.B. 665 (Bailes) – Appraisal Cap: would establish a 3.5 percent appraisal cap on commercial real property.

H.B. 707 (Geren) – Property Tax Freeze: would establish a mandatory tax freeze on the residence homestead of individuals who are elderly or disabled and their surviving spouses applicable to all taxing units other than school districts. (See **H.J.R. 49**, below.)

H.B. 721 (Schofield) – 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 lower of the five-year Constant Maturity Treasury Rate reported by the Federal Reserve Board as of January 1 of that year or five percent. (Note: Current law provides for a five percent interest rate.)

H.B. 740 (J. Gonzalez) – Homestead Tax Deferral: would, among other things: (1) 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: (a) 105 percent of the appraised value of the property for the preceding year; and (b) the market value of all new improvements to the property; and (2) provide that if the collection of taxes on a residence homestead was deferred in a prior tax year and the sum of the amounts described by (1), above, exceeds the appraised value of the property for the current tax year, the amount of taxes the collection of which may be deferred is reduced by a calculated amount; and (3) set the annual interest rate during the deferral at five percent.

H.B. 741 (Goodwin) – Property Tax Exemption: would exempt from ad valorem taxation property used to provide child-care services without regard to the beneficiaries’ ability to pay, if the provider of the services meets Texas Rising Star Program certification criteria.

H.B. 745 (Dean) – Appraisal Cap: would reduce the property tax appraisal cap on residence homesteads from ten to five percent. (Companion bill is **S.B. 152** by **Kolkhorst**.) (See **H.J.R. 51**, below.)

H.B. 746 (Dean) – Appraisal Cap: would expand the application of the ten percent appraisal cap on a residence homestead to all real property.

H.B. 774 (Collier) – Property Tax Appraisal: would authorize the chief appraiser, in appraising a residence homestead that is more than 30 years old and that is located in a tax increment reinvestment zone, to exclude from consideration the value of new or substantially remodeled residential properties in the same neighborhood that would otherwise be considered. (See **H.J.R. 52**, below.)

H.B. 794 (Schatzline) – 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. 55**, below.)

H.J.R. 6 (Caprignone) – 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. 32**, above.)

H.J.R. 10 (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. 145**, above.)

H.J.R. 13 (Jarvis Johnson) - Property Tax Exemption: would amend the Texas Constitution to 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.B. 215**, above.)

H.J.R. 14 (Toth) - Appraisal Cap: would amend the Texas Constitution to provide that the appraised value of residence homestead: (1) for the first year the owner qualifies for a homestead exemption is equal to the market value of the property; and (2) for a subsequent tax year is equal

to the appraised value of the property for the preceding tax year as adjusted by the chief appraiser for the current tax year to reflect any positive change from the preceding tax year in the purchasing power of the dollar for consumers in this state. (See **H.B. 295**, above.)

H.J.R. 16 (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. 147**, above.)

H.J.R. 18 (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. 335**, above.)

H.J.R. 21 (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. 402**, above.)

H.J.R. 23 (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. 419**, above.)

H.J.R. 25 (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. 40**, above.)

H.J.R. 28 (Schofield) – **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. 449**, above.)

H.J.R. 29 (Schofield) – **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. 30 (Goldman) – **Property Tax Freeze**: would amend the Texas Constitution to establish a mandatory tax freeze on the residence homestead of individuals who are elderly or disabled and their surviving spouses applicable to all taxing units other than school districts. (See **H.B. 481**, above.)

H.J.R. 42 (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. 543**, above.)

H.J.R. 43 (**Raymond**) – **Property Tax Exemption**: would amend the Texas Constitution to, among other things, 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. 582**, above.)

H.J.R. 47 (**Cody Harris**) – **Property Tax Exemption**: would amend the Texas Constitution to authorize the legislature to exempt the value of animal feed held by the owner for sale at retail from ad valorem taxation. (See **H.B. 623**, above.)

H.J.R. 49 (**Geren**) – **Property Tax Freeze**: would amend the Texas Constitution to establish a mandatory tax freeze on the residence homestead of individuals who are elderly or disabled and their surviving spouses applicable to all taxing units other than school districts. (See **H.B. 707**, above.)

H.J.R. 51 (**Dean**) – **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. (Companion bill is **S.J.R. 18** by **Kolkhorst**.) (See **H.B. 745**, above.)

H.J.R. 52 (**Collier**) – **Property Tax Appraisal**: would amend the Texas Constitution to authorize the legislature to authorize the chief appraiser, in appraising a residence homestead that is more than 30 years old and that is located in a tax increment reinvestment zone, to exclude from consideration the value of new or substantially remodeled residential properties in the same neighborhood that would otherwise be considered. (See **H.B. 774**, above.)

H.J.R. 55 (**Schatzline**) – **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. 794**, above.)

S.B. 102 (**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. 152 (**Kolkhorst**) – **Appraisal Cap**: would amend the Texas Constitution to reduce the property tax appraisal cap on residence homesteads from ten to five percent. (Companion bill is **H.B. 745** by **Dean**.) (See **S.J.R. 18**, below.)

S.B. 178 (**Kolkhorst**) – **Appraisal Cap**: would amend the Texas Constitution to establish a 20 percent appraisal cap on real property other than a residence homestead. (See **S.J.R. 19**, below.)

S.B. 196 (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 a portion, expressed as a dollar amount, of the appraised value of an individual's residence homestead; (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; and (3) provide that an individual is entitled to an exemption adopted under (1), above, in addition to any other exemptions provided by law. (See **S.J.R. 20**, below.)

S.B. 199 (Eckhardt) – Public Facility Corporation: would provide that a leasehold or other possessory interest in a public facility would not be exempt from property taxes if the public facility user: (1) refuses 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 (2) uses 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.

S.J.R. 18 (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. (Companion bill is **H.J.R. 51** by **Dean**.) (See **S.B. 152**, above.)

S.J.R. 19 (Kolkhorst) – Appraisal Cap: would amend the Texas Constitution to authorize the legislature to establish a 20 percent appraisal cap on real property other than a residence homestead. (See **S.B. 178**, above.)

S.J.R. 20 (Eckhardt) – Homestead Exemption: would amend the Texas Constitution to, among other things: (1) 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 an individual; and (2) provide that the legislature by general law may prohibit the governing body of a political subdivision that adopts an exemption under (1), above, from reducing the amount of or repealing the exemption. (See **S.B. 196**, above.)

Public Safety

H.B. 69 (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. 73 (Murr) – Landowner Liability: would, among other things, provide that a landowner or lessee is not liable for damages arising from any incident or accident involving their livestock due to an act or omission of a firefighter or a peace officer who has entered the landowner's property with or without the permission of the landowner, regardless of where the damage occurs.

H.B. 76 (Reynolds) – Failure to Report Lost or Stolen Firearm: would: (1) create a criminal offense if a person: (a) owns a firearm that is lost or stolen; and (b) fails to report the loss or theft to a law enforcement agency on or before the fifth day after the date the person became aware the

firearm was lost or stolen; (2) provide that a peace officer who receives a report from the owner of a firearm that the firearm was lost or stolen shall report the loss or theft to the Department of Public Safety (DPS) including: (a) the name of the owner and information about the firearm; and (b) the date the owner became aware of the lost or stolen firearm; (3) provide that DPS shall maintain the report until the fifth anniversary of the date the owner became aware the firearm was lost or stolen; and (4) provide that the clerk of the court shall provide written notice to DPS of a conviction or deferred adjudication for a violation of (1), above, no later than the fifth day after the date the person is convicted or placed on deferred adjudication community supervision.

H.B. 77 (Neave Criado) – 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. (Companion bill is **S.B. 83** by **Johnson**.)

H.B. 80 (Gervin-Hawkins) – ETJ Animal Control: 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 notarized affidavit: (a) signed by at least two residents from 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. 106 (Bernal) – Firearms: would, among other things: (1) require a licensed firearms dealer to report the sale of more than one rifle or semiautomatic rifle to the same buyer, during a single transaction or multiple transactions in a five business day period, to the Department of Public Safety and the police department of the municipality in which the licensed firearms dealer is located or, if the licensed firearms dealer is not located in a municipality, the sheriff of the county in which the licensed firearms dealer is located; and (2) create a Class A misdemeanor offense for a person who violates (1), above.

H.B. 123 (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; and (d) if the check described in (c), above, 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), above, shows that the person may not lawfully possess a firearm or the person does not submit a written request as required by (2)(d), above; and (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 this article with respect to the firearm. (Companion bill is **S.B. 144** by **Gutierrez**.)

H.B. 127 (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 of marihuana concentrate. (Companion bill is **S.B. 87** by **Johnson**.)

H.B. 136 (Reynolds) – **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; and (d) if the check described in (c), above, 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), above, shows that the person may not lawfully possess a firearm or the person does not submit a written request as required by (2)(d), above; and (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 this article with respect to the firearm. (Companion bill is **S.B. 144 by Gutierrez.**)

H.B. 178 (Murr) – Evidence Testing for Controlled Substances: would provide that if evidence that may be a controlled substance is submitted to a lab for testing, and it is reasonably possible that the substance is or contains fentanyl, a test must be performed to determine whether the substance is or contains fentanyl.

H.B. 179 (Goodwin) – Firearms: would, among other things: (1) create a criminal offense for a person who intentionally or knowingly displays a firearm while attending or within 500 feet of a public demonstration; and (2) provide defenses to prosecution under (1), above.

H.B. 192 (Schaefer) – Firearms: would: (1) remove “on the premises of any government court or offices utilized by the court” from the list of places where a person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, location-restricted knife, club, or prohibited weapon; and (2) provide that a person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, location-restricted knife, club, or prohibited weapon, unless pursuant to written regulations or written authorization of the applicable government court, in: (a) a courtroom or other room in which a judicial proceeding is being held; (b) a jury room; (c) a judge’s chambers; or (d) the office of a member of a judge’s staff.

H.B. 208 (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 a public or private youth center, a playground, or on a school bus.

H.B. 218 (Moody) – Marijuana: would, among other things: (1) reduce the criminal penalties for certain drug offenses; (2) provide that a peace officer who is charging a person under (1), above, may not arrest the person and shall issue a citation; (3) provide that records of a person charged with certain drug offenses relating to a complaint may be expunged in certain circumstances; (4) require a court that dismisses a complaint under (2), above, to provide written notice to the person of the person’s right to expunction under the bill; (5) provide that 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; and (6) create a penalty group 2-B to include Tetrahydrocannabinol or its synthetic equivalents.

H.B. 258 (M. Gonzalez) – Motorcycle Profiling: would provide that: (1) a peace officer may not engage in enforcement-initiated action based wholly or partly 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, including a motor vehicle stop that is made with respect to an individual operating a motorcycle and that the peace officer extends beyond the period necessary to effectuate the purpose of the stop; and (2) each law enforcement agency shall adopt a detailed written policy on motorcycle profiling that: (a) clearly defines acts constituting motorcycle profiling; (b) strictly prohibits peace officers employed by the agency from engaging in motorcycle profiling; (c)

implements a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in motorcycle profiling with respect to the individual; and (d) requires appropriate disciplinary action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in motorcycle profiling in violation of the agency's policy.

H.B. 278 (Cortez) – 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. 309 (Goodwin) – Pet Adoption: would: (1) require a releasing agency to collect a \$75 fee from each new owner who adopts a dog or cat that is not sterilized and then refund the collected fee to an owner who provides confirmation that the adopted cat or dog has been sterilized; and (2) provide that all fees not refunded must be used for the purpose of providing animal sterilization services.

H.B. 347 (Jarvis Johnson) – Children in Custody: would, among other things, require law enforcement to: (1) adopt a written policy regarding the safe placement of a child who is in the custody of a person that is arrested; (2) coordinate with child-care providers, nonprofit organizations, and faith-based entities in the agency's region to develop options for safe living arrangements for a child who is in the custody of a person that is arrested; and (3) develop agreements with the entities in (2), above, that provide procedures for the law enforcement agency to release a child to the care of those entities.

H.B. 382 (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. 388 (S. Thompson) – Criminal Penalties for Marihuana Possession: would reduce criminal penalties for the possession of two ounces or less of marihuana.

H.B. 410 (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 the Bill Blackwood Law Enforcement Management Institute of Texas and 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 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; and (4) 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. 412 (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. 413 (S. Thompson) – Progressive Disciplinary Matrix: would provide, among other things, that: (1) a public employer, including a city, that has not adopted civil service for its public safety employees, shall implement, for its city police officers, a progressive disciplinary matrix and adopt implementing rules that consist 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; (2) the matrix described in (1), above, must include: (a) 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; (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 record; (3) a meet and confer agreement must: (a) implement the progressive disciplinary described in (1), above; and 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; (4) for cities that have adopted civil service, the civil service commission shall adopt rules that prescribe the disciplinary actions that may be taken against a police officer under a progressive disciplinary matrix described in (1), above; (5) in an appeal of a disciplinary action by a police officer to a hearing examiner, the hearing examiner must presume the disciplinary action applied 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; (6) a collective bargaining agreement may not conflict 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; and (7) a collective bargaining contract affecting police officers may not conflict with a state or local civil service provision implementing a progressive disciplinary matrix.

