

SENATE JOURNAL

EIGHTY-NINTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTY-EIGHTH DAY

(Continued)

(Saturday, May 31, 2025)

AFTER RECESS

The Senate met at 12:29 p.m. and was called to order by President Pro Tempore Creighton.

Senator King offered the invocation as follows:

Father, we come to You today and in the book of James, You had James write that all wisdom comes from You so we're asking for that this morning, to get this session wrapped up in the way where we're doing the best thing for the State of Texas and for all the people here. We're a little bowed up and we're tense and we all suffer from pride and we've been working on things and, I know, Paul wrote to a church in Philippi that we're to always consider others above ourselves, that we're always to practice humility, do nothing out of selfish ambition or vain conceit. And then, of course, Jesus said on the, in Sermon on the Mount that we're to be peacemakers and that peacemakers would actually be known as sons of God. And so, Father, I guess that's what we ask the last couple of days, I just pray that You'd give us all a lot of wisdom, that you give us a lot of humility, and that You'd help us all to find ways to be peacemakers as we negotiate and work through all this. We confess our sins to You, and we thank You that Jesus died on the cross for all of those and if we'll just accept His salvation. In Jesus' name I pray. Amen.

CONFERENCE COMMITTEE ON HOUSE BILL 46

(Motion In Writing)

Senator Perry called from the President's table, for consideration at this time, the request of the House for a conference committee to adjust the differences between the two Houses on **HB 46** and submitted a Motion In Writing that the request be granted.

The Motion In Writing was read and prevailed without objection.

The President Pro Tempore asked if there were any motions to instruct the conference committee on **HB 46** before appointment.

There were no motions offered.

Accordingly, the President Pro Tempore announced the appointment of the following conferees on the part of the Senate: Senators Perry, Chair; Bettencourt, Hughes, Menéndez, and Parker.

(Senator Flores in Chair)

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 37 ADOPTED**

Senator Creighton called from the President's table the Conference Committee Report on **SB 37**. The Conference Committee Report was filed with the Senate on Thursday, May 29, 2025.

On motion of Senator Creighton, the Conference Committee Report was adopted by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Flores, Hagenbuch, Hall, Hancock, A. Hinojosa, Huffman, Hughes, King, Kolkhorst, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks.

Nays: Alvarado, Blanco, Cook, Eckhardt, Gutierrez, J. Hinojosa, Johnson, Menéndez, Miles, West, Zaffirini.

SENATE RESOLUTIONS

The following resolutions were offered:

SR 588 by Creighton, Recognizing Wayne Mack for 35 years of public service to the people of Montgomery County.

SR 589 by Creighton, Recognizing May 2025 as ALS Awareness Month.

SR 590 by Zaffirini and Schwertner, In memory of Janis Stanwood Meinscher.

SR 591 by Hughes, Recognizing John and Kay English on the occasion of their 55th wedding anniversary.

SR 592 by Hughes, Recognizing Jeff Traylor for his induction into the Texas High School Football Hall of Fame.

SR 593 by Hughes, In memory of Cody Dylan Hodges.

SR 594 by Hughes, Recognizing David Alan Smoak for his induction into the Texas High School Football Hall of Fame.

SR 595 by Hughes, In memory of Willard Alvin Hill.

SR 596 by Hughes, In memory of James Albert "Dick" Hudson.

SR 597 by Hughes, In memory of Neil Stewart West.

SR 598 by Hughes, In memory of Vicki Morgan.

SR 599 by Hughes, In memory of John Richard Lucas.

SR 600 by Hughes, In memory of David Lester Lindow.

SR 601 by Hughes, In memory of Robert Gerald Berryhill.

SR 602 by Hughes, In memory of Randall Darrell Grooms Sr.

SR 603 by Hughes, In memory of J. Carl Norris Jr.

SR 604 by Hughes, In memory of Shirley Lee Watson Gilbreath.

SR 605 by Nichols, Recognizing the Greater Port Arthur Area Chamber of Commerce on receiving Accreditation with Five Stars from the United States Chamber of Commerce.

SR 606 by Nichols, Recognizing Clarence Yarbrough for his service as Constable of Nacogdoches County Precinct Two.

SR 607 by Nichols, Recognizing the Port Neches-Groves High School Unified track and field team for winning a State Championship.

SR 608 by J. Hinojosa, A. Hinojosa, and Zaffirini, Recognizing the participants of the Rio Grande Valley Legislative Internship Program and the Texas Legislative Fellowship Program.

SR 609 by J. Hinojosa, Recognizing Marco Ramirez for his selection as a recipient of the Top Cop Award.

SR 610 by J. Hinojosa, Recognizing Valente Olivares Jr. on the occasion of his retirement.

SR 611 by Kolkhorst, Recognizing Robert Trevino Mendieta on the occasion of his 81st birthday.

SR 612 by Hughes, Hagenbuch, and Paxton, In memory of Barbara Leonard Hayes.

SR 613 by Hughes, Recognizing Texas Legislative Council on the occasion of its 75th anniversary.

SR 615 by Birdwell, Recognizing Brenda Kaye Abbott on the occasion of her 80th birthday.

SR 616 by Hagenbuch, Recognizing Hailey Arbuckle for her service as a legislative intern in the office of State Senator Brent A. Hagenbuch.

SR 617 by Hagenbuch, Recognizing Kayla Castaneda for her service as a legislative intern in the office of State Senator Brent Hagenbuch.

SR 618 by Hagenbuch, Recognizing Hayden Head for his service as a legislative intern in the office of State Senator Brent Hagenbuch.

SR 619 by Hughes and Birdwell, In memory of Thomas Morrell Terry Jr.

SR 620 by Sparks, Recognizing the City of McCamey on the occasion of its 100th anniversary.

SR 621 by Gutierrez, Recognizing Nick Escue for his service in the office of State Senator Roland Gutierrez.

SR 622 by Gutierrez, Recognizing Benjamin Aguillon for his service in the office of State Senator Roland Gutierrez.

SR 623 by Gutierrez, Congratulating Kelly Murphy on the occasion of his graduation from Stephen F. Austin High School.

SR 624 by Hughes, Recognizing Tyler Junior College on the occasion of its 100th anniversary.

SR 626 by Menéndez, Recognizing Galen College of Nursing on the occasion of its grand opening.

SR 627 by Hughes, Hagenbuch, Hall, Hancock, A. Hinojosa, King, Kolkhorst, Parker, Paxton, Perry, Schwertner, Sparks, and Zaffirini, In memory of Joe Layton Wall.

SR 628 by Hughes, Birdwell, Blanco, Creighton, Gutierrez, Hall, Hancock, A. Hinojosa, J. Hinojosa, King, Kolkhorst, Menéndez, Miles, Parker, Paxton, and Perry, In memory of former State Representative James R. Pitts.

SR 630 by Campbell, In memory of James Henry Doty Jr.

SR 631 by Parker, Recognizing Sons of the Flag for its service to burn survivors.

SR 632 by Eckhardt, In memory of Alvin Leon Matthews.

SR 633 by Eckhardt, In memory of Samuel Ray Sparrow.

SR 635 by Eckhardt, In memory of George Sampson Nalle III.

SR 636 by Gutierrez, Congratulating Izabella Paz Gutierrez on the occasion of her graduation from Antonian College Preparatory High School.

SR 637 by Hughes, Recognizing Green Acres Baptist Church on the occasion of its 70th anniversary.

SR 638 by Hughes, In memory of Malcolm Marvin Wright.

SR 639 by Eckhardt, Recognizing David Wayne Fowler for his research in engineering and for his decades of service as an educator at The University of Texas at Austin.

SR 640 by Gutierrez, Congratulating Kathleen Wallace on the occasion of her graduation from L. C. Anderson High School.

SR 641 by West, Recognizing Kelvin Bass for his years of service in the office of State Senator Royce West.

SR 642 by Menéndez, Recognizing the 2026 Texas Commission on the Arts honorees.

SR 643 by Menéndez, Recognizing the 2025 Texas Commission on the Arts honorees.

SR 644 by Menéndez, Commemorating Cinco de Mayo 2025.

SR 645 by Menéndez, Recognizing Merced Housing Texas on the occasion of its 30th anniversary.

SR 646 by Menéndez, Recognizing Intercultural Development Research Association Valued Youth Partnership on the occasion of its 40th anniversary.

SR 647 by Menéndez, In memory of Carol Mendiola-Mooers.

SR 648 by Menéndez, In memory of Yolanda P. Torres.

SR 649 by Menéndez, Recognizing February 25, 2025, as Eva's Heroes Day.

SR 650 by Hughes, In memory of Roy Vincent "Andy" Anderson.

SR 651 by Hughes, In memory of Annie Laura Mixon.

SR 652 by Hughes, In memory of Milton Ray Gibson.

SR 653 by Hughes, In memory of Gene Welch.

SR 654 by Hughes, In memory of Hoover Price.

SR 655 by Hughes, In memory of Terry Parks Stadler.

SR 656 by Hughes, In memory of Jon Kevin Rowe.

SR 657 by Hughes, In memory of Fredrick Taylor Stotts.

SR 658 by Hughes, In memory of Leonard Harcrow.

SR 659 by Hughes, Congratulating the De Queen High School girls' basketball team on winning a state championship.

SR 660 by Hughes, In memory of Samuel Eugene Reeves.

SR 661 by Hughes, In memory of Barbara Ruth Dulin Love.

SR 662 by Hughes, In memory of Scott Jackson Duncan.

SR 663 by Hughes, In memory of Gary Daniel Penkilo.

SR 664 by Hughes, In memory of James Edward Huston.

SR 665 by Hughes, In memory of Frances Joyce Lemons.

SR 666 by Hughes, In memory of Ernest G. Johnson Jr.

HCR 88 (Hall), Commemorating the 250th anniversary of the Battles of Lexington and Concord.

HCR 137 (Hall), Commemorating the 50th anniversary of the conclusion of the Vietnam War.

The resolutions were read and were adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of the resolutions.

(President in Chair)

CONFERENCE COMMITTEE REPORT ON SENATE BILL 12 ADOPTED

Senator Creighton called from the President's table the Conference Committee Report on **SB 12**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Creighton, the Conference Committee Report was adopted by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Flores, Hagenbuch, Hall, Hancock, A. Hinojosa, Huffman, Hughes, King, Kolkhorst, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks.

Nays: Alvarado, Blanco, Cook, Eckhardt, Gutierrez, J. Hinojosa, Johnson, Menéndez, Miles, West, Zaffirini.

SENATE RESOLUTION 634

Senator Huffman offered the following resolution:

SR 634, Suspending limitation on conference committee jurisdiction on S.B. No.1.

The resolution was read and was adopted by the following vote: Yeas 30, Nays 0.

Absent: Hancock.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 1 ADOPTED

Senator Huffman called from the President's table the Conference Committee Report on **SB 1**. The Conference Committee Report was filed with the Senate on Wednesday, May 28, 2025.

On motion of Senator Huffman, the Conference Committee Report was adopted by the following vote: Yeas 30, Nays 0.

Absent: Hancock.

REMARKS ORDERED PRINTED

On motion of Senator West and by unanimous consent, the remarks by Senators Huffman and West regarding the Conference Committee Report on **SB 1** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator West: Senator Huffman.

Senator Huffman: Yes.

Senator West: Childcare.

Senator Huffman: Childcare. Okay.

Senator West: \$100 million new dollars going into childcare. I think it's in Article IX.

Senator Huffman: Yes.

Senator West: Would you expand, expound a little bit on that?

Senator Huffman: Yes.

Senator West: Okay.

Senator Huffman: The additional 100.6, 106.8 million, first of all let me say that Senate Bill 1 includes 3.3 billion in all funds for childcare.

Senator West: That's as filed?

Senator Huffman: As filed.

Senator West: Umh hmm.

Senator Huffman: This is an increase of 701.7 million in federal childcare and developmental funding over fiscal year 24-25 as an, and it's because of federal allocation because of the state's growth. So, but on top of that we found another 106.8 million and we utilized, actually utilized federal funds, available federal funds, but we

just found, with the help of LBB, a way to do it to serve additional eligible children through the childcare assistance program and with this additional assistance the agency can serve an additional 10,000 children in fiscal—

Senator West: How ma—

Senator Huffman: —year—

Senator West: —how many, how many?

Senator Huffman: —10,095 children in fiscal year '26 and 9,804 children in fiscal year '27, additionally.

Senator West: Would you agree with me that LBB actually earned its keep?

Senator Huffman: They certainly did. I think that was Julie Lindsey who did that.

Senator West: That, that's great.

Senator Huffman: Yes.

Senator West: That is great. And I want to thank you and Chairman Bonnen for making certain that you heard some of the Senators that were advocating for additional monies for childcare and I'm hoping that we can continue to address the childcare issues of this state. So, I want to thank you for that.

Senator Huffman: Yes, it's an important issue and we heard from the Senators, we also heard from people throughout the state and many of our businesses throughout the state who were concerned about this issue.

Senator West: I want to go to Texas Southern University—

Senator Huffman: Okay.

Senator West: —and thank you and Chairman Bonnen and the Lieutenant Governor for working with us on, specifically, the Thurgood Marshall School of Law.

Senator Huffman: Yes.

Senator West: And we have looked at that through the Facilities Commission at the request of the president of Texas Southern and we put a rider in their budget, but there's some confusion in terms of the language in the rider talks about doing a study concerning to look at renovation. We're not looking at renovating Texas Southern, we're looking at, what are we, what are we attempting to do?

Senator Huffman: Well, my understanding and, of course, we'll have to let the facility commission do their study and look at it, but my understanding was the building would, was perhaps not in the appropriate condition to renovate, that it may be more cost effective to tear it down and design and rebuild. So, our intention is to, handed me it, our intention is to, I'm going to look at the rider specifically—

Senator West: Okay.

Senator Huffman: —because I don't want to mis—

Senator West: Go ahead.

Senator Huffman: —quote anything. It says for the purpose of a study relating to renovations, but I do not think anyone is ruling out the possibility that it would require more than renovations. So, we're going to leave it to the Facilities Commission to take a look at it, to see what is happening, and to see what's the best course. But \$10 million is a lot of money, and I think that should be enough so that they could, if they determine that it needs to be rebuilt, designed and rebuilt, that they would certainly have enough money with that to get started—

Senator West: Because I thought—

Senator Huffman: —but—

Senator West: —I mean, I thought the primary purpose was for them to go in and look at bringing back a design and rebuild plan for the law school as opposed to renovation.

Senator Huffman: I think, I think we want them to study what is the most cost efficient and the best thing for the university and that's what we'll have to tell them to do and I'm happy to tell them that.

Senator West: Okay, but we want them to work in conjunction with the university to also look at designing a new facility, too. Is that correct?

Senator Huffman: If that's what they determine is the appropriate thing to do, yes.

Senator West: So, is it clear?

Senator Huffman: But it will be through the Facilities Commission not through the university.

Senator West: Well, I understand and that's—

Senator Huffman: Yeah.

Senator West: —what the president asked for. Is it the Facilities Commission's determination or is that a recommendation that they need to make?

Senator Huffman: I think it's going to be once they get in there and look it and decide what they need to do they'll probably get back to, I would assume back to the LBB, the Legislative Budget Board, so that, you know, the Speaker and the Chair of Finance and the Chair of Appropriations, Lieutenant Governor, to kind of let us know where they are and then we can make recommendations from there.

Senator West: Okay, so—

Senator Huffman: During the interim I'm talking about.

Senator West: I understand during the interim but—

Senator Huffman: —keep things going, yeah.

Senator West: —I mean, it's—

Senator Huffman: Yeah.

Senator West: —real clear that the accreditation of the university was called into question—

Senator Huffman: Yes.

Senator West: —by the accreditors because of the condition of the facility and it is my hope and desire that as they go through looking at it in conjunction with Texas Southern that we approve next session the tearing down of the facility and making certain that we get a new facility for a law school that's been there for over 50 years.

Senator Huffman: My experience has been usually when the state invests \$10 million that they have intention to follow through with the project.

Senator West: Very good.

Senator Huffman: Yes.

PRESENTATION OF GAVEL

The President presented an honorary gavel to Mike Morrissey and congratulated him on completing his 20th budget for the Texas Legislature.

GUESTS PRESENTED

Senator West was recognized and introduced to the Senate family members of fallen Dallas Police Officer Darron L. Burks including his mother, Cherie Jeffrey; his goddaughter, Veronica Perry; accompanied by Dallas Police Department Major Jordan Colunga.

The Senate welcomed its guests and extended its sympathy.

AT EASE

The President at 3:12 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

The President at 3:45 p.m. called the Senate to order as In Legislative Session.

(Senator Flores in Chair)

SENATE RULE 12.09(a) SUSPENDED (Printing and Notice of Conference Committee Reports)

Senator Birdwell moved to suspend Senate Rule 12.09(a) to take up for consideration the Conference Committee Report on **SB 8** at this time.

The motion prevailed by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Flores, Hagenbuch, Hall, Hancock, A. Hinojosa, Huffman, Hughes, King, Kolkhorst, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks.

Nays: Alvarado, Blanco, Cook, Eckhardt, Gutierrez, J. Hinojosa, Johnson, Menéndez, Miles, West, Zaffirini.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 8 ADOPTED

Senator Schwertner called from the President's table the Conference Committee Report on **SB 8**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Schwertner, the Conference Committee Report was adopted by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Flores, Hagenbuch, Hall, Hancock, A. Hinojosa, Huffman, Hughes, King, Kolkhorst, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks.

Nays: Alvarado, Blanco, Cook, Eckhardt, Gutierrez, J. Hinojosa, Johnson, Menéndez, Miles, West, Zaffirini.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Saturday, May 31, 2025 - 1

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HCR 169 Leach

Instructing the appropriate enrolling clerk to make corrections in S.B. No. 1.

THE HOUSE HAS GRANTED THE REQUEST OF THE SENATE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

SB 1540

House Conferees: Capriglione - Chair/Bucy/González, Mary/Leach/Shahen

THE HOUSE HAS ADOPTED THE FOLLOWING CONFERENCE COMMITTEE REPORTS:

HB 300 (121 Yeas, 8 Nays, 1 Present, not voting)

HB 2011 (133 Yeas, 0 Nays, 2 Present, not voting)

HB 2067 (128 Yeas, 0 Nays, 2 Present, not voting)

HB 3071 (101 Yeas, 30 Nays, 2 Present, not voting)

HB 3372 (121 Yeas, 6 Nays, 3 Present, not voting)

HB 3595 (101 Yeas, 30 Nays, 2 Present, not voting)

SB 37 (83 Yeas, 47 Nays, 2 Present, not voting)

SB 447 (129 Yeas, 1 Nays, 3 Present, not voting)

SB 457 (111 Yeas, 19 Nays, 2 Present, not voting)

SB 763 (104 Yeas, 29 Nays, 2 Present, not voting)

SB 1506 (121 Yeas, 9 Nays, 2 Present, not voting)

SB 1566 (132 Yeas, 0 Nays, 3 Present, not voting)

SB 2601 (129 Yeas, 0 Nays, 2 Present, not voting)

Respectfully,
/s/Stephen Brown,
Chief Clerk
House of Representatives

**SENATE RULE 12.09(a) SUSPENDED
(Printing and Notice of Conference Committee Reports)**

Senator Paxton moved to suspend Senate Rule 12.09(a) to take up for consideration the Conference Committee Report on **SB 13** at this time.

The motion prevailed by the following vote: Yeas 23, Nays 8.

Yeas: Bettencourt, Birdwell, Blanco, Campbell, Creighton, Flores, Hagenbuch, Hall, Hancock, A. Hinojosa, J. Hinojosa, Huffman, Hughes, King, Kolkhorst, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Zaffirini.

Nays: Alvarado, Cook, Eckhardt, Gutierrez, Johnson, Menéndez, Miles, West.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 13 ADOPTED**

Senator Paxton called from the President's table the Conference Committee Report on **SB 13**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Paxton, the Conference Committee Report was adopted by the following vote: Yeas 23, Nays 8.

Yeas: Bettencourt, Birdwell, Blanco, Campbell, Creighton, Flores, Hagenbuch, Hall, Hancock, A. Hinojosa, J. Hinojosa, Huffman, Hughes, King, Kolkhorst, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Zaffirini.

Nays: Alvarado, Cook, Eckhardt, Gutierrez, Johnson, Menéndez, Miles, West.

SENATE BILL 1494 WITH HOUSE AMENDMENT

Senator Johnson called **SB 1494** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Amendment

Amend **SB 1494** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED
AN ACT

relating to the authority of certain political subdivisions to change the date of their general elections.

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

SECTION 1. Section 41.0052(a), Election Code, is amended to read as follows:

(a) The governing body of a political subdivision, other than a county or municipal utility district, that holds its general election for officers on a date other than the November uniform election date may, not later than December 31, 2025 ~~[2016]~~, change the date on which it holds its general election for officers to the November uniform election date in odd-numbered years.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

The amendment was read.

Senator Johnson moved to concur in the House amendment to **SB 1494**.

The motion prevailed by the following vote: Yeas 31, Nays 0.

SENATE BILL 2121 WITH HOUSE AMENDMENT

Senator Johnson called **SB 2121** from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the House amendment before the Senate.

Amendment

Amend **SB 2121** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT

relating to the regulation of certain business entities that act as data brokers.

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

SECTION 1. Section 509.001(4), Business & Commerce Code, as added by Chapter 963 (S.B. 2105), Acts of the 88th Legislature, Regular Session, 2023, is amended to read as follows:

(4) "Data broker" means a business entity that collects, processes, or transfers ~~[whose principal source of revenue is derived from the collecting, processing, or transferring of]~~ personal data that the business entity did not collect directly from the individual linked or linkable to the data.

SECTION 2. Section 509.003(a), Business & Commerce Code, as added by Chapter 963 (S.B. 2105), Acts of the 88th Legislature, Regular Session, 2023, is amended to read as follows:

(a) Except as provided by Subsection (b), this chapter applies only to a data broker that, in a 12-month period, derives:

(1) more than 50 percent of the data broker's revenue directly from processing or transferring personal data ~~[that the data broker did]~~ not collected by the data broker ~~[collect]~~ directly from the individuals to whom the data pertains; or

(2) revenue directly from processing or transferring the personal data of more than 50,000 individuals ~~[that the data broker did]~~ not collected by the data broker ~~[collect]~~ directly from the individuals to whom the data pertains.

SECTION 3. It is the intent of the 89th Legislature, Regular Session, 2025, that the amendments made by this Act be harmonized with another Act of the 89th Legislature, Regular Session, 2025, relating to nonsubstantive additions to and corrections in enacted codes.

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

The amendment was read.

Senator Johnson moved to concur in the House amendment to **SB 2121**.

The motion prevailed by the following vote: Yeas 31, Nays 0.

SENATE BILL 2373 WITH HOUSE AMENDMENT

Senator Johnson called **SB 2373** from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the House amendment before the Senate.

Amendment

Amend **SB 2373** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT

relating to financial exploitation or financial abuse using artificially generated media or phishing communications; providing a civil penalty; creating a criminal offense.

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

SECTION 1. Title 4, Civil Practice and Remedies Code, is amended by adding Chapter 100B to read as follows:

CHAPTER 100B. LIABILITY FOR FINANCIAL EXPLOITATION

Sec. 100B.001. DEFINITIONS. In this chapter:

(1) "Artificial intelligence" means a machine-based system that can, for a given set of explicit or implicit objectives, make predictions, recommendations, or decisions that influence real or virtual environments.

(2) "Artificially generated media" means an image, an audio file, a video file, a radio broadcast, written text, or other media created or modified using artificial intelligence or other computer software with the intent to deceive.

(3) "Financial exploitation" has the meaning assigned by Section 281.001, Finance Code.

(4) "Phishing communication" means an attempt to deceive or manipulate a person into providing personal, financial, or identifying information through e-mail, electronic communication, or other digital means.

Sec. 100B.002. CAUSE OF ACTION FOR DISSEMINATION OF CERTAIN COMMUNICATIONS FOR FINANCIAL EXPLOITATION. (a) A person is liable for damages resulting from a knowing or intentional dissemination of artificially generated media or a phishing communication for the purpose of financial exploitation.

(b) A court shall award a claimant who prevails in an action brought under this section:

(1) actual damages, including damages for mental anguish and the defendant's profits attributable to the dissemination of the artificially generated media or phishing communication; and

(2) court costs and reasonable attorney's fees incurred in bringing the action.

(c) A court in which an action is brought under this section, on a motion of a claimant, may issue a temporary restraining order or a temporary or permanent injunction to restrain and prevent the further dissemination of artificially generated media or a phishing communication to the claimant.

(d) This section may not be construed to impose liability, for content provided by another person, on:

(1) the provider of an interactive computer service, as defined by 47 U.S.C. Section 230(f);

(2) a telecommunications service, as defined by 47 U.S.C. Section 153; or

(3) a radio or television station licensed by the Federal Communications Commission.

Sec. 100B.003. CIVIL PENALTY FOR DISSEMINATION OF CERTAIN COMMUNICATIONS FOR FINANCIAL EXPLOITATION. (a) A person who knowingly or intentionally disseminates artificially generated media or a phishing communication for purposes of financial exploitation is subject to a civil penalty not to exceed \$1,000 per day the media or communication is disseminated. The attorney general may bring an action to collect the civil penalty.

(b) An action brought by the attorney general under this section shall be filed in a district court:

(1) in Travis County; or

(2) in any county in which all or part of the events or omissions giving rise to the action occurred.

(c) This section may not be construed to impose liability, for content provided by another person, on:

(1) the provider of an interactive computer service, as defined by 47 U.S.C. Section 230(f);

(2) a telecommunications service, as defined by 47 U.S.C. Section 153; or

(3) a radio or television station licensed by the Federal Communications Commission.

Sec. 100B.004. CONFIDENTIAL IDENTITY IN ACTION FOR DISSEMINATION OF CERTAIN COMMUNICATIONS. (a) In this section, "confidential identity" means:

(1) the use of a pseudonym; and

(2) the absence of any other identifying information, including address, telephone number, and social security number.

(b) In an action brought under Section 100B.002 or 100B.003, the court shall:

(1) notify the person who is the subject of the action as early as possible in the action that the person may use a confidential identity in relation to the action;

(2) allow a person who is the subject of the action to use a confidential identity in all petitions, filings, and other documents presented to the court;

(3) use the person's confidential identity in all of the court's proceedings and records relating to the action, including any appellate proceedings; and

(4) maintain the records relating to the action in a manner that protects the person's confidentiality.

(c) In an action brought under Section 100B.002 or 100B.003, only the following persons are entitled to know the true identifying information about the person who is the subject of the action:

(1) the court;

(2) a party to the action;

(3) an attorney representing a party to the action; and

(4) a person authorized by a written order of the court specific to that person.

(d) The court shall order that a person entitled to know the true identifying information under Subsection (c) may not divulge that information to anyone without a written order of the court. The court shall hold a person who violates the order in contempt.

(e) Notwithstanding Section 22.004, Government Code, the supreme court may not amend or adopt rules in conflict with this section.

(f) A person is not required to use a confidential identity as provided by this section.

SECTION 2. Subchapter D, Chapter 32, Penal Code, is amended by adding Section 32.56 to read as follows:

Sec. 32.56. FINANCIAL ABUSE USING ARTIFICIALLY GENERATED MEDIA OR PHISHING. (a) In this section:

(1) "Artificially generated media" has the meaning assigned by Section 100B.001, Civil Practice and Remedies Code.

(2) "Financial abuse" has the meaning assigned by Section 32.55.

(b) A person commits an offense if the person knowingly engages in financial abuse:

(1) through the use of artificially generated media disseminated to another person; or

(2) by deceiving or manipulating another person into providing personal, financial, or identifying information through e-mail, electronic communication, or other digital means.

(c) An offense under this section is:

(1) a Class B misdemeanor if the value of the property taken, appropriated, obtained, retained, or used is less than \$100;

(2) a Class A misdemeanor if the value of the property taken, appropriated, obtained, retained, or used is \$100 or more but less than \$750;

(3) a state jail felony if the value of the property taken, appropriated, obtained, retained, or used is \$750 or more but less than \$2,500;

(4) a felony of the third degree if the value of the property taken, appropriated, obtained, retained, or used is \$2,500 or more but less than \$30,000;

(5) a felony of the second degree if the value of the property taken, appropriated, obtained, retained, or used is \$30,000 or more but less than \$150,000; and

(6) a felony of the first degree if the value of the property taken, appropriated, obtained, retained, or used is \$150,000 or more.

(d) This section does not apply, for content provided by another person, to:

(1) the provider of an interactive computer service, as defined by 47 U.S.C. Section 230(f);

(2) a telecommunications service, as defined by 47 U.S.C. Section 153; or

(3) a radio or television station licensed by the Federal Communications Commission.

SECTION 3. Section 100B.002, Civil Practice and Remedies Code, as added by this Act, applies only to a cause of action that accrues on or after the effective date of this Act.

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

The amendment was read.

Senator Johnson moved to concur in the House amendment to **SB 2373**.

The motion prevailed by the following vote: Yeas 31, Nays 0.

SENATE BILL 2431 WITH HOUSE AMENDMENT

Senator Campbell called **SB 2431** from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the House amendment before the Senate.

Amendment

Amend **SB 2431** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT

relating to requiring foreign language credit opportunities for students enrolled in study abroad components or programs offered by certain institutions of higher education in this state.

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

SECTION 1. Subchapter F, Chapter 51, Education Code, is amended by adding Section 51.313 to read as follows:

Sec. 51.313. STUDY ABROAD: FOREIGN LANGUAGE PROFICIENCY. (a) In this section, "institution of higher education" has the meaning assigned by Section 61.003.

(b) For the purpose of providing the opportunity for students to gain proficiency in a foreign language, an institution of higher education that, through any baccalaureate degree program, offers a study abroad component or program in a location where a language other than English is primarily spoken shall provide, in accordance with rules adopted under Subsection (c), an option that allows a student enrolled in the study abroad component or program to earn foreign language credit as part of that component or program.

(c) The Texas Higher Education Coordinating Board shall adopt rules as necessary to implement this section, including rules that:

(1) define the study abroad components or programs to which this section applies; and

(2) prescribe the manner in which a student may earn foreign language credit as part of a component or program described by Subdivision (1).

SECTION 2. Section 51.313, Education Code, as added by this Act, applies beginning with the 2026-2027 academic year.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

The amendment was read.

Senator Campbell moved to concur in the House amendment to **SB 2431**.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Cook, Creighton, Eckhardt, Flores, Gutierrez, Hagenbuch, Hall, A. Hinojosa, J. Hinojosa, Huffman, Hughes, Johnson, King, Kolkhorst, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Zaffirini.

Nays: Hancock, West.

SENATE RULE 12.09(a) SUSPENDED (Printing and Notice of Conference Committee Reports)

On motion of Senator J. Hinojosa and by unanimous consent, Senate Rule 12.09(a) was suspended as it relates to the Conference Committee Report on **SB 441**.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 441 ADOPTED

Senator J. Hinojosa called from the President's table the Conference Committee Report on **SB 441**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator J. Hinojosa, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 447 ADOPTED

Senator J. Hinojosa called from the President's table the Conference Committee Report on **SB 447**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator J. Hinojosa, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 379 ADOPTED

Senator Middleton called from the President's table the Conference Committee Report on **SB 379**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Middleton, the Conference Committee Report was adopted by the following vote: Yeas 22, Nays 9.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Flores, Hagenbuch, Hall, Hancock, A. Hinojosa, J. Hinojosa, Huffman, Hughes, Johnson, King, Kolkhorst, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks.

Nays: Alvarado, Blanco, Cook, Eckhardt, Gutierrez, Menéndez, Miles, West, Zaffirini.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 763 ADOPTED

Senator Alvarado called from the President's table the Conference Committee Report on **SB 763**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Alvarado, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

(President in Chair)

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 2067 ADOPTED

Senator Middleton called from the President's table the Conference Committee Report on **HB 2067**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Middleton, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 3372 ADOPTED

Senator Middleton called from the President's table the Conference Committee Report on **HB 3372**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Middleton, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 3909 ADOPTED

Senator Zaffirini called from the President's table the Conference Committee Report on **HB 3909**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Zaffirini, the Conference Committee Report was adopted by the following vote: Yeas 27, Nays 4.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Cook, Eckhardt, Flores, Gutierrez, Hagenbuch, Hall, A. Hinojosa, J. Hinojosa, Huffman, Johnson, King, Kolkhorst, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, West, Zaffirini.

Nays: Creighton, Hancock, Hughes, Sparks.

**SENATE RULE 12.09(a) SUSPENDED
(Printing and Notice of Conference Committee Reports)**

On motion of Senator Zaffirini and by unanimous consent, Senate Rule 12.09(a) was suspended as it relates to the Conference Committee Report on **HB 705**.

**CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 705 ADOPTED**

Senator Zaffirini called from the President's table the Conference Committee Report on **HB 705**. The Conference Committee Report was filed with the Senate on Saturday, May 31, 2025.

On motion of Senator Zaffirini, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 2018 ADOPTED**

Senator Paxton called from the President's table the Conference Committee Report on **SB 2018**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Paxton, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

(Senator Birdwell in Chair)

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 2337 ADOPTED**

Senator Hughes called from the President's table the Conference Committee Report on **SB 2337**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Hughes, the Conference Committee Report was adopted by the following vote: Yeas 21, Nays 10.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Flores, Hagenbuch, Hall, Hancock, A. Hinojosa, J. Hinojosa, Huffman, Hughes, King, Kolkhorst, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks.

Nays: Alvarado, Blanco, Cook, Eckhardt, Gutierrez, Johnson, Menéndez, Miles, West, Zaffirini.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 331 ADOPTED**

Senator Kolkhorst called from the President's table the Conference Committee Report on **SB 331**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Kolkhorst, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 457 ADOPTED**

Senator Kolkhorst called from the President's table the Conference Committee Report on **SB 457**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Kolkhorst, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 1566 ADOPTED**

Senator Bettencourt called from the President's table the Conference Committee Report on **SB 1566**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Bettencourt, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 2878 ADOPTED**

Senator Hughes called from the President's table the Conference Committee Report on **SB 2878**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Hughes, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 260 ADOPTED**

Senator Huffman called from the President's table the Conference Committee Report on **SB 260**. The Conference Committee Report was filed with the Senate on Tuesday, May 27, 2025.

On motion of Senator Huffman, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

**SENATE RULE 12.09(a) SUSPENDED
(Printing and Notice of Conference Committee Reports)**

On motion of Senator Bettencourt and by unanimous consent, Senate Rule 12.09(a) was suspended as it relates to the Conference Committee Report on **SB 15**.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 15 ADOPTED**

Senator Bettencourt called from the President's table the Conference Committee Report on **SB 15**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Bettencourt, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 3071 ADOPTED

Senator Hancock called from the President's table the Conference Committee Report on **HB 3071**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Hancock, the Conference Committee Report was adopted by the following vote: Yeas 30, Nays 1.

Nays: Hagenbuch.

SENATE RESOLUTION 709

Senator Bettencourt offered the following resolution:

BE IT RESOLVED by the Senate of the State of Texas, 89th Legislature, Regular Session, 2025, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on Senate Bill 568 (relating to special education in public schools, including funding for special education under the Foundation School Program) to consider and take action on the following matters:

(1) Senate Rule 12.03(1) is suspended to permit the committee to change, alter, or amend text not in disagreement in proposed SECTION 5 of the bill, by amending added Section 29.001(c)(6)(C), Education Code, to read as follows:

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

Explanation: This change is necessary to clarify to whom behavioral support training must be made available to ensure appropriately trained personnel are available to students with disabilities who have significant behavioral support needs.

(2) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 12 of the bill, in amended Section 29.008(c), Education Code, to read as follows:

If a ~~[residential]~~ placement primarily for care or treatment reasons involves a private ~~[residential]~~ facility in which the education program is provided by the school district, the portion of the costs that includes appropriate education services, as determined by the school district's admission, review, and dismissal committee, shall be paid from local, state, and federal education funds.

Explanation: This change is necessary to allow school districts to pay the cost for certain placements in a private facility from local funds.

(3) Senate Rule 12.03(2) is suspended to permit the committee to omit text not in disagreement by omitting the portion of proposed SECTION 24 of the bill that adds Section 29.024, Education Code. The omitted text reads:

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

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

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

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

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

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

(c) The commissioner shall create an external panel of stakeholders, including parents of students with disabilities, to provide assistance in the selection of applications for the award of grants under this section.

(d) A grant awarded to a school district or open-enrollment charter school under this section is in addition to the Foundation School Program money that the district or charter school is otherwise entitled to receive. A grant awarded under this section may not come out of Foundation School Program money.

(e) The commissioner and any grant recipient selected under this section may accept gifts, grants, and donations from any public or private source, person, or group to implement and administer the grant. The commissioner and any grant recipient selected under this section may not require any financial contribution from parents to implement and administer the grant.

(f) A regional education service center may administer grants awarded under this section.

Explanation: This change is necessary to omit language that would authorize the commissioner of education to establish a grant program to provide training in serving students with dyslexia to school district and open-enrollment charter school teachers and staff.

(4) Senate Rule 12.03(1) is suspended to permit the committee to change, alter, or amend text not in disagreement in proposed SECTION 27 of the bill, by amending Section 29.042(a), Education Code, to read as follows:

Subject to Subsection (c), the agency shall provide each student approved as provided by this subchapter a grant of not more than \$1,500 to purchase supplemental [~~special education~~] services and supplemental [~~special education~~] instructional materials.

Explanation: This change is necessary to provide the amount of the grant provided under Subchapter A-1, Chapter 29, Education Code.

(5) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 27 of the bill, by adding Section 29.042(f), Education Code, to read as follows:

(f) A regional education service center designated to administer the program under this subchapter for a school year is entitled to receive not more than four percent of the amount appropriated for purposes of making grants under this subchapter for that school year for the costs of administering the program.

Explanation: This change is necessary to clarify the amount of money a regional education service center may receive for administering the program under Subchapter A-1, Chapter 29, Education Code.

(6) Senate Rule 12.03(1) is suspended to permit the committee to change, alter, or amend text not in disagreement in proposed SECTION 28 of the bill, in amended Section 29.045, Education Code, to read as follows:

Subject to available funding the agency shall approve each student who meets the program eligibility criteria established under Section 29.044 and assign to the student an account maintained under Section 29.042(b).

Explanation: This change is necessary to ensure that the approval of and assignment of accounts to eligible students under the program under Subchapter A-1, Chapter 29, Education Code, are subject to available funding.

(7) Senate Rule 12.03(2) is suspended to permit the committee to omit text not in disagreement by omitting the portion of proposed SECTION 63 of the bill that adds Section 48.306, Education Code. The omitted text reads:

Sec. 48.306. PARENT-DIRECTED SERVICES FOR STUDENTS RECEIVING SPECIAL EDUCATION SERVICES GRANT. (a) A student to whom the agency awards a grant under Subchapter A-1, Chapter 29, is entitled to receive an amount of \$1,500 or a greater amount provided by appropriation.

(b) The legislature shall include in the appropriations for the Foundation School Program state aid sufficient for the agency to award grants under Subchapter A-1, Chapter 29, in the amount provided by this section.

(c) A student may receive one grant under Subchapter A-1, Chapter 29, unless the legislature appropriates money for an additional grant in the General Appropriations Act.

(d) A regional education service center designated to administer the program under Subchapter A-1, Chapter 29, for a school year is entitled to an amount equal to four percent of each grant awarded under that subchapter for that school year.

(e) Notwithstanding Section 7.057, a determination of the commissioner under this section is final and may not be appealed.

Explanation: This change is necessary to omit language that would provide an entitlement to a grant under Subchapter A-1, Chapter 29, Education Code, or to an amount for administering the program under that subchapter.

SR 709 was read and was adopted by the following vote: Yeas 31, Nays 0.

SENATE RULE 12.09(a) SUSPENDED
(Printing and Notice of Conference Committee Reports)

On motion of Senator Bettencourt and by unanimous consent, Senate Rule 12.09(a) was suspended as it relates to the Conference Committee Report on **SB 568**.

CONFERENCE COMMITTEE REPORT ON
SENATE BILL 568 ADOPTED

Senator Bettencourt called from the President's table the Conference Committee Report on **SB 568**. The Conference Committee Report was filed with the Senate on Saturday, May 31, 2025.

On motion of Senator Bettencourt, the Conference Committee Report was adopted by the following vote: Yeas 30, Nays 1.

Nays: Hughes.

SENATE RULE 12.09(a) SUSPENDED
(Printing and Notice of Conference Committee Reports)

Senator Hagenbuch moved to suspend Senate Rule 12.09(a) to take up for consideration Conference Committee Report on **HB 2017** at this time.

The motion prevailed without objection.

All Members are deemed to have voted "Yea" on suspension of the rule except as follows:

Nays: Cook, Eckhardt, Johnson, Menéndez, Zaffirini.

CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 2017 ADOPTED

Senator Hagenbuch called from the President's table the Conference Committee Report on **HB 2017**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Hagenbuch, the Conference Committee Report was adopted by the following vote: Yeas 26, Nays 5.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Creighton, Flores, Gutierrez, Hagenbuch, Hall, Hancock, A. Hinojosa, J. Hinojosa, Huffman, Hughes, King, Kolkhorst, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, West.

Nays: Cook, Eckhardt, Johnson, Menéndez, Zaffirini.

SENATE RULE 12.09(a) SUSPENDED
(Printing and Notice of Conference Committee Reports)

On motion of Senator Nichols and by unanimous consent, Senate Rule 12.09(a) was suspended as it relates to the Conference Committee Report on **SB 1405**.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 1405 ADOPTED

Senator Nichols called from the President's table the Conference Committee Report on **SB 1405**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Nichols, the Conference Committee Report was adopted by the following vote: Yeas 27, Nays 4.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Cook, Eckhardt, Flores, Gutierrez, Hagenbuch, Hall, Hancock, A. Hinojosa, J. Hinojosa, Huffman, Johnson, King, Menéndez, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, West, Zaffirini.

Nays: Creighton, Hughes, Kolkhorst, Middleton.

SENATE RESOLUTION 715

Senator Huffman offered the following resolution:

BE IT RESOLVED by the Senate of the State of Texas, 89th Legislature, Regular Session, 2025, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill 5246 (relating to the administration, powers, and duties of the Texas Space Commission and Texas Aerospace Research and Space Economy Consortium, to other governmental entities regarding aerospace, aviation, and space exploration initiatives and activities, and to the abolishment of the spaceport trust fund) to consider and take action on the following matter:

Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 6 of the bill, by adding Section 482.107(a)(8), Government Code, to read as follows:

(8) as necessary to promote space-related industries and further commission activities, including implementing the strategic plan developed under Section 482.201, and notwithstanding any other law, issue an order, subject to the approval of the municipality's governing body, to temporarily close in a municipality a highway as defined by Section 221.001, Transportation Code, a venue as defined by Section 334.001, Local Government Code, or an area specified by Section 33.203(11), Natural Resources Code;

Explanation: This change is necessary to permit the board of directors of the Texas Space Commission to carry out duties as necessary to promote space-related industries and further commission activities.

SR 715 was read and was adopted by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Blanco, Campbell, Creighton, Flores, Hall, Hancock, A. Hinojosa, Huffman, King, Kolkhorst, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, West.

Nays: Alvarado, Cook, Eckhardt, Gutierrez, Hagenbuch, J. Hinojosa, Hughes, Johnson, Menéndez, Miles, Zaffirini.

**CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 5246 ADOPTED**

Senator Huffman called from the President's table the Conference Committee Report on **HB 5246**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Huffman, the Conference Committee Report was adopted by the following vote: Yeas 21, Nays 10.

Yeas: Bettencourt, Birdwell, Blanco, Campbell, Creighton, Flores, Hall, Hancock, A. Hinojosa, J. Hinojosa, Huffman, King, Kolkhorst, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, West.

Nays: Alvarado, Cook, Eckhardt, Gutierrez, Hagenbuch, Hughes, Johnson, Menéndez, Miles, Zaffirini.

**SENATE RULE 12.09(a) SUSPENDED
(Printing and Notice of Conference Committee Reports)**

Senator Campbell moved to suspend Senate Rule 12.09(a) to take up for consideration the Conference Committee Report on **SB 3059** at this time.

The motion prevailed without objection.

All Members are deemed to have voted "Yea" on suspension of the rule except as follows:

Nays: Eckhardt, Johnson.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 3059 ADOPTED**

Senator Campbell called from the President's table the Conference Committee Report on **SB 3059**. The Conference Committee Report was filed with the Senate on Saturday, May 31, 2025.

On motion of Senator Campbell, the Conference Committee Report was adopted by the following vote: Yeas 29, Nays 2.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Cook, Creighton, Flores, Gutierrez, Hagenbuch, Hall, Hancock, A. Hinojosa, J. Hinojosa, Huffman, Hughes, King, Kolkhorst, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, West, Zaffirini.

Nays: Eckhardt, Johnson.

SENATE RESOLUTION 703

Senator Parker offered the following resolution:

BE IT RESOLVED by the Senate of the State of Texas, 89th Legislature, Regular Session, 2025, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on Senate Bill 2308 (the establishment of a consortium to conduct United States Food and Drug Administration's drug development clinical trials with ibogaine to secure the administration's approval of the medication's use for treatment of opioid

use disorder, co-occurring substance use disorder, and any other neurological or mental health conditions for which ibogaine demonstrates efficacy and to the administration of that treatment) to consider and take action on the following matters:

(1) Senate Rule 12.03(2) is suspended to permit the committee to omit text not in disagreement by omitting in proposed SECTION 1 of the bill added Section 491.001(2), Health and Safety Code. The omitted text reads:

(2) "Executive commissioner" means the executive commissioner of the Health and Human Services Commission.

Explanation: The change is necessary to remove a definition that no longer appears in added Chapter 491, Health and Safety Code.

(2) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 1 of the bill, by adding Sections 491.001(2), (3), (4), and (6), Health and Safety Code, to read as follows:

(2) "Comptroller" means the comptroller of public accounts.

(3) "Drug developer" means a pharmaceutical company, biotechnology company, or contract development and manufacturing organization engaged in drug development and manufacturing.

(4) "Hospital" has the meaning assigned by Section 241.003.

(6) "Institution of higher education" has the meaning assigned by Section 61.003, Education Code.

Explanation: The change is necessary to define "comptroller," "drug developer," "hospital," and "institution of higher education" for purposes of added Chapter 491, Health and Safety Code.

(3) Senate Rule 12.03(2) is suspended to permit the committee to omit text not in disagreement in proposed SECTION 1 of the bill by omitting added Sections 491.002 and 491.003, Health and Safety Code. The omitted text reads:

Sec. 491.002. RULES. The executive commissioner shall adopt rules necessary to administer this chapter.

Sec. 491.003. ESTABLISHMENT OF GRANT PROGRAM. The commission shall establish and administer a grant program to fund a public-private partnership program that will pay for the costs of the United States Food and Drug Administration's drug development trials with ibogaine to secure the administration's approval as a medication for treatment of opioid use disorder, co-occurring substance use disorder, and any other neurological or mental health conditions for which ibogaine demonstrates efficacy.

Explanation: The change is necessary to eliminate rulemaking authority and remove a grant program.

(4) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 1 of the bill, by adding a heading for added Subchapter B, Chapter 491, Health and Safety Code, to read as follows:

SUBCHAPTER B. DRUG DEVELOPMENT OF IBOGAINE TREATMENT

Explanation: The change is necessary for better organization of added Chapter 491, Health and Safety Code.

(5) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 1 of the bill, by adding Sections 491.051 and 491.052, Health and Safety Code, to read as follows:

Sec. 491.051. ESTABLISHMENT OF CONSORTIUM. (a) A consortium may be established under this section and apply for commission selection under this subchapter to conduct drug development clinical trials with ibogaine and secure the United States Food and Drug Administration's approval of ibogaine as a medication for the treatment of:

(1) opioid use disorder;

(2) co-occurring substance use disorder; and

(3) any other neurological or mental health condition for which ibogaine demonstrates efficacy.

(b) A consortium established under this section must include one or more of each of the following entities:

(1) a drug developer;

(2) an institution of higher education; and

(3) a hospital.

Sec. 491.052. LEAD INSTITUTION; ADMINISTRATION; PERSONNEL. (a) A consortium established under this subchapter shall select a lead institution of higher education from among the consortium's members to represent the consortium and perform administrative functions under this subchapter, including contracting with and reporting to the commission as required by this subchapter.

(b) A consortium selected by the commission under this subchapter may employ personnel, including clinical, administrative, and data management personnel, necessary to support any consortium member's activities related to drug development clinical trials conducted under this subchapter.

Explanation: The change is necessary to allow formation of a consortium for the conduct of certain drug development clinical trials, to secure United States Food and Drug Administration's approval for certain medical treatments, and to allow the consortium to select a lead institution and employ necessary personnel.

(6) Senate Rule 12.03(2) is suspended to permit the committee to omit text not in disagreement in proposed SECTION 1 of the bill by omitting the heading and Subsections (a) and (c) of added Section 491.004, Health and Safety Code. The omitted text reads:

Sec. 491.004. APPLICATION. (a) The commission shall prepare and issue a notice of funding opportunity to solicit applications for the grant program established under this subchapter.

(c) The commission shall:

(1) make available the application required under this section; and

(2) announce a period of not less than 90 days during which applicants may submit an application under this subchapter.

Explanation: The change is necessary to remove an application process for a removed grant program.

(7) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 1 of the bill, by adding a heading and Subsection (a) for Section 491.053, Health and Safety Code, to read as follows:

Sec. 491.053. CONSORTIUM PROPOSAL. (a) The lead institution of higher education of a consortium shall submit to the commission a proposal and request for funding on behalf of the consortium for purposes of conducting ibogaine drug development clinical trials in accordance with this subchapter.

Explanation: The change is necessary to require a consortium formed under added Chapter 491, Health and Safety Code, to submit to the Health and Human Services Commission a proposal for selection to conduct a drug development clinical trial under that chapter.

(8) Senate Rules 12.03(1), (2), and (3) are suspended to permit the committee to change, alter, or amend text not in disagreement, omit text not in disagreement, and add text on a matter not in disagreement in proposed SECTION 1 of the bill, by adding Section 491.053(b), Health and Safety Code, to read as follows:

(b) A proposal submitted under Subsection (a) must provide:

(1) the identity of all consortium members;

(2) a detailed description of the planned strategy for obtaining approval for the drug development clinical trials from the United States Food and Drug Administration;

(3) a detailed drug development clinical trial design that includes:

(A) a description of the composition of the consortium's drug development clinical trial team and the expertise of the team members;

(B) a drug development clinical trial participant recruitment plan;

(C) patient screening criteria and cardiac safety protocols;

(D) administration protocols;

(E) an aftercare and post-acute treatment support plan; and

(F) a data integrity plan;

(4) a detailed plan to seek a breakthrough therapy designation for ibogaine from the United States Food and Drug Administration under 21 U.S.C. Section 356;

(5) a proposal to recognize this state's commercial interest in all intellectual property that may be generated over the course of the drug development clinical trials, including:

(A) the treatment that is the subject of the trials;

(B) administration protocols;

(C) treatment models or techniques; and

(D) technology used in the trials;

(6) a plan to establish a corporate presence in this state and to promote and maintain ibogaine-related biomedical research, development, treatment, manufacturing, and distribution in this state;

(7) a plan to secure third-party payor approval for ibogaine treatment following approval by the United States Food and Drug Administration through:

(A) private insurers;

(B) Medicare;

(C) Medicaid; and

(D) the TRICARE program of the United States Department of Defense;

(8) a plan to ensure ibogaine treatment access to uninsured individuals following approval by the United States Food and Drug Administration;

(9) a plan to train and credential medical providers to administer ibogaine treatment according to developed clinical standards; and

(10) financial disclosures that verify the consortium's capacity to fully match state funding with funds received from non-state sources.

Explanation: The change is necessary to specify the information required for submission of a proposal under Section 491.053, Health and Safety Code, and selection to perform drug development clinical trials under added Chapter 491, Health and Safety Code.

(9) Senate Rule 12.03(2) is suspended to permit the committee to omit text not in disagreement in proposed SECTION 1 of the bill by omitting added Section 491.005, Health and Safety Code. The omitted text reads:

Sec. 491.005. SELECTION COMMITTEE. (a) The commission shall create a selection committee and select the number of members. The committee must be composed of:

(1) subject matter experts;

(2) philanthropic partners; and

(3) legislative designees.

(b) The selection committee shall review applications, communicate supplemental inquiries to applicants, and recommend to the commission the best applicants to conduct the drug development trials.

(c) The commission shall consider the recommendations of the selection committee in selecting the applicant to conduct the ibogaine drug development trial.

Explanation: The change is necessary to remove the selection committee.

(10) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 1 of the bill, by adding Sections 491.054 and 491.055, Health and Safety Code, to read as follows:

Sec. 491.054. COMMISSION SELECTION. The commission, in the commission's sole discretion, shall select a consortium established in accordance with Section 491.051 for the purpose of conducting ibogaine drug development clinical trials under this subchapter.

Sec. 491.055. CONTRACT WITH LEAD INSTITUTION. (a) As soon as practicable after selecting a consortium to conduct ibogaine drug development clinical trials under Section 491.054, the commission shall enter into an interagency contract, as provided by Chapter 771, Government Code, with the lead institution of higher education of the selected consortium to provide funding to implement the consortium's proposed ibogaine drug development clinical trials.

(b) The interagency contract described by Subsection (a) must specify:

(1) the goals and objectives of the proposed ibogaine drug development clinical trials;

(2) the proposed budget;

(3) the timeline for completing the proposed objectives;

(4) the for-profit, nonprofit, or public benefit corporate entities collaborating with the consortium in the drug development clinical trials under this subchapter;

(5) the percentage of the revenue arising from the drug development clinical trials to be paid to the state; and

(6) any other information required by the commission.

(c) As soon as practicable after entering into an interagency contract under Subsection (a), the commission shall report the existence of the contract to the legislature.

(d) The commission may not disburse funds to or for a selected consortium under the interagency contract described by Subsection (a) until the consortium receives and the commission verifies the receipt of matching funds from sources other than the state.

Explanation: The change is necessary to allow the Health and Human Services Commission to select a consortium established under added Chapter 491, Health and Safety Code, for the purpose of conducting drug development clinical trials under that chapter, to require the commission to enter into an interagency contract with the consortium for the conduct of those trials, and to regulate the contract provisions and the disbursement of funds to the selected consortium.

(11) Senate Rules 12.03(1) and (3) are suspended to permit the committee to change, alter, or amend text not in disagreement and add text on a matter not in disagreement in proposed SECTION 1 of the bill, by adding Section 491.056, Health and Safety Code, to read as follows:

Sec. 491.056. INVESTIGATIONAL NEW DRUG APPLICATION. On the commission's notification that a consortium is selected to conduct the drug development clinical trials under this subchapter, a drug developer or hospital member of the selected consortium or the lead institution of higher education of the consortium, as specified by written agreement of the consortium members, shall, as soon as practicable:

(1) submit an investigational new drug (IND) application to the United States Food and Drug Administration in accordance with 21 C.F.R. Part 312; and

(2) seek a breakthrough therapy designation for ibogaine from the United States Food and Drug Administration under 21 U.S.C. Section 356.

Explanation: The change is necessary to allow certain members of a consortium established under added Chapter 491, Health and Safety Code, to apply for an investigational new drug application with the United States Food and Drug Administration and to seek from the administration a breakthrough therapy designation for certain treatments.

(12) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 1 of the bill, by adding Section 491.057, Health and Safety Code, to read as follows:

Sec. 491.057. DRUG DEVELOPMENT CLINICAL TRIAL SITES. For purposes of conducting a drug development clinical trial under this subchapter, only an institution of higher education or a hospital may serve as a trial site.

Explanation: The change is necessary to specify which members of a consortium established under added Chapter 491, Health and Safety Code, may serve as a drug development clinical trial site under that chapter.

(13) Senate Rule 12.03(2) is suspended to permit the committee to omit text not in disagreement in proposed SECTION 1 of the bill by omitting added Sections 491.007 and 491.008, Health and Safety Code. The omitted text reads:

Sec. 491.007. ESTABLISHMENT OF DRUG DEVELOPMENT TRIAL SITES. On approval of the applicant's investigational new drug application by the United States Food and Drug Administration, the commission shall, in consultation with the applicant, establish drug development trial sites that must be equipped and staffed to provide cardiac intensive care services to patients.

Sec. 491.008. CONDUCTING DRUG DEVELOPMENT TRIAL. (a) As soon as practicable after drug development trial sites are established under Section 491.007, the applicant shall begin a drug development trial to administer treatment with ibogaine.

(b) The commission, in consultation with the selection committee under Section 491.005, shall select an institutional review board with a presence in this state to oversee and verify the drug development trial research activity for scientific validation and authentication under the requirements of the United States Food and Drug Administration.

(c) The applicant shall request the designation under 21 U.S.C. Section 356 during the drug development trial if the ibogaine treatment is demonstrating efficacy.

Explanation: The change is necessary to remove requirements relating to drug development trial sites and the conduct of a drug development trial.

(14) Senate Rules 12.03(1), (2), and (4) are suspended to permit the committee to change, alter, or amend text not in disagreement, omit text on a matter not in disagreement, and add text on a matter not included in either the house or senate version of the bill in proposed SECTION 1 of the bill, by adding Section 491.058, Health and Safety Code, to read as follows:

Sec. 491.058. FUNDING; DISBURSEMENT BY COMMISSION. (a) The commission and consortium members may solicit and accept gifts, grants, and donations of any kind received from sources other than the state for purposes of funding drug development clinical trials under this subchapter.

(b) Disbursements of funds by the commission may be made incrementally based on the completion of clearly defined objectives as negotiated in the contract described by Section 491.055, including verifiable documentation demonstrating the efficient expenditure of both state and matching funds.

Explanation: The change is necessary to clarify that matching funds provided by a consortium established under added Chapter 491, Health and Safety Code, must come from sources other than the state, and to add accountability requirements.

(15) Senate Rule 12.03(2) is suspended to permit the committee to omit text not in disagreement in proposed SECTION 1 of the bill by omitting added Section 491.009(b), Health and Safety Code. The omitted text reads:

(b) An applicant selected to perform a drug development trial under this subchapter shall contribute toward the cost of developing the ibogaine treatment an amount of money that is at least equal to the amount of money that the applicant received in the form of a grant from the commission.

Explanation: The change is necessary to eliminate duplicative and conflicting provisions relating to matching funds.

(16) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 1 of the bill, by adding Sections 491.059, 491.060, and 491.061, Health and Safety Code, to read as follows:

Sec. 491.059. REPORTING REQUIREMENTS. (a) A consortium selected to conduct ibogaine drug development clinical trials shall quarterly prepare and submit to the commission:

(1) a report on the progress of the drug development clinical trials conducted under this subchapter; and

(2) a financial status report, including information to verify expenditures of state funds and required matching funds.

(b) The commission shall submit a report to the legislature on the progress of the drug development clinical trials conducted under this subchapter not later than December 1 of each year.

Sec. 491.060. ALLOCATION OF REVENUE ATTRIBUTABLE TO INTELLECTUAL PROPERTY AND OTHER RIGHTS. (a) The revenue attributable to all intellectual property rights and other commercial rights arising from drug development clinical trials conducted by a consortium under this subchapter during the period for which the trials are funded and any following period of commercialization shall be allocated as follows:

(1) not less than 20 percent to the state as specified in the contract under Section 491.055; and

(2) the remainder to the members of the consortium in the amounts specified by written agreement of the members.