H.B. 415 (S. Thompson) – Peace Officer Training: would provide that basic peace officer training must include training on the duty of a peace officer to request and render aid for an injured person.

H.B. 418 (S. Thompson) – Peace Officers: would: (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 a 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) exceeds which is reasonable under the circumstances; (ii) violates departmental policy, state, or federal law; (iii) 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 (iv) is not required to apprehend or complete the apprehension of a suspect.

H.B. 459 (Hull) – Use of Chemical Irritant Spray: would provide that peace officers or school security personnel performing security-related duties on school property or at a school-sponsored activity may not restrain or use a chemical irritant spray on a student 10 years of age or younger unless the student poses a serious risk of harm to the student or another person. (Companion bill is **S.B. 133** by West.)

H.B. 484 (Meza) - Suicide Prevention in Jail: would provide that each municipal jail must: (1) provide two hours of training to each jailer or person responsible for the supervision of a person confined in the jail 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 inmate intake process; (3) house in a cell with cameras any person that is identified as potentially suicidal; (4) regularly check on each person described by (3), above; and (5) report to the attorney general any incident involving the suicide or attempted suicide of a person confined in the jail not later than 48 hours after the incident.

H.B. 485 (Gervin-Hawkins) – Offenses on Public Transportation: would increase the criminal penalty for certain offenses committed in a vehicle operated by a public transportation system.

H.B. 504 (Wu) – No-Knock Warrants: would provide that: (1) only the following magistrates may issue a warrant authorizing a no-knock entry: (a) a district court judge; (b) a statutory county court judge; (c) a judge of a county court who is an attorney licensed by the state; (d) a judge of municipal court of record who is an attorney licensed by the state; or (e) any magistrate if the county in which the warrant is issued does not have: (i) a municipal court of record with a courtroom located in that county and a judge who is an attorney licensed by this state; (ii) a county court judge who is an attorney licensed by this state; or (iii) a statutory county court judge; and (2) a magistrate listed in (1), above, may issue a no-knock warrant only if: (a) the complaint is submitted concurrently with a statement that approves the use of a no-knock entry and that is signed by the chief administrator of the law enforcement agency employing the affiant or by the chief administrator's designee; and (b) the warrant requires each peace officer executing the warrant be in uniform or otherwise clearly identifiable as a peace officer. (Companion bill is **S.B. 140** by West.)

H.B. 533 (Wu) – Warrantless Arrests: would provide that peace officer may seize any firearm in plain sight and readily accessible to a person when a peace officer, without a warrant, takes the person into custody because the officer: (1) has reason to believe and does believe that: (a) the person is a person with mental illness; and (b) because of that mental illness there is a substantial risk of serious harm to the person or to others unless the person is immediately restrained; and (2) believes that there is not sufficient time to obtain a warrant before taking the person into custody.

H.B. 544 (Julie Johnson) – 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 later than the third business day after the date the order is received, enter the information into the statewide law enforcement information system maintained by the Department of Public Safety (DPS); (2) require a local entity to report a conviction involving family violence that would prohibit a person from possessing a firearm under state or federal law to DPS not later than the fifth calendar day after the judgment of conviction is entered; and (3) require DPS to report to the FBI for use with the National Instant Criminal Background Check System each protective order and each conviction for a family violence misdemeanor not later than the fifth calendar day after the date DPS receives the information that the protective order or judgment of conviction was entered.

H.B. 568 (Bowers) – Peace Officer Training: would provide that, as part of the minimum curriculum requirements, peace officer training must include instruction on interacting with persons with Alzheimer’s disease and other dementias, including: (1) techniques for recognizing symptoms; (2) communicating effectively; (3) employing alternatives to physical restraints; and (4) identifying signs of abuse, neglect, or exploitation.

H.B. 588 (Raymond) – Statewide Disaster Alarm System: would, among other things, provide that the Texas Division of Emergency Management with the cooperation of the office of the governor and appropriate state agencies shall develop and implement a statewide alert system to active in the event of a disaster affecting any location in Texas.

H.B. 636 (Patterson) – Firearm Regulation: 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. 648 (Gervin-Hawkins) – Passing School Bus: would 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. 660 (Cook) – Protective Orders: would provide that: (1) a law enforcement agency shall enter a protective order in the agency’s computer records of outstanding warrants as notice that the order has been issued and is currently in effect; and (2) on receipt of an original or modified protective order from the clerk of the issuing court, or on receipt of information pertaining to the date of confinement or imprisonment or date of release of a person subject to the protective order, a law enforcement agency shall immediately, but not later than the next business day after the date the order or information is received, enter the following information into the statewide law enforcement information system maintained by the Department of Public Safety: (a) the name, sex, race, date of birth, personal descriptors, address, and county of residence of the person to whom the order is directed; (b) any known identifying number of the person to whom the order is directed, including the person's social security number or driver’s license number; (c) the name and county of residence of the person protected by the order; (d) the residence address and place of employment or business of the person protected by the order; (e) the child-care facility or school where a child protected by the order normally resides or which the child normally attends; (f) the

relationship or former relationship between the person who is protected by the order and the person to whom the order is directed; (g) the conditions of bond imposed on the person to whom the order is directed, if any, for the protection of a victim in any family violence, sexual assault or abuse, indecent assault, stalking, or trafficking case; (h) any minimum distance the person subject to the order is required to maintain from the protected places or persons; and (i) the date the order expires.

H.B. 668 (Collier) – Coin-Operated Machines: would, with respect to the comptroller’s duty to regulate skill or pleasure coin-operated machines, require the comptroller to disclose confidential information, including information in a tax permit, 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. 684 (Cole) – Police Vehicles: would require police patrol vehicles to be conspicuously marked as a police vehicle with the insignia of the applicable law enforcement agency clearly visible at a distance of up to 500 feet under normal atmospheric conditions.

H.B. 689 (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. 690 (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 cities 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), above, 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. 732 (Wu) – Gambling: would provide an affirmative defense to prosecution for certain gambling offenses if the offenses occur in a private residence.

H.B. 735 (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), above, may surrender a firearm, including surrender to a law enforcement agency.

H.B. 762 (Reynolds) – No-Knock Warrants: 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.

H.B. 765 (Harless) – Capital Murder: would provide, that for purposes of the offense of murder against a peace officer or fireman who is acting in the lawful discharge of an official duty and who a person knows is a peace officer or fireman, the actor is presumed to have known the person murdered was a peace officer or fireman if the person was wearing a distinctive uniform or badge indicating the person's employment as a peace officer or fireman.

H.B. 799 (Harris) – 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 (4) 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.

S.B. 87 (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 of marihuana concentrate. (Companion bill is **H.B. 127** by Canales.)

S.B. 106 (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. 133 (West) – Use of Chemical Irritant Spray: would provide that peace officers or school security personnel performing security-related duties on school property or at a school-sponsored activity may not restrain or use a chemical irritant spray on a student 10 years of age or younger unless the student poses a serious risk of harm to the student or another person. (Companion bill is **H.B. 459** by Hull.)

S.B. 140 (West) – No-Knock Warrants: would provide that: (1) only the following magistrates may issue a warrant authorizing a no-knock entry: (a) a district court judge; (b) a statutory county court judge; (c) a judge of a county court who is an attorney licensed by the state; (d) a judge of municipal court of record who is an attorney licensed by the state; or (e) any magistrate if the county in which the warrant is issued does not have: (i) a municipal court of record with a courtroom located in that county and a judge who is an attorney licensed by this state; (ii) a county court judge who is an attorney licensed by this state; or (iii) a statutory county court judge; and (2) a magistrate listed in (1), above, may issue a no-knock warrant only if: (a) the complaint is submitted concurrently with a statement that approves the use of a no-knock entry and that is signed by the chief administrator of the law enforcement agency employing the affiant or by the chief administrator's designee; and (b) the warrant requires each peace officer executing the warrant be in uniform or otherwise clearly identifiable as a peace officer. (Companion bill is **H.B. 504** by **Wu**.)

S.B. 144 (Gutierrez) – 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; and (d) if the check described in (c), above, 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), above, shows that the person may not lawfully possess a firearm or the person does not submit a written request as required by (2)(d), above; and (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 this article with respect to the firearm. (Companion bill is **H.B. 123** by **Goodwin**.)

S.B. 183 (Miles) – Official Oppression: would provide that the offense of official oppression is 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), above, causes serious bodily injury to another, or uses or exhibits a deadly weapon.

S.B. 208 (Eckhardt) – Marihuana: would, among other things, reduce criminal penalties for delivery and possession of marihuana.

S.B. 209 (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; and (5) require a license to operate as a cannabis grower, cannabis establishment, cannabis secure transporter, or cannabis testing facility. (See **S.J.R. 22**, below.)

S.B. 219 (Eckhardt) – Texas Commission on Law Enforcement: 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 Number 2, above, 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 Number 2, above;
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;
6. the grounds under Number 5, above, 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 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 Number 8, above, 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 Number 8, above, 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.

S.B. 224 (Alvarado) – Catalytic Converter Theft: among other things, creates a presumption that a person in possession of two or more catalytic converters unlawfully appropriated the catalytic converters, unless the actor: (1) is the owner of each vehicle from which the catalytic converters were removed; or (2) possessed the catalytic converters in the ordinary course of engaging in a business that is required to be licensed or registered, or is otherwise regulated, by this state or a political subdivision of this state, including: (a) an automotive wrecking and salvage yard; (b) a registered metal recycling entity; (c) a registered vehicle dealer; or (d) a garage or shop that is engaged in the business of repairing motor vehicles; or (3) is an employee or agent of a person described by (2), above, and the actor possessed the catalytic converters while performing a duty within the scope of that employment or agency.

S.B. 252 (Alvarado) – 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 with at

least two years of service before discharge; 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 with at least two years of service before discharge.

S.J.R. 22 (Eckhardt) – Cannabis: 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. (See **S.B. 209**, above.)

Sales Tax

H.B. 24 (Neave Criado) – Sales Tax Exemption: would exempt maternity clothing from the sales tax.

H.B. 43 (Spiller) – 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. 48 (Neave Criado) – Sales Tax Exemption: would exempt children’s diapers and baby wipes from the sales tax.

H.B. 70 (Howard) – Sales Tax Exemption: would exempt feminine hygiene products from the sales tax.

H.B. 105 (Noble) – Sales Tax Exemption: would exempt the furnishing of an academic transcript from sales taxes. (Companion bill is **S.B. 65**.)

H.B. 164 (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. 199 (Howard) – Sales Tax Exemption: would exempt child and adult diapers from the sales tax.

H.B. 268 (Toth) – 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. 346 (Jetton) – Sales Tax Exemption: would exempt certain school supplies purchased by a teacher from the sales taxes.

H.B. 432 (Schofield) – Sales Tax Sourcing: would, among other things, generally provide that for purposes of city sales and use taxes, sales of taxable items are consummated at the location in the state where the item was stored immediately before shipment, delivery, or transfer of possession to the customer.

H.B. 510 (Wu) – Sales Tax Exemption: would exempt feminine hygiene products from the sales tax. (Companion bill is **S.B. 128** by Springer.)

H.B. 577 (Leo-Wilson) – 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. 640 (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.

H.B. 688 (Cole) – Sales Tax Exemption: would exempt a personal computer or tablet computer from the sales tax during the same weekend that school supplies and backpacks are exempt from the sales tax.

S.B. 65 (Zaffirini) – Sales Tax Exemption: would exempt the furnishing of an academic transcript from sales taxes. (Companion bill is **H.B. 105**.)

S.B. 128 (Springer) – Sales Tax Exemption: would exempt feminine hygiene products from the sales tax. (Companion Bill is **H.B. 510** by Wu.)

Community and Economic Development

H.B. 92 (Landgraf) - Residential Food Production: would, among other things, (1) prohibit a municipality and a property owners' association from adopting or enforcing an ordinance or restrictive covenant that prohibits any of the following activities on a residence homestead property: (a) the growing of fruits and vegetables; (b) the raising or keeping of: (i) six or fewer domestic fowl; or (ii) six or fewer adult rabbits; or (c) installing for on-site use: (i) a solar or wind-powered energy device; (ii) an underground shelter; (iii) rain barrels or a rainwater harvesting system; or (iv) a standby electric generator; (2) allow a municipality and a property owners' association to impose: (a) reasonable regulations on the growing of fruits and vegetables on a residence homestead that do not have the effect of prohibiting growing those plants, including a requirement that the growing area be maintained in good condition if visible from the street or adjoining property and for the trimming or removal of a tree for the maintenance of a utility easement; and (b) reasonable regulations on the raising and keeping of rabbits and fowl on a residence homestead to control odor, noise, safety, or sanitary conditions that do not have the effect of prohibiting the raising or keeping of these animals, including: (i) limitations on the number of animals that is more than the minimum number allowed by this law or a total combined number of eight fowl and rabbits; (ii) a prohibition on raising or keeping of a rooster; (iii) defining the minimum distance between an animal shelter and a residential structure; (iv) requiring fencing or shelter sufficient to contain the animals; (v) defining the minimum requirements for combined

housing and outdoor space as provided by this law; (vi) adopting requirements to address sanitary conditions to prevent offensive odors or pests; or (vii) requiring that the animals be kept in the side or rear yard; and (3) provide that an adopted ordinance or restrictive covenant that violates this law is void. (See **H.J.R. 9**, below.)