(b) For purposes of this section, intellectual property rights and other commercial rights arising from the drug development clinical trials conducted under this subchapter include any of the following as related to the trials:

(1) intellectual property, technology, and inventions;

(2) patents, trademarks, and licenses;

(3) proprietary and confidential information;

(4) trade secrets, data, and databases;

(5) tools, methods, and processes;

(6) treatment models or techniques;

(7) administration protocols; and

(8) works of authorship.

Sec. 491.061. USE OF STATE REVENUE. (a) The comptroller shall deposit the revenue received under Section 491.060 to the credit of the general revenue fund.

(b) Of the amount deposited under Subsection (a), 25 percent may be appropriated only to programs that assist veterans in this state.

(c) The comptroller shall develop accounting procedures for the purpose of implementing this section.

Explanation: The change is necessary to establish reporting requirements for a consortium established under added Chapter 491, Health and Safety Code, and to clarify the allocation of revenues attributable to certain property rights under that chapter.

(17) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 2 of the bill, by adding Subsection (b) to read as follows:

(b) The Health and Human Services Commission shall begin accepting proposals from consortiums under Chapter 491, Health and Safety Code, as added by this Act, not later than the 60th day after the effective date of this Act.

Explanation: The change is necessary to require the Health and Human Services Commission to begin accepting proposals from consortiums under added Chapter 491, Health and Safety Code, by a certain date.

SR 703 was read and was adopted by the following vote: Yeas 31, Nays 0.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 2308 ADOPTED

Senator Parker called from the President's table the Conference Committee Report on **SB 2308**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Parker, the Conference Committee Report was adopted by the following vote: Yeas 27, Nays 4.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Cook, Eckhardt, Flores, Gutierrez, Hall, Hancock, A. Hinojosa, J. Hinojosa, Huffman, Hughes, Johnson, King, Kolkhorst, Menéndez, Middleton, Miles, Parker, Paxton, Perry, Schwertner, West, Zaffirini.

Nays: Creighton, Hagenbuch, Nichols, Sparks.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 3595 ADOPTED

Senator Perry called from the President's table the Conference Committee Report on **HB 3595**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Perry, the Conference Committee Report was adopted by the following vote: Yeas 21, Nays 10.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Flores, Hall, Hancock, A. Hinojosa, J. Hinojosa, Huffman, Hughes, King, Kolkhorst, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, West.

Nays: Alvarado, Blanco, Cook, Eckhardt, Gutierrez, Hagenbuch, Johnson, Menéndez, Miles, Zaffirini.

SENATE RESOLUTION 687

Senator Middleton offered the following resolution:

BE IT RESOLVED by the Senate of the State of Texas, 89th Legislature, 2025, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill 3556 (the construction of structures exceeding a certain height in certain counties containing national wildlife refuges and in adjacent counties) to consider and take action on the following matters:

(1) Senate Rule 12.03(1) is suspended to permit the committee to change, alter, or amend text not in disagreement in proposed SECTION 1 of the bill, in added Section 12.023(b), Parks and Wildlife Code, by striking "500" and substituting "575".

Explanation: The change is necessary to clarify the height of a structure for which a person is required to request Parks and Wildlife Department review before beginning construction.

(2) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 1 of the bill, by adding Section 12.023(g), Parks and Wildlife Code, to read as follows:

(g) The commission may adopt rules to implement this section.

Explanation: The change is necessary to provide the Parks and Wildlife Commission with the authority to adopt rules to implement Section 12.023, Parks and Wildlife Code.

SR 687 was read and was adopted by the following vote: Yeas 23, Nays 8.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Flores, Gutierrez, Hall, Hancock, A. Hinojosa, J. Hinojosa, Huffman, Hughes, Johnson, King, Kolkhorst, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Zaffirini.

Nays: Alvarado, Blanco, Cook, Eckhardt, Hagenbuch, Menéndez, Miles, West.

**CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 3556 ADOPTED**

Senator Middleton called from the President's table the Conference Committee Report on **HB 3556**. The Conference Committee Report was filed with the Senate on Friday, May 30, 2025.

On motion of Senator Middleton, the Conference Committee Report was adopted by the following vote: Yeas 22, Nays 9.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Flores, Gutierrez, Hall, Hancock, A. Hinojosa, J. Hinojosa, Huffman, Hughes, King, Kolkhorst, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Zaffirini.

Nays: Alvarado, Blanco, Cook, Eckhardt, Hagenbuch, Johnson, Menéndez, Miles, West.

SENATE RULE 12.09(a) SUSPENDED
(Printing and Notice of Conference Committee Reports)

On motion of Senator Bettencourt and by unanimous consent, Senate Rule 12.09(a) was suspended as it relates to the Conference Committee Report on **SB 1540**.

CONFERENCE COMMITTEE REPORT ON
SENATE BILL 1540 ADOPTED

Senator Bettencourt called from the President's table the Conference Committee Report on **SB 1540**. The Conference Committee Report was filed with the Senate on Saturday, May 31, 2025.

On motion of Senator Bettencourt, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

(President in Chair)

BILLS AND RESOLUTIONS SIGNED

The President announced the signing of the following enrolled bills and resolutions in the presence of the Senate after the captions had been read:

HB 18, HB 35, HB 43, HB 103, HB 107, HB 114, HB 138, HB 143, HB 163, HB 171, HB 216, HB 227, HB 426, HB 449, HB 581, HB 647, HB 654, HB 700, HB 713, HB 721, HB 762, HB 851, HB 1237, HB 1500, HB 1522, HB 1584, HB 2080, HB 2213, HB 2221, HB 2313, HB 2348, HB 2495, HB 2637, HB 2688, HB 2712, HB 2818, HB 2851, HB 3016, HB 3092, HB 3126, HB 3153, HB 3250, HB 3348, HB 3463, HB 3464, HB 3486, HB 3487, HB 3512, HB 3629, HB 3711, HB 3824, HB 4226, HB 4263, HB 4264, HB 4310, HB 4341, HB 4384, HB 4386, HB 4486 (Signed subject to Art. III, Sec. 49a, Texas Constitution), HB 4488, HB 4520, HB 5033, HB 5081, HB 5247, HB 5323, HB 5331, HB 5659, HB 5671, HCR 9.

HB 24, HB 101, HB 541, HB 824, HB 1052, HB 1306, HB 1532, HB 1629, HB 1868, HB 1960, HB 2012, HB 2035, HB 2037, HB 2217, HB 2488, HB 2517, HB 2520, HB 2598, HB 2655, HB 2686, HB 2694, HB 2757, HB 2820, HB 3005, HB 3112, HB 3185, HB 3388, HB 3516, HB 3546, HB 3623, HB 3686, HB 3815, HB 4099, HB 4134, HB 4145, HB 4158, HB 4170, HB 4202, HB 4214, HB 4285, HB 4350, HB 4361, HB 4463, HB 4466, HB 4530, HB 4535, HB 4559, HB 4630, HB 4765, HB 4848, HB 4894, HB 4903, HB 4904, HB 4995, HB 5154, HB 5196, HB 5320, HB 5435, HB 5437, HB 5650, HB 5651, HB 5652, HB 5654, HB 5655, HB 5656, HB 5661, HB 5662, HB 5664, HB 5665, HB 5670, HB 5672, HB 5674, HB 5679, HB 5695, HB 5698, HCR 46, HCR 81, HCR 83, HCR 111.

SB 4, SB 6, SB 9, SB 22, SB 23, SB 25, SB 36, SB 38, SB 40, SB 204, SB 612, SB 672, SB 766, SB 823, SB 876, SB 968, SB 1084, SB 1207, SB 1230, SB 1313, SB 1318, SB 1448, SB 1621, SB 1644, SB 1718, SB 1758, SB 2177, SB 2232, SB 2366, SB 2367, SB 2398, SB 2406, SB 2480, SB 2501, SB 2515, SB 2520, SB 2589, SB 2786, SB 2790, SB 3048, SB 3050, SB 3052, SB 3053, SB 3056, SJR 5.

SB 7, SB 17, SB 21, SB 57, SB 66, SB 140, SB 413, SB 437, SB 467, SB 509, SB 510, SB 512, SB 710, SB 785, SB 800, SB 850, SB 863, SB 904, SB 905, SB 974, SB 1191, SB 1198, SB 1281, SB 1300, SB 1362, SB 1504, SB 1522, SB 1567, SB 1580, SB 1723, SB 1760, SB 1833, SB 1838, SB 1923, SB 1957, SB 2155, SB 2167, SB 2321, SB 2368, SB 2407, SB 2778, SB 2986, SJR 27.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Saturday, May 31, 2025 - 2

(Revision 1)

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS ADOPTED THE FOLLOWING CONFERENCE COMMITTEE REPORTS:

HB 145 (103 Yeas, 21 Nays, 2 Present, not voting)

HB 3556 (99 Yeas, 12 Nays, 2 Present, not voting)

SB 12 (77 Yeas, 40 Nays, 2 Present, not voting)

SB 13 (81 Yeas, 48 Nays, 2 Present, not voting)

SB 331 (128 Yeas, 0 Nays, 2 Present, not voting)

SB 379 (84 Yeas, 45 Nays, 2 Present, not voting)

SB 441 (90 Yeas, 33 Nays, 2 Present, not voting)

SB 2018 (97 Yeas, 27 Nays, 2 Present, not voting)

SB 2337 (82 Yeas, 41 Nays, 3 Present, not voting)

Respectfully,

/s/Stephen Brown,

Chief Clerk

House of Representatives

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 2900**

Senator Kolkhorst submitted the following Conference Committee Report:

Austin, Texas

May 31, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **SB 2900** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

KOLKHORST

CAMPBELL

NICHOLS

PERRY

ZAFFIRINI

On the part of the Senate

BHOJANI

ASHBY

GERDES

GEREN

LONGORIA

On the part of the House

A BILL TO BE ENTITLED

AN ACT

relating to certain advisory entities and work groups under the jurisdiction of the comptroller of public accounts or on which the comptroller's office is represented and to the repeal or redesignation of certain of those entities.

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

SECTION 1. Subchapter B, Chapter 403, Government Code, is amended by adding Section 403.0148 to read as follows:

Sec. 403.0148. REVIEW OF CERTAIN ADVISORY ENTITIES; REPORT. (a) In this section, "advisory entity" means an entity created by statute or by a state agency that has as its primary function advising a state agency, including an advisory board, an advisory committee, a council, an oversight committee, and a task force.

(b) The comptroller shall review each advisory entity that is part of the office of the comptroller, under the direction of the comptroller, or administratively attached to the office of the comptroller.

(c) A review conducted under Subsection (b) must assess whether each advisory entity:

(1) is necessary; and

(2) promotes the efficient and effective operation of the office of the comptroller.

(d) Not later than December 1, 2026, the comptroller shall prepare and submit a report to the presiding officer of each house of the legislature that identifies the advisory entities reviewed under Subsection (b) that are not necessary or that do not promote the efficient or effective operation of the office of the comptroller.

(e) This section expires December 31, 2026.

SECTION 2. Section 403.1041, Government Code, is amended by amending Subsection (a) and adding Subsections (i) and (j) to read as follows:

(a) In this section and Section [Sections 403.1042 and] 403.1043:

(1) "Account" means the tobacco settlement permanent trust account established under the agreement.

(2) "Advisory committee" means the tobacco settlement permanent trust account administration ~~[investment]~~ advisory committee established under Section 12.137, Health and Safety Code.

(3) "Agreement" means the Agreement Regarding Disposition of Settlement Proceeds filed on July 24, 1998, in the United States District Court, Eastern District of Texas, in the case styled The State of Texas v. The American Tobacco Co., et al., No. 5-96CV-91. The term includes the subsequent Clarification of Agreement Regarding Disposition of Settlement Proceeds filed on July 24, 1998, in that litigation.

(4) "Department" means the Texas Department of Health.

(5) "Political subdivision" means:

(A) a hospital district;

(B) another local political subdivision that owns or maintains a public hospital; or

(C) a county of this state responsible for providing indigent health care to the general public.

(i) The comptroller shall annually present to the advisory committee:

(1) a summary of the account's investment performance;

(2) the dollar amount the comptroller expects to distribute to political subdivisions under Subsection (f); and

(3) any changes to the applicable investment policy statement or rules adopted or amended by the comptroller under Subsection (h).

(j) The advisory committee shall provide advice and consultation to the comptroller related to the administration of the account's investments and the amount of money to distribute to political subdivisions, subject to the requirements and limitations in the applicable investment policy statement, laws, and rules.

SECTION 3. Section 403.610(b), Government Code, is amended to read as follows:

(b) The governor shall provide written notice of the governor's determination under Subsection (a) to the comptroller, the applicable school district, ~~[the oversight committee,]~~ and the applicant not later than the seventh day after the date the governor makes the determination under that subsection.

SECTION 4. Section 403.615(c), Government Code, is amended to read as follows:

(c) As part of the review, the state auditor shall make recommendations relating to increasing the efficiency and effectiveness of the administration of this subchapter. The state auditor shall submit the recommendations to the governor, comptroller, lieutenant governor, and speaker of the house of representatives~~[, and oversight committee]~~ not later than December 15 of each year.

SECTION 5. Section 404.028, Government Code, is amended to read as follows:

Sec. 404.028. INVESTMENT ADVISORY BOARD. (a) The comptroller shall establish an investment advisory board to advise the comptroller and the trust company regarding investments that the comptroller makes through the trust company under this subchapter or other law. For purposes of this section, the deposit of state funds in a state depository is not considered an investment.

(b) The comptroller shall appoint members to the advisory board who possess the expertise appropriate for advising the comptroller with regard to one or more types of investments that the comptroller may make. The members of the advisory board must have knowledge or experience in finance, including management of funds or business operations. Members of the advisory board serve in an advisory capacity and are not fiduciaries with respect to the investments made by the comptroller through the trust company under this subchapter or other law.

(c) The comptroller shall determine the number of members of the advisory board. The comptroller may adopt rules governing members of the advisory board, including rules related to terms of service and removal. ~~[A member serves on the advisory board at the will of the comptroller.]~~

(d) Chapter 2110 does not apply to the ~~[size, composition, or duration of the]~~ advisory board.

(e) A person is not eligible for appointment to the advisory board if the person or the person's spouse:

(1) is employed by or participates in the management of a business entity or other organization that receives funds from the trust company;

(2) owns or controls, directly or indirectly, more than a 10 percent interest in a business entity or other organization that receives funds from the trust company;
or

(3) receives funds from a business entity or other organization that receives funds from the trust company if the amount received by the person or spouse exceeds five percent of the person's gross income or the spouse's gross income, as applicable, for the preceding calendar year.

(f) Before a member of the advisory board may assume the member's duties, the member must complete a training program providing information regarding:

(1) assets managed by the comptroller through the trust company under this subchapter or other law; and

(2) applicable statutes, including Chapters 551 and 552.

(g) In this section, "trust company" means the Texas Treasury Safekeeping Trust Company.

SECTION 6. Section 404.101(1), Government Code, is amended to read as follows:

(1) "Advisory board" means the comptroller's ~~[Texas treasury safekeeping trust company]~~ investment advisory board established under Section 404.028.

SECTION 7. Sections 12.137(a) and (h), Health and Safety Code, are amended to read as follows:

(a) The tobacco settlement permanent trust account administration advisory committee shall advise:

(1) the department on the implementation of the department's duties under this subchapter; and

(2) the comptroller on the administration of the comptroller's duties under Section 403.1041, Government Code.

(h) A member of the advisory committee may not receive compensation from the trust fund or the state for service on the advisory committee but may ~~[and may not]~~ be reimbursed [from the trust fund or the state] for actual and necessary expenses

~~of attending meetings of the advisory committee or performing other official duties authorized by the comptroller [travel expenses incurred while conducting the business of the advisory committee].~~

SECTION 8. The following provisions are repealed:

- (1) Chapter 395, Finance Code;
- (2) Section 403.028(f), Government Code;
- (3) Section 403.1042, Government Code;
- (4) Section 403.602(14), Government Code, as added by Chapter 377 (H.B. 5), Acts of the 88th Legislature, Regular Session, 2023;
- (5) Section 403.618, Government Code;
- (6) Section 404.108, Government Code;
- (7) Section 404.109, Government Code;
- (8) Section 404.110, Government Code;
- (9) Section 404.111, Government Code;
- (10) Section 404.112, Government Code;
- (11) Section 404.113, Government Code; and
- (12) Section 490I.0110, Government Code.

SECTION 9. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

The Conference Committee Report on **SB 2900** was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 119

Senator Hughes submitted the following Conference Committee Report:

Austin, Texas
May 30, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **HB 119** have had the same under consideration, and beg to report it back with the recommendation that it do pass.

HUGHES
BETTENCOURT
A. HINOJOSA
KOLKHORST
PARKER
On the part of the Senate

GERDES
HEFNER
CAPRIGLIONE
BONNEN

On the part of the House

The Conference Committee Report on **HB 119** was filed with the Secretary of the Senate.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 268**

Senator Perry submitted the following Conference Committee Report:

Austin, Texas

May 29, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **SB 268** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

PERRY

COOK

HALL

KOLKHORST

SPARKS

On the part of the Senate

HOWARD

FRANK

SHOFNER

On the part of the House

A BILL TO BE ENTITLED
AN ACT

relating to the procedure for certain complaints against health care practitioners.

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

SECTION 1. Chapter 112, Occupations Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. COMPLAINT REFERRALS

Sec. 112.101. COMPLAINTS AGAINST HEALTH CARE PRACTITIONER LICENSED BY DIFFERENT LICENSING ENTITY. (a) Notwithstanding any other law, a licensing entity that receives a complaint concerning a health care practitioner who holds a license issued by a different licensing entity shall promptly forward a copy of the complaint to that licensing entity.

(b) A licensing entity may not take disciplinary action based on a complaint against a health care practitioner who holds a license issued by a different licensing entity unless that licensing entity refers the complaint back to the licensing entity that received the complaint for investigation and resolution.

(c) This section does not preclude a licensing entity from taking disciplinary action against a health care practitioner licensed by that entity.

Sec. 112.102. COMPLAINTS AGAINST HEALTH CARE PRACTITIONER ALLEGING CERTAIN OFFENSES. (a) Notwithstanding any other law, a licensing entity that receives a complaint concerning a health care practitioner that credibly

accuses the practitioner of conduct constituting an offense that resulted in death or serious bodily injury, as those terms are defined by Section 1.07, Penal Code, to a person shall promptly forward a copy of the complaint to an appropriate law enforcement agency.

(b) This section does not preclude a licensing entity from investigating a complaint or taking disciplinary action against a health care practitioner described by Subsection (a) and licensed by that entity.

SECTION 2. The changes in law made by this Act apply only to a complaint filed against a health care practitioner on or after the effective date of this Act. A complaint filed before the effective date of this Act is governed by the law in effect on the date the complaint was filed, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

The Conference Committee Report on **SB 268** was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 568

Senator Bettencourt submitted the following Conference Committee Report:

Austin, Texas
May 30, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **SB 568** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

BETTENCOURT
ZAFFIRINI
PAXTON
KING
PARKER
On the part of the Senate

BUCKLEY
BERNAL
CUNNINGHAM
HUNTER
LEO WILSON
On the part of the House

A BILL TO BE ENTITLED AN ACT

relating to special education in public schools, including funding for special education under the Foundation School Program.

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

SECTION 1. Section 7.021(b)(10), Education Code, is amended to read as follows:

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

SECTION 2. Section 7.055(b)(25), Education Code, is amended to read as follows:

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

SECTION 3. Section 8.051(d), Education Code, is amended to read as follows:

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

(1) training and assistance in:

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

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

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

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

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

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

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

SECTION 4. Sections 28.025(c-7) and (c-8), Education Code, are amended to read as follows:

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

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

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

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

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

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

(A) without modification of the curriculum; or

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

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

SECTION 5. Section 29.001, Education Code, is amended to read as follows:

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

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

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

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

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

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

(4) ensuring [ensure] that regional education service centers throughout the state maintain a regional support function, which may include procedures for service centers to assist school districts in identifying existing public or private educational or related services in each region, cooperatively developing programs for students with disabilities, providing to or obtaining for school districts special equipment, delivering

services, and facilitating ~~[direct service delivery and a component designed to facilitate]~~ the placement of students with disabilities who cannot be appropriately served in their resident districts;

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

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

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

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

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

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

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

(F) school districts have an opportunity to request technical assistance from the agency or a regional education service center in establishing classroom environments conducive to learning for students with disabilities, including environments for students whose data indicate behavior that significantly impedes the student's own learning and the learning of other students;

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 6. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.0012 to read as follows:

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

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

SECTION 7. Section 29.003, Education Code, is amended to read as follows:

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

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

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

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

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

[~~(A) physical disability;~~

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

[~~(C) emotional disturbance;~~

[~~(D) learning disability;~~

[~~(E) autism;~~

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

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

SECTION 8. Sections 29.005(a), (d), and (e), Education Code, are amended to read as follows:

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

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

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

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

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

SECTION 9. Section 29.0051, Education Code, is amended by adding Subsection (d) to read as follows:

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

SECTION 10. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.0056 to read as follows:

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

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

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

SECTION 11. Sections 29.006(a) and (c), Education Code, are amended to read as follows:

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

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

SECTION 12. Section 29.008, Education Code, is amended to read as follows:

Sec. 29.008. CONTRACTS FOR SERVICES; RESIDENTIAL AND DAY PLACEMENT PROGRAMS. (a) The commissioner shall set minimum standards for and develop and update as necessary a list of approved public or private facilities, institutions, agencies, or businesses inside or outside of this state that a [A] school district, shared services arrangement unit, or regional education service center may contract with ~~[a public or private facility, institution, or agency inside or outside of this state]~~ for the provision of services to students with disabilities in a residential or day placement program.

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

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

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

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

(d) A district that contracts for the provision of education services rather than providing the services itself shall oversee the implementation of the student's individualized education program and shall annually reevaluate the appropriateness of the arrangement. The reevaluation must include standards and expectations that must be met to reintegrate the student to the general education setting. An approved facility, institution, ~~[or]~~ agency, or business with whom the district contracts shall periodically report to the district and the agency on the services the student has received or will receive in accordance with the contract as well as diagnostic or other evaluative information that the district or agency requires in order to fulfill its obligations under this subchapter.

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

SECTION 13. The heading to Section 29.009, Education Code, is amended to read as follows:

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

SECTION 14. Section 29.010, Education Code, is amended to read as follows:

Sec. 29.010. GENERAL SUPERVISION AND COMPLIANCE. (a) The agency shall develop [adopt] and implement a comprehensive system for monitoring school district compliance with federal and state laws relating to special education. The monitoring system must include a comprehensive cyclical process and a targeted risk-based process ~~[provide for ongoing analysis of district special education data and of complaints filed with the agency concerning special education services and for inspections of school districts at district facilities]~~. The agency shall establish criteria

and instruments for use in determining district compliance under this section ~~[use the information obtained through analysis of district data and from the complaints management system to determine the appropriate schedule for and extent of the inspection].~~

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

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

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

(d) The agency shall establish a system of progressive sanctions and enforcement provisions to apply to ~~[For]~~ districts that remain in noncompliance for more than one year~~[; the first stage of sanctions shall begin with annual or more frequent monitoring visits]~~. The [Subsequent] sanctions must ~~[may]~~ range in severity and may include [up to] the withholding of funds. If funds are withheld, the agency may use the funds, or direct the funds to be used, to provide, through alternative arrangements, services to students and staff members in the district from which the funds are withheld.

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

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

SECTION 15. Section 29.012(d), Education Code, is amended to read as follows:

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

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

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

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

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

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

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

SECTION 16. Section 29.013, Education Code, is amended to read as follows:

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

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

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

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

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

(d) A school district shall:

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

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

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

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

(g) The provision of services under this section does not supersede or limit the responsibility of a school district or other agencies to provide or pay for costs ~~[of noneducational community-based support services]~~ to enable any student with

disabilities to receive a free appropriate public education in the least restrictive environment. ~~[Specifically, services provided under this section may not be used for a student with disabilities who is currently placed or who needs to be placed in a residential facility primarily for noneducational reasons.]~~

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

SECTION 17. Sections 29.014(c) and (d), Education Code, are amended to read as follows:

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

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

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

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

SECTION 18. Section 29.0162(b), Education Code, is amended to read as follows:

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

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

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

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

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

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

(B) federal and state special education laws;

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

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

SECTION 19. Section 29.018(b), Education Code, is amended to read as follows:

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

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

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

SECTION 20. The heading to Section 29.020, Education Code, is amended to read as follows:

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

SECTION 21. Sections 29.020(a) and (c), Education Code, are amended to read as follows:

(a) The agency shall develop rules in accordance with this section applicable to state-administered ~~[the administration of a state]~~ individualized education program facilitation ~~[project]~~. The program shall include the provision of an independent individualized education program facilitator as a dispute resolution method that may be used to avoid a potential dispute between a school district and a parent of a student with a disability or to facilitate an admission, review, and dismissal committee meeting with parties who are in a dispute about decisions relating to the provision of a free appropriate public education to a student with a disability. Facilitation ~~[implemented under the project]~~ must comply with rules developed under this subsection.

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

SECTION 22. Sections 29.022(a), (a-1), (b), (c), (c-1), (d), (f), (h), (k), (l), (q), (s), and (t), Education Code, are amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 23. Sections 29.022(u)(3) and (4), Education Code, are amended to read as follows:

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

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

SECTION 24. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.026 to read as follows:

Sec. 29.026. RULES. The commissioner may adopt rules as necessary to implement this subchapter.

SECTION 25. The heading to Subchapter A-1, Chapter 29, Education Code, is amended to read as follows:

SUBCHAPTER A-1. ~~PARENT-DIRECTED~~ [SUPPLEMENTAL SPECIAL EDUCATION] SERVICES FOR STUDENTS RECEIVING SPECIAL EDUCATION SERVICES [PROGRAM]

SECTION 26. Sections 29.041(2) and (3), Education Code, are amended to read as follows:

(2) "Supplemental ~~[special education]~~ instructional materials" includes textbooks, computer hardware or software, other technological devices, and other materials suitable for addressing an educational need of a student receiving special education services under Subchapter A.

(3) "Supplemental ~~[special education]~~ services" means an additive service that provides an educational benefit to a student receiving special education services under Subchapter A, including:

(A) occupational therapy, physical therapy, and speech therapy; and

(B) private tutoring and other supplemental private instruction or programs.

SECTION 27. Section 29.042, Education Code, is amended by amending Subsections (a) and (c) and adding Subsections (e) and (f) to read as follows:

(a) The agency by rule shall establish and administer a parent-directed ~~[supplemental special education services and instructional materials]~~ program for students receiving special education services through which a parent may direct supplemental services and supplemental instructional materials for the parent's student ~~[students]~~ who meets ~~[meet]~~ the eligibility requirements for participation in the program. Subject to Subsection (c), the agency shall provide each student approved as provided by this subchapter a grant of not more than \$1,500 to purchase supplemental ~~[special education]~~ services and supplemental ~~[special education]~~ instructional materials. If the agency receives more acceptable applications for a grant for a school year than available funding for that school year, the agency shall place remaining students on a waitlist for the subsequent school year.

(c) A student may receive one grant under this subchapter unless the legislature appropriates money for an additional grant in the General Appropriations Act ~~[The commissioner shall set aside an amount set by appropriation for each state fiscal year to fund the program under this section. For each state fiscal year, the total amount provided for student grants under Subsection (a) may not exceed the amount set aside by the commissioner under this subsection].~~

(e) The agency shall maintain an online user-friendly application system for parents to apply for a grant described by Subsection (a).

(f) A regional education service center designated to administer the program under this subchapter for a school year is entitled to receive not more than four percent of the amount appropriated for purposes of making grants under this subchapter for that school year for the costs of administering the program.

SECTION 28. Section 29.045, Education Code, is amended to read as follows:

Sec. 29.045. APPROVAL OF APPLICATION; ASSIGNMENT OF ACCOUNT. Subject to available funding the agency shall approve each student who meets the program eligibility criteria established under Section 29.044 and assign to the student an account maintained under Section 29.042(b). The account may only be used by the student's parent to purchase supplemental ~~[special education]~~ services or supplemental ~~[special education]~~ instructional materials for the student, subject to Sections 29.046 and 29.047.

SECTION 29. Sections 29.046(a) and (b), Education Code, are amended to read as follows:

(a) Money in an account assigned to a student under Section 29.045 may be used only for supplemental ~~[special education]~~ services and supplemental ~~[special education]~~ instructional materials.

(b) Supplemental ~~[special education]~~ services must be provided by an agency-approved provider.

SECTION 30. Sections 29.047(a), (c), (d), and (e), Education Code, are amended to read as follows:

(a) The agency shall establish criteria necessary for agency approval for each category of provider of a professional service that is a supplemental [~~special education~~] service, as identified by the agency.

(c) The agency shall provide a procedure for providers of supplemental [~~special education~~] services to apply to the agency to become an agency-approved provider.

(d) The agency may establish criteria for agency approval of vendors for each category of supplemental [~~special education~~] instructional materials identified by the agency.

(e) If the agency establishes criteria for agency approval for a vendor of a category of supplemental [~~special education~~] instructional materials, the agency shall provide a procedure for vendors of that category to apply to the agency to become an agency-approved vendor.

SECTION 31. Subchapter A-1, Chapter 29, Education Code, is amended by adding Section 29.0475 to read as follows:

Sec. 29.0475. PROGRAM PARTICIPANT, PROVIDER, AND VENDOR AUTONOMY. (a) A provider of supplemental services or vendor of supplemental instructional materials that receives money distributed under the program is not a recipient of federal financial assistance on the basis of receiving that money.

(b) A rule adopted or action taken related to the program by an individual, governmental entity, court of law, or program administrator may not:

(1) consider the actions of a provider of supplemental services, vendor of supplemental instructional materials, or program participant to be the actions of an agent of state government;

(2) limit:

(A) a provider of supplemental services' ability to determine the methods used to educate the provider's students or to exercise the provider's religious or institutional values; or

(B) a program participant's ability to determine the participant's educational content or to exercise the participant's religious values;

(3) obligate a provider of supplemental services or program participant to act contrary to the provider's or participant's religious or institutional values, as applicable;

(4) impose any regulation on a provider of supplemental services, vendor of supplemental instructional materials, or program participant beyond those regulations necessary to enforce the requirements of the program; or

(5) require as a condition of receiving money distributed under the program:

(A) a provider of supplemental services to modify the provider's creed, practices, admissions policies, curriculum, performance standards, employment policies, or assessments; or

(B) a program participant to modify the participant's creed, practices, curriculum, performance standards, or assessments.

(c) In a proceeding challenging a rule adopted by a state agency or officer under this subchapter, the agency or officer has the burden of proof to establish by clear and convincing evidence that the rule:

(1) is necessary to implement or enforce the program as provided by this subchapter;

(2) does not violate this section;

(3) does not impose an undue burden on a program participant or a provider of supplemental services or vendor of supplemental instructional materials that participates or applies to participate in the program; and

(4) is the least restrictive means of accomplishing the purpose of the program while recognizing the independence of a provider of supplemental services to meet the educational needs of students in accordance with the provider's religious or institutional values.

SECTION 32. Section 29.048, Education Code, is amended to read as follows:

Sec. 29.048. ADMISSION, REVIEW, AND DISMISSAL COMMITTEE DUTIES. (a) A student's admission, review, and dismissal committee shall develop a student's individualized education program under Section 29.005, in compliance with the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.), without consideration of any supplemental ~~[special education]~~ services or supplemental instructional materials that may be provided under the program under this subchapter.

(b) Unless the district first verifies that an account has been assigned to the student under Section 29.045, the [The] admission, review, and dismissal committee of a student approved for participation in the program shall provide to the student's parent at an admission, review, and dismissal committee meeting for the student:

(1) information regarding the types of supplemental ~~[special education]~~ services or supplemental instructional materials available under the program and provided by agency-approved providers for which an account maintained under Section 29.042(b) for the student may be used; and

(2) instructions regarding accessing an account described by Subdivision (1).

SECTION 33. Subchapter A-1, Chapter 29, Education Code, is amended by adding Section 29.0485 to read as follows:

Sec. 29.0485. DETERMINATION OF COMMISSIONER FINAL. Notwithstanding Section 7.057, a determination of the commissioner under this subchapter is final and may not be appealed.

SECTION 34. Section 29.049, Education Code, is amended to read as follows:

Sec. 29.049. RULES. The commissioner shall adopt rules as necessary to administer the supplemental ~~[special education]~~ services and supplemental instructional materials program under this subchapter.

SECTION 35. Section 29.301(1), Education Code, is amended to read as follows:

(1) "Admission, review, and dismissal committee" means the committee required by ~~[State Board of Education rules to develop the individualized education program required by]~~ the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) for any student needing special education.

SECTION 36. Sections 29.304(a) and (c), Education Code, are amended to read as follows:

(a) A student who is deaf or hard of hearing must have an education in which teachers, psychologists, speech language pathologists ~~[therapists]~~, progress assessors, administrators, and others involved in education understand the unique nature of

deafness and the hard-of-hearing condition. A teacher of students who are deaf or hard of hearing either must be proficient in appropriate language modes or use an interpreter certified in appropriate language modes if certification is available.

(c) General ~~[Regular]~~ and special education personnel who work with students who are deaf or hard of hearing must be adequately prepared to provide educational instruction and services to those students.

SECTION 37. Section 29.310, Education Code, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

(c) The procedures and materials for the assessment and placement of a student who is deaf or hard of hearing shall be in the student's preferred mode of communication. All other procedures and materials used with any student who is deaf or hard of hearing and who is an emergent bilingual student as defined by Section 29.052 ~~[has limited English proficiency]~~ shall be in the student's preferred mode of communication.

(d) In recognizing the need for development of language and communication abilities in students who are deaf or hard of hearing but also calling for the use of methods of communication that will meet the needs of each individual student, each student who is deaf or hard of hearing must be thoroughly assessed to ascertain the student's potential for communicating through a variety of means.

SECTION 38. Section 29.313, Education Code, is amended to read as follows:

Sec. 29.313. EVALUATION OF DEAF AND HARD OF HEARING SERVICES ~~[PROGRAMS]~~. (a) Each school district must provide continuous evaluation of the effectiveness of the district's services ~~[programs of the district]~~ for students who are deaf or hard of hearing. The ~~[If practicable,]~~ evaluations shall follow program excellence indicators established by the agency.

(b) Each school district shall submit the evaluations under this section to the agency on a schedule set by the agency.

SECTION 39. Section 29.314, Education Code, is amended to read as follows:

Sec. 29.314. TRANSITION INTO GENERAL EDUCATION ~~[REGULAR]~~ CLASS. In addition to satisfying requirements of the admission, review, and dismissal committee and to satisfying requirements under state and federal law for vocational training, each school district shall develop and implement a transition plan for the transition of a student who is deaf or hard of hearing into a general education ~~[regular]~~ class ~~[program]~~ if the student is to be transferred from a special class or center or nonpublic, nonsectarian school into a general education ~~[regular]~~ class in a public school for any part of the school day. The transition plan must provide for activities:

(1) to integrate the student into the general ~~[regular]~~ education program and specify the nature of each activity and the time spent on the activity each day; and

(2) to support the transition of the student from the special education program into the general ~~[regular]~~ education program.

SECTION 40. Section 29.315, Education Code, is amended to read as follows:

Sec. 29.315. TEXAS SCHOOL FOR THE DEAF MEMORANDUM OF UNDERSTANDING. The Texas Education Agency and the Texas School for the Deaf shall develop~~[, agree to, and by commissioner rule adopt no later than September 1, 1998,]~~ a memorandum of understanding to establish:

(1) the method for developing and reevaluating a set of indicators of the quality of learning at the Texas School for the Deaf;

(2) the process for the agency to conduct and report on an annual evaluation of the school's performance on the indicators;

(3) the requirements for the school's board to publish, discuss, and disseminate an annual report describing the educational performance of the school; and

~~(4) [the process for the agency to assign an accreditation status to the school, to reevaluate the status on an annual basis, and, if necessary, to conduct monitoring reviews; and~~

~~(5)]~~ the type of information the school shall be required to provide through the Public Education Information Management System (PEIMS).

SECTION 41. Section 29.316, Education Code, is amended to read as follows:

Sec. 29.316. LANGUAGE ACQUISITION. (a) In this section, "language[+]

~~(1) "Center" means the Educational Resource Center on Deafness at the Texas School for the Deaf.~~

~~(2) "Division" means the Division for Early Childhood Intervention Services of the Health and Human Services Commission.~~

~~(3) "Language" acquisition~~ includes expressive and receptive language acquisition and literacy development in English, American Sign Language, or both, or, if applicable, in another language primarily used by a child's parent or guardian, and is separate from any modality used to communicate in the applicable language or languages.

(b) Each school district ~~[The commissioner and the executive commissioner of the Health and Human Services Commission jointly]~~ shall ensure that the language acquisition of each child eight years of age or younger who is deaf or hard of hearing is regularly assessed using a tool or assessment approved by the commissioner ~~[determined to be valid and reliable as provided by Subsection (d)].~~

(c) On a schedule determined by the commissioner, each school district shall report to the commissioner through the Public Education Information Management System (PEIMS) or another method set by commissioner rule the assessment data collected under Subsection (b) ~~[Not later than August 31 of each year, the agency, the division, and the center jointly shall prepare and post on the agency's, the division's, and the center's respective Internet websites a report on the language acquisition of children eight years of age or younger who are deaf or hard of hearing. The report must:~~

~~(1) include:~~

~~[(A) existing data reported in compliance with federal law regarding children with disabilities; and~~

~~[(B) information relating to the language acquisition of children who are deaf or hard of hearing and also have other disabilities;~~

~~(2) state for each child:~~

~~[(A) the instructional arrangement used with the child, as described by Section 48.102, including the time the child spends in a mainstream instructional arrangement;~~

~~[(B) the specific language acquisition services provided to the child, including:~~

~~[(i) the time spent providing those services; and~~

~~[(ii) a description of any hearing amplification used in the delivery of those services, including:~~

~~[(a) the type of hearing amplification used;~~

~~[(b) the period of time in which the child has had access to the hearing amplification; and~~

~~[(c) the average amount of time the child uses the hearing amplification each day;~~

~~[(C) the tools or assessments used to assess the child's language acquisition and the results obtained;~~

~~[(D) the preferred unique communication mode used by the child at home; and~~

~~[(E) the child's age, race, and gender, the age at which the child was identified as being deaf or hard of hearing, and any other relevant demographic information the commissioner determines to likely be correlated with or have an impact on the child's language acquisition;~~

~~[(3) compare progress in English literacy made by children who are deaf or hard of hearing to progress in that subject made by children of the same age who are not deaf or hard of hearing, by appropriate age range; and~~

~~[(4) be redacted as necessary to comply with state and federal law regarding the confidentiality of student medical or educational information].~~

~~(d) The commissioner[, the executive commissioner of the Health and Human Services Commission, and the center] shall adopt rules establishing the assessment data required to be reported under Subsection (c) [enter into a memorandum of understanding regarding:~~

~~[(1) the identification of experts in deaf education; and~~

~~[(2) the determination, in consultation with those experts, of the tools and assessments that are valid and reliable, in both content and administration, for use in assessing the language acquisition of children eight years of age or younger who are deaf or hard of hearing].~~

~~(e) The commissioner shall annually post on the agency's Internet website a report on the language acquisition of children eight years of age or younger who are deaf or hard of hearing using the assessment data reported under Subsection (c) [agency shall use existing collected data and data collected and transferred from the Department of State Health Services and the Health and Human Services Commission, as agreed upon in the memorandum of understanding, for the report under this section].~~

~~(f) The commissioner shall use the assessment data reported under Subsection (c) in determining whether to award a grant under Section 29.018 or in seeking federal money available for projects aimed at improving outcomes for students with disabilities [and the executive commissioner of the Health and Human Services Commission jointly shall adopt rules as necessary to implement this section, including rules for:~~

~~[(1) assigning each child eight years of age or younger who is deaf or hard of hearing a unique identification number for purposes of the report required under Subsection (e) and to enable the tracking of the child's language acquisition, and factors affecting the child's language acquisition, over time; and~~

~~[(2) implementing this section in a manner that complies with federal law regarding confidentiality of student medical or educational information, including the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.) and the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g), and any state law relating to the privacy of student information].~~

SECTION 42. The heading to Section 30.002, Education Code, is amended to read as follows:

Sec. 30.002. STATE PLAN [EDUCATION] FOR CHILDREN WITH VISUAL IMPAIRMENTS, WHO ARE DEAF OR HARD OF HEARING, OR WHO ARE DEAF-BLIND.

SECTION 43. Sections 30.002(a), (b), (c), and (e), Education Code, are amended to read as follows:

(a) The agency shall develop and administer a comprehensive statewide plan for the education of children ~~[with visual impairments]~~ who are under 22 [24] years of age and who have visual impairments, are deaf or hard of hearing, or are deaf-blind that will ensure that the children have an opportunity for achievement equal to the opportunities afforded their peers who do not have visual impairments, are not deaf or hard of hearing, or are not deaf-blind [with normal vision].

(b) The agency shall:

(1) develop standards and guidelines for all special education and related services for children who have visual impairments, are deaf or hard of hearing, or are deaf-blind [with visual impairments] that it is authorized to provide or support under this code and federal law;

(2) supervise regional education service centers and other entities in assisting school districts in serving children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[with visual impairments]~~ more effectively; and

(3) ~~[develop and administer special education services for students with both serious visual and auditory impairments;~~

~~[(4) evaluate special education services provided for children with visual impairments by school districts and approve or disapprove state funding of those services; and~~

~~[(5)]~~ maintain an effective liaison between special education programs provided for children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[with visual impairments]~~ by school districts and related initiatives of the Health and Human Services Commission, ~~[the Department of State Health Services Mental Health and Substance Abuse Division,]~~ the Texas Workforce Commission, and other related programs, agencies, or facilities as appropriate.

(c) The comprehensive statewide plan for the education of children who have visual impairments, are deaf or hard of hearing, or are deaf-blind [with visual impairments] must:

(1) adequately provide for comprehensive diagnosis and evaluation of each school-age child who has a visual impairment, is deaf or hard of hearing, or is deaf-blind and adequately outline the expectations of a school district for such a child under three years of age ~~[with a serious visual impairment];~~

(2) include the procedures, format, and content of the individualized education program for each child who has a visual impairment, is deaf or hard of hearing, or is deaf-blind ~~[with a visual impairment];~~

(3) emphasize providing educational services to children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[with visual impairments]~~ in their home communities whenever possible;

(4) include information regarding the establishment of regional day school programs for the deaf under Subchapter D and the parameters of those programs ~~[methods to ensure that children with visual impairments receiving special education services in school districts receive, before being placed in a classroom setting or within a reasonable time after placement:~~

~~[(A) evaluation of the impairment; and~~

~~[(B) instruction in an expanded core curriculum, which is required for students with visual impairments to succeed in classroom settings and to derive lasting, practical benefits from the education provided by school districts, including instruction in:~~

~~[(i) compensatory skills, such as braille and concept development, and other skills needed to access the rest of the curriculum;~~

~~[(ii) orientation and mobility;~~

~~[(iii) social interaction skills;~~

~~[(iv) career planning;~~

~~[(v) assistive technology, including optical devices;~~

~~[(vi) independent living skills;~~

~~[(vii) recreation and leisure enjoyment;~~

~~[(viii) self determination; and~~

~~[(ix) sensory efficiency];~~

(5) provide for flexibility on the part of school districts to meet the unique ~~[special]~~ needs of children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[with visual impairments]~~ through:

(A) specialty staff and resources provided by the district;

(B) contractual arrangements with other qualified public or private agencies;

(C) supportive assistance from regional education service centers or adjacent school districts;

(D) short-term or long-term services through the Texas School for the Blind and Visually Impaired, the Texas School for the Deaf, regional day school programs for the deaf, or related facilities or programs; or

(E) other instructional and service arrangements approved by the agency;

(6) ~~[include a statewide admission, review, and dismissal process;~~

~~[(7)]~~ provide for effective interaction between the ~~[visually-impaired child's]~~ classroom setting of the child who has a visual impairment, is deaf or hard of hearing, or is deaf-blind and the child's home environment, including providing for parental training and counseling either by school district staff or by representatives of other organizations directly involved in the development and implementation of the individualized education program for the child;

(7) describe recommended and required professional development activities based on the special education and related services provided by school district staff to children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[(8) require the continuing education and professional development of school district staff providing special education services to children with visual impairments];~~

~~(8) [(9)]~~ provide for adequate monitoring and precise evaluation of special education services provided to children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[with visual impairments]~~ through school districts; ~~[and]~~

(9) ~~[(10)]~~ require that school districts providing special education services to children who have visual impairments, are deaf or hard of hearing, or are deaf-blind ~~[with visual impairments]~~ develop procedures for assuring that staff assigned to work with the children have prompt and effective access directly to resources available through:

(A) cooperating agencies in the area;

(B) the Texas School for the Blind and Visually Impaired;

(C) the Texas School for the Deaf;

(D) the statewide outreach center at the Texas School for the Deaf;

(E) the Central Media Depository for specialized instructional materials and aids made specifically for use by students with visual impairments;

(F) ~~[(D)]~~ sheltered workshops participating in the state program of purchases of blind-made goods and services; and

(G) ~~[(E)]~~ related sources; and

(10) assist in the coordination of educational programs with other public and private agencies, including:

(A) agencies operating early childhood intervention programs;

(B) preschools;

(C) agencies operating child development programs;

(D) private nonsectarian schools;

(E) agencies operating regional occupational centers and programs; and

(F) as appropriate, postsecondary and adult programs for persons who are deaf or hard of hearing.

(e) Each eligible ~~[blind or visually-impaired]~~ student who has a visual impairment, is deaf or hard of hearing, or is deaf-blind is entitled to receive educational programs according to an individualized education program that:

(1) is developed in accordance with federal and state requirements for providing special education services;

(2) is developed by a committee composed as required by federal law;

(3) reflects that the student has been provided a detailed explanation of the various service resources available to the student in the community and throughout the state;

(4) provides a detailed description of the arrangements made to provide the student with the evaluation and instruction required under this subchapter and Subchapter A, Chapter 29 [Subsection (e)(4)]; and

(5) sets forth the plans and arrangements made for contacts with and continuing services to the student beyond regular school hours to ensure the student learns the skills and receives the instruction required under this subchapter and Subchapter A, Chapter 29 [Subsection (e)(4)(B)].

SECTION 44. Subchapter A, Chapter 30, Education Code, is amended by adding Section 30.0021 to read as follows:

Sec. 30.0021. REQUIREMENTS FOR CHILDREN WITH VISUAL IMPAIRMENTS. (a) Each child with a visual impairment must receive instruction in an expanded core curriculum required for children with visual impairments to succeed in classroom settings and to derive lasting, practical benefits from education in a school district, including instruction in:

(1) compensatory skills, such as braille and concept development, and other skills necessary to access the rest of the curriculum;

(2) orientation and mobility;

(3) social interaction skills;

(4) career education;

(5) assistive technology, including optical devices;

(6) independent living skills;

(7) recreation and leisure enjoyment;

(8) self-determination; and

(9) sensory efficiency.

(b) To determine a child's eligibility for a school district's special education program under Subchapter A, Chapter 29, on the basis of a visual impairment, the full individual and initial evaluation of the child under Section 29.004 and any reevaluation of the child must, in accordance with commissioner rule:

(1) include an orientation and mobility evaluation conducted:

(A) by a person who is appropriately certified as an orientation and mobility specialist, as determined by commissioner rule; and

(B) in a variety of lighting conditions and settings, including in the child's home, school, and community and in settings unfamiliar to the child; and

(2) provide for a person who is appropriately certified as an orientation and mobility specialist, as determined by commissioner rule, to participate, as part of a multidisciplinary team, in evaluating the data on which the determination of the child's eligibility is based.

(c) In developing an individualized education program under Section 29.005 for a child with a visual impairment, proficiency in reading and writing must be a significant indicator of the child's satisfactory educational progress. The individualized education program must include instruction in braille and the use of braille unless the child's admission, review, and dismissal committee documents a determination, based on an evaluation of the child's appropriate literacy media and literacy skills and the child's current and future instructional needs, that braille is not an appropriate literacy medium for the child.

(d) Braille instruction:

(1) may be used in combination with other special education services appropriate to the educational needs of a child with a visual impairment; and

(2) must be provided by a teacher certified to teach children with visual impairments under Subchapter B, Chapter 21.

(e) A school district shall provide to each person assisting in the development of an individualized education program for a child with a visual impairment information describing the benefits of braille instruction.

(f) To facilitate implementation of this section, the commissioner shall develop a system to distribute from the foundation school fund to school districts or regional education service centers a special supplemental allowance for each student with a visual impairment. The supplemental allowance may be spent only for special education services uniquely required by the nature of the child's disabilities and may not be used in lieu of educational funds otherwise available under this code or through state or local appropriations.

SECTION 45. Section 30.003, Education Code, is amended by amending Subsections (b), (d), (f-1), and (g) and adding Subsection (b-1) to read as follows:

(b) If the student is admitted to the school for a full-time program for the equivalent of two long semesters, the district's share of the cost is an amount equal to the dollar amount of maintenance and debt service taxes imposed by the district for that year, subject to Subsection (b-1), divided by the district's average daily attendance for the preceding year.

(b-1) The commissioner shall reduce the amount of maintenance taxes imposed by the district that are obligated to be paid under Subsection (b) for a year by the amount, if any, by which the district is required to reduce the district's local revenue level under Section 48.257 for that year.

(d) Each school district and state institution shall provide to the commissioner the necessary information to determine the district's share under this section. The information must be reported to the commissioner on or before a date set by commissioner rule ~~[of the State Board of Education]~~. After determining the amount of a district's share for all students for which the district is responsible, the commissioner shall deduct that amount from the payments of foundation school funds payable to the district. Each deduction shall be in the same percentage of the total amount of the district's share as the percentage of the total foundation school fund entitlement being paid to the district at the time of the deduction, except that the amount of any deduction may be modified to make necessary adjustments or to correct errors. The commissioner shall provide for remitting the amount deducted to the appropriate school at the same time at which the remaining funds are distributed to the district. If a district does not receive foundation school funds or if a district's foundation school entitlement is less than the amount of the district's share under this section, the commissioner shall direct the district to remit payment to the commissioner, and the commissioner shall remit the district's share to the appropriate school.

(f-1) The commissioner shall determine the total amount that the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf would have received from school districts in accordance with this section if the following provisions had not reduced the districts' share of the cost of providing education services:

- (1) H.B. No. 1, Acts of the 79th Legislature, 3rd Called Session, 2006;
- (2) Subsection (b-1) of this section;
- (3) Section 45.0032;
- (4) ~~[(3)]~~ Section 48.255; and
- (5) ~~[(4)]~~ Section 48.2551.

(g) The commissioner ~~[State Board of Education]~~ may adopt rules as necessary to implement this section.

SECTION 46. Section 30.004(b), Education Code, is amended to read as follows:

(b) The commissioner ~~[State Board of Education]~~ shall adopt rules prescribing the form and content of information required by Subsection (a).

SECTION 47. Section 30.005, Education Code, is amended to read as follows:

Sec. 30.005. TEXAS SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED MEMORANDUM OF UNDERSTANDING. The Texas Education Agency and the Texas School for the Blind and Visually Impaired shall develop~~;~~ ~~agree to, and by commissioner rule adopt~~ a memorandum of understanding to establish:

- (1) the method for developing and reevaluating a set of indicators of the quality of learning at the Texas School for the Blind and Visually Impaired;
- (2) the process for the agency to conduct and report on an annual evaluation of the school's performance on the indicators;
- (3) the requirements for the school's board to publish, discuss, and disseminate an annual report describing the educational performance of the school; and

(4) ~~[the process for the agency to:~~
~~[(A) assign an accreditation status to the school;~~
~~[(B) reevaluate the status on an annual basis; and~~
~~[(C) if necessary, conduct monitoring reviews; and~~
~~[(5)]~~ the type of information the school shall be required to provide through the Public Education Information Management System (PEIMS).

SECTION 48. Section 30.021(e), Education Code, is amended to read as follows:

(e) The school shall cooperate with public and private agencies and organizations serving students and other persons with visual impairments in the planning, development, and implementation of effective educational and rehabilitative service delivery systems associated with educating students with visual impairments. To maximize and make efficient use of state facilities, funding, and resources, the services provided in this area may include conducting a cooperative program with other agencies to serve students who have graduated from high school by completing all academic requirements applicable to students in general ~~[regular]~~ education, excluding satisfactory performance under Section 39.025, who are younger than 22

years of age on September 1 of the school year and who have identified needs related to vocational training, independent living skills, orientation and mobility, social and leisure skills, compensatory skills, or remedial academic skills.

SECTION 49. Section 30.081, Education Code, is amended to read as follows:

Sec. 30.081. LEGISLATIVE INTENT CONCERNING REGIONAL DAY SCHOOLS FOR THE DEAF. The legislature, by this subchapter, intends to continue a process of providing on a statewide basis a suitable education to deaf or hard of hearing students who are under 22 [24] years of age and assuring that those students have the opportunity to become independent citizens.

SECTION 50. Section 30.083, Education Code, is amended to read as follows:

Sec. 30.083. STATEWIDE PLAN. ~~[(a)]~~ The director of services shall develop and administer a comprehensive statewide plan for educational services for students who are deaf or hard of hearing and receive special education and related services through a regional day school program for the deaf, ~~including continuing diagnosis and evaluation, counseling, and teaching~~. The plan shall be included as part of the comprehensive statewide plan under Section 30.002 ~~[designed to accomplish the following objectives:~~

~~[(1) providing assistance and counseling to parents of students who are deaf or hard of hearing in regional day school programs for the deaf and admitting to the programs students who have a hearing loss that interferes with the processing of linguistic information;~~

~~[(2) enabling students who are deaf or hard of hearing to reside with their parents or guardians and be provided an appropriate education in their home school districts or in regional day school programs for the deaf;~~

~~[(3) enabling students who are deaf or hard of hearing who are unable to attend schools at their place of residence and whose parents or guardians live too far from facilities of regional day school programs for the deaf for daily commuting to be accommodated in foster homes or other residential school facilities provided for by the agency so that those children may attend a regional day school program for the deaf;~~

~~[(4) enrolling in the Texas School for the Deaf those students who are deaf or hard of hearing whose needs can best be met in that school and designating the Texas School for the Deaf as the statewide educational resource for students who are deaf or hard of hearing;~~

~~[(5) encouraging students in regional day school programs for the deaf to attend general education classes on a part time, full time, or trial basis; and~~

~~[(6) recognizing the need for development of language and communications abilities in students who are deaf or hard of hearing, but also calling for the use of methods of communication that will meet the needs of each individual student, with each student assessed thoroughly so as to ascertain the student's potential for communications through a variety of means, including through oral or aural means, fingerspelling, or sign language].~~

~~[(b) The director of services may establish separate programs to accommodate diverse communication methodologies.]~~

SECTION 51. Section 37.146(a), Education Code, is amended to read as follows:

(a) A complaint alleging the commission of a school offense must, in addition to the requirements imposed by Article 45A.101, Code of Criminal Procedure:

(1) be sworn to by a person who has personal knowledge of the underlying facts giving rise to probable cause to believe that an offense has been committed; and

(2) be accompanied by a statement from a school employee stating:

(A) whether the child is eligible for or receives special education services under Subchapter A, Chapter 29; and

(B) the graduated sanctions, if required under Section 37.144, that were imposed on the child before the complaint was filed.

SECTION 52. Section 38.003(c-1), Education Code, is amended to read as follows:

(c-1) The agency by rule shall develop procedures designed to allow the agency to:

(1) effectively audit and monitor and periodically conduct site visits of all school districts to ensure that districts are complying with this section, including the program approved by the State Board of Education under this section;

(2) identify any problems school districts experience in complying with this section, including the program approved by the State Board of Education under this section;

(3) develop reasonable and appropriate remedial strategies to address school district noncompliance and ensure the purposes of this section are accomplished, which may include the publication of a recommended evidence-based dyslexia program list; ~~and~~

(4) solicit input from parents of students enrolled in a school district during the auditing and monitoring of the district under Subdivision (1) regarding the district's implementation of the program approved by the State Board of Education under this section; and

(5) engage in general supervision activities, including activities under the comprehensive system for monitoring described by Section 29.010, to ensure school district compliance with the program approved by the State Board of Education under this section and Part B, Individuals with Disabilities Education Act (20 U.S.C. Section 1411 et seq.).

SECTION 53. Section 48.009(b), Education Code, is amended to read as follows:

(b) The commissioner by rule shall require each school district and open-enrollment charter school to report through the Public Education Information Management System information regarding:

(1) the number of students enrolled in the district or school who are identified as having dyslexia;

(2) the availability of school counselors, including the number of full-time equivalent school counselors, at each campus;

(3) the availability of expanded learning opportunities as described by Section 33.252 at each campus;

(4) the total number of students, other than students described by Subdivision (5), enrolled in the district or school with whom the district or school, as applicable, used intervention strategies, as that term is defined by Section 26.004, at any time during the year for which the report is made;

(5) the total number of students enrolled in the district or school to whom the district or school provided aids, accommodations, or services under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), at any time during the year for which the report is made;

(6) disaggregated by campus and grade, the number of:

(A) children who are required to attend school under Section 25.085, are not exempted under Section 25.086, and fail to attend school without excuse for 10 or more days or parts of days within a six-month period in the same school year;

(B) students for whom the district initiates a truancy prevention measure under Section 25.0915(a-4); and

(C) parents of students against whom an attendance officer or other appropriate school official has filed a complaint under Section 25.093; ~~and~~

(7) the number of students who are enrolled in a high school equivalency program, a dropout recovery school, or an adult education program provided under a high school diploma and industry certification charter school program provided by the district or school and who:

(A) are at least 18 years of age and under 26 years of age;

(B) have not previously been reported to the agency as dropouts; and

(C) enroll in the program at the district or school after not attending school for a period of at least nine months; and

(8) students enrolled in a special education program under Subchapter A, Chapter 29, as necessary for the agency to adequately perform general supervision activities and determine funding under Sections 48.102 and 48.1021.

SECTION 54. Section 48.051(a), Education Code, is amended to read as follows:

(a) For each student in average daily attendance, not including the time students spend each day in career and technology education programs or in special education programs in a setting ~~[an instructional arrangement]~~ other than a general education setting ~~[mainstream or career and technology education programs]~~, for which an additional allotment is made under Subchapter C, a school district is entitled to an allotment equal to the lesser of \$6,160 or the amount that results from the following formula:

$$A = \$6,160 \times TR/MCR$$

where:

"A" is the allotment to which a district is entitled;

"TR" is the district's tier one maintenance and operations tax rate, as provided by Section 45.0032; and

"MCR" is the district's maximum compressed tax rate, as determined under Section 48.2551.

SECTION 55. Section 48.102, Education Code, is amended to read as follows:

Sec. 48.102. SPECIAL EDUCATION. (a) For each student in average daily attendance in a special education program under Subchapter A, Chapter 29, ~~[in a mainstream instructional arrangement,~~] a school district is entitled to an annual allotment equal to the basic allotment, or, if applicable, the sum of the basic allotment and the allotment under Section 48.101 to which the district is entitled, multiplied by a weight in an amount set by the legislature in the General Appropriations Act for the highest tier of intensity of service for which the student qualifies ~~[4-15]~~.