H.B. 149 (Murr) – **Sale of Parkland**: would allow any home rule city to sell park land owned by the city without an election if: (1) the park is of two acres or less; (2) the park is no longer usable and functional as a park; (3) the proceeds of the sale will be used to acquire land for park purposes; (4) a public hearing on the proposed conveyance is held by the city council and it is found that the property is no longer usable and functional as a park; and (5) the park is conveyed pursuant to an ordinance adopted by the city council, unless within 60 days from the date of the public hearing the city council is presented with a petition opposing the conveyance, in which case the city council shall either deny the conveyance or shall approve the conveyance subject to holding an election.

H.B. 163 (Spiller) – **Lobby Registration**: would provide that a person who has established an attorney-client relationship with a political subdivision to provide legal services and who is entitled to receive compensation, reimbursement, or expenses under an agreement under which the person is retained or employed by the political subdivision is not required to register as a lobbyist.

H.B. 170 (Spiller) – **Community Advocacy**: would: (1) prohibit the governing body of a public entity, including a city, from spending public money or providing other compensation to a lobbyist to communicate directly with one or more members of the legislative branch to influence legislation pending before the legislature unless the expenditure is: (a) authorized by a majority vote of the governing body of the entity in an open meeting of the governing body; and (b) voted on by the governing body as a stand-alone item on the agenda at the meeting; (2) require a public entity that contracts with a lobbyist to publish on the entity's Internet website: (a) the amount of money authorized for the purpose of contracting with the person; (b) the name of the person, (c) a copy of the contract; (d) the amount of money, if any, spent by the entity for membership fees or dues to a nonprofit state association or organization of similarly situated entities that contracts with a lobbyist; and (e) a copy of any current legislative agenda or resolution adopted by the entity; (3) prohibit a lobbyist that contracts with a public entity from communicating directly with a member of the legislative branch on behalf of the entity regarding legislation pending before the legislature that specifically proposes to amend Tax Code Sections 26.04 or 26.041 (dealing with calculation of property tax rates); (4) prohibit a public entity from providing reimbursement to a lobbyist for an expenditure made by the person for food, beverages, or entertainment; (5) provide that if a public entity does not comply with (1) - (4), above, a resident of or person receiving services from the entity may file a sworn complaint with the Texas Ethics Commission against the entity; (6) provide that an officer or employee of a public entity is not prevented from: (a) providing information for a member of the legislative branch; (b) appearing before a legislative committee; or (c) communicating directly with one or more members of the legislative branch to influence legislation pending before the legislature; and (7) repeal the requirement that a political subdivision prominently display on its website a disclosure and itemization of certain expenditures relating to lobbying activities after entering into a consulting services contract.

H.B. 183 (Gates) – **Dissolution of Municipal Management Districts**: would, among other things, provide for the dissolution of a municipal management district (MMD) by written petition

filed with the MMD's board of directors by the owners of the majority of the assessed value of the property subject to assessment or taxation by the district.

H.B. 234 (Bernal) – Real Property Sales Price Disclosure: would provide that: (1) a person may not record an instrument conveying commercial or industrial real property under a contract for sale unless the instrument discloses the sales price of the property; (2) the purchaser of any commercial or industrial property for which an instrument is recorded in violation of (1), above, is liable to the state for a civil penalty in an amount equal to five percent of the sales price of the property; (3) the attorney general or the county or district attorney for the county in which the commercial or industrial property is located may bring suit to recover a penalty from (2), above; and (4) an instrument conveying only a mineral interest in real property need not disclose the sales price.

H.B. 254 (Bernal) – Sale of Distilled Spirits: would, among other things, authorize the holder of distiller's and rectifier's permit to sell distilled spirits at a civic or distilled spirits festival, farmers' market, celebration, or similar event.

H.B. 265 (Bernal) – Housing Discrimination: would: (1) prohibit housing discrimination under the Texas Fair Housing Act on the basis of sexual orientation or gender identity; and (2) prohibit the Texas Workforce Commission from deferring proceedings and referring a complaint about discrimination described in (1), above, to a city if the city does not have laws prohibiting the alleged discrimination.

H.B. 297 (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 city ordinance regulating credit access businesses is not preempted by state law; and (2) provide that, if a city 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. 299 (Murr) – Recovery Housing: would, among other things: (1) 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 (2) 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. 376 (Rogers) – Landowner’s Bill of Rights: would provide that the Landowner’s Bill of Rights must additionally include: (1) notice of a landowner’s right to submit a report of decreased value of the landowner’s remaining property to the county appraisal district office after a taking; and (2) a copy of the report of decreased value issued by the comptroller.

H.B. 427 (VanDeaver) – Excavation Notice: would provide, among other things, that within a certain timeframe before beginning excavation, a person who intends to excavate shall: (1) notify a notification center; and (2) place at least one temporary sign displaying certain required information at or near the excavation site, which sign may not be removed until the excavation is complete; however, the sign required in (2), above, may only be placed on: (a) property by owner consent; (b) a public highway in a location that does not obstruct traffic; or (c) a street lamp or utility sign, pole, or fixture.

H.B. 540 (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. (Companion bill is **S.B. 197** by **Eckhardt**.)

H.B. 586 (E. Thompson) – Annexation of Roadways: would provide that: (1) a city may annex a road right-of-way (ROW) that: (a) is contiguous to the city’s boundary or to an area being simultaneously annexed by the city; (b) is either: (i) parallel to the boundary of the city or to an area being simultaneously annexed by the city; or (ii) connects the boundary of the city to an area being simultaneously annexed by the city or to another point on the city’s boundary; and (c) does not result in the city’s boundaries surrounding any area that was not already in the city’s extraterritorial jurisdiction (ETJ) immediately before the annexation of the ROW; (2) a city may annex a ROW under (1), above, only if: (a) the owner of the ROW or the governing body of the political subdivision that maintains the ROW requests the annexation of the ROW in writing; or (b) both the city provides written notice of the annexation to the owner of the ROW or the governing body of the political subdivision that maintains the ROW not later than the 61st day before the date of the proposed annexation and the owner or the governing body of the political subdivision that maintains the ROW does not submit a written objection to the city before the date of the proposed annexation; and (3) an annexation of ROW described by (1)(b)(ii), above, does not expand the city’s ETJ.

H.B. 615 (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. 643 (Patterson) – Sexually Oriented Businesses: would provide that a commercial enterprise that provides a drag performance for an audience of two or more individuals is a sexually oriented business.

H.B. 696 (Rogers) – Excavation Notice: would provide that not later than two hours after receipt of a notice of intent to excavate, a notification center shall notify each landowner in the proposed area of excavation.

H.B. 708 (Shaheen) – Sexually Oriented Businesses: would provide that a commercial enterprise that provides a drag performance for an audience of two or more individuals is a sexually oriented business.

H.B. 780 (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. 783 (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 city council to establish or use a cemetery located inside the city limits; and (2) the city council by ordinance shall prescribe the information to be included in the application in (1), above, and may authorize the establishment or use of the cemetery if the city council 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. 787 (Patterson) – Tax Incentives: would provide that: (1) a business entity is ineligible to receive a tax incentive if the entity assists an employee to obtain an abortion, including by paying all or part of any charges associated with the procedure or costs associated with traveling to a location for the procedure; and (2) a business entity that is receiving a tax incentive on the date the entity becomes ineligible under (1), above, may not receive an incentive: (a) after December 31 of the calendar year in which the entity becomes ineligible for a property tax incentive; or (b) after the date the entity becomes ineligible for any other incentive other than a property tax incentive.

H.J.R. 9 (Landgraf) – Property Rights: would amend the Texas Constitution to: (1) provide that an individual has the right to conduct activities on the individual's homestead property to secure access to food, water, electric power, and shelter, subject to laws protecting public health and safety; and (2) enable the legislature to enact laws to protect the rights in (1), above.

H.J.R. 26 (Schofield) – Post-Condemnation Repurchase Rights: would amend the Texas Constitution to entitle 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, to repurchase the property under certain circumstances subject to certain conditions.

S.B. 59 (Zaffirini) – Notice for Tax Sales: would require a political subdivision that sells property in a property tax sale to provide notice of water and wastewater requirements if the real property subject to the sale is presumed to be for residential use.

S.B. 103 (Johnson) – 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; and (5) provide that each tax preference enacted by the legislature that becomes law on or after September 1, 2024, expires six years after the date it takes effect, unless the legislature provides an earlier or later expiration date. (See **S.J.R. 14**, below.)

S.B. 197 (Eckhardt) – 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. (Companion bill is **H.B. 540** by **Longoria**, above.)

S.B. 147 (Kolkhorst) – Property Ownership Prohibition: would provide that the following may not purchase or otherwise acquire title to real property in Texas: (1) a governmental entity of China, Iran, North Korea, or Russia (the Specified Nations); (2) a company or other entity that is: (a) headquartered in one of the Specified Nations; (b) directly or indirectly held or controlled by the government of one of the Specified Nations; or (c) owned by or the majority of stock or other ownership interest of which is held or controlled by individuals who are citizens of the Specified Nations; (3) a company or other entity that is owned by or the majority of stock or other ownership interest of which is held or controlled by a company or entity described by (2), above; or (4) an individual who is a citizen of one of the Specified Nations.

S.B. 149 (Springer) – 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), above, 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), above, 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.

S.B. 175 (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 and 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.

S.B. 190 (Miles) – Unauthorized Signs: would provide for a civil penalty of up to \$5,000 to be collected from a person (1) who places or commissions the placement of an unauthorized sign on the right-of-way of a public road, or (2) whose commercial advertisement is placed on a sign described in (1), above.

S.J.R. 14 (Johnson) – Tax Preferences: would amend the Texas Constitution to require the periodic review and expiration of state and local tax preferences. (See **S.B. 103**, above.)

Elections

H.B. 39 (Murr) – Election Fraud: would increase the penalty for certain election fraud offenses to a state jail felony.

H.B. 52 (Spiller) – Illegal Voting: would increase the penalty for illegal voting to a felony of the second degree and the penalty for attempt to illegally vote to a state jail felony.

H.B. 67 (Ortega) – Early Voting by Mail: would provide, among other things, that any qualified voter is eligible for early voting by mail. (Companion bill is **S.B. 120** by **Menendez**.)

H.B. 75 (Zwiener) – Voter Identification: would provide that an identification card issued by a Texas public university is an acceptable form of identification for voting provided that the card: (1) contains the person’s photograph, date of birth, and full legal name; and (2) has not expired, or if expired, has expired no earlier than four years before the date of presentation.

H.B. 153 (Swanson) – Voting Options: would provide, among other things, that a voter shall be given the opportunity to select “I choose not to vote in this race” instead of voting for the candidate(s) appearing on the ballot or the write-in candidate(s) for each race.