(a-1) Notwithstanding Subsection (a), for the 2026-2027 school year, the amount of an allotment under this section shall be determined in accordance with Section 48.1022. This subsection expires September 1, 2027. [For each full time equivalent student in average daily attendance in a special education program under Subchapter A, Chapter 29, in an instructional arrangement other than a mainstream instructional arrangement, a district is entitled to an annual allotment equal to the basic allotment, or, if applicable, the sum of the basic allotment and the allotment under Section 48.101 to which the district is entitled, multiplied by a weight determined according to instructional arrangement as follows:

<u>[Homebound</u>	<u>5.0</u>
<u>[Hospital class</u>	<u>3.0</u>
<u>[Speech therapy</u>	<u>5.0</u>
<u>[Resource room</u>	<u>3.0</u>
<u>[Self contained, mild and moderate, regular campus</u>	<u>3.0</u>
<u>[Self contained, severe, regular campus</u>	<u>3.0</u>
<u>[Off home campus</u>	<u>2.7</u>
<u>[Nonpublic day school</u>	<u>1.7</u>
<u>[Vocational adjustment class</u>	<u>2.3]</u>

(b) The commissioner by rule shall define eight tiers of intensity of service for use in determining funding under this section. The commissioner must include one tier specifically addressing students receiving special education services in residential placement and one tier for students receiving only speech therapy [A special instructional arrangement for students with disabilities residing in care and treatment facilities, other than state schools, whose parents or guardians do not reside in the district providing education services shall be established by commissioner rule. The funding weight for this arrangement shall be 4.0 for those students who receive their education service on a local school district campus. A special instructional arrangement for students with disabilities residing in state schools shall be established by commissioner rule with a funding weight of 2.8].

(c) In defining the tiers of intensity of service under Subsection (b), the commissioner shall consider:

- (1) the type, frequency, and nature of services provided to a student;
- (2) the required certifications, licensures, or other qualifications for personnel serving the student;
- (3) any identified or curriculum-required provider-to-student ratios for the student to receive the appropriate services; and

(4) any equipment or technology required for the services ~~[For funding purposes, the number of contact hours credited per day for each student in the off home campus instructional arrangement may not exceed the contact hours credited per day for the multidistrict class instructional arrangement in the 1992-1993 school year].~~

(d) ~~[For funding purposes the contact hours credited per day for each student in the resource room; self contained, mild and moderate; and self contained, severe, instructional arrangements may not exceed the average of the statewide total contact hours credited per day for those three instructional arrangements in the 1992-1993 school year.~~

~~[(e) The commissioner by rule shall prescribe the qualifications an instructional arrangement must meet in order to be funded as a particular instructional arrangement under this section. In prescribing the qualifications that a mainstream instructional arrangement must meet, the commissioner shall establish requirements that students with disabilities and their teachers receive the direct, indirect, and support services that are necessary to enrich the regular classroom and enable student success.~~

~~[(f) In this section, "full-time equivalent student" means 30 hours of contact a week between a special education student and special education program personnel.~~

~~[(g) The commissioner shall adopt rules and procedures governing contracts for residential placement of special education students. The legislature shall provide by appropriation for the state's share of the costs of those placements.~~

~~[(h) At least 55 percent of the funds allocated under this section must be used in the special education program under Subchapter A, Chapter 29.~~

~~[(i) The agency shall ensure [encourage] the placement of students in special education programs, including students in residential placement [instructional arrangements], in the least restrictive environment appropriate for their educational needs.~~

~~[(f) [(j)] A school district that provides an extended year program required by federal law for special education students who may regress is entitled to receive funds in an amount equal to [75 percent, or a lesser percentage determined by the commissioner, of] the basic allotment, or, if applicable, the sum of the basic allotment and the allotment under Section 48.101 to which the district is entitled for each [full-time equivalent] student in average daily attendance, multiplied by the amount designated for the highest tier of intensity of service for which the student qualifies [student's instructional arrangement] under this section, for each day the program is provided divided by the number of days in the minimum school year. [The total amount of state funding for extended year services under this section may not exceed \$10 million per year.] A school district may use funds received under this section only in providing an extended year program.~~

~~[(g) [(k)] From the total amount of funds appropriated for special education under this section, the commissioner shall withhold an amount specified in the General Appropriations Act, and distribute that amount to school districts for programs under Section 29.014. The program established under that section is required only in school districts in which the program is financed by funds distributed under this subsection and any other funds available for the program. After deducting~~

the amount withheld under this subsection from the total amount appropriated for special education, the commissioner shall reduce each district's allotment proportionately and shall allocate funds to each district accordingly.

(h) Not later than December 1 of each even-numbered year, the commissioner shall submit to the Legislative Budget Board, for purposes of the allotment under this section, proposed weights for the tiers of intensity of service for the next state fiscal biennium.

SECTION 56. Subchapter C, Chapter 48, Education Code, is amended by adding Sections 48.1021 and 48.1022 to read as follows:

Sec. 48.1021. SPECIAL EDUCATION SERVICE GROUP ALLOTMENT. (a) For each student in a special education program under Subchapter A, Chapter 29, a school district is entitled to an allotment in an amount set by the legislature in the General Appropriations Act for the service group for which the student receives services.

(a-1) Notwithstanding Subsection (a), for the 2026-2027 school year, the amount of an allotment under this section shall be determined in accordance with Section 48.1022. This subsection expires September 1, 2027.

(b) The commissioner by rule shall establish at least four service groups for use in determining funding under this section. In establishing the groups, the commissioner must consider:

(1) the type, frequency, and nature of services provided to a student;
(2) the required certifications, licensures, or other qualifications for personnel serving the student;

(3) any identified or curriculum-required provider-to-student ratios for the student to receive the appropriate services; and

(4) any equipment or technology required for the services.

(c) At least 55 percent of the funds allocated under this section must be used for a special education program under Subchapter A, Chapter 29.

(d) Not later than December 1 of each even-numbered year, the commissioner shall submit to the Legislative Budget Board, for purposes of the allotment under this section, proposed amounts of funding for the service groups for the next state fiscal biennium.

Sec. 48.1022. SPECIAL EDUCATION TRANSITION FUNDING. (a) For the 2026-2027 school year, the commissioner may adjust weights or amounts provided under Section 48.102 or 48.1021 as necessary to ensure compliance with requirements regarding maintenance of state financial support under 20 U.S.C. Section 1412(a)(18) and maintenance of local financial support under applicable federal law.

(b) For the 2026-2027 school year, the commissioner shall determine the formulas through which school districts receive funding under Sections 48.102 and 48.1021. In determining the formulas, the commissioner shall ensure the estimated statewide amount provided by the sum of the allotments under Sections 48.102 and 48.1021 for the 2026-2027 school year is approximately \$250 million greater than the amount that would have been provided under the allotment under Section 48.102, as that section existed on September 1, 2025, for that school year, calculating both amounts using the basic allotment in effect for the 2026-2027 school year.

(c) Each school district and open-enrollment charter school shall report to the agency information necessary to implement this section.

(d) The agency shall provide technical assistance to school districts and open-enrollment charter schools to ensure a successful transition in funding formulas for special education.

(e) This section expires September 1, 2028.

SECTION 57. Sections 48.103(b), (c), and (d), Education Code, are amended to read as follows:

(b) A school district is entitled to an allotment under Subsection (a) only for a student who:

(1) is receiving:

(A) instruction, services, or accommodations for dyslexia or a related disorder in accordance with~~[(A)]~~

an individualized education program developed for the student under Section 29.005; or

(B) accommodations for dyslexia or a related disorder in accordance with a plan developed for the student under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794); or

(2) ~~is receiving instruction that~~

~~[(A)] meets applicable dyslexia program criteria established by the State Board of Education; and~~

~~[(B)] is provided by a person with specific training in providing that instruction; or~~

~~[(3)]~~ is permitted, on the basis of having dyslexia or a related disorder, to use modifications in the classroom or accommodations in the administration of assessment instruments under Section 39.023 without a program or plan described by Subdivision (1).

(c) A school district may receive funding for a student under each provision of this section, ~~and~~ Section 48.102, and Section 48.1021 for which ~~[(f)] the student qualifies [satisfies the requirements of both sections].~~

(d) A school district may use ~~[an amount not to exceed 20 percent of]~~ the allotment provided for a qualifying student under this section to contract with a private provider to provide supplemental academic services to the student that are recommended under the student's program or plan described by Subsection (b). A student may not be excused from school to receive supplemental academic services provided under this subsection.

SECTION 58. Section 48.110(d), Education Code, is amended to read as follows:

(d) For each annual graduate in a cohort described by Subsection (b) who demonstrates college, career, or military readiness as described by Subsection (f) in excess of the minimum number of students determined for the applicable district cohort under Subsection (c), a school district is entitled to an annual outcomes bonus of:

(1) if the annual graduate is educationally disadvantaged, \$5,000;

(2) if the annual graduate is not educationally disadvantaged, \$3,000; and

(3) if the annual graduate is enrolled in a special education program under Subchapter A, Chapter 29, \$4,000 [~~\$2,000~~], regardless of whether the annual graduate is educationally disadvantaged.

SECTION 59. Section 48.151(g), Education Code, is amended to read as follows:

(g) A school district or county that provides special transportation services for eligible special education students is entitled to a state allocation at a [~~paid on a previous year's cost per mile basis. The~~] rate per mile equal to the sum of the rate per mile set under Subsection (c) and \$0.13, or a greater amount provided [~~allowable shall be set~~] by appropriation [~~based on data gathered from the first year of each preceding biennium~~]. Districts may use a portion of their support allocation to pay transportation costs, if necessary. The commissioner may grant an amount set by appropriation for private transportation to reimburse parents or their agents for transporting eligible special education students. The mileage allowed shall be computed along the shortest public road from the student's home to school and back, morning and afternoon. The need for this type of transportation shall be determined on an individual basis and shall be approved only in extreme hardship cases.

SECTION 60. Subchapter D, Chapter 48, Education Code, is amended by adding Section 48.159 to read as follows:

Sec. 48.159. SPECIAL EDUCATION FULL INDIVIDUAL AND INITIAL EVALUATION. For each child for whom a school district conducts a full individual and initial evaluation under Section 29.004 or 20 U.S.C. Section 1414(a)(1), the district is entitled to an allotment of \$1,000 or a greater amount provided by appropriation.

SECTION 61. Section 48.265(a), Education Code, is amended to read as follows:

(a) If [~~Notwithstanding any other provision of law, if~~] the commissioner determines that the amount appropriated for the purposes of the Foundation School Program exceeds the amount to which school districts are entitled under this chapter, the commissioner may provide [~~by rule shall establish a grant program through which excess funds are awarded as~~] grants using the excess money for the purchase of video equipment, or for the reimbursement of costs for previously purchased video equipment, used for monitoring special education classrooms or other special education settings required under Section 29.022.

SECTION 62. Section 48.279(e), Education Code, is amended to read as follows:

(e) After the commissioner has replaced any withheld federal funds as provided by Subsection (d), the commissioner shall distribute the remaining amount, if any, of funds described by Subsection (a) to proportionately increase funding for the special education allotment under Section 48.102 and the special education service group allotment under Section 48.1021.

SECTION 63. Subchapter G, Chapter 48, Education Code, is amended by adding Sections 48.304 and 48.315 to read as follows:

Sec. 48.304. DAY PLACEMENT PROGRAM OR COOPERATIVE FUNDING. (a) For each qualifying day placement program or cooperative that a regional education service center, school district, or open-enrollment charter school establishes, the program or cooperative is entitled to an allotment of:

(1) \$250,000 for the first year of the program's or cooperative's operation;
and

(2) the sum of:

(A) \$100,000 for each year of the program's or cooperative's operation after the first year; and

(B) \$150,000 if at least three students are enrolled in the program or cooperative for a year described by Paragraph (A).

(b) A day placement program or cooperative qualifies for purposes of Subsection (a) if:

(1) the program or cooperative complies with commissioner rules adopted for purposes of this section under Section 48.004;

(2) the program or cooperative offers services to students who are enrolled at any school district or open-enrollment charter school in the county in which the program or cooperative is offered, unless the commissioner by rule waives or modifies the requirement under this subdivision for the program or cooperative to serve all students in a county; and

(3) the agency has designated the program or cooperative for service in the county in which the program or cooperative is offered and determined that, at the time of designation, the program or cooperative increases the availability of day placement services in the county.

(c) The agency may not designate more than one day placement program or cooperative for service per county each year.

(d) The agency may designate a regional education service center to implement and administer this section.

(e) Notwithstanding any other provision of this section, the agency may not provide an allotment under this section to more than 20 day placement programs or cooperatives for a year.

Sec. 48.315. FUNDING FOR REGIONAL DAY SCHOOL PROGRAMS FOR THE DEAF. (a) The program administrator or fiscal agent of a regional day school program for the deaf is entitled to receive for each school year an allotment of \$6,925, or a greater amount provided by appropriation, for each student receiving services from the program.

(b) Notwithstanding Subsection (a), the agency shall adjust the amount of an allotment under that subsection for a school year to ensure the total amount of allotments provided under that subsection is at least \$35 million for that school year.

SECTION 64. The following provisions of the Education Code are repealed:

- (1) Section 7.055(b)(24);
- (2) Sections 7.102(c)(18), (19), (20), (21), and (22);
- (3) Section 29.002;
- (4) Section 29.0041(c);
- (5) Section 29.005(f);
- (6) Section 29.0161;

- (7) Sections 29.308, 29.309, 29.311, 30.001, and 30.0015;
- (8) Sections 30.002(c-1), (c-2), (f), (f-1), and (g);
- (9) Section 30.084;
- (10) Section 30.087(b); and
- (11) Section 38.003(d).

SECTION 65. The commissioner of education shall award a grant under Subchapter A-1, Chapter 29, Education Code, as amended by this Act, for the 2025-2026 school year to each eligible applicant who applied but was not accepted for the 2024-2025 school year.

SECTION 66. Sections 8.051(d), 29.008, 29.014(c) and (d), and 29.018(b), Education Code, as amended by this Act, apply beginning with the 2026-2027 school year.

SECTION 67. (a) Except as provided by Subsection (b) or (c) of this section, this Act takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

(b) Except as provided by Subsection (c) of this section, the amendments made by this Act to Chapter 48, Education Code, take effect September 1, 2025.

(c) Sections 48.009(b), 48.051(a), 48.102, 48.103(b), (c), and (d), and 48.279(e), Education Code, as amended by this Act, and Sections 48.1021 and 48.1022, Education Code, as added by this Act, take effect September 1, 2026.

The Conference Committee Report on **SB 568** was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 3642

Senator Hughes submitted the following Conference Committee Report:

Austin, Texas
May 30, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **HB 3642** have had the same under consideration, and beg to report it back with the recommendation that it do pass.

HUGHES

NICHOLS

PARKER

PAXTON

CAMPBELL

On the part of the Senate

HEFNER

ANCHIA

BUTTON

PATTERSON

WILSON

On the part of the House

The Conference Committee Report on **HB 3642** was filed with the Secretary of the Senate.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 3059**

Senator Campbell submitted the following Conference Committee Report:

Austin, Texas
May 30, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **SB 3059** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

CAMPBELL

HANCOCK

HUFFMAN

PARKER

SCHWERTNER

On the part of the Senate

METCALF

FAIRLY

MARTINEZ FISCHER

ORR

VASUT

On the part of the House

**A BILL TO BE ENTITLED
AN ACT**

relating to the preservation, maintenance, restoration, and protection of the Alamo complex and surrounding area by the Alamo Commission.

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

SECTION 1. Section 441.198(a), Government Code, is amended to read as follows:

(a) The commission may negotiate an agreement with the appropriate authorities in Mexico under which this state will trade or lend to Mexico the flags of the Toluca Battalion, the Guerrero Battalion, and the Matamoros Battalion captured at the Battle of San Jacinto ~~[and Mexico will trade or lend to this state the flag of the New Orleans Greys captured at the Battle of the Alamo]~~. An agreement under this section:

(1) may not affect title to the flags;

(2) may provide that this state will restore the San Jacinto flags to a suitable condition ~~[and Mexico will restore the Alamo flag to a suitable condition]~~ before the trade or loan of the flags as long as such conditioning does not alter the authenticity or integrity of the flags; and

(3) is not valid if it is not approved by the governor and by the appropriate authority for approval under the laws of Mexico.

SECTION 2. Subtitle D, Title 4, Government Code, is amended by adding Chapter 443A, and a heading is added to that chapter to read as follows:

CHAPTER 443A. ALAMO COMMISSION

SECTION 3. Chapter 443A, Government Code, as added by this Act, is amended by adding Subchapter A, and a heading is added to that subchapter to read as follows:

SUBCHAPTER A. GENERAL PROVISIONS

SECTION 4. Section 31.450, Natural Resources Code, is transferred to Subchapter A, Chapter 443A, Government Code, as added by this Act, redesignated as Section 443A.002, Government Code, and amended to read as follows:

Sec. 443A.002 [31.450]. FINDINGS; MEMORANDUM OF UNDERSTANDING. (a) The legislature finds that:

(1) the Alamo has played an important role in the history of this state and continues to be a symbol of liberty and freedom for this state;

(2) this state wants to honor the individuals whose lives were lost at the Alamo;

(3) the entire history of the Alamo, from the time the Alamo was established as a mission until the present, should be recognized; and

(4) the Alamo is a world-class destination that provides a place of remembrance and education.

(b) The commission [land office] shall enter into a memorandum of understanding with the City of San Antonio to coordinate the planning and development of improvements to the Alamo complex and the area immediately surrounding the complex.

SECTION 5. Subchapter A, Chapter 443A, Government Code, as added by this Act, is amended by adding Sections 443A.001, 443A.003, and 443A.004 to read as follows:

Sec. 443A.001. DEFINITION. In this chapter, "commission" means the Alamo Commission.

Sec. 443A.003. ADMINISTRATIVE ATTACHMENT; PROHIBITED USE OF CERTAIN FUNDS. (a) The commission is administratively attached to the State Preservation Board, and the State Preservation Board shall provide administrative support to the commission.

(b) The commission may not use money in the Texas state buildings preservation endowment fund created as provided by Section 443.0103 for purposes of this chapter.

Sec. 443A.004. SUNSET REVIEW. (a) The Alamo Commission is subject to Chapter 325 (Texas Sunset Act). The commission shall be reviewed during the period in which the State Preservation Board is reviewed under Section 443.002.

(b) Notwithstanding Subsection (a), the commission may not be reviewed during the period the State Preservation Board is reviewed before the board is scheduled to be abolished on September 1, 2029, under Section 443.002. This subsection expires September 1, 2031.

SECTION 6. Chapter 443A, Government Code, as added by this Act, is amended by adding Subchapter B to read as follows:

SUBCHAPTER B. ALAMO COMMISSION

Sec. 443A.051. ALAMO COMMISSION. The Alamo Commission is established for the preservation, maintenance, restoration, and protection of the Alamo complex and its contents.

Sec. 443A.052. COMPOSITION OF COMMISSION. (a) The commission is composed of five members, as follows:

- (1) the governor;
- (2) the lieutenant governor;
- (3) the speaker of the house of representatives;
- (4) a member of the senate, appointed by the lieutenant governor; and
- (5) a member of the house of representatives, appointed by the speaker of the house of representatives.

(b) A commission member appointed by the lieutenant governor or speaker of the house of representatives serves for a two-year term expiring on January 31 of each odd-numbered year.

Sec. 443A.053. PRESIDING OFFICERS. (a) The position of presiding officer rotates among the governor, lieutenant governor, and speaker of the house of representatives. A term as presiding officer is two years and expires on January 31 of each odd-numbered year.

(b) The commission members who are eligible to serve but are not serving as the presiding officer under Subsection (a) shall serve as joint assistant presiding officers for two-year terms expiring on January 31 of each odd-numbered year.

Sec. 443A.054. MEETINGS. The commission shall meet twice each year and at the call of the presiding officer or joint assistant presiding officers.

Sec. 443A.055. EXECUTIVE DIRECTOR; COMMISSION PERSONNEL. (a) The commission may:

- (1) employ an executive director and other personnel necessary for the performance of commission functions; and
- (2) contract for professional services of qualified consultants.

(b) An executive director employed by the commission shall perform the duties required by this chapter and any duty delegated by the commission.

(c) The commission may not employ an applicant for the position of executive director unless two-thirds of the presiding and joint assistant presiding officers vote in favor of employing the applicant for the position.

Sec. 443A.056. EMPLOYMENT OF LOBBYIST. The commission and an organization described by Section 443A.101(d) may not use public money to employ, as a regular full-time or part-time or contract employee, a person who is required by Chapter 305 to register as a lobbyist.

SECTION 7. Chapter 443A, Government Code, as added by this Act, is amended by adding Subchapter C, and a heading is added to that subchapter to read as follows:

SUBCHAPTER C. POWERS AND DUTIES

SECTION 8. Section 31.451, Natural Resources Code, is transferred to Subchapter C, Chapter 443A, Government Code, as added by this Act, redesignated as Section 443A.101, Government Code, and amended to read as follows:

Sec. 443A.101 ~~[31.451]~~. PRESERVATION AND MAINTENANCE OF ALAMO. (a) The Alamo complex is under the jurisdiction of the commission ~~[land office]~~. The commission ~~[land office]~~ is responsible for the preservation, maintenance, and restoration of the Alamo complex and its contents and the protection of the historical and architectural integrity of the exterior, interior, and grounds of the Alamo complex.

(b) Any power or duty related to the Alamo complex formerly vested in any other state agency or entity is vested solely in the commission ~~[land office]~~.

(c) Notwithstanding any other law, the commission ~~[land office]~~ is not required to comply with state purchasing law in carrying out its duties under this subchapter.

(d) The commission ~~[land office]~~ may participate in the establishment of and partner with a qualifying nonprofit organization the purposes of which include raising funds for or providing services or other benefits for the preservation and maintenance of the Alamo complex. The commission ~~[land office]~~ may contract with the organization for the performance of any activity.

SECTION 9. Subchapter C, Chapter 443A, Government Code, as added by this Act, is amended by adding Sections 443A.102, 443A.103, 443A.104, 443A.105, and 443A.106 to read as follows:

Sec. 443A.102. AGREEMENT WITH MEXICO; ALAMO BATTLE FLAG; 1813 TEXAS DECLARATION OF INDEPENDENCE. (a) In this section, "1813 Declaration of Independence" means the first Texas Declaration of Independence dated April 6, 1813, and proclaiming Texas' independence from Spain.

(b) The commission may negotiate an agreement with the appropriate authorities in Mexico under which Mexico will trade or lend to this state the flag of the New Orleans Greys captured at the Battle of the Alamo or the 1813 Declaration of Independence. An agreement under this section:

(1) may not affect title to the flag or the 1813 Declaration of Independence;

(2) may provide that Mexico will restore the flag or the 1813 Declaration of Independence to a suitable condition before the trade or loan, provided the conditioning does not alter the authenticity or integrity of the flag or the 1813 Declaration of Independence; and

(3) is not valid unless the agreement is approved by the governor and by the appropriate authority for approval under the laws of Mexico.

(c) If an agreement to trade or lend the Alamo battle flag or the 1813 Declaration of Independence under Subsection (b) does not provide that Mexico will restore the flag or the 1813 Declaration of Independence to a suitable condition before the trade or loan, the commission may use only gifts or grants to restore the flag or the 1813 Declaration of Independence to a suitable condition after the trade or loan.

(d) The commission shall designate an appropriate place in the Alamo complex for the secure display of the Alamo battle flag and the 1813 Declaration of Independence.

Sec. 443A.103. VICTORY OR DEATH LETTER. (a) In this section, "victory or death letter" means the letter written by Lieutenant Colonel William B. Travis dated February 24, 1836, and signed "Victory or Death."

(b) The commission, in consultation with the state agency with jurisdiction over the victory or death letter, shall designate an appropriate place in the Alamo complex for the secure display of the victory or death letter.

Sec. 443A.104. JURISDICTION OVER CERTAIN ARTIFACTS. Except as provided by Sections 441.198 and 443A.103, the commission has jurisdiction over an artifact or item of historical interest associated with the Alamo.

Sec. 443A.105. AGREEMENT FOR SECURITY OPERATIONS. The commission shall enter into an agreement with the Department of Public Safety for the department to provide security operations for the Alamo complex.

Sec. 443A.106. ANNUAL BUDGET AND WORK PLAN. (a) The commission shall prepare an annual budget and work plan for the Alamo complex and the buildings in the complex, their contents, and their grounds. The plan must address preservation, usual maintenance, and any necessary construction for the complex.

(b) The commission may satisfy the requirements of this section by overseeing the preparation of an annual budget and work plan described by Subsection (a) by a qualifying nonprofit organization with which the commission contracts under Section 443A.101(d).

SECTION 10. Chapter 443A, Government Code, as added by this Act, is amended by adding Subchapter D, and a heading is added to that subchapter to read as follows:

SUBCHAPTER D. ALAMO COMPLEX FUND; AUDIT

SECTION 11. Section 31.454, Natural Resources Code, is transferred to Subchapter D, Chapter 443A, Government Code, as added by this Act, redesignated as Section 443A.151, Government Code, and amended to read as follows:

Sec. 443A.151 [31.454]. [THE] ALAMO COMPLEX ACCOUNT. (a) The Alamo complex account is a separate account in the general revenue fund.

(b) The account consists of:

- (1) transfers made to the account;
- (2) fees and other revenue from operation of the Alamo complex;
- (3) grants, donations, and bequests from any source designated for the benefit of the Alamo complex; and
- (4) income earned on investments of money in the account.

(c) The commission [land office] may accept a gift, grant, or bequest of money, securities, services, or property to carry out any purpose related to the preservation and maintenance of the Alamo complex, including funds raised or services provided by a volunteer or volunteer group to promote the commission's duties under this chapter [work of the land office]. All proceeds under this subsection shall be deposited to the credit of the account.

(d) Appropriations to the commission [land office] for the preservation, operation, or maintenance of the Alamo complex shall be deposited to the credit of the account.

(e) The commission [land office] may use money in the account only to administer this chapter [subchapter], including to support the preservation, repair, renovation, improvement, expansion, equipping, operation, or maintenance of the Alamo complex or to acquire a historical item appropriate to the Alamo complex.

(f) Any money in the account not used in a fiscal year remains in the account. The account is exempt from the application of Section 403.095[~~Government Code~~].

SECTION 12. Subchapter D, Chapter 443A, Government Code, as added by this Act, is amended by adding Section 443A.152 to read as follows:

Sec. 443A.152. ANNUAL AUDIT. The commission shall have an annual audit conducted by an independent auditor of any expenditures of public money for purposes of this chapter by a nonprofit organization with which the commission contracts under Section 443A.101(d).

SECTION 13. Section 504.665(b), Transportation Code, is amended to read as follows:

(b) After deduction of the department's administrative costs, the remainder of the fee for issuance of the license plates shall be deposited to the credit of an account created by the comptroller in the manner provided by Section 504.6012(b). Money deposited to that account may be used only by the Alamo Commission [~~General Land Office~~] as follows:

(1) 75 percent of the money shall be used for the preservation of the Alamo; and

(2) 25 percent of the money shall be used to enhance the Alamo visitor experience or to fund education programs about the Alamo.

SECTION 14. The following provisions are repealed:

(1) Section 441.198(c), Government Code;

(2) Section 31.0515, Natural Resources Code;

(3) the heading to Subchapter I, Chapter 31, Natural Resources Code;

(4) Section 31.452, Natural Resources Code;

(5) Section 31.453, Natural Resources Code;

(6) Section 31.455, Natural Resources Code; and

(7) Section 1, Chapter 984 (S.B. 2612), Acts of the 88th Legislature, Regular Session, 2023, which amended former Article 2.12, Code of Criminal Procedure.

SECTION 15. (a) As soon as practicable after the effective date of this Act, the state auditor shall conduct an audit of any expenditures of public money by the General Land Office with respect to the Alamo complex and any expenditures of public money by a nonprofit organization with which the General Land Office contracted before the effective date of this Act under Section 31.451(d), Natural Resources Code, to ensure an accurate understanding of those expenditures and to aid in the transfer of authority relating to the Alamo complex to the Alamo Commission, as established by this Act.

(b) Not later than January 1, 2028, the state auditor shall prepare and submit to the Alamo Commission, as established by this Act, a report on the findings of the audit conducted under Subsection (a) of this section.

SECTION 16. The term of a member serving on the Alamo Preservation Advisory Board immediately before the effective date of this Act whose position on the board is abolished by the changes in law made by this Act expires on the effective date of this Act.

SECTION 17. (a) In this section, "commission" means the Alamo Commission established by Chapter 443A, Government Code, as added by this Act.

(b) On September 1, 2027, or as soon as practicable after that date, the General Land Office and the commission shall enter into a memorandum of understanding relating to the transfer of power and duties from the General Land Office to the commission as provided by this Act. The memorandum of understanding must:

(1) include a comprehensive plan to ensure the orderly transition of the preservation, maintenance, and restoration of the Alamo complex to the commission; and

(2) provide for the completion of the transfer by January 1, 2028.

(c) Not later than January 1, 2028, all powers, duties, obligations, rights, contracts, bonds, appropriations, records, property, and personnel of the General Land Office related to the Alamo complex are transferred to the commission as provided for in the memorandum of understanding entered into under Subsection (b) of this section.

(d) A rule, policy, procedure, or decision of the General Land Office continues in effect as a rule, policy, procedure, or decision of the commission, as appropriate, until superseded by an act of the commission.

(e) Notwithstanding the transfer, redesignation, and repeal of provisions of Subchapter I, Chapter 31, Natural Resources Code, and Section 1, Chapter 984 (S.B. 2612), Acts of the 88th Legislature, Regular Session, 2023, by this Act, the General Land Office shall continue to perform duties and exercise powers under those laws as they existed immediately before the effective date of this Act until the date provided by the memorandum of understanding entered into under Subsection (b) of this section.

SECTION 18. (a) The governor shall serve as the first presiding officer of the Alamo Commission as provided by Section 443A.053, Government Code, as added by this Act, for a term ending on January 31, 2029.