H.B. 161 (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. 190 (Swanson) – Petitions and Ballot Propositions: would, among other things:

1. require that a petition for a city election contain or have attached a caption for the proposed measure that identifies the proposed measure by its chief features, describing its character and purpose with such definiteness and certainty that voters are not misled;
2. provide that unless the caption is modified under Number 11, below, the city council in a home-rule city must proceed with an election requested by a petition despite a complaint that the petition violates Number 1, above, and in doing so shall comply with all ordinary timelines and requirements for the election;
3. require a proposition proposing an amendment to a city charter or a voter-initiated initiative or referendum as requested by a petition to use wording identical to the caption of any corresponding petition described in Number 1, above, as applicable;
4. provide that if a court orders a home-rule city to order a new election if a contested election is declared void, a qualified voter of the home-rule city may seek from the court a writ of mandamus to compel the city council to use wording identical to the caption of the corresponding petition;
5. authorize a qualified voter of a home-rule city to seek from the court a writ of mandamus to compel the city council to use ballot proposition language identical to the caption of the corresponding petition;
6. require a court to give absolute priority to a mandamus petition brought under Number 5, above, and require the court to make its determination without delay and prior to the deadline for printing ballots;
7. authorize the court to award a petitioner who substantially prevails in an action under Number 5, above, reasonable attorney's fees, expenses, and court costs;
8. waive governmental immunity to suit and liability to the extent of liability created by Number 7, above;
9. authorize the city council of a home-rule city or a qualified voter of the home-rule city to file a complaint with the secretary of state alleging that a caption under Number 1, above, is invalid;

10. require the secretary of state to review a caption alleged to be invalid not later than the seventh day after the date the secretary receives the complaint;
11. provide that if the secretary of state determines that caption is invalid, the secretary of state shall modify the caption and provide the modified caption to the home-rule city for use as a ballot proposition, but only after seeking input from the persons who signed or circulated the petition and only to the extent necessary for compliance with Number 1, above;
12. provide that action by the secretary of state determining that a caption is invalid may not be considered by a court as evidence that the caption does not comply with the standard expressed in Number 1, above;
13. 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 have signed the petition and signed the petition on or after the 180th day before the petition was filed;
14. require the secretary of state to adopt a standard petition form for petition-initiated city elections and publish the form on the secretary's website;
15. prohibit a city from requiring the submission of information on or with a petition that the standard petition form published by the secretary of state does not provide for or require to be provided;
16. provide that a person who circulates or submits a petition is not required to use the secretary of state's standard petition form;
17. require the city secretary to determine the validity of a petition, including the petition signatures, not later than the 30th day after the date the city receives the petition;
18. prohibit a city secretary from invalidating a petition on the grounds of an inadequate caption, but authorize the city secretary to file a complaint under Number 9, above, and modify the caption as directed by the secretary of state;
19. prohibit a city from restricting who may collect petition signatures;
20. provide that a city may repeal a charter amendment adopted by a petition-initiated election only by a petition-initiated election held for the specific purpose of repealing the amendment;
21. prohibit a city from repealing a charter amendment adopted by a petition-initiated election by adopting a new or revised city charter; and

22. repeal the authority for: (a) a city secretary to verify signatures by statistical sample; and (b) charter provisions or ordinances governing the validity or verification of petition signatures to remain effective if they were in effect on September 1, 1985.

H.B. 222 (Slaton) – Illegal Voting: would increase the penalty for illegal voting to a felony of the second degree and the penalty for attempt to illegally vote to a state jail felony.

H.B. 241 (Bucy) – Early Voting by Mail: would provide, among other things, that any qualified voter is eligible for early voting by mail. (Companion bill is **S.B. 120** by **Menendez**.)

H.B. 259 (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 shall not be held for an office to which preferential voting applies.

H.B. 281 (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. 294 (Schofield) – Federal Elections: would, among other things, provide that: (1) a primary or general election for a federal office, other than the office of the president or vice president of the United States, or a resulting runoff election (a “federal election”) is a separate election from any other election in the state; (2) a federal election may not list on the federal ballot any proposition or election for state or county office; (3) to the extent feasible, a federal election and an election that is not a federal election (a “state election”) shall be held separately and concurrently using the same precincts and polling locations; and (4) the secretary of state shall adopt rules to enact the provisions of (1)-(3), above, and the rules adopted must reduce voter disruption and confusion to the greatest extent possible, including rules requiring use of the same area in which voters are being accepted for voting and the same voting stations for state and federal elections.

H.B. 296 (Bucy) – Mobility Impaired Voters: would: (1) require an election officer to accept a person who is offering to vote and has a mobility problem that substantially impairs the person’s ability to ambulate before accepting others offering to vote at the polling place and 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. 302 (Bucy) – 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. 315 (Cortez) – Early Voting Ballot: would provide that: (1) the official application form for an early voting ballot must include a statement prescribed by the secretary of state explaining the benefits of furnishing an applicant’s telephone number, including how that information assists the early voting clerk; and (2) the secretary of state shall make the statement described in (1), above, available on the secretary of state’s website.

H.B. 317 (Bucy) – Early Voting: would provide, among other things, that: (1) a voter registrar’s office shall not remain open for purposes of providing voter registration information during extended hours or weekend hours if early voting by personal appearance is required to be conducted for extended hours or weekend hours; (2) an 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 (3) 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. 354 (Bucy) – Voter Identification: would provide, among other things, that the following documents are an acceptable form of photo identification for purposes of voting at an election: (1) an official Native American identification card or tribal document that: (a) contains the voter’s photograph and address; and (b) is issued by a tribal organization or by a tribe that is federally recognized and located in the state; (2) an identification card issued by a Texas public or private institution of higher education that contains the voter’s photograph; or (3) an identification card issued by a Texas state agency that contains the voter’s photograph.

H.B. 357 (Bucy) – Early Voting by Mail: would provide that the online tool developed or provided by the secretary of state 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 website and on an applicable county’s website must require the voter to provide the following additional information, before permitting the voter to access the information: (1) the voter’s date of birth; and (2) the voter’s driver’s license number, personal identification card number or the last four digits of the voter’s social security number.

H.B. 359 (Bucy) – Mail in Ballots: 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. 365 (Bucy) – Early Voting By Mail: would provide, among other things, that: (1) for a ballot to be voted by mail on the ground of absence from the county of residence, the early voting ballot

application must include an e-mail address for the applicant to which the ballot is sent by electronic transmission; (2) the officially prescribed application form for an early voting ballot on an application for a ballot to be voted by mail must include, in the space for an applicant applying on the ground of absence from the county of residence, that the applicant wishes to receive the balloting materials by electronic transmission and provide an e-mail address; (3) a voter voting by mail on the ground of absence from the voter's 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; (4) balloting materials to be sent by electronic transmission as described in (3), above, include: (a) the appropriate ballot; (b) ballot instructions, including instructions that inform a voter that the ballot must be returned by mail to be counted; (c) instructions prescribed by the secretary of state on how to create a ballot envelope and carrier envelope or signature sheet for the ballot; and (d) a list of certified write-in candidates, if applicable; (5) the balloting materials described in (3), above, may be provided by e-mail to the voter: (a) in a portable document format or similar file type or through a scanned format; or (b) by any other method of electronic transmission authorized by the secretary of state in writing; (6) an e-mail address used to request balloting materials described in (3), above, is confidential and does not constitute public information for purposes of the Texas Public Information Act, and an early voting clerk shall ensure that the voter's e-mail address is excluded from public disclosure; and (7) a marked ballot received through electronic transmission as provided by (3), above, shall be returned to the early voting clerk by mail or common or contract carrier through procedures prescribed by the secretary of state.

H.B. 371 (Bucy) – Runoff Elections: would: (1) provide that a runoff election shall be held on the sixth Saturday after the date of the main election; and (2) repeal the provision that allows a home-rule city charter to provide for a runoff election date later than provided by state law.

H.B. 374 (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. 378 (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. 380 (Bucy) – Election Database: would, among other things, require: (1) the secretary of state to post on the secretary of state's public Internet website a database of election information, including: (a) the name of the authority giving notice of an election; (b) each office to be filled at the election; (c) whether the office is elected at large or by district; and (d) the dates of the preceding and next election for the office; (2) a political subdivision other than a county, including a city, to provide the information described in (1), above, to the county in electronic format in January of each year; (3) the secretary of state to post on the secretary of state's Internet website a database containing information about officeholders and candidates for office including, among other positions, the office of mayor or a position on the city council, to include the following information: (a) name; (b) office title, including any district, place, or position and a notation that

the person is an incumbent; (c) if the office is elected at large or by district; (d) the date of the previous and next election for the office; (e) public mailing address; (f) public telephone number, if available; (g) public e-mail address, if available; and (h) if the individual has filed as a write-in candidate; (4) a political subdivision, including a city, to provide information about a candidate or officeholder to the county in which the political subdivision is located, and the county shall forward that information to the secretary of state; and (5) the secretary of state to make the name, office, and party affiliation of the holder of a partisan elected office, the office of mayor, or a position on the governing body of a city or board of trustees of an independent school district available on the secretary of state's Internet website for as long as the person holds that office.

H.B. 386 (J. Gonzalez) – Voter Accommodation: would: (1) require an election officer to designate a parking space at each polling place for a voter who is physically unable to enter the polling place without personal assistance or likelihood of injuring the voter's health that is not a parking space designated specifically for persons with disabilities; (2) require the parking space to be clearly marked with a sign: (a) indicating that the space is reserved for use by a voter who is unable to enter the polling place; and (b) displaying, in large font that is clearly readable from a vehicle, a telephone number that a voter may call or text to request assistance from an election officer at the polling place; and (3) provide, as an alternative to displaying a phone number under (2)(b), above, that a parking space may provide the voter with a button or intercom that the voter may use to request assistance from an election officer.

H.B. 397 (Goldman) – Illegal Voting: would increase the penalty for illegal voting to a felony of the second degree and the penalty for attempt to illegally vote to a state jail felony.

H.B. 426 (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. 455 (Schofield) – General Election: would authorize a political subdivision other than a county or municipal utility district to change the date on which it holds its general election for officers to the November uniform election date.

H.B. 488 (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. 499 (Meza) – Countywide Polling Place: would authorize the secretary of state to select any county to participate in the countywide polling place program. (Companion bill is **S.B. 117** by **Menendez**.)

H.B. 502 (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. 120** by **Menendez**.)

H.B. 549 (Swanson) – Election Marshals: would provide, among other things, that:

1. the secretary of state has authority to take appropriate action to protect against violations of the Election Code;
2. the secretary of state shall appoint a state election marshal who reports to the secretary of state;
3. the state election marshal shall appoint election marshals for each Department of Public Safety (DPS) region such that there is one election marshal for each 1,000,000 people who reside in the region;
4. appointments described in Number 3, above: (a) must be made not later than the 60th day before the date early voting is scheduled to begin in an election held on a uniform election date in November or a primary election; and (b) shall be in effect for 90 days, and may be extended by the state election marshal if the election marshal is conducting an investigation;
5. the state election marshal shall designate an election marshal in each DPS region as the chief election marshal for the region;
6. the chief election marshal for a region shall assign election marshals to each alleged violation of Election Code occurring in the region as described by Number 9, below;
7. to be qualified as a state election marshal or an election marshal, a person must: (a) be licensed as a peace officer by the Texas Commission on Law Enforcement; (b) be commissioned by the DPS; (c) and have received training in election law from the secretary of state;
8. an election marshal has the powers and duties of a state inspector and other powers and duties as assigned by law;
9. a state inspector or election marshal shall promptly investigate an alleged violation of the Election Code that is: (a) supported by an affidavit or unsworn declaration; and (b) submitted to the state inspector or chief election marshal, and if submitted to the chief election marshal, assigned to the election marshal; and
10. if an election marshal investigates an alleged violation and finds probable cause exists that a violation is occurring or is likely to occur, the election marshal: (a) shall exercise all lawful means to prevent the violation from continuing or occurring; (b) may seek such orders, processes, or warrants from a court that the election marshal finds necessary to prevent the violation from continuing or occurring; and (c) may also file appropriate criminal charges.

(Companion bill is **S.B. 220** by **Bettencourt**.)

H.B. 589 (Toth) – **Election Audits**: would provide, among other things, that:

1. a person who participated in an election as a candidate, county chair of a political party, a presiding judge, an alternate presiding judge or the head of a specific-purpose political

committee that supports or opposes a ballot measure may issue a written request to the county clerk for an explanation and supporting documentation for: (a) an action taken by an election officer that appears to violate the Election Code; (b) irregularities in precinct results; or (c) inadequacy or irregularity of documentation required to be maintained the Election Code;

2. no later than the 20th day after a request is received under Number 1, above, the county clerk shall provide the requested explanation and any supporting documentation;
3. a requestor described under Number 1, above, who is not satisfied with the explanation and supporting documentation provided under Number 2, above, may issue a request for further explanation and supporting documentation to the county clerk;
4. not later than the 10th day after the date a request under Number 3, above, the county clerk shall provide the requested explanation and any supporting documentation;
5. a requestor who is not satisfied with the explanation and supporting documentation provided under Number 4, above, may issue a request to the secretary of state for an audit of the issue described under Number 1, above;
6. not later than the 30th day after the date the secretary of state receives a request for an audit under Number 5, above, the secretary must determine whether the information submitted by the requestor sufficiently explains the irregularity identified under Number 1, above, and if insufficient, the secretary shall immediately begin an audit of the identified irregularity at the expense of the county;
7. on conclusion of the audit, the secretary of state shall provide notice of the findings of the audit to the person who submitted the request for the audit and the county clerk, and shall provide special notice to a county clerk detailing any violation of the Election Code found during the conduct of an audit;
8. if the county clerk does not remedy a violation detailed in the special notice described in Number 7, above, by the 30th day after the date the clerk receives the notice, the secretary of state shall assess a civil penalty of \$500 for each violation not remedied and, if possible, remedy the violation on behalf of the county clerk.
9. if the secretary of state is not able to remedy the violation on behalf of the county clerk, the secretary shall assess an additional penalty under Number 8, above, for each day the county clerk does not remedy the violation until the violation is remedied;
10. the secretary of state shall maintain a record of county clerks who have been assessed a civil penalty under Number (8), above, and shall publish the record on the secretary's website; and
11. the attorney general may bring an action to recover a civil penalty that has not been paid.