(b) The lieutenant governor shall serve as the second presiding officer of the Alamo Commission as provided by Section 443A.053, Government Code, as added by this Act, for a term beginning on February 1, 2029, and ending on January 31, 2031.

(c) The speaker of the house of representatives shall serve as the third presiding officer of the Alamo Commission as provided by Section 443A.053, Government Code, as added by this Act, for a term beginning on February 1, 2031, and ending on January 31, 2033.

(d) On the effective date of this Act or as soon as practicable after that date, the lieutenant governor and the speaker of the house of representatives shall each appoint a person, as required by Section 443A.052, Government Code, as added by this Act, to the Alamo Commission to serve a term ending on January 31, 2029.

SECTION 19. It is the intent of the 89th Legislature, Regular Session, 2025, that the amendments made by this Act be harmonized with another Act of the 89th Legislature, Regular Session, 2025, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 20. This Act takes effect September 1, 2027.

The Conference Committee Report on **SB 3059** was filed with the Secretary of the Senate.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 2217**

Senator Hughes submitted the following Conference Committee Report:

Austin, Texas
May 31, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **SB 2217** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

HUGHES
BETTENCOURT
HALL
BIRDWELL
A. HINOJOSA
On the part of the Senate

SHAHEEN
BARRY
CURRY
RAYMOND
On the part of the House

**A BILL TO BE ENTITLED
AN ACT**

relating to certain election practices and procedures.

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

SECTION 1. Section 15.025, Election Code, is amended by amending Subsection (a) and adding Subsection (e) to read as follows:

(a) Except as provided by Subsections (b), ~~and~~ (d), and (e), the registration of a voter described by this subsection whose information is changed on the registration records becomes effective as to the change on the 30th day after:

(1) the date the voter submits to the registrar a notice of a change in registration information under Section 15.021 or a response under Section 15.053, indicating the change; or

(2) the date the voter submits a statement of residence to an election officer under Section 63.0011 or a registration application or change of address to an agency employee under Chapter 20, indicating the change.

(e) A voter's registration takes effect immediately upon the registrar's receipt of a notice of the voter's change of address submitted under Section 15.021, Section 63.0011, Section 15.053, or Chapter 20 if the voter changes residence within the same county as the voter's current registration address.

SECTION 2. Section 31.014, Election Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) The secretary of state shall prescribe specific requirements and standards, consistent with this code, for the certification of an electronic device used to accept voters under Chapter 63 that require the device to:

(1) produce an electronic copy of the list of voters who were accepted to vote for delivery to the election judge after the polls close;

(2) display the voter's original signature in accordance with Section 63.002;

(3) accept a voter for voting even when the device is off-line;

(4) provide the full list of voters registered in the county with an indication of the jurisdictional or distinguishing number for each territorial unit in which each voter resides;

(5) time-stamp when each voter is accepted at a polling place, including the voter's unique identifier;

(6) if the county participates in the countywide polling place program under Section 43.007 or has more than one early voting polling place, transmit a time stamp when each voter is accepted, including the voter's unique identifier, to all polling place locations;

(7) time-stamp the receipt of a transmission under Subdivision (6); ~~and~~

(8) produce in an electronic format compatible with the statewide voter registration list under Section 18.061 data for retention and transfer that includes:

(A) the polling location in which the device was used;

(B) the dated time stamp under Subdivision (5); and

(C) the dated time stamp under Subdivision (7);

(9) produce a report with all information required to be included on a combination form under Chapter 63 and Section 64.032; and

(10) produce a copy of the list of all voters who were accepted to vote, including a reference to the voter's county election precinct and polling location where the voter was accepted to vote.

(a-1) Nothing in this section may be construed to prevent an election official from redacting information included on a document described by Subsection (a) as necessary to preserve a voter's right to a secret ballot protected under Section 4, Article VI, Texas Constitution.

SECTION 3. Sections 63.0011(b) and (c), Election Code, are amended to read as follows:

(b) If the voter's residence address is not current because the voter has changed residence within the county, the voter may vote, if otherwise eligible, in the election precinct in which the voter resides ~~[is registered]~~ if the voter resides in the county in which the voter is registered ~~[and, if applicable:~~

~~[(1) resides in the political subdivision served by the authority ordering the election if the political subdivision is other than the county; or~~

~~[(2) resides in the territory covered by the election in a less-than-countywide election ordered by the governor or a county authority].~~

(c) Before being accepted for voting, the voter must execute and submit to an election officer a statement including:

(1) a statement that the voter satisfies the applicable residence requirement ~~[requirements]~~ prescribed by Subsection (b);

(2) all of the information that a person must include in an application to register to vote under Section 13.002; ~~and~~

(3) the date the statement is submitted to the election officer; and

(4) a request to the registrar to change the voter's registration address to the address at which the voter resides.

SECTION 4. Section 65.057, Election Code, is amended by adding Subsection (c) to read as follows:

(c) When reporting the results of a count under this section, provisional ballots cast during the early voting period shall be included with the results for early voting by personal appearance, and provisional ballots cast on election day shall be included with the results for election day.

SECTION 5. Subchapter A, Chapter 66, Election Code, is amended by adding Sections 66.005 and 66.006 to read as follows:

Sec. 66.005. POST ELECTION RECONCILIATION. (a) Not later than the 30th day after election day, the general custodian of election records shall prepare a reconciliation of the total number of votes cast and the total number of voters accepted to vote by personal appearance at each polling place in the custodian's county during the early voting period and on election day respectively.

(b) The general custodian of election records shall post the results of a reconciliation conducted under Subsection (a) on the county's Internet website in the same location that the county provides information on election results.

Sec. 66.006. PRODUCTION AND PRESERVATION OF CERTAIN REPORTS FROM ELECTRONIC DEVICES TO ACCEPT VOTERS. (a) The general custodian of election records for an authority holding an election that uses an electronic device certified under Section 31.014 to accept voters shall prepare a report including information described by Sections 31.014(a)(9) and (10) not later than the 30th day after election day.

(b) A report produced under Subsection (a) is an election record under Section 1.012 and shall be retained by the general custodian of election records for the period for preserving the precinct election records.

SECTION 6. Section 121.003, Election Code, is amended by adding Subdivision (14) to read as follows:

(14) "Central accumulator" means a part of a voting system that tabulates or consolidates the vote totals for multiple precincts.

SECTION 7. Subchapter C, Chapter 125, Election Code, is amended by adding Section 125.0635 to read as follows:

Sec. 125.0635. POLLING PLACE REPORT FOR VOTING FOR CERTAIN ELECTRONIC VOTING SYSTEMS. (a) This section only applies to a polling place that requires a voter's ballot to be scanned at the polling place with an optical scanner.

(b) Immediately after closing the polling place at the end of the period for early voting by personal appearance and on election day, the presiding election judge shall generate a report from each optical scanner used at the polling place regarding the total number of ballots scanned by that scanner during the period for early voting by personal appearance or election day, as applicable.

(c) A report produced under Subsection (b) at an early voting polling place may not include information on the number of votes received by a candidate or for or against any proposition.

SECTION 8. Subchapter E, Chapter 127, Election Code, is amended by adding Sections 127.1302 and 127.133 to read as follows:

Sec. 127.1302. REQUIRED REPORT FOR OPTICAL SCANNERS. (a) In an election using centrally counted optical scan ballots, the presiding judge of the central counting station shall prepare a report regarding the total number of ballots scanned by each optical scanner from each data storage device.

(b) The presiding judge of the central counting station shall prepare one report for the total number of ballots from each specific data storage device.

(c) The presiding judge of the central counting station must prepare the report for a data storage device under Subsection (a) before the information from the storage device is read into a central accumulator.

(d) A report prepared under Subsection (a) before the opening of polling locations on election day may not contain information on the number of votes cast for any candidate or for or against any proposition.

Sec. 127.133. REQUIRED REPORT FROM CENTRAL ACCUMULATOR. (a) This section only applies to an election held on or after September 1, 2026.

(b) An election system that uses a central accumulator must be capable of producing a report with the total number of votes received by each candidate and for or against each proposition for each polling place.

SECTION 9. This Act applies only to an election ordered on or after the effective date of this Act.

SECTION 10. This Act takes effect September 1, 2025.

The Conference Committee Report on **SB 2217** was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 493

Senator Hughes submitted the following Conference Committee Report:

Austin, Texas
May 31, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **HB 493** have had the same under consideration, and beg to report it back with the recommendation that it do pass.

HUGHES
BETTENCOURT
BIRDWELL

SHAHEEN
METCALF
PLESA

PARKER

On the part of the Senate

RAYMOND

On the part of the House

The Conference Committee Report on **HB 493** was filed with the Secretary of the Senate.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 650**

Senator West submitted the following Conference Committee Report:

Austin, Texas

May 30, 2025

Honorable Dan Patrick

President of the Senate

Honorable Dustin Burrows

Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **SB 650** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

WEST

FLORES

HALL

MENÉNDEZ

PERRY

On the part of the Senate

BOWERS

PATTERSON

THOMPSON

On the part of the House

A BILL TO BE ENTITLED

AN ACT

relating to requiring the use of electronically readable information to verify a purchaser's age in the retail sale of alcoholic beverages.

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

SECTION 1. This Act shall be known as the Deshawn Jagwan Act.

SECTION 2. Section 109.61, Alcoholic Beverage Code, is amended by adding Subsections (a-1), (a-2), (a-3), (a-4), and (d-1) and amending Subsections (b) and (d) to read as follows:

(a-1) A person shall visually inspect and access electronically readable information on a driver's license, commercial driver's license, or identification certificate for the purpose of verifying a purchaser's age in any retail sale of an alcoholic beverage on a permitted or licensed premises for off-premises consumption. A person required to access electronically readable information under this subsection may manually enter into an electronic reader the information on the driver's license, commercial driver's license, or identification certificate if the license or certificate cannot be electronically scanned. This subsection does not apply to:

(1) the retail sale of an alcoholic beverage on the premises of:

(A) the holder of:

- (i) a distiller's and rectifier's permit;
- (ii) a winery permit;
- (iii) a brewer's license;
- (iv) a brewpub license; or
- (v) a mixed beverage permit;

(B) the holder of a food and beverage certificate operating a restaurant on the premises; or

(C) a restaurant;

(2) the retail sale of an alcoholic beverage at a public entertainment facility property, as defined by Section 108.73, during a sporting event, concert, festival, or other similar temporary event at the facility by a permit or license holder authorized to sell alcoholic beverages during the event;

(3) the holder of a carrier permit delivering wine to an ultimate consumer on behalf of the holder of an out-of-state winery direct shipper's permit;

(4) the holder of or an individual contracted with or employed by the holder of a wine only package store permit, local cartage permit, or consumer delivery permit delivering alcoholic beverages to an ultimate consumer as provided by Chapter 24, 43, or 57, as applicable; or

(5) the retail sale of an alcoholic beverage in an original container sealed by the manufacturer where a person picks up the alcoholic beverage at an outdoor area on the retailer's premises and removes the alcoholic beverage from the premises for consumption by an ultimate consumer off the premises.

(a-2) The commission may not take any disciplinary action against the holder of a permit or license issued under this code for a violation of Subsection (a-1) if:

(1) the permit or license holder's failure to access the electronically readable information is a result of a disruption of, interruption of, or inability to access Internet connectivity services or data connectivity services; and

(2) the permit or license holder visually inspected the purchaser's driver's license, commercial driver's license, or identification certificate to verify the purchaser's age.

(a-3) The commission may not take any disciplinary action against the holder of a permit or license to whom Subsection (a-1) applies for selling an alcoholic beverage to a minor if:

(1) the permit or license holder electronically accessed the electronically readable information on the purchaser's driver's license, commercial driver's license, or identification certificate in the manner required under Subsection (a-1); and

(2) the transaction scan device used to electronically access the purchaser's electronically readable information identified the license or certificate as valid and the purchaser as 21 years of age or older on the date of the purchase.

(a-4) The commission shall not take any disciplinary action against the holder of a permit or license issued under this code for a violation of Subsection (a-1) for the retail sale of an alcoholic beverage made before September 1, 2027. This subsection expires September 1, 2028.

(b) A person may not retain information accessed under this section [~~unless the commission by rule requires the information to be retained. The person may not retain the information longer than the commission requires~~].

(d) Except as provided by Subsection (d-1), a [A] person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

(d-1) It is a defense to prosecution for failure to access electronically readable information on a driver's license, commercial driver's license, or identification certificate as required by Subsection (a-1) that:

(1) the person's failure to access the electronically readable information as required by Subsection (a-1) was caused by a disruption of, interruption of, or inability to access Internet connectivity services or data connectivity services that prevented the person from accessing the information; or

(2) the purchaser was 40 years of age or older on the date of the purchase.

SECTION 3. Not later than September 1, 2027, the Texas Alcoholic Beverage Commission shall adopt rules to implement Section 109.61(a-1), Alcoholic Beverage Code, as added by this Act.

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

The Conference Committee Report on **SB 650** was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 2516

Senator Schwertner submitted the following Conference Committee Report:

Austin, Texas

May 29, 2025

Honorable Dan Patrick

President of the Senate

Honorable Dustin Burrows

Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **HB 2516** have had the same under consideration, and beg to report it back with the recommendation that it do pass.

SCHWERTNER

CAMPBELL

HUGHES

JOHNSON

KOLKHORST

On the part of the Senate

GUILLEN

DEAN

JOHNSON

M. PEREZ

WHARTON

On the part of the House

The Conference Committee Report on **HB 2516** was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 2963

Senator Hall submitted the following Conference Committee Report:

Austin, Texas

May 30, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **HB 2963** have had the same under consideration, and beg to report it back with the recommendation that it do pass.

HALL
MIDDLETON
NICHOLS
PERRY

On the part of the Senate

CAPRIGLIONE
BUCY
BUTTON
CURRY
HOWARD

On the part of the House

The Conference Committee Report on **HB 2963** was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 2972

Senator Creighton submitted the following Conference Committee Report:

Austin, Texas
May 30, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **SB 2972** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

CREIGHTON
A. HINOJOSA
KING
KOLKHORST
MIDDLETON

On the part of the Senate

LEACH
HINOJOSA
LAMBERT
TURNER
WILSON

On the part of the House

A BILL TO BE ENTITLED AN ACT

relating to expressive activities at public institutions of higher education.

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

SECTION 1. Sections 51.9315(a)(2) and (3), Education Code, are amended to read as follows:

(2) "Expressive activities" means any speech or expressive conduct protected by the First Amendment to the United States Constitution or by Section 8, Article I, Texas Constitution, and includes assemblies, protests, speeches, the distribution of written material, the carrying of signs, and the circulation of petitions. The term does not include:

- (A) commercial speech;
- (B) defamation;
- (C) unlawful harassment;
- (D) incitement to imminent unlawful activity;
- (E) obscenity; or
- (F) threats to engage in unlawful activity.

(3) "Governing board" and "institution [~~"institution~~]" of higher education" have ~~[has]~~ the meanings ~~[meaning]~~ assigned by Section 61.003.

SECTION 2. Section 51.9315, Education Code, is amended by amending Subsections (b), (c), (d), and (f) and adding Subsections (d-1), (k), and (l) to read as follows:

(b) It is the policy of this state and the purpose of this section to protect the expressive rights of persons guaranteed by the constitutions of the United States and of this state by:

(1) recognizing freedom of speech and assembly as central to the mission of institutions of higher education; and

(2) ensuring that students enrolled at and employees of an institution of higher education ~~[all persons]~~ may assemble peaceably on the campuses of the institution ~~[institutions of higher education]~~ for expressive activities, including to listen to or observe the expressive activities of others.

(c) An institution of higher education shall~~[-~~

~~[(1) ensure that the common outdoor areas of the institution's campus are deemed traditional public forums; and~~

~~[(2) permit students enrolled at and employees of the institution~~ [any person] to engage in expressive activities in the common outdoor ~~[those]~~ areas of the institution's campus freely, as long as the expressive activity ~~[person's conduct]~~:

(1) ~~[(A)]~~ is not unlawful; and

(2) ~~[(B)]~~ does not materially and substantially disrupt the functioning of the institution.

(d) Notwithstanding Subsection (c), an institution of higher education may adopt a policy that imposes reasonable restrictions on the time, place, and manner of expressive activities of students enrolled at and employees of the institution in the common outdoor areas of the institution's campus if those restrictions:

(1) are narrowly tailored to serve a significant institutional interest;

(2) employ clear, published, content-neutral, and viewpoint-neutral criteria;

(3) provide for ample alternative means of expression; and

(4) allow members of the university community to assemble or distribute written material without a permit or other permission from the institution.

(d-1) The governing board of an institution of higher education shall designate the areas on the institution's campus that are public forums, consistent with the First Amendment to the United States Constitution and Section 8, Article I, Texas Constitution.

(f) Each institution of higher education shall adopt a policy detailing ~~[students']~~ rights and responsibilities regarding expressive activities at the institution. The policy must:

(1) allow:

(A) members of the university community ~~[any person]~~ to, subject to reasonable restrictions adopted under Subsection (d), engage in expressive activities on campus, including by responding to the expressive activities of others; and

(B) student organizations and faculty to, subject to Subdivision (2)(B)(ii) and Subsection (h), invite speakers to speak on campus;

(2) prohibit:

(A) using a device to amplify sound while engaging in expressive activities on campus during class hours that:

(i) intimidate others;

(ii) interfere with campus operations; or

(iii) interfere with an institution employee's or a peace officer's lawful performance of a duty;

(B) during the last two weeks of a semester or term, engaging in expressive activities:

(i) in the common outdoor areas of the institution's campus in a manner that materially and substantially disrupts the functioning of the institution;

(ii) by inviting speakers to speak on campus;

(iii) by using a device to amplify sound; or

(iv) by using drums or other percussive instruments;

(C) camping or erecting tents or other living accommodations on campus;

(D) wearing a disguise or other means of concealing a person's identity while engaging in expressive activities on campus with the intent to:

(i) obstruct the enforcement of the institution's rules or the law by avoiding identification;

(ii) intimidate others; or

(iii) interfere with an institution employee's or a peace officer's lawful performance of a duty;

(E) lowering the institution's flag of the United States or of this state with the intent to raise the flag of another nation or a flag representing an organization or group of people; and

(F) engaging in expressive activities on campus between the hours of 10 p.m. and 8 a.m.;

(3) ~~(2)~~ establish disciplinary sanctions for students, student organizations, or employees ~~[faculty]~~ who unduly interfere with the expressive activities of others on campus or violate an institution policy or state law;

(4) ~~(3)~~ include a grievance procedure for addressing complaints of a violation of this section;

(5) require students enrolled at or employees of the institution to present proof of identity and status at the institution on request by an institution official on the institution's campus engaging in an official duty;

(6) [(4)] be approved by a majority vote of the institution's governing board before final adoption; and

(7) [(5)] be posted on the institution's Internet website.

(k) Nothing in this section limits the authority of an institution of higher education to adopt rules differentiating between the rights of students and employees to engage in expressive activities on campus and those of persons not affiliated with the institution.

(l) Nothing in this section may be construed to limit or infringe on a person's right to freedom of speech or expression protected by the First Amendment to the United States Constitution or by Section 8, Article I, Texas Constitution.

SECTION 3. Section 51.9315, Education Code, as amended by this Act, applies beginning with the 2025-2026 academic year.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

The Conference Committee Report on **SB 2972** was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 705

Senator Zaffirini submitted the following Conference Committee Report:

Austin, Texas
May 30, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **HB 705** have had the same under consideration, and beg to report it back with the recommendation that it do pass.

ZAFFIRINI
BLANCO
CAMPBELL
NICHOLS
KING

On the part of the Senate

WILSON
WALLE
PATTERSON
GERDES
ROMERO

On the part of the House

The Conference Committee Report on **HB 705** was filed with the Secretary of the Senate.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 1610**

Senator Perry submitted the following Conference Committee Report:

Austin, Texas

May 30, 2025

Honorable Dan Patrick

President of the Senate

Honorable Dustin Burrows

Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **SB 1610** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

PERRY

FLORES

J. HINOJOSA

HUFFMAN

KING

On the part of the Senate

COOK

DYSON

HARLESS

HOWARD

TROXCLAIR

On the part of the House

**A BILL TO BE ENTITLED
AN ACT**

relating to sexually violent predators, to the Texas Civil Commitment Office, and to the prosecution of the offense of harassment by sexually violent predators and other persons confined in certain facilities; amending certain sex offender registration requirements; increasing criminal penalties.

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

SECTION 1. Section 12.42, Penal Code, is amended by amending Subsection (d) and adding Subsection (e) to read as follows:

(d) Except as provided by Subsection (c)(2), ~~(c)(4)~~, or (e), if it is shown on the trial of a felony offense other than a state jail felony punishable under Section 12.35(a) that the defendant has previously been finally convicted of two felony offenses, and the second previous felony conviction is for an offense that occurred subsequent to the first previous conviction having become final, on conviction the defendant shall be punished by imprisonment in the Texas Department of Criminal Justice for life, or for any term of not more than 99 years or less than 25 years. A previous conviction for a state jail felony punishable under Section 12.35(a) may not be used for enhancement purposes under this subsection.

(e) Notwithstanding Subsection (c) or (d), if it is shown on the trial of a felony offense other than a state jail felony punishable under Section 12.35(a) that the defendant was civilly committed as a sexually violent predator under Chapter 841,

Health and Safety Code, at the time of the offense, on conviction the defendant shall be punished by imprisonment in the Texas Department of Criminal Justice for life, or for any term of not more than 99 years or less than 25 years.

SECTION 2. Section 21.08(b), Penal Code, as amended by Chapters 351 (S.B. 1179) and 822 (H.B. 1730), Acts of the 88th Legislature, Regular Session, 2023, is reenacted and amended to read as follows:

(b) An offense under this section is a Class B misdemeanor, except that the offense is:

(1) a Class A misdemeanor if it is shown on the trial of the offense that the defendant has been previously convicted one time of an offense under this section; ~~[and]~~

(2) a state jail felony if it is shown on the trial of the offense that the defendant has been previously convicted two or more times of an offense under this section; or

(3) a felony of the third degree if the actor is civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code.

SECTION 3. Section 22.01, Penal Code, is amended by adding Subsection (d-1) to read as follows:

(d-1) The actor is presumed to have known the person assaulted was a person described by Subsection (b-1)(2)(A) or (B), as applicable, if the person was wearing a distinctive uniform or badge indicating the person's status as an officer or employee of the Texas Civil Commitment Office or a contractor or employee of a contractor performing a service in a civil commitment facility.

SECTION 4. Section 22.012(b), Penal Code, is amended to read as follows:

(b) An offense under this section is a Class A misdemeanor, except that the offense is:

(1) a state jail felony if it is shown on the trial of the offense that:

(A) the defendant has been previously convicted of an offense under this section, other than an offense punishable under Paragraph (B); or

(B) the defendant is a health care services provider or a mental health services provider and the act is:

(i) committed during the course of providing a treatment or service to the victim; and

(ii) beyond the scope of generally accepted practices for the treatment or service; ~~[or]~~

(2) a felony of the third degree if it is shown on the trial of the offense that the defendant has been previously convicted of an offense under this section that is punishable under Subdivision (1)(B); or

(3) a felony of the third degree if the offense is committed by an actor who is committed to a civil commitment facility, against:

(A) a person the actor knows is an officer or employee of the Texas Civil Commitment Office:

(i) while the officer or employee is lawfully discharging an official duty; or

(ii) in retaliation for or on account of an exercise of official power or performance of an official duty by the officer or employee; or

(B) a person the actor knows is contracting with the state to perform a service in a civil commitment facility or an employee of that person:

(i) while the person or employee is engaged in performing a service within the scope of the contract; or

(ii) in retaliation for or on account of the person's or employee's performance of a service within the scope of the contract.

SECTION 5. Section 22.02, Penal Code, is amended by amending Subsection (b) and adding Subsection (c-1) to read as follows:

(b) An offense under this section is a felony of the second degree, except that the offense is a felony of the first degree if:

(1) the actor uses a deadly weapon during the commission of the assault and causes:

(A) serious bodily injury to a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code; or

(B) a traumatic brain or spine injury to another that results in a persistent vegetative state or irreversible paralysis;

(2) regardless of whether the offense is committed under Subsection (a)(1) or (a)(2), the offense is committed:

(A) by a public servant acting under color of the servant's office or employment;

(B) against a person the actor knows is a public servant while the public servant is lawfully discharging an official duty, or in retaliation or on account of an exercise of official power or performance of an official duty as a public servant;

(C) in retaliation against or on account of the service of another as a witness, prospective witness, informant, or person who has reported the occurrence of a crime;

(D) against a person the actor knows is a process server while the person is performing a duty as a process server; ~~or~~

(E) against a person the actor knows is a security officer while the officer is performing a duty as a security officer; or

(F) by an actor who is committed to a civil commitment facility, against:

(i) a person the actor knows is an officer or employee of the Texas Civil Commitment Office:

(a) while the officer or employee is lawfully discharging an official duty; or

(b) in retaliation for or on account of an exercise of official power or performance of an official duty by the officer or employee; or

(ii) a person the actor knows is contracting with the state to perform a service in a civil commitment facility or an employee of that person:

(a) while the person or employee is engaged in performing a service within the scope of the contract; or

(b) in retaliation for or on account of the person's or employee's performance of a service within the scope of the contract;

(3) the actor is in a motor vehicle, as defined by Section 501.002, Transportation Code, and:

(A) knowingly discharges a firearm at or in the direction of a habitation, building, or vehicle;

(B) is reckless as to whether the habitation, building, or vehicle is occupied; and

(C) in discharging the firearm, causes serious bodily injury to any person; or

(4) the actor commits the assault as part of a mass shooting.

(c-1) The actor is presumed to have known the person assaulted was a person described by Subsection (b)(2)(F)(i) or (ii), as applicable, if the person was wearing a distinctive uniform or badge indicating the person's status as an officer or employee of the Texas Civil Commitment Office or a contractor or employee of a contractor performing a service in a civil commitment facility.

SECTION 6. Section 22.11, Penal Code, is amended by amending Subsection (a) and adding Subsections (f) and (g) to read as follows:

(a) A person commits an offense if, with the intent to assault, harass, annoy, ~~or~~ alarm, abuse, torment, or embarrass the person:

(1) while imprisoned or confined in a correctional or detention facility, causes another person to contact the blood, seminal fluid, vaginal fluid, saliva, urine, or feces of the actor, any other person, or an animal, or any other fluid or liquid;

(2) while committed to a civil commitment facility, causes:

(A) an officer or employee of the Texas Civil Commitment Office to contact the blood, seminal fluid, vaginal fluid, saliva, urine, or feces of the actor, any other person, or an animal, or any other fluid or liquid:

(i) while the officer or employee is lawfully discharging an official duty at a civil commitment facility; or

(ii) in retaliation for or on account of an exercise of official power or performance of an official duty by the officer or employee; or

(B) a person who contracts with the state to perform a service in the facility or an employee of that person to contact the blood, seminal fluid, vaginal fluid, saliva, urine, or feces of the actor, any other person, or an animal, or any other fluid or liquid:

(i) while the person or employee is engaged in performing a service within the scope of the contract, if the actor knows the person or employee is authorized by the state to provide the service; or

(ii) in retaliation for or on account of the person's or employee's performance of a service within the scope of the contract; or

(3) causes another person the actor knows to be a public servant to contact the blood, seminal fluid, vaginal fluid, saliva, urine, or feces of the actor, any other person, or an animal, or any other fluid or liquid, while the public servant is lawfully discharging an official duty or in retaliation or on account of an exercise of the public servant's official power or performance of an official duty.

(f) For purposes of Subsection (a)(2), the actor is presumed to have known the person was an officer or employee of the Texas Civil Commitment Office or a person who contracts with the state to perform a service in a civil commitment facility or an

employee of that person, as applicable, if the person was wearing a distinctive uniform or badge indicating the person's status as an officer or employee of the Texas Civil Commitment Office or a contractor or employee of a contractor performing a service in a civil commitment facility.

(g) It is not a defense to prosecution under Subsection (a) that the actor warned any person that the actor intended to violate Subsection (a).

SECTION 7. Section 36.06(b)(3), Penal Code, is amended to read as follows:

(3) "Public servant" has the meaning assigned by Section 1.07, except that the term also includes:

(A) an honorably retired peace officer; and

(B) a person who contracts with the state to perform a service in a civil commitment facility or an employee of that person.

SECTION 8. Article 13A.554, Code of Criminal Procedure, is amended to read as follows:

Art. 13A.554. FELONY OFFENSE COMMITTED BY CIVILLY COMMITTED [FAILURE TO COMPLY WITH] SEXUALLY VIOLENT PREDATOR [CIVIL COMMITMENT REQUIREMENT]. A felony [An] offense committed by a person civilly committed under Chapter 841 [Section 841.085], Health and Safety Code, may be prosecuted in:

(1) any county in which an element of the offense occurs; or

(2) the court that retains jurisdiction over the civil commitment proceeding under Section 841.082, Health and Safety Code.

SECTION 9. Article 14.03(a), Code of Criminal Procedure, is amended to read as follows:

(a) Any peace officer may arrest, without warrant:

(1) persons found in suspicious places and under circumstances which reasonably show that such persons have been guilty of some felony, violation of Title 9, Chapter 42, Penal Code, breach of the peace, or offense under Section 49.02, Penal Code, or threaten, or are about to commit some offense against the laws;

(2) persons who the peace officer has probable cause to believe have committed an assault resulting in bodily injury to another person and the peace officer has probable cause to believe that there is danger of further bodily injury to that person;

(3) persons who the peace officer has probable cause to believe have committed an offense defined by Section 25.07, Penal Code, if the offense is not committed in the presence of the peace officer;

(4) persons who the peace officer has probable cause to believe have committed an offense involving family violence;

(5) persons who the peace officer has probable cause to believe have prevented or interfered with an individual's ability to place a telephone call in an emergency, as defined by Section 42.062(d), Penal Code, if the offense is not committed in the presence of the peace officer; ~~or~~

(6) a person who makes a statement to the peace officer that would be admissible against the person under Article 38.21 and establishes probable cause to believe that the person has committed a felony; or

(7) a person who the peace officer has probable cause to believe has committed a felony offense while civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code.