H.B. 676 (Bucy) – Provisional Voting: would provide that: (1) an election officer serving a polling place is a deputy voter registrar and has the same authority as a regular deputy registrar; (2) a voter registration certificate may contain an explanation of the voter’s rights or duties under the Election Code, including the procedure for voting after changing residence to another county; (3) the registrar shall cancel a voter’s registration immediately on receipt of notice that a voter has voted a provisional ballot in another county; (4) after changing residence to another county, a person shall be accepted for provisional voting if: (a) the person would have been eligible to vote in the county of former residence on election day if still residing in that county; (b) the person is registered to vote in the county of former residence at the time the person: (i) offers to vote in the county of new residence; or (ii) submitted a voter registration application in the county of new residence; (c) voter registration for the person in the county of new residence is not effective on or before election day; and (d) the person offers to vote in the person’s new county of residence: (a) at any polling place during the early voting period; (b) at any polling place on election day if the county participates in the countywide polling place program; or (c) 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; (5) not later than the 30th day after the election, the voter registrar shall notify the voter registrar for the voter’s former county of residence that the voter was accepted for voting; (6) a person may cast a provisional ballot if the person would be eligible to vote in the election, but for the requirement to be a registered voter, and executes a specific affidavit; and (7) a provisional ballot cast shall be accepted if its determined from the information in the affidavit or contained in public records that the person: (a) is registered to vote in the county of the person’s former residence; (b) has not previously voted in the election; and (c) is eligible to vote in the election, but for the requirement to be a registered voter

H.B. 701 (J. Gonzalez) – Early Voting By Mail: would provide that: (1) the secretary of state shall implement a program to allow a person to complete an application for an early voting ballot by mail over the internet from the official website of the State of Texas; (2) the program must: (a) permit an applicant to electronically sign the application; (b) deliver a completed application to the early voting clerk for the election who serves the election precinct of the applicant’s residence; and (c) permit an applicant to check the status of the applicant’s application; and (3) the program implemented under (2), above, must require a person to provide the following information before allowing the person to complete an application for an early voting ballot by mail: (a) the person’s name and voter registration number or registration address; (b) the voter’s driver’s license number or personal identification card number issued by the Department of Public Safety; and (c) the last four digits of the person’s social security number.

H.B. 705 (J. Gonzalez) – Election Lawsuits: would provide that a district attorney shall defend an action, including an action for writ of mandamus, brought against an election judge or election clerk that alleges that the judge or clerk violated a provision of the Election Code while acting in the judge’s or clerk’s official capacity in the county served by the district attorney.

H.B. 789 (Rogers) – Candidate Qualifications: would amend current state law by adding a requirement that for a person to be eligible to be a candidate for, or elected or appointed to, a public elective office in this state, the person 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. 54**, below.)

H.J.R. 54 (Rogers) – State Candidate Qualifications: would, among other things, amend the Texas Constitution by adding a requirement that for a person to be eligible to be a candidate for, or elected or appointed, to certain state offices, the person 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. 789**, above.)

S.B. 93 (Johnson) – 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.

S.B. 116 (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.

S.B. 117 (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. 499** by **Meza**.)

S.B. 120 (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 bills is **H.B. 67** by **Ortega**.)

S.B. 215 (Eckhardt) – Lobbying: would provide that: (1) a person who is required to register as a lobbyist under state law may not be eligible to be a candidate for, or elected or appointed to, a public elective office in Texas; (2) the provision in (1), above, does not apply to: (a) an office of a political subdivision with a population of 150,000 or less, other than the office of presiding officer of the governing body of the political subdivision, provided that the officer does receive a salary or wage for that office; or (b) the office of the presiding officer of the governing body of a political subdivision with a population of 50,000 or less, provided that the presiding officer does not receive a salary or wage for that office; (3) for purposes of (2), above, a presiding officer or other officeholder is not considered to have received a salary or wage if the officeholder refuses to accept a salary or wage offered or budgeted for that office; (4) an individual may not register to be a lobbyist under state law if the individual is: (a) a member of Congress; (b) a member of the legislature; or (c) statewide officeholder; and (5) the lobby registration of an individual described in (4), above, expires on the date the individual takes office.

S.B. 220 (Bettencourt) – Election Marshals: would provide, among other things, that:

1. the secretary of state has authority to take appropriate action to protect against violations of the Election Code;
2. the secretary of state shall appoint a state election marshal who reports to the secretary of state;
3. the state election marshal shall appoint election marshals for each Department of Public Safety (DPS) region such that there is one election marshal for each 1,000,000 people who reside in the region;
4. appointments described in Number 3, above: (a) must be made not later than the 60th day before the date early voting is scheduled to begin in an election held on a uniform election date in November or a primary election; and (b) shall be in effect for 90 days, and may be extended by the state election marshal if the election marshal is conducting an investigation;
5. the state election marshal shall designate an election marshal in each DPS region as the chief election marshal for the region;
6. the chief election marshal for a region shall assign election marshals to each alleged violation of Election Code occurring in the region as described by Number 9, below;
7. to be qualified as a state election marshal or an election marshal, a person must: (a) be licensed as a peace officer by the Texas Commission on Law Enforcement; (b) be commissioned by the DPS; (c) and have received training in election law from the secretary of state;
8. an election marshal has the powers and duties of a state inspector and other powers and duties as assigned by law;
9. a state inspector or election marshal shall promptly investigate an alleged violation of the Election Code that is: (a) supported by an affidavit or unsworn declaration; and (b) submitted to the state inspector or chief election marshal, and if submitted to the chief election marshal, assigned to the election marshal; and
10. if an election marshal investigates an alleged violation and finds probable cause exists that a violation is occurring or is likely to occur, the election marshal: (a) shall exercise all lawful means to prevent the violation from continuing or occurring; (b) may seek such orders, processes, or warrants from a court that the election marshal finds necessary to prevent the violation from continuing or occurring; and (c) may also file appropriate criminal charges.

(Companion bill is **H.B. 549** by **Swanson**.)

S.B. 221 (Bettencourt) – 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 Number 6, above, to be submitted to the SOS under the process outlined in Number 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 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;
10. waive and abolish governmental immunity to suit to the extent of the liability created by Number 9(b), above;
11. provide that, following a final judgment that a proposition failed to comply with the provision described in 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

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 Numbers 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.

Emergency Management

H.B. 107 (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. 119 (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 that 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. 154 (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. 448 (Schofield) – Disaster Order 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 (ii) 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 to the extent of liability under (1), above.

H.B. 558 (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.

H.B. 624 (Harris) – Emergency Medical Transport by Firefighters: would provide that: (1) a firefighter, regardless of licensure as an emergency medical services provider, may transport a sick or injured patient to a health care facility in a vehicle other than an emergency medical services vehicle if: (a) the appropriate emergency medical services provider is notified of the patient's clinical condition and is unable to provide emergency medical services at the patient's location; and (b) the medical treatment and transport protocols for the patient's apparent clinical condition authorize transport of the patient in a vehicle other than an emergency medical services vehicle; and (2) each emergency medical services and trauma care system shall develop the medical

treatment and transport protocols necessary for the implementation of (1)(b), above, for the area covered by the system and provide notice of the protocols to the emergency medical providers and fire fighters in that area.

S.B. 97 (Johnson) – Emergency Executive Orders: would provide that: (1) the governor shall limit an executive order, proclamation, or regulation that is issued, amended, or rescinded to address only the specific conditions or requirements of the disaster that is the subject of the executive order, proclamation, or regulation under a state of disaster; and (2) not later than Monday of each week during a declared disaster, the governor and the Texas Department of Emergency Management (TDEM) shall publish on the governor’s website and TDEM’s disaster web portal a list of all executive orders, proclamations, and regulations issued by the governor during the previous seven-day period in chronological order.

S.B. 98 (Johnson) – Disaster Declaration: would, among other things, provide that if the Texas legislature is convened in a regular or special session during a state of disaster, only the legislature by law may renew the state of disaster, and not the governor.

S.B. 99 (Johnson) – Disaster Declaration: would, among other things: (1) require the legislature to appoint a joint disaster oversight committee; and (2) provide that if the governor determines a state of disaster requires renewal for more than 90 days from the date of the initial disaster declaration, the governor may renew the state of disaster only if: (a) the joint disaster oversight committee conducts a public hearing on renewal of the state of disaster; (b) the legislature convened in a regular or special session approves the renewal by a law that states the maximum number of days the state of disaster may continue following renewal; and (c) the governor’s renewal of the state of disaster expires not later than the date set by the legislature under (b), above.

S.B. 100 (Johnson) – Disaster Declaration: would eliminate the governor’s responsibility as commander in chief of state agencies, boards, and commissions having emergency responsibilities during the recovery period following a state of disaster.

Municipal Courts

H.B. 303 (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 \$100 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. 734 (Vasut) – Community Service: would increase the amount of fines or costs considered to have been discharged for each eight hours of community service performed by a defendant from \$100 to \$150.

S.B. 84 (Johnson) – 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. (Companion bill is **H.B. 394** by **Collier**.)

S.B. 171 (Blanco) – Criminal Case Reporting: would require a clerk of a court to report to the Department of Public Safety the dispositions of criminal cases in the court not later than the fifth business day after the date of each disposition of a case involving a felony, a misdemeanor for which a term of confinement may be imposed, or a misdemeanor punishable by fine only that involves family violence.

Open Government

H.B. 30 (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. 96 (M. Gonzalez) – Confidential Appraisal Records: would add a customs and border protection officer or border patrol agent of the United States Customs and Border Protection to the list of individuals who may choose to restrict public access to their home address that is contained in appraisal records.

H.B. 576 (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, subject to a discretionary exception under the Public Information Act.

H.B. 613 (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.

S.B. 42 (Zaffirini) – Open Meetings: would, among other things:

1. require a governmental body, including city council, to ensure that members of the public are able to listen to, and if applicable, speak by telephone at an open meeting of the governmental body at which at least a majority of the members of the body participate by a method other than by appearing in person at the meeting's physical location, including by telephone conference call or videoconference call;
2. require a governmental body that holds an open meeting described in Number 1, above, to: (a) make the open meeting audible to the public by telephone and each location described by Number 3(b), below; (b) if the meeting is broadcast live over the internet or held wholly or partly by videoconference call, provide public access to both audiovisual and audio-only feeds of the open meeting over the internet or by using a free, widely available computer application; and (c) if applicable, allow members of the public to address the governmental body regarding an item on an agenda for the meeting before or during the body's consideration of the item: (i) by telephone; and (ii) by videoconference call if the meeting is held wholly or partly by videoconference call;
3. require the notice of an open meeting described in Number 1, above, to: (a) comply with the requirements of the Open Meetings Act; (b) list each physical location where a member of the public may observe and participate in the meeting, including: (i) any location that is open to the public where a member of the governmental body intends to participate in the meeting; and (ii) any facility provided by the governmental body for a member of the public to observe or speak at the meeting; (c) include a toll-free telephone number that members of the public may use to hear and, if applicable, speak at the meeting; (d) include access information for any audiovisual or audio-only feeds required under Number 2(b), above; and (e) include instructions for a member of the public to speak at the meeting: (i) from a remote location; or (ii) while physically present at a location described by (b), above;
4. require that an open meeting described in Number 1, above, be recorded, and except as otherwise provided by law, provide that the recording shall be made available to the public not later than 24 hours after the adjourning of the meeting;

5. authorize a person in attendance at an open meeting of a governmental body to stream live video and audio of all or any part of the meeting over the Internet;
6. provide that a governmental body may adopt reasonable rules relating to the location of livestreaming equipment and the manner in which the livestreaming is conducted;
7. require a meeting notice to include: (a) an agenda of the specific subjects to be considered in the open meeting so that the public is aware of the subjects for public deliberation; and (b) to the extent foreseeable at the time the notice is posted, the subjects to be considered in a closed meeting;
8. prohibit a governmental body from conducting a closed meeting on a subject not included in the notice under Number 7, above, unless the governmental body determines by official action during the open meeting for which the notice was posted that the necessity of considering the subject was not reasonably foreseeable at the time the notice was posted; and
9. require a governmental body to broadcast an open meeting over the Internet, or hold an open meeting by telephone conference call or videoconference call, 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 an emergency or urgent public necessity.

S.B. 43 (Zaffirini) – Public Information: would provide, among other things, that: (1) for purposes of the public information act, the following days are not considered business days of a governmental body, including a city: (a) a Saturday or Sunday; (b) a national holiday; (c) a state holiday; (d) the days on which Rosh Hashanah, Yom Kippur, or Good Friday falls (“optional holidays”) if the officer for public information of the governmental body observes the optional holiday; and (e) a day designated by the governmental body on which the body’s administrative offices are closed or operating with minimum staffing; (2) the designation described in (1)(e), above, for a governmental body other than an independent school district must be made by the executive director or other chief administrative officer; (3) a governmental body may designate, as described in (1)(e), above, not more than 10 days as nonbusiness days each calendar year; and (4) a governmental body shall make a good faith effort to post advance notice of the nonbusiness days designated under (1)(e), above, on the governmental body’s website.