SECTION 10. Article 14.06(a), Code of Criminal Procedure, is amended to read as follows:

(a) Except as otherwise provided by this article, in each case enumerated in this Code, the person making the arrest or the person having custody of the person arrested shall take the person arrested or have him taken without unnecessary delay, but not later than 48 hours after the person is arrested, before the magistrate who may have ordered the arrest, before some magistrate of the county where the arrest was made without an order, or, to provide more expeditiously to the person arrested the warnings described by Article 15.17 ~~[of this Code]~~, before a magistrate in any other county of this state. The magistrate shall immediately perform the duties described in Article 15.17 in any manner permitted by that article ~~[of this Code]~~.

SECTION 11. Articles 15.17(a) and (b), Code of Criminal Procedure, are amended to read as follows:

(a) In each case enumerated in this Code, the person making the arrest or the person having custody of the person arrested shall without unnecessary delay, but not later than 48 hours after the person is arrested, take the person arrested or have him taken before some magistrate of the county where the accused was arrested or, to provide more expeditiously to the person arrested the warnings described by this article, before a magistrate in any other county of this state. The arrested person may be taken before the magistrate in person or the image of the arrested person may be presented to the magistrate by means of a videoconference. If the arrested person is civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, and residing at a civil commitment facility as defined by Section 1.07, Penal Code, the magistrate may also choose to perform the duties of this article at the civil commitment facility. The magistrate shall inform in clear language the person arrested, either in person or through a videoconference, of the accusation against him and of any affidavit filed therewith, of his right to retain counsel, of his right to remain silent, of his right to have an attorney present during any interview with peace officers or attorneys representing the state, of his right to terminate the interview at any time, and of his right to have an examining trial. The magistrate shall also inform the person arrested of the person's right to request the appointment of counsel if the person cannot afford counsel. The magistrate shall inform the person arrested of the procedures for requesting appointment of counsel. If applicable, the magistrate shall inform the person that the person may file the affidavit described by Article 17.028(f). If the person does not speak and understand the English language or is deaf, the magistrate shall inform the person in a manner consistent with Articles 38.30 and 38.31, as appropriate. The magistrate shall ensure that reasonable assistance in completing the necessary forms for requesting appointment of counsel is provided to the person at the same time. If the person arrested is indigent and requests appointment of counsel and if the magistrate is authorized under Article 26.04 to appoint counsel for indigent defendants in the county, the magistrate shall appoint counsel in accordance with Article 1.051. If the magistrate is not authorized to appoint counsel, the magistrate shall without unnecessary delay, but not later than 24

hours after the person arrested requests appointment of counsel, transmit, or cause to be transmitted to the court or to the courts' designee authorized under Article 26.04 to appoint counsel in the county, the forms requesting the appointment of counsel. The magistrate shall also inform the person arrested that he is not required to make a statement and that any statement made by him may be used against him. The magistrate shall allow the person arrested reasonable time and opportunity to consult counsel and shall, after determining whether the person is currently on bail for a separate criminal offense and whether the bail decision is subject to Article 17.027, admit the person arrested to bail if allowed by law. A record of the communication between the arrested person and the magistrate shall be made. The record shall be preserved until the earlier of the following dates: (1) the date on which the pretrial hearing ends; or (2) the 91st day after the date on which the record is made if the person is charged with a misdemeanor or the 120th day after the date on which the record is made if the person is charged with a felony. For purposes of this subsection, "videoconference" means a two-way electronic communication of image and sound between the arrested person and the magistrate and includes secure Internet videoconferencing.

(b) After an accused charged with a misdemeanor punishable by fine only is taken before a magistrate under Subsection (a) and the magistrate has identified the accused with certainty, the magistrate may release the accused without bond and order the accused to appear at a later date for arraignment in the applicable justice court or municipal court. The order must state in writing the time, date, and place of the arraignment, and the magistrate must sign the order. The accused shall receive a copy of the order on release. If an accused fails to appear as required by the order, the judge of the court in which the accused is required to appear shall issue a warrant for the arrest of the accused. If the accused is arrested and brought before the judge, the judge may admit the accused to bail, and in admitting the accused to bail, the judge should set as the amount of bail an amount double that generally set for the offense for which the accused was arrested. This subsection does not apply to an accused who:

(1) has previously been convicted of a felony or a misdemeanor other than a misdemeanor punishable by fine only; or

(2) is civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, at the time of the offense.

SECTION 12. Article 17.091, Code of Criminal Procedure, is amended to read as follows:

Art. 17.091. NOTICE OF CERTAIN BAIL REDUCTIONS REQUIRED. Before a judge or magistrate reduces the amount of bail set for a defendant charged with an offense listed in Article 42A.054 or an offense described by Article 62.001(5), or any felony offense committed while the defendant is civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, the judge or magistrate shall provide:

(1) to the attorney representing the state, reasonable notice of the proposed bail reduction; and

(2) on request of the attorney representing the state or the defendant or the defendant's counsel, an opportunity for a hearing concerning the proposed bail reduction.

SECTION 13. Section 2, Article 17.151, Code of Criminal Procedure, is amended to read as follows:

Sec. 2. The provisions of this article do not apply to a defendant who is:

- (1) serving a sentence of imprisonment for another offense while the defendant is serving that sentence;
- (2) being detained pending trial of another accusation against the defendant as to which the applicable period has not yet elapsed;
- (3) incompetent to stand trial, during the period of the defendant's incompetence; ~~or~~
- (4) being detained for a violation of the conditions of a previous release related to the safety of a victim of the alleged offense or to the safety of the community under this article; or
- (5) civily committed as a sexually violent predator under Chapter 841, Health and Safety Code.

SECTION 14. Chapter 17, Code of Criminal Procedure, is amended by adding Article 17.411 to read as follows:

Art. 17.411. CONDITIONS FOR CIVILLY COMMITTED SEXUALLY VIOLENT PREDATORS. (a) In this article, "civil commitment facility" has the meaning assigned by Section 1.07, Penal Code.

(b) This article applies only to a defendant who was civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, at the time of the alleged offense.

(c) A magistrate may impose any reasonable condition of bond related to the safety of a victim of the alleged offense, to the safety of the community, or to the safety of staff, contractors, or volunteers at a civil commitment facility.

(d) A magistrate shall impose as a condition of bond that the defendant:

- (1) not commit a new offense while released on bond; and
- (2) comply with the defendant's civil commitment order for purposes of ensuring a safe environment at the civil commitment facility.

(e) At a hearing limited to determining whether the defendant violated a condition of bond imposed under this article, the magistrate shall revoke the defendant's bond and order that the defendant be immediately returned to custody if the magistrate finds by a preponderance of the evidence that the violation occurred. Once the defendant is placed in custody, the revocation of the defendant's bond discharges the sureties on the bond, if any, from any future liability on the bond. A discharge under this subsection from any future liability on the bond does not discharge any surety from liability for previous forfeitures on the bond.

SECTION 15. Article 42.08, Code of Criminal Procedure, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) When the same defendant has been convicted in two or more cases, judgment and sentence shall be pronounced in each case in the same manner as if there had been but one conviction. Except as provided by Subsections (b), ~~and~~ (c), and (d), in the discretion of the court, the judgment in the second and subsequent convictions may either be that the sentence imposed or suspended shall begin when the judgment and the sentence imposed or suspended in the preceding conviction has ceased to operate, or that the sentence imposed or suspended shall run concurrently

with the other case or cases, and sentence and execution shall be accordingly; provided, however, that the cumulative total of suspended sentences in felony cases shall not exceed 10 years, and the cumulative total of suspended sentences in misdemeanor cases shall not exceed the maximum period of confinement in jail applicable to the misdemeanor offenses, though in no event more than three years, including extensions of periods of community supervision under Article 42A.752(a)(2), if none of the offenses are offenses under Chapter 49, Penal Code, or four years, including extensions, if any of the offenses are offenses under Chapter 49, Penal Code.

(d) If a defendant has been convicted in two or more cases and was civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, at the time that any of the offenses were committed, the court shall order the sentences for those offenses to run consecutively.

SECTION 16. Article 62.001(5), Code of Criminal Procedure, is amended to read as follows:

(5) "Reportable conviction or adjudication" means a conviction or adjudication, including an adjudication of delinquent conduct or a deferred adjudication, that, regardless of the pendency of an appeal, is a conviction for or an adjudication for or based on:

(A) a violation of Section 21.02 (Continuous sexual abuse of young child or disabled individual), 21.09 (Bestiality), 21.11 (Indecency with a child), 22.011 (Sexual assault), 22.021 (Aggravated sexual assault), or 25.02 (Prohibited sexual conduct), Penal Code;

(B) a violation of Section 43.04 (Aggravated promotion of prostitution), 43.05 (Compelling prostitution), 43.25 (Sexual performance by a child), or 43.26 (Possession or promotion of child pornography), Penal Code;

(B-1) a violation of Section 43.021 (Solicitation of Prostitution), Penal Code, if the offense is punishable as a felony of the second degree;

(C) a violation of Section 20.04(a)(4) (Aggravated kidnapping), Penal Code, if the actor committed the offense or engaged in the conduct with intent to violate or abuse the victim sexually;

(D) a violation of Section 30.02 (Burglary), Penal Code, if the offense or conduct is punishable under Subsection (d) of that section and the actor committed the offense or engaged in the conduct with intent to commit a felony listed in Paragraph (A) or (C);

(E) a violation of Section 20.02 (Unlawful restraint), 20.03 (Kidnapping), or 20.04 (Aggravated kidnapping), Penal Code, if, as applicable:

(i) the judgment in the case contains an affirmative finding under Article 42.015; or

(ii) the order in the hearing or the papers in the case contain an affirmative finding that the victim or intended victim was younger than 17 years of age;

(F) the second violation of Section 21.08 (Indecent exposure), Penal Code, but not if the second violation results in a deferred adjudication;

(G) an attempt, conspiracy, or solicitation, as defined by Chapter 15, Penal Code, to commit an offense or engage in conduct listed in Paragraph (A), (B), (C), (D), (E), (K), or (L);

(H) a violation of the laws of another state, federal law, the laws of a foreign country, or the Uniform Code of Military Justice for or based on the violation of an offense containing elements that are substantially similar to the elements of an offense listed under Paragraph (A), (B), (B-1), (C), (D), (E), (G), (J), (K), or (L), but not if the violation results in a deferred adjudication;

(I) the second violation of the laws of another state, federal law, the laws of a foreign country, or the Uniform Code of Military Justice for or based on the violation of an offense containing elements that are substantially similar to the elements of the offense of indecent exposure, but not if the second violation results in a deferred adjudication;

(J) a violation of Section 33.021 (Online solicitation of a minor), Penal Code;

(K) a violation of Section 20A.02(a)(3), (4), (7), or (8) (Trafficking of persons), Penal Code; ~~or~~

(L) a violation of Section 20A.03 (Continuous trafficking of persons), Penal Code, if the offense is based partly or wholly on conduct that constitutes an offense under Section 20A.02(a)(3), (4), (7), or (8) of that code; or

(M) a violation of any law of this state for which the person has been civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code.

SECTION 17. Article 62.008, Code of Criminal Procedure, is amended to read as follows:

Art. 62.008. GENERAL IMMUNITY. The following persons are immune from liability for good faith conduct under this chapter:

(1) an employee or officer of the Texas Department of Criminal Justice, the Texas Juvenile Justice Department, the Department of Public Safety, the Board of Pardons and Paroles, the Texas Civil Commitment Office, or a local law enforcement authority;

(2) an employee or officer of a community supervision and corrections department or a juvenile probation department;

(3) a member of the judiciary; and

(4) a member of the risk assessment review committee established under Article 62.007.

SECTION 18. Article 62.058, Code of Criminal Procedure, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) This subsection applies to a ~~A~~ person subject to registration under this chapter who has for a sexually violent offense been convicted two or more times, received an order of deferred adjudication two or more times, or been convicted and received an order of deferred adjudication and to a person who has been civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, and is not required to reside in a civil commitment center. A person to whom this subsection applies shall report to the local law enforcement authority designated as the person's primary registration authority by the department not less than once in

each 90-day period following the date the person first registered under this chapter to verify the information in the registration form maintained by the authority for that person. ~~[A person subject to registration under this chapter who is not subject to the 90-day reporting requirement described by this subsection shall report to the local law enforcement authority designated as the person's primary registration authority by the department once each year not earlier than the 30th day before and not later than the 30th day after the anniversary of the person's date of birth to verify the information in the registration form maintained by the authority for that person.]~~ For purposes of this subsection, a person complies with a requirement that the person register within a 90-day period following a date if the person registers at any time on or after the 83rd day following that date but before the 98th day after that date.

(a-1) A person subject to registration under this chapter who is not subject to the 90-day reporting requirement described by this article shall report to the local law enforcement authority designated as the person's primary registration authority by the department once each year not earlier than the 30th day before and not later than the 30th day after the anniversary of the person's date of birth to verify the information in the registration form maintained by the authority for that person.

SECTION 19. Article 62.063(b), Code of Criminal Procedure, is amended to read as follows:

(b) A person subject to registration under this chapter because of a reportable conviction or adjudication for which an affirmative finding is entered under Article 42.015(b) or 42A.105(a), as appropriate, or a person civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, may not, for compensation:

- (1) operate or offer to operate a bus;
- (2) provide or offer to provide a passenger taxicab or limousine transportation service;
- (3) provide or offer to provide any type of service in the residence of another person unless the provision of service will be supervised; ~~or~~
- (4) operate or offer to operate any amusement ride;
- (5) provide or offer to provide a service at a SAFE-ready facility, as defined by Section 323.001, Health and Safety Code, or another facility that provides forensic medical examinations to sexual assault survivors in accordance with Chapter 323, Health and Safety Code;
- (6) provide or offer to provide a service at a sexual assault program, as defined by Section 420.003, Government Code;
- (7) provide or offer to provide a service at a family violence center, as defined by Section 51.002, Human Resources Code;
- (8) provide or offer to provide a service at any public or private primary or secondary school; or
- (9) provide or offer to provide any coaching, tutoring, or mentoring service to a person younger than 18 years of age.

SECTION 20. Articles 62.101(a) and (b), Code of Criminal Procedure, are amended to read as follows:

(a) Except as provided by Subsection (b) and Subchapter I, the duty to register for a person ends when the person dies if the person has a reportable conviction or adjudication, other than an adjudication of delinquent conduct, for:

(1) a sexually violent offense;

(2) an offense under Section 20A.02(a)(3), (4), (7), or (8), 25.02, 43.05(a)(2) or (3), or 43.26, Penal Code;

(3) an offense under Section 20A.03, Penal Code, if based partly or wholly on conduct that constitutes an offense under Section 20A.02(a)(3), (4), (7), or (8) of that code;

(4) an offense under Section 21.11(a)(2), Penal Code, if before or after the person is convicted or adjudicated for the offense under Section 21.11(a)(2), Penal Code, the person receives or has received another reportable conviction or adjudication, other than an adjudication of delinquent conduct, for an offense or conduct that requires registration under this chapter;

(5) an offense under Section 20.02, 20.03, or 20.04, Penal Code, if:

(A) the judgment in the case contains an affirmative finding under Article 42.015 or, for a deferred adjudication, the papers in the case contain an affirmative finding that the victim or intended victim was younger than 17 years of age; and

(B) before or after the person is convicted or adjudicated for the offense under Section 20.02, 20.03, or 20.04, Penal Code, the person receives or has received another reportable conviction or adjudication, other than an adjudication of delinquent conduct, for an offense or conduct that requires registration under this chapter; [✖]

(6) an offense under Section 43.23, Penal Code, that is punishable under Subsection (h) of that section; or

(7) an offense for which the person has been civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code.

(b) Except as provided by Subchapter I, the duty to register for a person otherwise subject to Subsection (a) ends on the 10th anniversary of the date on which the person is released from civil commitment as a sexually violent predator under Chapter 841, Health and Safety Code, the date on which the person is released from a penal institution or discharges community supervision, or the date on which the court dismisses the criminal proceedings against the person and discharges the person, whichever date is later, if the person's duty to register is based on a conviction or an order of deferred adjudication in a cause that was transferred to a district court or criminal district court under Section 54.02, Family Code.

SECTION 21. Article 66.102, Code of Criminal Procedure, is amended by adding Subsection (j) to read as follows:

(j) In addition to the information described by this article, information in the computerized criminal history system must include any civil commitment order issued under Chapter 841, Health and Safety Code.

SECTION 22. Section 14A.056, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 14A.056. CONDUCT OF PROCEEDINGS [HEARING]. (a) In this section, "remote proceeding" means a proceeding in which one or more of the participants, including a judge, civilly committed individual, party, attorney, witness, court reporter, or other individual, attends the proceeding remotely through the use of technology and the Internet, including through video communications technology.

(b) The court may, without the consent of the civilly committed individual or of the parties, hold a proceeding [hearing] under this chapter at a facility operated by or under contract with the office or [may] conduct a remote proceeding using [the hearing with video communications] technology that permits the court to see and hear the civilly committed individual and that permits the individual to see and hear the court and any other witness.

(c) [~~(b)~~] A remote proceeding [hearing] conducted under this section [by video communications technology] shall be recorded on videotape or by other electronic means. The recording is sufficient to serve as a permanent record of the proceeding [hearing].

SECTION 23. Section 41.302, Government Code, is amended to read as follows:

Sec. 41.302. GENERAL FUNCTION OF SPECIAL PROSECUTION UNIT. The special prosecution unit is an independent unit that:

(1) cooperates with and supports prosecuting attorneys in prosecuting offenses and delinquent conduct described by Article 104.003(a), Code of Criminal Procedure; and

(2) prosecutes offenses described by Section 41.311.

SECTION 24. Subchapter E, Chapter 41, Government Code, is amended by adding Section 41.311 to read as follows:

Sec. 41.311. PROSECUTION OF CERTAIN OFFENSES. A prosecuting attorney serving on the unit has the same authority to represent this state in the prosecution of a criminal offense committed by a person civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, including an offense under Section 841.085, Health and Safety Code, as is conferred on a county attorney, district attorney, or criminal district attorney of a court with jurisdiction of the offense.

SECTION 25. Section 411.1389, Government Code, is amended by adding Subsection (d) to read as follows:

(d) The Texas Civil Commitment Office is entitled to obtain from the department criminal history record information that is maintained by the department and that relates to a person who:

(1) is civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code; or

(2) was previously civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, and subsequently released by a court order.

SECTION 26. Section 420A.013(a), Government Code, is amended to read as follows:

(a) The office may adopt and implement policies that encourage family unity during a civilly committed sex offender's commitment. In adopting the policies, the office may consider the impact of a telephone, mail, and [in person] visitation policy

on a family member's ability to provide support to the offender through ongoing, appropriate contact with the offender while the offender participates in the treatment and supervision program.

SECTION 27. Section 2155.144, Government Code, is amended by adding Subsection (b-3) to read as follows:

(b-3) Notwithstanding any other law, the Texas Civil Commitment Office is delegated the authority to procure common commodities or services described by Subsection (b-1)(1) for office use if the total cost of the purchase is less than the total cost of the purchase under the comptroller's purchasing authority or as offered for sale as provided by Chapter 122, Human Resources Code. The Texas Civil Commitment Office, in collaboration with the comptroller, shall identify best practices for comparing the total costs and documenting cost savings.

SECTION 28. Section 841.003(b), Health and Safety Code, is amended to read as follows:

(b) A person is a repeat sexually violent offender for the purposes of this chapter if the person is convicted of more than one sexually violent offense and a sentence is imposed for at least one of the offenses, or if the person is convicted of an offense under Section 21.02, Penal Code, and a sentence is imposed for the offense, or if:

(1) the person:

(A) is convicted of a sexually violent offense, regardless of whether the sentence for the offense was ever imposed or whether the sentence was probated and the person was subsequently discharged from community supervision;

(B) enters a plea of guilty or nolo contendere for a sexually violent offense in return for a grant of deferred adjudication; or

(C) is adjudicated by a juvenile court as having engaged in delinquent conduct constituting a sexually violent offense and is committed to the Texas Juvenile Justice Department under Section 54.04(d)(3) or (m), Family Code; and

(2) after the date on which under Subdivision (1) the person is convicted, receives a grant of deferred adjudication, or is adjudicated by a juvenile court as having engaged in delinquent conduct, the person commits a sexually violent offense for which the person is convicted, but only if the sentence for the offense is imposed.

SECTION 29. Section 841.021(d), Health and Safety Code, is amended to read as follows:

(d) The Texas Department of Criminal Justice may not provide notice under Subsection (a) of the anticipated release of a person for whom the department has previously provided notice under this section and who has been previously recommended for an assessment under Section 841.022 unless, after the recommendation for assessment was made:

(1) the person is convicted of a new sexually violent offense; or

(2) the person's parole or mandatory supervision is revoked based on:

(A) the commission of a new sexually violent offense;

(B) failure to adhere to the requirements of sex offender treatment or ~~and~~ supervision; or

(C) failure to register as a sex offender.

SECTION 30. Section 841.022, Health and Safety Code, is amended by adding Subsection (d) to read as follows:

(d) Records of the multidisciplinary team are confidential and not subject to disclosure under Chapter 552, Government Code.

SECTION 31. Section 841.083(d), Health and Safety Code, is amended to read as follows:

(d) The office shall enter into appropriate contracts for the provision of any necessary supervised housing and other related services and may enter into appropriate contracts for medical and mental health services and sex offender treatment. The term of a contract under this subsection may not exceed 10 years. The contract may provide for an unlimited number of renewals each for an additional term not to exceed 10 years. This subsection prevails to the extent of a conflict between this subsection and any other law.

SECTION 32. Section 841.0835, Health and Safety Code, is amended by adding Subsection (d) to read as follows:

(d) The committing court shall order the payment of reasonable compensation to persons performing a duty or providing a service under this section. The compensation paid shall be assessed as court costs. The Health and Human Services Commission shall pay all court costs associated with this subsection.

SECTION 33. Section 841.084, Health and Safety Code, is amended by adding Subsections (a-1) and (a-2) to read as follows:

(a-1) A civilly committed sex offender, whether indigent or not, is responsible for the cost of:

(1) repairs to or replacement of property belonging to this state, a contractor of this state or the agent of the contractor, the civil commitment facility, or another civilly committed sex offender, if the offender intentionally, knowingly, recklessly, or negligently caused damage to or the loss of the property; and

(2) any expenses for medical care provided to the civilly committed sex offender or any other person, if the offender intentionally, knowingly, recklessly, or negligently acted in a manner that caused the injury for which medical care was provided.

(a-2) A civilly committed sex offender shall pay to the office, at the office's direction, any amount for which the offender is responsible under Subsection (a-1), as determined by the office.

SECTION 34. Section 841.147, Health and Safety Code, is amended to read as follows:

Sec. 841.147. IMMUNITY. (a) The following persons are immune from liability for good faith conduct under this chapter:

(1) an employee or officer of the Texas Department of Criminal Justice or the office;

(2) a member of the multidisciplinary team established under Section 841.022;

(3) the applicable attorney representing the state and an employee of the attorney; and

(4) a person providing, or contracting, appointed, or volunteering to perform, a ~~tracking service or another~~ service under this chapter, at the request of the office.

(b) A court shall immediately dismiss any action asserting a claim against a person described by Subsection (a) that arose from the person's good faith conduct.

(c) This section does not affect a defense, immunity, or jurisdictional bar available to a person described by Subsection (a).

SECTION 35. Subchapter H, Chapter 841, Health and Safety Code, is amended by adding Sections 841.148 and 841.149 to read as follows:

Sec. 841.148. ATTORNEY GENERAL REPRESENTATION. (a) The attorney general shall defend any person described by Section 841.147(a)(4) in an action if:

(1) the office requests that the attorney general defend the person; and

(2) the action arises from a service performed under this chapter at the request of the office.

(b) The office or the person is not responsible for and may not pay any costs associated with the assistance.

Sec. 841.149. RECOVERY OF COURT COSTS AND ATTORNEY'S FEES.

(a) In an action against a person described by Section 841.147(a)(4), the court shall award to the person court costs and attorney's fees incurred in the action if the person is found immune under that section and the person is not represented by the attorney general.

(b) In an action against a person described by Section 841.147(a)(4) who is represented by the attorney general, the court shall award to the attorney general court costs and attorney's fees incurred in the action if the person is found immune under that section.

SECTION 36. Sections 14A.001(1) and 14A.054(f), Civil Practice and Remedies Code, as added by Chapter 203 (S.B. 1180), Acts of the 88th Legislature, Regular Session, 2023, are repealed.

SECTION 37. The changes in law made by this Act in amending Sections 12.42, 21.08, 22.01, 22.012, 22.02, 22.11, and 36.06, Penal Code, and in amending Article 42.08, Code of Criminal Procedure, apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense was committed before that date.

SECTION 38. The changes in law made by this Act to Articles 14.03, 14.06, and 15.17, Code of Criminal Procedure, and to Chapter 17, Code of Criminal Procedure, apply only to a person who is arrested on or after the effective date of this Act. A person arrested before the effective date of this Act is governed by the law in effect on the date the person was arrested, and the former law is continued in effect for that purpose.

SECTION 39. The changes in law made by this Act to Chapter 62, Code of Criminal Procedure, apply to any person who, on or after the effective date of this Act, is required to register under that chapter, regardless of whether the offense or conduct for which the person is required to register occurs before, on, or after the effective date of this Act.

SECTION 40. As soon as practicable after the effective date of this Act, the Department of Public Safety of the State of Texas shall input information in the computerized criminal history system as required by Article 66.102(j), Code of Criminal Procedure, as added by this Act, for any person who was civilly committed under Chapter 841, Health and Safety Code, before the effective date of this Act.

SECTION 41. (a) Except as otherwise provided by this section, the changes in law made by this Act to Chapter 841, Health and Safety Code, apply to a civil commitment proceeding under that chapter that is initiated on or after the effective date of this Act, regardless of when the applicable petition for civil commitment was filed.

(b) Section 841.147, Health and Safety Code, as amended by this Act, and Sections 841.148 and 841.149, Health and Safety Code, as added by this Act, apply only to an action filed on or after the effective date of this Act. An action filed before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 42. To the extent of any conflict, this Act prevails over another Act of the 89th Legislature, Regular Session, 2025, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 43. This Act takes effect September 1, 2025.

The Conference Committee Report on **SB 1610** was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 40

Senator Hughes submitted the following Conference Committee Report:

Austin, Texas
May 30, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **HB 40** have had the same under consideration, and beg to report it back with the recommendation that it do pass.

HUGHES
CREIGHTON
HUFFMAN
KING
PARKER

On the part of the Senate

LANDGRAF
DYSON
LEACH
MEYER

On the part of the House

The Conference Committee Report on **HB 40** was filed with the Secretary of the Senate.

**CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 145**

Senator Schwertner submitted the following Conference Committee Report:

Austin, Texas
May 30, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **HB 145** have had the same under consideration, and beg to report it back with the recommendation that it do pass.

SCHWERTNER
CAMPBELL
JOHNSON
KING
KOLKHORST

KING
MCQUEENEY
GEREN
HUNTER

On the part of the Senate

On the part of the House

The Conference Committee Report on **HB 145** was filed with the Secretary of the Senate.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 1540**

Senator Bettencourt submitted the following Conference Committee Report:

Austin, Texas
May 31, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **SB 1540** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

BETTENCOURT
BIRDWELL
MIDDLETON
PAXTON
ZAFFIRINI

CAPRIGLIONE
BUCY
M. GONZÁLEZ
LEACH
SHAHEEN

On the part of the Senate

On the part of the House

A BILL TO BE ENTITLED
AN ACT

relating to maintaining the confidentiality of the personal information of election officials and their employees.

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

SECTION 1. Section 1.005(4-a), Election Code, is amended to read as follows:

(4-a) "Election official" means:

- (A) a county clerk;
- (B) a permanent or temporary deputy county clerk;
- (C) an elections administrator;
- (D) a permanent or temporary employee of an elections administrator;
- (E) an election judge;
- (F) an alternate election judge;
- (G) an early voting clerk;
- (H) a deputy early voting clerk;
- (I) an election clerk;
- (J) the presiding judge of an early voting ballot board;
- (K) the alternate presiding judge of an early voting ballot board;
- (L) a member of an early voting ballot board;
- (M) the chair of a signature verification committee;
- (N) the vice chair of a signature verification committee;
- (O) a member of a signature verification committee;
- (P) the presiding judge of a central counting station;
- (Q) the alternate presiding judge of a central counting station;
- (R) a central counting station manager;
- (S) a central counting station clerk;
- (T) a tabulation supervisor;
- (U) an assistant to a tabulation supervisor; ~~and~~
- (V) a chair of a county political party holding a primary election or a runoff primary election; and

(W) the chair of a state executive committee of a political party that nominates by primary election under Subtitle B, Title 10.