S.B. 44 (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), above, 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), above, 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.

S.B. 45 (Zaffirini) – Electronic Public Information: would, among other things:

1. expand the definition of “public information” under the Public Information Act (PIA) to include a data dictionary or other indicia of the type or category of information held in the applicable field of a database, other than metadata that directly implicates database security;
2. provide that 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. provide that 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 any electronic communication created, received or maintained on any device in connection with the transaction of official business and the information described in Number 1, above, is significant and not merely used as a tool for the maintenance, manipulation, or protection of property;
4. provide that, 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. provide that 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. provide that 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 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. provide that a copy of information requested under Number 6, above, shall be provided on suitable electronic media;
8. provide that, 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;
9. provide that a governmental body shall use reasonable efforts to ensure that a contract entered into by the 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;
10. provide that the provisions of this bill apply to public information for which a third party is the custodian for the governmental body;
11. provide that a confidentiality provision or exception from required disclosure under the PIA applies to electronic public information;
12. provide that the cost rules under the PIA apply to an electronic copy or paper printout of electronic public information; and
13. repeal the provision under the PIA related to responding to requests for information that require programming or manipulation of data.

S.B. 46 (Zaffirini) – Dates of Birth: would provide that a governmental body, including a city, may not withhold a person's date of birth: (1) in correctional or prosecutorial records, including arrest, charge, indictment, conviction and deferred adjudication, and inmate information; or (2) in applications filed by candidates for elective office.

S.B. 185 (Miles) – Official Oppression: would provide, among other things, that: (1) a department of a political subdivision employing a police officer against whom is filed a complaint alleging conduct constituting official oppression shall: (a) retain the complaint until at least the fifth anniversary of the date the police officer's employment with the political subdivision ends; and (b) create an abstract of the complaint to retain indefinitely once the original complaint is destroyed; (2) a complaint or abstract described by (1), above, is public information and is not excepted from required disclosure under the Texas Public Information Act (TPIA) law enforcement exception; (3) the provisions described in (1) and (2), above, prevail over any other provision of law and any conflicting provision in a collective bargaining agreement; (4) if a city receives a complaint against a peace officer employed by the city alleging conduct constituting official oppression, the city shall: (a) retain the complaint until at least the fifth anniversary of the date the peace officer's employment with the city ends; and (b) create an abstract of the complaint to retain indefinitely once the original complaint is destroyed; (5) a discretionary exception to

required disclosure provided by the TPIA does not apply to a complaint or abstract described in (4), above; and (6) the TPIA law enforcement exception does not apply to a record described in (4), above.

Other Finance and Administration

H.B. 51 (Johnson) - State Holidays: would remove the 19th day of January, “Confederate Heroes Day,” from the list of state holidays.

H.B. 57 (Zwiener) – Climate Change Reporting: would require the Texas Commission on Environmental Quality to prepare a report on the potential impact of climate change in the state every four years, which would include, among other things, information regarding the impact of climate change on the economy, infrastructure, surface water and groundwater, and state and local finances.

H.B. 58 (Talarico) – Ambulance Balance Billing: would provide that: (1) a city or county may elect to consider a health benefit plan payment towards a claim for air or ground ambulance services provided by the county or city as payment in full for those services regardless of the amount the county or city charged for those services; and (2) a city or county may not practice balance billing for a claim for which the city or county makes an election described in (1), above. (Note: this bill is nearly identical to legislation that was passed by the 87th Legislature and signed into law in 2021 – S.B. 790.)

H.B. 59 (Goodwin) – Child Water Safety Requirements: would: (1) provide that an organization, including a school, preschool, kindergarten, nursery school, 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. 61 (Noble) – Abortion: would: (1) prohibit a governmental entity from entering into a taxpayer resource transaction or appropriate or spend money to provide any person logistical support for the express purpose of assisting a woman with procuring an abortion or an abortion provider’s services, including: (a) child care; (b) travel or any form of transportation to or from an abortion provider; (c) lodging; (d) food or food preparation; (e) counseling that encourages a woman to have an abortion; and (f) any other service that facilitates the provision of an abortion; (2) provide that the prohibition in (1), above, does not apply to a taxpayer resource transaction entered into or money appropriated or spent by a governmental entity that is subject to a federal law in conflict with (1), above, as the executive commissioner of the Health and Human Services Commission determines and the attorney general confirms in writing; and (3) provide that the

attorney general may bring an action to enjoin a violation of (1), above, and recover reasonable attorney's fees and costs incurred in bringing the action.

H.B. 89 (Talarico) – Ambulance Balance Billing: would provide that: (1) a city or county may elect to consider a health benefit plan payment towards a claim for air or ground ambulance services provided by the county or city as payment in full for those services regardless of the amount the county or city charged for those services; and (2) a city or county may not practice balance billing for a claim for which the city or county makes an election described in (1), above. (Note: this bill is nearly identical to legislation that was passed by the 87th Legislature and signed into law in 2021 – S.B. 790.)

H.B. 95 (Goodwin) – Cottage Food: would: (1) require the commissioner of state health services to adopt rules requiring a cottage food production operation to include the zip code and telephone number of the cottage food production operation on the label all of the foods that the operation sells; (2) remove the requirement for a cottage food production operation to include the address of the cottage food production operation on the label all of the foods that the operation sells; and (3) repeal the section of law that provides that an operator of a cottage food production operation that sells a cottage food through the Internet or by mail order: (a) is not required to include the address of the operation in the required labeling information before the operator accepts payment for the food; and (b) shall provide the address of the operation on the label of the food in the manner required by state law after the operator accepts payment for the food.

H.B. 115 (Ortega) – Alcohol Consumption in Public: would, for purposes of the offense for consumption of alcohol in a public place during certain hours, clarify that a public place includes an unlicensed or unpermitted premises.

H.B. 176 (Goodwin) – Cottage Food: would eliminate the requirement that an individual operating out of the individual's home would need to have an annual gross income of \$50,000 or less from the sale of certain foods to be considered a "cottage food production operation."

H.B. 187 (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. 256 (Bernal) – 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 of an individual: (a) denies that individual full and equal accommodation in any place of public accommodation, subject only to the conditions and limitations established by law and applicable to all persons; or (b) otherwise discriminates against or segregates or separates the individual based on sexual orientation or gender identity; (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 described in (1), above; (3) if a court finds that discriminatory practice has occurred or is about to occur, the court may award to the plaintiff: (a) actual and punitive damages; (b) reasonable attorney's fees; (c) court costs; and (d) any permanent or temporary injunctive relief; and (4) an employer, including a city, commits an unlawful employment practice if the employer discriminates against an individual on the basis of sexual orientation or gender identity.

H.B. 262 (Swanson) – Cooperation with Federal Government: would, among other things: (1) require the attorney general to provide a written report to the governor, lieutenant governor, speaker of the house of representatives, and each member of the legislature that identifies each rule adopted by the a federal government agency during the previous month that: (a) relates to certain subjects including the First Amendment, Second Amendment, and regulation of education, among others; (b) was adopted in response to an executive order by the president of the United States; and (c) violates 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; and (2) provide that a political subdivision, including a city, may not cooperate with a federal government agency in implementing an agency rule that a report published under (1), above, indicates: (a) violates the rights guaranteed to the citizens of the United States by the United States Constitution; or (b) exceeds the powers specifically granted to the federal government by the United States Constitution.

H.B. 384 (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 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. 431 (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 50 percent of the amount collected as the prize fee in equal shares to the city and county if the bingo game is conducted within a county and within the city limits of a city that both voted before November 1, 2019 to impose the prize fee; or (3) if the county in which the bingo game is conducted did not vote before November 1, 2019 to impose the prize fee and the location at which the bingo game is conducted is within the boundaries of a city that voted before November 1, 2019 to impose the prize fee, remit 25 percent of the amount collected to the city and deposit the remaining amount in the general charitable fund of the organization organizations conducting the bingo game.

H.B. 445 (Schofield) – Ballot for Bond Election: would: (1) require a ballot for a county or city bond election to state with specificity: (a) each project to be funded through the bond proceeds; and (b) the amount of bond proceeds to be spent on each project; (2) prohibit a county or city from: (a) spending a greater amount than the amount stated on the ballot on a project; and (b) transferring

bond proceeds from one project to another; and (3) confer on an individual who votes in the election standing to sue a city or county for a violation of (1) or (2), above.

H.B. 451 (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. 522 (Cain) – State Holidays: would provide for the creation of “Celebration of Life Day” on June 24th as a state holiday.

H.B. 537 (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), above, 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), above, includes a financial audit, a compliance audit, an economy and efficiency audit, and an effectiveness audit, among other things.

H.B. 550 (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. 553 (Troclair) – Universal Basic Income: would prohibit a political subdivision, including a city, 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.B. 572 (Bowers) – Fireworks: would prohibit a home-rule city and Type A general law city that regulate fireworks from confiscating fireworks in the possession of a person if the person possesses only packaged, unopened fireworks.

H.B. 622 (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), above, a political subdivision must hold a public meeting about the alternative notice under (1)(a), above, 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 publishing notice in accordance with (1)(b), above, 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), above, to submit notice to the comptroller describing the alternative notice method in (1)(a), above, 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), above, 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. 657 (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), above, 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. 683 (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 a city.

H.B. 712 (Shaheen) – Local Government Security Incidents: would: (1) provide that a local government that owns, licenses, or maintains computerized data that includes sensitive personal information, confidential information, or information the disclosure of which is regulated by law shall, in the event of a security incident: (a) comply with the notification requirements of the Identify Theft Enforcement and Protection Act, to the same extent as a person who conducts

business in this state; (b) not later than 48 hours after the discovery of the security incident, notify: (i) the Department of Information Resources (DIR), including the chief information security officer; or (ii) if the security incident involves election data, the secretary of state; and (c) comply with all DIR rules relating to security incidents; and (2) provide that not later than the 10th business day after the date of the eradication, closure, and recovery from a security incident, a local government shall notify the DIR, including the chief information security officer, of the details of the security incident and include in the notification an analysis of the cause of the security incident.

H.B. 719 (Goldman) – Fee for Examination of Public Securities by Attorney General: would: (1) increase the fee paid by an issuer of public securities to the attorney general for examination and approval of a bond issuance from \$9,500 to \$50,000; and (2) provide that fees collected in excess of amounts provided in the general appropriations act may be appropriated back to the attorney general for the purpose of administering victim related services and sexual assault programs.

H.B. 742 (Goodwin) – Tuition and Fee Exemptions: would provide an exemption for payment of criminal justice or law enforcement course tuition and lab fees for an undergraduate student who is employed by the state or a political subdivision as a peace officer, county jail guard, or a telecommunicator who is required to hold a telecommunicator license.

H.B. 743 (Dean) – Gas Powered Appliance Regulation: would provide, among other things, that a city may not adopt or enforce a regulation that prohibits or restricts, directly or indirectly, the use of an appliance, system, or component that is fueled by natural gas or propane in the construction, renovation, maintenance, or alteration of a residential or commercial building.

H.B. 744 (Dean) – Gasoline Powered Tool Regulation: would provide that a city may not adopt or enforce a regulation that prohibits or restricts the use or sale of gasoline-powered landscaping equipment.

H.B. 764 (Cain) – Gasoline Powered Tool Regulation: would provide that a city may not adopt or enforce a regulation that prohibits or restricts the use or sale of gasoline-powered landscaping equipment.

H.B. 807 (Harrison) – Vaccines: would, among other things: (1) prohibit government entities from compelling or requiring an individual to receive a vaccine other than a vaccine for diphtheria, rubeola, rubella, mumps, tetanus, and poliomyelitis; and (2) only allow the list of vaccines in (1), above, to be modified by statute.

H.J.R. 27 (Craddick) – Grow Texas Fund: would amend the Texas Constitution to, among other things: (1) create the Grow Texas Fund (Fund) within the state treasury; (2) authorize the legislature to appropriate money from the Fund for use in areas of the state from which oil and gas are produced and then only to address infrastructure needs in areas of the state determined by the legislature to be significantly affected by oil and gas production; and (3) authorize the grant of money from the Fund to state agencies and other political subdivisions for an authorized purpose.

H.J.R. 37 (Vasut) – Private Schools: would amend the Texas Constitution to prohibit regulation of the educational program of a private school or home school by: (1) a state agency; (2) the legislature; or (3) other political subdivisions of the state.

S.B. 70 (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. 78 (Johnson) – Abortion: would: (1) allow a physician to provide an abortion-inducing drug to a pregnant individual whose pregnancy is not more than 70 days of gestational age; and (2) provide that a political subdivision may not adopt or enforce an ordinance, order, or other measure that conflicts with the provision described in (1), above.

S.B. 91 (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”.

S.B. 121 (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), above; (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. 127 (Alvarado) – Medical Cannabis: would, among other things: (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.

S.B. 130 (Campbell) – Employment Benefits: would provide that a city or county may not adopt or enforce an ordinance, order, rule, or regulation that requires an employer in the city or county to provide employment benefits to its employees.

S.B. 157 (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. 186 (Miles) – Prohibited Discharge of Patients: would, among other things: (1) provide that, with some exceptions, 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. 232 (Hinojosa) – Removal From Office: would, among other things: (1) provide that a person who holds an elected or appointed office of a political subdivision is automatically removed from and vacates the office on the earlier of the date the person enters a plea of guilty or nolo contendere, receives deferred adjudication, or is convicted of one of the following offenses: (a) bribery; (b) theft of public money; (c) perjury; (d) coercion of public servant or vote; (e) tampering with governmental record; (f) misuse of official information; (g) abuse of official capacity; or (h) conspiracy or the attempt to commit any of the offenses in (a) – (g); (2) require the governing body of a political subdivision at the first public hearing of the governing body following the date an officer of the political subdivision is removed from office under (1), above, to: (a) order an election on the question of filling the vacancy to be held on the first day that allows sufficient time to comply with other requirements of law, if an election is required to fill the vacancy; or (b) fill the vacancy in the manner provided by law, if an election is not required; and (3) provide that, for an offense described in (1), above, an appeal does not supersede the order of removal if the removed officer appeals the judgment.

S.B. 242 (Middleton) – Cooperation with Federal Government: would, among other things: (1) require the attorney general to provide a written report to the governor, lieutenant governor, speaker of the house of representatives, and each member of the legislature that identifies each rule adopted by the a federal government agency during the previous month that: (a) relates to certain subjects including the First Amendment, Second Amendment, and border security, among others; (b) was adopted in response to an executive order by the president of the United States; and (c) violates the rights guaranteed to the citizens of the United States by the United States Constitution; and (2) provide that a political subdivision, including a city, may not cooperate with a federal government agency in implementing an agency rule that a report published under (1), above, indicates violates the rights guaranteed to the citizens of the United States by the United States Constitution.

S.J.R. 23 (Eckhardt) – Freedom from Government: would amend the Texas Constitution to, among other things, provide that each individual residing in this state has the right to be free from governmental intrusion or interference into their private life.

Personnel

H.B. 27 (Goodwin) – Employment Benefits: would provide that disciplinary action may not be taken against an employer and an employer may not be sued based solely on the employer's choice

to offer or provide a particular employee benefit, including payment for the costs associated with receiving health care service in another state.

H.B. 79 (Talarico) – Employment Leave: would, among other things, provide that an employer shall: (1) not discharge or discriminate against an employee for taking time off to serve as required by law on an inquest jury or trial jury, if the employee, prior to taking the time off, gives reasonable notice to the employer that the employee is required to serve; (2) not discharge, discriminate or retaliate against an employee for taking time off to appear in court to comply with a subpoena or other court order as a witness in any judicial proceeding; (3) not discharge, discriminate or retaliate against an employee who is a victim for taking time off from work to obtain or attempt to obtain any relief, including a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or their child; (4) not discharge, discriminate or retaliate against an employee because of the employee's status as a victim of crime or abuse, if the employee provides notice to the employer of the status or the employer has actual knowledge of the status; and (5) provide reasonable accommodations for a victim of domestic violence, sexual assault, or stalking, who requests an accommodation for the safety of the victim while at work, including the implementation of safety measures, a transfer, reassignment, modified schedule, changed work telephone, changed work station, installed lock, assistance in documenting domestic violence, sexual assault, stalking, or other crime that occurs in the workplace, an implemented safety procedure, or another adjustment to a job structure, workplace facility, or work requirement in response to domestic violence, sexual assault, stalking, or other crime, or referral to a victim assistance organization.

H.B. 121 (Vasut) – Employment Benefits: would provide that: (1) a city 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) any provision of an ordinance, order, rule, regulation, or policy that violates (1), above, is void and unenforceable; and (3) the provision in (1), above, does not apply to minimum wage or a contract relating to the terms of employment voluntarily entered into between a private employer or entity and a governmental entity.

H.B. 138 (Toth) – Personal Health Information: would provide, among other things, that: (1) an employee has the right to keep the employee's personal health information private and is not required to disclose that information to the employee's employer, including a city, unless the disclosure is required by state or federal law; (2) an employer may not take an adverse employment action or discriminate against an employee who exercises the right described by (1), above; and (3) an employer who violates an employee's rights prescribed in (1), above, is liable for a civil penalty in the amount of \$50,000 for each violation, and the attorney general may bring action to collect the civil penalty.

H.B. 169 (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. 193 (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. 425 (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. 471 (Patterson) – Public Safety Personnel: would provide, among other things, that:

1. a county or city shall provide to a firefighter, police officer, or emergency medical services (EMS) personnel a leave of absence for an illness or injury related to the person's line of duty;
2. the leave described in Number 1, above, shall be full pay for a period commensurate with the nature of the line of duty illness or injury, and if necessary, the county or city shall continue the leave for at least one year;
3. at the end of the one-year period, the county's or city's governing body may extend the leave of absence under Number 2, above, at full or reduced pay;
4. if the firefighter's, police officer's, or EMS personnel's leave is not extended or the person's salary is reduced below 60 percent of the person's regular monthly salary and the person is a member of a retirement system with disability retirement benefits, the person is considered eligible to receive the disability retirement benefits until able to return to duty;
5. if the firefighter, police officer, or EMS personnel is not a member of a retirement system with disability retirement benefits and is temporarily disabled by a line of duty injury or illness and if the one-year period and any extensions granted by the governing body have expired, the person may use accumulated sick leave, vacation time, and other accrued benefits before the person is placed on temporary leave;
6. if the one-year period and any extensions granted by the governing body have expired, the firefighter, police officer, or EMS personnel shall be placed on temporary leave;
7. a firefighter, police officer, or EMS personnel who is temporarily disabled by an injury or illness 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, police officer, or EMS personnel volunteer to do the person's work while the person is temporarily disabled by the injury or illness;
8. if able, a firefighter, police officer, or EMS personnel may return to light duty while recovering from a temporary disability, and if medically necessary, the light duty assignment may continue for at least one year;

9. after recovery from a temporary disability, a firefighter, police officer, or EMS personnel shall be reinstated at the same rank and with the same seniority the person had before going on temporary leave;
10. another firefighter, police officer, or EMS may voluntarily do the work of an injured firefighter, police officer, or EMS personnel until the person returns to duty;
11. for purposes of workers' compensation, lifetime income benefits shall be paid until the death of the employee for: (a) a physically traumatic injury to the brain resulting in a permanent major neurocognitive disorder or a psychotic disorder; (b) third degree burns that cover at least 40 percent of the body and require grafting, or third degree burns covering the majority of: (i) both hands; (ii) both feet; (iii) one hand and one foot; or (iv) one hand or foot and the face; or (c) a serious bodily injury sustained by the employee in the course and scope of the employee's employment or volunteer service as a first responder that permanently prevents the employee from performing any gainful work;
12. disease presumption does not apply if the disease or illness for which benefits or compensation is sought is known to be caused by the use of tobacco and: (a) the firefighter, peace officer, or emergency medical technician (EMT) has used a tobacco product an average of four or more times per week during any six-month period in the five years preceding the diagnosis of the disease or illness; or (b) the firefighter's, peace officer's, or EMT's spouse has, during the marriage, used a tobacco product that is consumed through smoking an average of four or more times per week during any six-month period in the five years preceding the diagnosis of the disease or illness; and
13. a firefighter, peace officer, or EMT who suffers an acute myocardial infarction or stroke resulting in disability or death is presumed to have suffered the disability or death during the course and scope of employment as a firefighter, peace officer, or EMT if: (a) while on duty, the firefighter, peace officer, or EMT: (i) was engaged in a situation that involved stressful or strenuous physical activity involving fire suppression, rescue, hazardous material response, EMS, or other emergency response activity; or (ii) participated in a training exercise that involved stressful or strenuous physical activity; and (b) the acute myocardial infarction or stroke occurred not later than 24 hours after the end of a shift in which the firefighter, peace officer, or emergency medical technician was engaging in the activity described under(a), above.

H.B. 494 (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 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. 495 (Meza) – Rest Breaks: provides that: (1) a city that enters into a contract 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 must include terms that: (a) authorize an employee of a contractor or subcontractor required to work without a rest break to make a complaint to the city contracting with the contractor; (b) explain that, on confirmation of such violation, the city shall provide to the contractor written notice of the violation; (c) inform a contractor that the city may impose an administrative penalty if the contractor fails to comply after the date 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 city 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 city shall develop procedures for the administration of the provisions of this bill; and (5) the bill does not preempt a local regulation requiring rest breaks in construction contracts, provided that such regulation is compatible with and at least as stringent as the provisions of the bill.

H.B. 528 (Wu) – Family Violence Leave: would provide, among other things, that:

1. an employee who is a victim of family violence or a violent felony offense or an employee whose child is a victim of family violence or a violent felony offense is entitled to time off to: (a) seek medical attention for, or recover from, physical or psychological injuries suffered by the employee or the employee's child as a result of family violence or a violent felony offense; (b) obtain services from a victim services organization for the employee or the employee's child in relation to the occurrence of family violence or a violent felony offense; (c) obtain psychological or other counseling for the employee or the employee's child in relation to the occurrence of family violence or a violent felony offense; (d) participate in safety planning or temporary or permanent relocation or take any other action necessary to increase the safety of the employee or the employee's child or to ensure the employee or child's economic security following the occurrence of family violence or a violent felony offense; or (e) seek legal assistance or remedies to ensure the health and safety of the employee or the employee's child, including preparing for or participating in any civil or criminal legal or investigative proceeding relating to the occurrence of family violence or a violent felony offense;
2. before taking time off described in Number 1, above, an employee must provide an employer with at least 24 hours advance written notice of the planned absence of the employee, unless providing advance notice is not feasible;

3. an employer may require an employee who is taking time off to report periodically to the employer on the status and intention of the employee to return to work;
4. an employee who takes leave described in Number 1, above, is entitled to not more than 30 workdays of leave in any 12-month period;
5. an employee who has existing vacation leave time, personal leave time, sick leave time, or compensatory leave time must use that leave time for a planned absence;
6. an employer may require an employee to provide, within a reasonable time after the employee's initial absence from work, certification to the employer that: (a) the employee or the employee's child is a victim of family violence or a violent felony offense; and (b) the time off from work requested by the employee is being used for the leave;
7. an employer is not required to compensate an employee during a planned absence unless the employee is using leave time under Number 5, above;
8. an employer shall maintain any health coverage provided by the employer to the employee or a member of the employee's family or household under any group health plan for the duration of the employee's absence;
9. an employer may recover the premium that the employer paid for maintaining health coverage under Number 8, above, if the employee fails to return to work after the period of time off to which the employee is entitled to has expired for a reason other than the continuation, recurrence, or onset of family violence or a violent felony offense;
10. an employer may require an employee who claims the employee is unable to return to work because of the continuation, recurrence, or onset of family violence or a violent felony offense to provide, within a reasonable time after making the claim, certification to the employer that the employee is unable to return to work because of that reason;
11. an employer shall keep confidential an employee's request for time off or that an employee has obtained time off and any written document or record submitted to the employer by the employee relating to a request for time off except to the extent that disclosure is requested or consented to in writing by the employee or is required by other state or federal law;
12. on returning from time off, an employee is entitled to: (a) reinstatement to the employee's former position or a position that is comparable in terms of compensation, benefits, and other conditions of employment; and (b) any benefits accrued by the employee before the employee's time off;
13. an employee is not entitled to: (a) any seniority or employment benefit that would have accrued during the employee's time off; or (b) any other right, benefit, or position of employment other than a right, benefit, or position the employee accrued before the employee took the time off;

14. an employer may not suspend or terminate the employment of, or otherwise discriminate against, an employee who takes authorized time off if the employee has provided written notice or certification;
15. each employer shall inform its employees of their rights by posting a conspicuous sign in a prominent location in the employer's workplace; and
16. the Texas Workforce Commission by rule shall prescribe the design and content of the sign required by Number 15, above.

H.B. 573 (Raymond) – First Responder Driver's License Fees: would, among other things, waive the fee for the original issuance or renewal of a driver's license for active first responders, including certain: (1) peace officers; (2) fire protection personnel; (3) volunteer firefighters; (4) ambulance drivers; and (5) emergency services personnel.

H.B. 602 (Shaheen) – E-Verify: would: (1) require a political subdivision, including a city, to register and participate in the E-verify program to verify information of all new employees; and (2) provide that an employee of a political subdivision who is responsible for verifying information of new employees of the political subdivision as required by (1), above, is subject to immediate termination of employment if the employee fails to comply with (1), above.