SECTION 2. Section 552.1175(a), Government Code, is amended to read as follows:

(a) This section applies only to:

(1) current or honorably retired peace officers as defined by Article 2A.001, Code of Criminal Procedure, or special investigators as described by Article 2A.002, Code of Criminal Procedure;

(2) current or honorably retired county jailers as defined by Section 1701.001, Occupations Code;

(3) current or former employees of the Texas Department of Criminal Justice or of the predecessor in function of the department or any division of the department;

(4) commissioned security officers as defined by Section 1702.002, Occupations Code;

(5) a current or former district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters;

(5-a) a current or former employee of a district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters;

(6) officers and employees of a community supervision and corrections department established under Chapter 76 who perform a duty described by Section 76.004(b);

(7) criminal investigators of the United States as described by Article 2A.002(a), Code of Criminal Procedure;

(8) current or honorably retired police officers and inspectors of the United States Federal Protective Service;

(9) current and former employees of the office of the attorney general who are or were assigned to a division of that office the duties of which involve law enforcement or are performed under Chapter 231, Family Code;

(10) current or former juvenile probation and detention officers certified by the Texas Juvenile Justice Department, or the predecessors in function of the department, under Title 12, Human Resources Code;

(11) current or former employees of a juvenile justice program or facility, as those terms are defined by Section 261.405, Family Code;

(12) current or former employees of the Texas Juvenile Justice Department or the predecessors in function of the department;

(13) federal judges and state judges as defined by Section 1.005, Election Code;

(14) current or former employees of the Texas Civil Commitment Office or of the predecessor in function of the office or a division of the office;

(15) a current or former member of the United States Army, Navy, Air Force, Coast Guard, or Marine Corps, an auxiliary service of one of those branches of the armed forces, or the Texas military forces, as that term is defined by Section 437.001;

(16) a current or former child protective services caseworker, adult protective services caseworker, or investigator for the Department of Family and Protective Services or a current or former employee of a department contractor performing child protective services caseworker, adult protective services caseworker, or investigator functions for the contractor on behalf of the department;

(17) an elected public officer;

(18) a firefighter or volunteer firefighter or emergency medical services personnel as defined by Section 773.003, Health and Safety Code; ~~and~~

(19) a current or former United States attorney, assistant United States attorney, federal public defender, deputy federal public defender, or assistant federal public defender; or

(20) a current or former election official, as defined by Section 1.005, Election Code, or employee, volunteer, or designee of an election official, or an employee of the secretary of state's office who performs duties relating to elections.

SECTION 3. The changes in law made by this Act apply only to a request for information that is received by a governmental body or an officer on or after the effective date of this Act. A request for information that was received before the effective date of this Act is governed by the law in effect on the date the request was received, and the former law is continued in effect for that purpose.

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

The Conference Committee Report on **SB 1540** was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 2753

Senator Hall submitted the following Conference Committee Report:

Austin, Texas
May 27, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **SB 2753** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

HALL
HAGENBUCH
A. HINOJOSA
HUGHES
PAXTON
On the part of the Senate

ISAAC
SHAHEEN
BUCY
PLESA
SWANSON
On the part of the House

A BILL TO BE ENTITLED AN ACT

relating to the integration of early voting by personal appearance and election day voting, including the manner in which election returns are processed and other related changes.

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

SECTION 1. Section 12.004(d), Election Code, is amended to read as follows:

(d) If early voting by personal appearance is required to be conducted for extended hours under Section 85.005(c) [~~or for weekend hours under Section 85.006(e)~~], the registrar's office shall remain open for providing voter registration information during the extended hours [~~or weekend hours~~] that the main early voting polling place is open for voting.

SECTION 2. Section 19.004(a), Election Code, is amended to read as follows:

(a) Except as provided by Subsection (d), state funds disbursed under this chapter may be used only to:

(1) defray expenses of the registrar's office in connection with voter registration, including additional expenses related to:

(A) implementation of the National Voter Registration Act of 1993 (52 U.S.C. Section 20501 et seq.);

(B) complying with weekly updating requirements; and

(C) the employment of temporary voter registration personnel for not more than 39 weeks in a state fiscal year; and

(2) if the registrar's county has a population of less than 55,000, defray the cost to the registrar's county of keeping the polling places in the county open during the early voting period as required under Section [Sections] 85.005(c)[, 85.006(c), and 85.064(d)].

SECTION 3. Section 42.0051, Election Code, is amended to read as follows:

Sec. 42.0051. COMBINING CERTAIN PRECINCTS. (a) If changes in county election precinct boundaries to give effect to a redistricting plan result in county election precincts with fewer than 3,000 registered voters, a commissioners court for a general or special election, or for a primary election, the county executive committee of a political party conducting a primary election, may combine county election precincts notwithstanding Section 42.005 to avoid unreasonable expenditures for election equipment, supplies, and personnel [This section applies only to a county with a population of less than 1.2 million that does not participate in the countywide polling place program described by Section 43.007].

(b) A combined precinct under Subsection (a) is subject to the maximum population prescribed for a precinct under Section 42.006.

(c) [(a)-(b)] In a county that does not participate in the countywide polling place program described by Section 43.007, for a general or special election for which use of county election precincts is required, the commissioner's court [may,] on the recommendation of the county election board, or for a primary election for which use of county election precincts is required, the county executive committee of a political party conducting the primary election, may combine county election precincts notwithstanding Section 42.005 if:

(1) the commissioners court cannot secure a suitable polling place location under Section 43.031; and

(2) the location of the combined polling place adequately serves the voters of the combined precinct.

(d) [(c)] A combined precinct under Subsection (c) [this section] may not contain more than 10,000 registered voters.

(e) [(d)] A combined precinct may not be established if it:

(1) results in a dilution of voting strength of a group covered by the federal Voting Rights Act (42 U.S.C. Section 1973c et seq.);

(2) results in a dilution of representation of a group covered by the Voting Rights Act in any political or electoral process or procedure; or

(3) results in discouraging participation by a group covered by the Voting Rights Act in any political or electoral process or procedure because of the location of a polling place or other factors.

(f) For the purposes of appointing a presiding election judge and an alternate presiding judge to a county election precinct combined under this section, the combined precinct shall be considered a single precinct and the judges shall be appointed in accordance with the procedures provided under Chapter 32.

SECTION 4. Subchapter A, Chapter 43, Election Code, is amended by adding Section 43.0015 to read as follows:

Sec. 43.0015. DESIGNATION OF LOCATION: USE OF EARLY VOTING POLLING PLACE ON ELECTION DAY. The authority responsible for designating polling places under this subchapter shall, at a minimum, designate as locations for polling places on election day:

(1) the location designated as the main early voting polling place under Section 85.002;

(2) each location designated as a permanent branch polling place under Section 85.061; and

(3) each location designated as a temporary branch polling place under Section 85.062.

SECTION 5. Section 61.002(a), Election Code, is amended to read as follows:

(a) Immediately before opening the polls for voting on the first day of voting at a polling place during early voting or ~~and~~ on election day, the presiding election judge or alternate election judge shall confirm that each voting machine has any public counter reset to zero and shall print the tape that shows the counter was set to zero for each candidate or measure on the ballot.

SECTION 6. Section 62.005, Election Code, is amended to read as follows:

Sec. 62.005. EXAMINING BALLOT BOXES. On the first day of voting at a polling place during early voting or on election day, an ~~Am~~ election officer shall open and examine the ballot boxes and remove any contents from the boxes.

SECTION 7. Section 65.002(a), Election Code, is amended to read as follows:

(a) Subject to Subsection (b), the presiding judge may direct the counting of ballots to occur on election day at any time after the polls have been open for one hour.

SECTION 8. Section 65.014(b), Election Code, is amended to read as follows:

(b) The returns must state:

(1) the total number of voters who voted at the polling place during early voting by personal appearance and on election day as indicated by the poll list; and

(2) the total number of votes counted for each candidate and for and against each measure.

SECTION 9. Sections 65.016(a) and (b), Election Code, are amended to read as follows:

(a) A county that holds or provides election services for an election and maintains an Internet website shall post on its public Internet website for an election of public officials or of a governmental entity authorized by law to impose a tax administered by the county:

(1) the results of each election;

(2) the total number of votes cast;

(3) the total number of votes cast for each candidate or for or against each measure;

(4) the total number of votes cast for each candidate or for or against each measure at each polling location;

(5) the total number of votes cast by personal appearance ~~[on election day];~~

(6) ~~(5)~~ the total number of votes cast by personal appearance or mail ~~[during the early voting period]; and~~

(7) ~~(6)~~ the total number of counted and uncounted provisional ballots cast.

(b) A city or independent school district that holds an election and maintains an Internet website shall post on its public Internet website for the city or independent school district, as applicable:

(1) the results of each election;

(2) the total number of votes cast;

(3) the total number of votes cast for each candidate or for or against each measure;

(4) the total number of votes cast for each candidate or for or against each measure at each polling location;

(5) the total number of votes cast by personal appearance ~~[on election day];~~

(6) ~~(5)~~ the total number of votes cast by ~~[personal appearance or]~~ mail ~~[during the early voting period]; and~~

(7) ~~(6)~~ the total number of counted and uncounted provisional ballots cast.

SECTION 10. The heading to Section 66.0021, Election Code, is amended to read as follows:

Sec. 66.0021. ~~[ELECTION DAY]~~ VOTE TOTAL FOR CERTAIN ELECTIONS.

SECTION 11. Section 66.0021(b), Election Code, is amended to read as follows:

(b) The general custodian of election records for a primary election or the general election for state and county officers shall maintain a list that states the total number of votes cast in each precinct by personal appearance ~~[on election day]~~ that is available for public inspection not later than the day after election day.

SECTION 12. Sections 67.004(b) and (b-1), Election Code, are amended to read as follows:

(b) The canvassing authority shall prepare a tabulation stating for each candidate and for and against each measure:

(1) the total number of votes received in each precinct; ~~and~~

(2) the total number of votes received in each polling location; and

(3) the sum of the precinct totals tabulated under Subdivision (1).

(b-1) The tabulation in Subsection (b) must also include for each precinct and for each polling location the total number of voters who cast a ballot for a candidate or for or against a measure in the election. The secretary of state shall prescribe any procedures necessary to implement this subsection.

SECTION 13. Section 67.017(a), Election Code, is amended to read as follows:

(a) After each election for a statewide office or the office of United States representative, state senator, or state representative, a district office, a county office, or a precinct office, the county clerk shall prepare a report of the number of votes, including ~~[early voting]~~ votes cast by mail and ~~[early voting votes cast]~~ by personal appearance, received in each county election precinct and in each polling location for

each candidate for each of those offices. In a presidential election year, the report must include the number of votes received in each precinct and in each polling location for each set of candidates for president and vice-president of the United States.

SECTION 14. Section 84.032(c), Election Code, is amended to read as follows:

(c) An applicant may submit a request ~~[after the close of early voting by personal appearance]~~ by appearing in person and:

- (1) returning the ballot to be voted by mail to the early voting clerk; or
- (2) executing an affidavit that the applicant:

(A) has not received the ballot to be voted by mail;

(B) never requested a ballot to be voted by mail; or

(C) received notice of a defect under Section 87.0271(b) or (c) or 87.0411(b) or (c).

SECTION 15. Sections 85.001(a) and (e), Election Code, are amended to read as follows:

(a) The period for early voting by personal appearance begins on the 12th ~~[17th]~~ day before election day, ~~[and]~~ continues through the ~~[fourth]~~ day before election day, and includes Saturdays, Sundays, and holidays, except as otherwise provided by this section.

(e) For an election held on the uniform election date in May and any resulting runoff election, the period for early voting by personal appearance begins on the ninth ~~[12th]~~ day before election day, ~~[and]~~ continues through the ~~[fourth]~~ day before election day, and includes Saturdays, Sundays, and holidays.

SECTION 16. Sections 85.005(a), (b), and (c), Election Code, are amended to read as follows:

(a) Except as provided by Subsection (c), in an election in which a county clerk is the early voting clerk under Section 83.002, early voting by personal appearance at the main early voting polling place shall be conducted on each day ~~[weekday]~~ of the early voting period ~~[that is not a legal state holiday and]~~ for a period of at least nine hours, except that voting may not be conducted earlier than 6 a.m. or later than 10 p.m.

(b) In an election to which Subsection (a) does not apply, early voting by personal appearance at the main early voting polling place shall be conducted at least nine hours each day ~~[weekday]~~ of the early voting period ~~[that is not a legal state holiday]~~ unless the territory covered by the election has fewer than 1,000 registered voters. In that case, the voting shall be conducted at least four hours each day. The authority ordering the election, or the county clerk if that person is the early voting clerk, shall determine which hours the voting is to be conducted.

(c) Voting in a primary election, ~~[or]~~ the general election for state and county officers, or a special election ordered by the governor shall be conducted at the main early voting polling place for at least 12 consecutive hours on each ~~[weekday]~~ of the last four days ~~[week]~~ of the early voting period except that voting shall be conducted for at least nine consecutive hours on a Sunday, ~~and the voting in a special election ordered by the governor shall be conducted at the main early voting polling place for~~

~~at least 12 consecutive hours on each of the last two days of the early voting period].~~
Voting under this subsection may not be conducted earlier than 6 a.m. or later than 10 p.m.

SECTION 17. Sections 85.007(a) and (b), Election Code, are amended to read as follows:

(a) The election order and the election notice must state:

(1) the date that early voting will begin if under Section 85.001(d) the early voting period is to begin later than the prescribed date; and

(2) the regular dates and hours that voting will be conducted under Section 85.005(b), including ~~and~~

~~[(3) the dates and hours that] voting on Saturday or Sunday [is ordered to be conducted under Section 85.006(a)].~~

(b) The early voting clerk shall post notice for each election stating the dates and hours that voting on a Saturday or Sunday will ~~[is ordered to]~~ be conducted ~~[under Section 85.006(b)].~~

SECTION 18. Section 85.032, Election Code, is amended by amending Subsection (d) and adding Subsection (g) to read as follows:

(d) Each custodian shall retain possession of the key entrusted to the custodian until it is delivered to, as applicable, the presiding judge of:

(1) the central counting station;

(2) the early voting ballot board; or

(3) an election day polling place.

(g) Voted early voting ballots to be counted manually shall be kept in a separate ballot box from voted early voting ballots to be counted using automatic tabulating equipment.

SECTION 19. Section 85.033, Election Code, is amended to read as follows:

Sec. 85.033. SECURITY OF VOTING MACHINE. At the close of early voting each day, the early voting clerk shall secure each voting machine used for early voting in the manner prescribed by the secretary of state so that its unauthorized operation is prevented. The clerk shall unsecure the machine before the beginning of ~~[early]~~ voting the following day.

SECTION 20. Section 85.071, Election Code, is amended to read as follows:

Sec. 85.071. DELIVERY OF BALLOTS TO MAIN POLLING PLACE. (a) During the period for early voting by personal appearance, the ballots voted at a branch polling place~~[- other than those cast on a voting machine,]~~ shall be:

(1) retained securely at the branch polling place in a locked room accessible only to election officers; or

(2) delivered by an election officer or designated law enforcement officer to the main early voting polling place at the close of voting each day.

(b) The unvoted ballots at the branch polling place~~[- other than voting machine ballots,]~~ shall be retained or delivered with the voted ballots of the same ballot style but in a separate locked container.

(c) ~~At [All voted and unvoted ballots shall be delivered by an election officer or designated law enforcement officer to the main polling place at]~~ the close of early voting ~~[on the last day of voting]~~ at a ~~[the]~~ branch polling place:

(1) unvoted ballots shall be retained or delivered in the manner described by Subsection (b);

(2) voted ballots to be counted using automatic tabulating equipment shall be retained or delivered in the manner described by Subsection (a); and

(3) voted ballots to be counted manually shall be:

(A) delivered by an election officer or designated law enforcement officer to the main early voting polling place; and

(B) set aside for subsequent delivery to the early voting ballot board under Section 87.021.

(d) At the close of the polls on election day, voted early voting ballots to be counted using automatic tabulating equipment shall be delivered with the ballots voted on election day at the same polling place to the central counting station according to Section 87.129 and the procedures under Subchapter C, Chapter 127.

SECTION 21. Section 87.021, Election Code, is amended to read as follows:

Sec. 87.021. BALLOTS AND OTHER MATERIALS DELIVERED TO BOARD. The early voting clerk shall deliver to the early voting ballot board:

(1) in an election in which regular paper ballots are used for early voting by personal appearance, each ballot box, in accordance with Section 85.032(b), containing the early voting ballots voted by personal appearance to be counted manually and the clerk's key to each box;

(2) the jacket envelopes containing the early voting ballots voted by mail, regardless of the ballot type or voting system used;

(3) the poll lists prepared in connection with early voting by personal appearance;

(4) the list of registered voters used in conducting early voting; and

(5) a ballot transmittal form that includes a statement of the number of early voting ballots voted by mail, regardless of the ballot type or voting system used, that are delivered to the early voting ballot board, and in an election in which regular paper ballots are used for early voting by personal appearance, the number of names appearing on the poll lists prepared in connection with early voting by personal appearance.

SECTION 22. Section 87.022, Election Code, is amended to read as follows:

Sec. 87.022. TIME OF DELIVERY: GENERAL RULE. Except as provided by Section 87.0221 or 87.0222, ~~[87.023, or 87.024,]~~ the materials shall be delivered to the early voting ballot board under this subchapter during the time the polls are open on election day, or as soon after the polls close as practicable, at the time or times specified by the presiding judge of the board.

SECTION 23. Section 87.0241(b), Election Code, is amended to read as follows:

(b) The board may not count early voting ballots until:

(1) the polls open on election day; or

(2) in an election conducted by an authority of a county with a population of 100,000 or more, or conducted jointly with such a county or conducted with such a county through a contract for election services, the fourth day before election day ~~[end of the period for early voting by personal appearance]~~.

SECTION 24. Section 87.103, Election Code, is amended to read as follows:

Sec. 87.103. COUNTING BALLOTS AND PREPARING RETURNS. (a) The ~~[early voting electronic system ballots counted at a central counting station, the]~~ ballots cast by personal appearance ~~[at precinct polling places,]~~ and the ballots voted by mail shall be tabulated separately and shall be separately reported on the returns.

(b) The ~~[early voting]~~ returns prepared at the central counting station must include any ~~[early voting]~~ results obtained by the early voting ballot board under Subchapter D.

SECTION 25. Section 87.104, Election Code, is amended to read as follows:

Sec. 87.104. DISPOSITION OF EARLY VOTING BALLOT BOARD RETURNS AND OTHER RECORDS. Returns ~~[Early voting returns]~~ or other early voting election records to be delivered to the central counting station under Section 87.063(b) ~~[or 87.084(b)]~~ shall be delivered to the appropriate authorities with the counting station records.

SECTION 26. Section 87.1231, Election Code, is amended to read as follows:

Sec. 87.1231. EARLY VOTING BY MAIL VOTES REPORTED BY PRECINCT. Not later than the time of the local canvass, the early voting clerk shall deliver to the local canvassing authority a report of the total number of early voting votes by mail for each candidate or measure by election precinct. ~~[The report may reflect the total for votes by mail and the total for votes by personal appearance.]~~

SECTION 27. Subchapter G, Chapter 87, Election Code, is amended by adding Section 87.129 to read as follows:

Sec. 87.129. DISPOSITION OF CERTAIN BALLOTS VOTED BY PERSONAL APPEARANCE. Voted early voting ballots retained or delivered to the main early voting polling place under Section 85.071(c)(2) shall be treated as ballots voted on election day at the same polling place for purposes of processing and tabulation under Chapter 65.

SECTION 28. Section 102.003(b), Election Code, is amended to read as follows:

(b) An application must ~~[may]~~ be submitted ~~[after the last day of the period for early voting by personal appearance and]~~ before 5 p.m. on election day.

SECTION 29. Section 127.131(a), Election Code, is amended to read as follows:

(a) After the automatic counting of ballots ~~[for each precinct]~~ is completed, the presiding judge of the central counting station shall prepare the election returns for each [that] precinct and each polling location and sign the returns to certify their accuracy.

SECTION 30. Section 172.124(a), Election Code, is amended to read as follows:

(a) For each primary election, the county clerk shall prepare a report of the number of votes~~[, including early voting votes,]~~ received in each county election precinct by each candidate for an office, other than a party office, as provided by Section 67.017 for the report of precinct results for a general election.

SECTION 31. The following provisions of the Election Code are repealed:

- (1) Chapter 103;
- (2) Section 43.007(i);
- (3) Section 85.006;

- (4) Section 85.008;
- (5) Section 85.064(d);
- (6) Section 85.068;
- (7) Section 87.023;
- (8) Section 87.024;
- (9) Section 113.004(c); and
- (10) Section 129.057.

SECTION 32. As soon as practicable after the effective date of this Act, but not later than August 1, 2027, the secretary of state shall:

- (1) adopt rules and prescribe procedures required for the implementation of this Act; and
- (2) publish a report in the Texas Register stating that the secretary:
 - (A) has consulted with county election officials in this state; and
 - (B) is confident that the counties in this state are prepared to implement the provisions of this Act.

SECTION 33. The changes in law made by this Act apply only to an election ordered on or after the date the secretary of state publishes the report required by Section 32 of this Act.

SECTION 34. This Act takes effect September 1, 2025.

The Conference Committee Report on **SB 2753** was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 1660

Senator Huffman submitted the following Conference Committee Report:

Austin, Texas
May 30, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **SB 1660** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

HUFFMAN
CAMPBELL
FLORES
J. HINOJOSA
NICHOLS

On the part of the Senate

COOK
BOWERS
LOUDERBACK

On the part of the House

A BILL TO BE ENTITLED
AN ACT

relating to the retention and preservation of toxicological evidence of certain intoxication offenses.

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

SECTION 1. Article 38.50, Code of Criminal Procedure, is amended by adding Subsection (c-1) and amending Subsections (g) and (h) to read as follows:

(c-1) A crime laboratory to which this article applies that is in possession of toxicological evidence shall annually:

(1) notify the prosecutor's office in the county in which the alleged offense occurred that the laboratory is in possession of toxicological evidence for an alleged offense that occurred in that county; and

(2) provide to the prosecutor's office the date on which the laboratory received the evidence.

(g) Notice given under this article must be given:

(1) in writing, as soon as practicable, by hand delivery, e-mail, or first-class ~~first class~~ mail to the person's last known e-mail or mailing address; or

(2) if applicable, orally and in writing on requesting the specimen under Section 724.015, Transportation Code.

(h) A prosecutor's office may require that an entity or individual charged with storing toxicological evidence seek written approval from the prosecutor's office before destroying toxicological evidence subject to the retention period under Subsection (c)(2) or (3) [(c)(3)] for cases in which the prosecutor's office presented the indictment, information, or petition. If a prosecutor's office does not provide a written denial of a request to destroy toxicological evidence before the 90th day after the date the request is made by hand delivery, certified mail, or e-mail to an address designated by the prosecutor's office, the entity or individual charged with storing the toxicological evidence may destroy the evidence if the retention period under Subsection (c)(2) or (3) for that evidence has expired.

SECTION 2. Article 38.50(h), Code of Criminal Procedure, as amended by this Act, applies only to evidence for which the appropriate retention and preservation period under Article 38.50, Code of Criminal Procedure, as amended by this Act, expires on or after the effective date of this Act. Evidence for which the appropriate retention and preservation period expired before the effective date of this Act is governed by the law in effect on the date of expiration of that period, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2025.

The Conference Committee Report on **SB 1660** was filed with the Secretary of the Senate.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 2024**

Senator Perry submitted the following Conference Committee Report:

Austin, Texas
May 30, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **SB 2024** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

PERRY
BETTENCOURT
HANCOCK
J. HINOJOSA
HUFFMAN

On the part of the Senate

LEACH
MARTINEZ
MCQUEENEY
GEREN

On the part of the House

A BILL TO BE ENTITLED
AN ACT

relating to a prohibition on marketing, advertising, offering for sale, or selling certain e-cigarette products; increasing a criminal penalty; creating a criminal offense.

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

SECTION 1. Sections 161.081(1-a)(A) and (B), Health and Safety Code, are amended to read as follows:

(1-a) (A) "E-cigarette" means:

(i) an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device; or

(ii) a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device described by this subdivision, regardless of whether the liquid solution or material contains nicotine.

(B) The term "e-cigarette" does not include a prescription medical device, prescription medication, or other prescribed substance unrelated to the cessation of smoking.

SECTION 2. Section 161.0876, Health and Safety Code, is amended to read as follows:

Sec. 161.0876. PROHIBITED E-CIGARETTE PRODUCTS. (a) For purposes of this section, "e-cigarette product" means a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device described by Section 161.081(1-a), regardless of whether the liquid solution or material contains nicotine. The term does not include a prescription medication or other prescribed substance unrelated to the cessation of smoking ~~[includes any substance containing nicotine from any source that is intended for use in an e-cigarette]~~.

(b) A person commits an offense if the person markets, advertises, sells, offers for sale, or causes to be sold an e-cigarette product: _

(1) in a product[, if the product's] container that:

(A) [~~(1)~~] depicts a cartoon-like fictional character that mimics a character primarily aimed at entertaining minors;

(B) [~~(2)~~] imitates or mimics trademarks or trade dress of products that are or have been primarily marketed to minors;

(C) [~~(3)~~] includes a symbol that is primarily used to market products to minors;

(D) [~~(4)~~] includes an image or name of a celebrity; or

(E) [~~(5)~~] includes an image that resembles a food product, including candy or juice;

(2) in a product shape or design disguised to appear as an alternative product, including a product in the shape or design of:

(A) a school or office supply, such as a highlighter, marker, ink pen, or pencil;

(B) a smart phone, smart watch, smart phone case, or smart watch case;

(C) headphones, including ear buds;

(D) clothing;

(E) a backpack;

(F) a cosmetic, including lipstick; or

(G) a toy;

(3) that is wholly or partially manufactured in or marketed as being manufactured in:

(A) China; or

(B) a country designated as a foreign adversary by the United States secretary of commerce under 15 C.F.R. Section 791.4; or

(4) that contains, is mixed with, or is marketed as containing or being mixed with any cannabinoids, alcohol, kratom, kava, mushrooms, tianeptine, or any derivatives of those substances.

(c) An offense under this section is a Class A [~~B~~] misdemeanor.

SECTION 3. Section 161.0876, Health and Safety Code, as amended by this Act, applies only to an offense committed on or after September 1, 2025. An offense committed before that date is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before September 1, 2025, if any element of the offense occurred before that date.

SECTION 4. It is the intent of the legislature that every provision, section, subsection, sentence, clause, phrase, or word in this Act, and every application of the provisions in this Act to every person, group of persons, or circumstances, is severable from each other. If any application of any provision in this Act to any person, group of persons, or circumstances is found by a court to be invalid for any reason, the remaining applications of that provision to all other persons and circumstances shall be severed and may not be affected.

SECTION 5. This Act takes effect September 1, 2025.

The Conference Committee Report on **SB 2024** was filed with the Secretary of the Senate.

**CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 1545**

Senator Parker submitted the following Conference Committee Report:

Austin, Texas
May 31, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **HB 1545** have had the same under consideration, and beg to report it back with the recommendation that it do pass.

PARKER

BLANCO

MIDDLETON

PAXTON

SPARKS

On the part of the Senate

K. BELL

HULL

KITZMAN

SHAHEEN

LONGORIA

On the part of the House

The Conference Committee Report on **HB 1545** was filed with the Secretary of the Senate.

**CONFERENCE COMMITTEE REPORT ON
HOUSE BILL 46**

Senator Perry submitted the following Conference Committee Report:

Austin, Texas
May 31, 2025

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **HB 46** have had the same under consideration, and beg to report it back with the recommendation that it do pass.

PERRY

MENÉNDEZ

HUGHES

BETTENCOURT

PARKER

On the part of the Senate

KING

PIERSON

TURNER

CAPRIGLIONE

On the part of the House

The Conference Committee Report on **HB 46** was filed with the Secretary of the Senate.

CO-AUTHOR OF SENATE BILL 6

On motion of Senator King, Senator Hughes will be shown as Co-author of **SB 6**.

CO-AUTHOR OF SENATE BILL 12

On motion of Senator Creighton, Senator Hughes will be shown as Co-author of **SB 12**.

CO-AUTHOR OF SENATE BILL 15

On motion of Senator Bettencourt, Senator Alvarado will be shown as Co-author of **SB 15**.

CO-AUTHOR OF SENATE BILL 379

On motion of Senator Middleton, Senator Hughes will be shown as Co-author of **SB 379**.

CO-AUTHOR OF SENATE BILL 2878

On motion of Senator Hughes, Senator J. Hinojosa will be shown as Co-author of **SB 2878**.

CO-SPONSOR OF HOUSE BILL 119

On motion of Senator Hughes, Senator Kolkhorst will be shown as Co-sponsor of **HB 119**.

RECESS

On motion of Senator Zaffirini, the Senate at 7:27 p.m. recessed until 1:30 p.m. tomorrow.

APPENDIX

BILLS AND RESOLUTIONS ENROLLED

May 31, 2025

SB 7, SB 17, SB 21, SB 66, SB 413, SB 437, SB 506, SB 510, SB 710, SB 800, SB 863, SB 865, SB 904, SB 905, SB 973, SB 974, SB 1191, SB 1300, SB 1362, SB 1494, SB 1504, SB 1522, SB 1567, SB 1579, SB 1580, SB 1723, SB 1946, SB 1957, SB 2121, SB 2155, SB 2221, SB 2321, SB 2368, SB 2431, SB 2477, SB 2615, SB 2807, SB 2965, SB 2986, SB 3039, SJR 27, SR 588, SR 589, SR 590, SR 591, SR 592, SR 593, SR 594, SR 595, SR 596, SR 597, SR 598, SR 599, SR 600, SR 601, SR 602, SR 603, SR 604, SR 605, SR 606, SR 607, SR 608, SR 609, SR 610, SR 611, SR 612, SR 613, SR 615, SR 616, SR 617, SR 618, SR 619, SR 620, SR 621, SR 622, SR 623, SR 624, SR 626, SR 627, SR 628, SR 630, SR 631, SR 632, SR 633, SR 634, SR 635, SR 636, SR 637, SR 638,

SR 639, SR 640, SR 641, SR 642, SR 643, SR 644, SR 645, SR 646, SR 647, SR 648, SR 649, SR 650, SR 651, SR 652, SR 653, SR 654, SR 655, SR 656, SR 657, SR 658, SR 659, SR 660, SR 661, SR 662, SR 663, SR 664, SR 665, SR 666, SR 687, SR 703, SR 709, SR 715