H.B. 630 (Vasut) – Lifeguards: would provide that the requirement that cities located or bordering on the Gulf of Mexico provide during reasonable daylight hours, from Memorial Day to Labor Day, occupied lifeguard towers or mobile lifeguard units, does not apply to cities with a population of less than 15,000.

H.B. 722 (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. (Companion bill is **S.B. 204** by **Eckhardt**.)

H.B. 723 (S. Thompson) – 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; (2) liability may accrue, and any aggrieved

individual may obtain relief, including recovery of back, if the unlawful employment practices that occurred during the period for filing a complaint are similar or related to unlawful employment practices regarding payment of compensation that occurred outside the period for filing a complaint; and (3) 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; (b) requires disclosure of an applicant's wage history information as a condition of employment; and (c) discharges or in any other manner discriminates against, coerces, intimidates, threatens, or interferes with an employee, applicant or other individual because the individual inquired about, disclosed, compared, or otherwise discussed an employee's wages or an applicant's prospective wages. (Companion bill is **S.B. 108** by **Menendez**.)

H.B. 725 (**Rose**) – **Discrimination**: would provide, among other things, that an employer, including a city, may not discriminate against an individual on the basis of sexual orientation, or gender identity or expression.

H.B. 737 (**Wale**) – **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. 790 (**Patterson**) – **Workers' Compensation**: would provide that: (1) for purposes of workers' compensation, the first request of a designated doctor's examination by the carrier, injured employee or the state Division of Workers' Compensation must include a request to the designated doctor to provide an opinion of the extent of the compensable injury; (2) not later than the 15th day after the date on which an workers' compensation insurance carrier receives written notice of an injury, the insurance carrier shall also notify the division and the employee in writing of its refusal to pay and advise the employee of the specific reasons why the carrier is contesting the claim, including any disputes in the cause of the injury, the extent of the injury or the treatment of the injury; (3) a workers' compensation insurance carrier who fails to comply with initiation of compensation benefits within 60 days, when the injured employee is a custodial officer, a detention officer, an emergency medical technician, a firefighter, or a peace officer, waives its right to contest or deny the extent of the specific injury claimed by the injured worker or reasonably reflected in a review of the injured workers medical records; (4) if a workers' compensation insurance carrier denies a claim of medical benefits on or before the 60th day on which the insurance carrier had reasonable notice of the specific claimed injury and upon final determination of an administrative law judge that the claimed injury is compensable, the insurance carrier is liable to reimburse the injured worker for any and all reasonable and necessary medical expenses incurred by the injured worker for the specific claimed injury; (5) if good cause exists, a party or witness may attend a workers' compensation contested case hearing telephonically or by videoconference, and the administrative law judge shall determine if good cause exists for a party or witness to attend the contested case hearing telephonically or by videoconference; and (6) an attorney representing a party in a contested case hearing, shall be permitted to represent a party to the case telephonically or by videoconference.

S.B. 66 (**Zaffirini**) – **EMS Civil Service**: would provide that the emergency medical services personnel civil service law applies to a city: (1) with a population of 460,000 or more that: (i) operates under a city manager form of government; or (ii) operated under a city manager form of

government on the date the city adopted EMS personnel civil service law; and (2) that employs EMS personnel in a city department other than the fire department.

S.B. 108 (Menendez) – 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; (2) liability may accrue, and any aggrieved individual may obtain relief, including recovery of back, if the unlawful employment practices that occurred during the period for filing a complaint are similar or related to unlawful employment practices regarding payment of compensation that occurred outside the period for filing a complaint; and (3) 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; (b) requires disclosure of an applicant's wage history information as a condition of employment; and (c) discharges or in any other manner discriminates against, coerces, intimidates, threatens, or interferes with an employee, applicant or other individual because the individual inquired about, disclosed, compared, or otherwise discussed an employee's wages or an applicant's prospective wages.

S.B. 110 (Menendez) – 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.

S.B. 184 (Miles) – Police Civilian Complaint Boards: would, among other things:

1. create a municipal civilian complaint review board in each city with a population of 200,000 to investigate complaints alleging peace officer misconduct;
2. provide that the board shall consist of five public members appointed for a two-year term as follows: (a) two members appointed by the presiding officer of the governing body of the city, one of whom must be appointed from a list of city residents submitted to the presiding officer by the governing body of the city; (b) one member appointed by the county judge of the county in which the city is wholly or primarily located; (c) one member appointed by the city's police chief; and (d) one member appointed by the commissioners court of the county in which the municipality is wholly or primarily located;
3. provide that a person is ineligible to serve as a board member if the person is: (a) a city employee; (b) holds a public office; or (c) has experience as a law enforcement professional, including as a peace officer, a criminal investigator, a special agent or a managerial or supervisory employee with substantial policy discretion on law enforcement matters in a federal, state, or local law enforcement agency, other than as an attorney in a prosecutorial agency;

4. provide that a board member is entitled to a per diem of \$150 for each day the member engages in board business, and the total per diem a board member may receive during a fiscal year may not exceed \$5,000;
5. provide that a board member is entitled to reimbursement for actual and necessary expenses incurred in performing the duties of the board;
6. provide that a board may investigate a complaint that alleges peace officer misconduct 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;
7. provide that a filed complaint must: (a) be in writing; (b) allege the peace officer engaged in misconduct described in (6), above; and (c) describe the alleged misconduct;
8. provide that a board may issue a subpoena to compel the attendance of a witness or the production of any book, record, or other document reasonably necessary to conduct an investigation, and the subpoena must relate to a matter under investigation by the board;
9. provide that a board shall forward each complaint filed with the board to the city attorney, and the city attorney shall investigate the complaint by: (a) interviewing and obtaining a statement from the complainant, each peace officer who is the subject of the complaint, and each witness to the alleged misconduct; and (b) obtaining any documentary or other evidence relevant to the investigation;
10. provide that the city attorney shall complete the investigation of a complaint not later than the 120th day after the date the city attorney receives the complaint from the board;
11. provide that after an investigation of a complaint is complete, the city attorney shall forward the results of the investigation to the board or a panel of at least three board members;
12. provide that the board or panel shall review the case and make a determination on each allegation in the complaint that has not been dismissed by the board, and such determination must be made not later than the 180th day after the date the board receives the complaint;
13. provide that a board shall notify: (a) the parties to the complaint of the board's determination; and (b) the employer of the peace officer who is the subject of the complaint of the board's determination; and
14. provide that if the board finds that a complaint is substantiated, the board may recommend an appropriate disciplinary action to the employer, and if the employer fails to take disciplinary action against the peace officer before the 30th day after the date the board notifies the employer of the board's determination, the board shall forward

the case to the attorney representing the state or to the appropriate United States attorney.

S.B. 204 (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. 722** by **Rosenthal**.)

Purchasing

H.B. 679 (Bell) – Soliciting and Awarding Construction Contracts: would, among other things: (1) define “experience modifier” as a factor that is: (a) assigned to an employer seeking to purchase a workers’ compensation insurance policy in Texas; (b) affects the premium amount for the policy; and (c) is based on the employer’s past and prospective loss cost experience; (2) prohibit a city from: (a) requesting or requiring an offeror to include an experience modifier in a bid, proposal, qualification, offer, or other response submitted as part of the selection process for the award of a contract; (b) considering an experience modifier in the process of awarding a contract, including the: (i) evaluation of bids, proposals, qualifications, offers, or other responses; or (ii) selection of an offeror; and (3) provide that a contract entered into in violation of (2), above, is void as against public policy.

Transportation

H.B. 108 (Cortez) – Classroom Teachers Park Free: would: (1) require the Texas Department of Transportation to issue specialty license plates to: (a) classroom teachers with at least 15 years of service teaching public school students; and (b) retired classroom teachers with at least 20 years of service teaching public school students; and (2) prohibit a governmental authority from collecting a parking fee through a parking meter for a vehicle displaying these license plates.

H.B. 167 (Cortez) – Red Light Cameras: would provide that photographic traffic signal enforcement contracts, including those executed before May 17, 2019, are void.

H.B. 177 (Cortez) – Red Light Cameras: would provide that photographic traffic signal enforcement contracts, including those executed before May 17, 2019, are void.

H.B. 366 (Bell) – High Speed Rail Bond: would provide that before a private entity begins operation of new high-speed rail service the entity must file a bond in an amount sufficient to restore real property used for the service to its original condition if the service ceases operation.

H.B. 805 (Toth) – High Occupancy Vehicle Lanes: would provide that regardless of the number of occupants in a motor vehicle, an operator of a motor vehicle is entitled to use any high occupancy vehicle lane for the purpose of passing another vehicle that is being operated at a speed that is less than the posted speed limit for the roadway if the operator enters and exits the high occupancy vehicle lane at designated entry and exit points.

S.B. 41 (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.

Utilities and Environment

H.B. 26 (Ordaz Perez) – Medical Waste Facilities: would, among other things, provide that an applicant for an application for or notice of intent to file an application for a permit to construct, operate, or maintain a facility to store, process, or dispose of medical waste shall provide notice of the application or notice of intent by hand delivery, facsimile, or United States Post Service mail to the governing body of the city in which the facility is or is to be located, if applicable. (Companion bill is **S.B. 173** by **Blanco**.)

H.B. 94 (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. 124 (Jarvis 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. 349 (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), above.

H.B. 372 (Jarvis 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. 406 (Collier) – Concrete Plants: 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. 407 (Collier) – Concrete Plants: 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. 583 (Raymond) – Drinking Water Report: would require the Texas Commission on Environmental Quality to produce an annual report on public drinking water supply systems in Texas and deliver the report to the legislature not later than September 1 of each year.

H.B. 585 (Raymond) – Water Treatment Facilities Reporting: would: (1) require the Texas Commission on Environmental Quality (TCEQ) to create a plan to protect water treatment facilities from: (a) electrical outages; (b) catastrophic weather events; (c) terrorist attacks; (d) the projected effects of climate change; and (e) other potential disruptions to providing water service; and (2) require TCEQ to submit the plan to the governor and the legislature by September 1, 2024.

H.B. 695 (Rogers) – Eminent Domain: would provide that a city may not take private property through eminent domain for the purpose of developing or operating a wind power facility.

H.B. 758 (Walle) – Concrete Plants: would provide that the Texas Commission on Environmental Quality (TCEQ) must allow the filing of a request for a contested case hearing on an authorization to use a standard permit for a concrete plant that performs wet batching, dry batching, or central mixing at any time during the public comment period on the authorization, including during any extension of the public comment period for public meetings.

H.B. 759 (Walle) – Concrete Plants: would provide that a person may file with the Texas Commission on Environmental Quality (TCEQ) a motion to overturn as described by TCEQ rule to challenge an executive director's final decision on an authorization to use a standard permit for certain concrete plants.

S.B. 31 (Zaffirini) – Electricity: would, among other things, provide that: (1) 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: (a) access transmission service from outside the ERCOT power region; and (b) purchase power at wholesale from outside the ERCOT power region; and (2) unless otherwise provided by federal law, the Public Utility Commission (PUC) shall require ERCOT to approve the interconnection of a facility in (1), above, unless the PUC or ERCOT determines that the interconnection poses a significant and imminent risk to public health and safety.

S.B. 40 (Zaffirini) – Water Utilities: would require the Texas Commission on Environmental Quality to develop and implement an alert system that must include the ability to provide

notifications through electronic instant messaging to be activated in the event of a boil water notice and any related information, including any rescission or expiration of the boil water notice.

S.B. 53 (Zaffirini) – 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), above, in accordance with TWDB rules; (3) if the TWDB determines that a political subdivision to which assistance has been provided under (1), above, is ineligible to receive the assistance, the TWDB may seek reimbursement from the political subdivision; and (4) the TWDB shall adopt rules to implement the bill.

S.B. 114 (Menendez) – 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 planned outages and the length of time the outages are expected to last; and (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, 2024; (b) two percent of peak summer and winter demand by December 31, 2025; (c) three percent of peak summer and winter demand by December 31, 2026; and (d) five percent of peak summer and winter demand by December 31, 2027.

S.B. 131 (Campbell) – 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 in a permanent residence 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.

S.B. 173 (Blanco) – Medical Waste Facilities: would, among other things, provide that an applicant for an application for or notice of intent to file an application for a permit to construct, operate, or maintain a facility to store, process, or dispose of medical waste shall provide notice of the application or notice of intent by hand delivery, facsimile, or United States Post Service mail to the governing body of the city in which the facility is or is to be located, if applicable. (Companion bill is **H.B. 26** by **Ordaz Perez**.)

S.B. 223 (Campbell) – Wastewater Permitting: would require the Texas Commission on Environmental Quality to hold at least one public meeting on an application for an initial permit for a wastewater treatment facility in the county in which the facility is proposed to be located.