



IN BRIEF.... A total of 8,535 House and Senate bills were filed during the 88th regular session.

Only 866 passed both chambers and were sent to the Governor. Upon receiving a bill, the Governor has ten days to sign the bill, veto it, or allow it to become law without his signature. For bills sent to the Governor within 10 days of the end of the session, the Governor has until June 18 to take such action. As it pertains to the state budget, the Governor has the power to line-item veto certain expenses. Of the Governor's 76 vetoes, he vetoed three bills related to higher education that are included in this document; the bills are so noted.

This was one of Texas's most conservative legislative sessions. While the state had a very large surplus, there was a spending cap and big chunks of money were allocated for priorities of the leadership such as tax cuts (still not resolved), school finance, including vouchers (which didn't pass but may come back in a special session), border security, creating an endowment for some universities that are not eligible for PUF, broadband, funding an affordability package for state universities, mental health, community college finance revamp and more.

Below is a summary of the budget and a list of some of the bills that passed based on topic. At the end is a list of some bills that did not pass. An index of each bill that appears in this document and corresponding page number can be found on the last page (page 31). Please note that the Governor has indicated he will call legislators back to the Capitol for multiple special sessions, the first of which is ongoing - any legislation passed during special sessions are not part of this document.



STATE BUDGET/APPROPRIATIONS

HB 1 – Bonnen – In late May, the Texas House and Senate passed the Conference Committee Report (CCR) on House Bill 1, the General Appropriations bill, which establishes the state's budget for the next two years. The CCR is the final version of the budget passed by the Legislature, but it is subject to the Governor's veto authority, including line-item vetoes, which had to be delivered by June 18, 2023. The only line-item veto in higher education was for funding contingent on a joint resolution that did not pass. This did not impact UTRGV or the UT System schools.

The CCR on House Bill 1 appropriates (to all state agencies) \$321.3 billion in All Funds and \$144.1 billion in General Revenue Funds for the 2024-25 biennium. This represents a 10.5 percent increase in General Revenue funds compared to the previous biennium.

In higher education, the legislature focused on student **Affordability Funding** for general academic institutions and a revamped public jr. college state finance program. HB 1 provides \$9.9 billion to higher education formulas, a \$1.1 billion increase from the previous biennium, including \$4.8 billion to general academic institutions; and provides \$1.54 billion for higher education financial aid programs, including nearly \$1 billion for the TEXAS Grant program.

For general academic institutions, the most significant action was funding the higher education Affordability Funding proposal, a request for additional funding across several major areas in exchange for institutions holding tuition and academic fees flat during the 2024-25 biennium. To this end, the legislature provided an additional \$263.8 million for general academic formulas, \$18.7 million for research funds, \$71.5 million to support at-risk students at comprehensive regional universities, \$184.9 million for reimbursements of institutional Hazelwood costs (costs associated with exempting veterans and their legacies from tuition and fees), and \$159.7 million for Higher Education Group Insurance.

- The budget provides **\$84 million of new funding for Texas Grants** at the Higher Education Coordinating Board.
- **Governor’s University Research Initiative (GURI)** is provided with \$40.0 million for the 2024-2025 biennium, the same amount as the previous biennium.
- **Higher Education Group Insurance (HEGI)** is funded with General Revenue at a certain percentage of the full ERS premium rate. The remainder of costs associated with group insurance benefits are funded by institutions with statutory tuition revenue. For the 2024-2025 biennium, HEGI appropriations are funded at 88.6% percent of the full ERS premium rate compared to 78.2 % in the 2022-23 biennium.
- No new **Capital Construction Assistance Projects (CCAP)** were authorized by the 88th Legislature.
- The **Texas Research Incentive Program (TRIP)** was funded at \$33.25 million, the same amount from the previous biennium. No appropriations were made to address the funding backlog.
- The **Nursing Shortage Reduction Program (NSRP)** is funded at \$46.8 million for the 2024-25 biennium, an increase of \$28 million from the previous biennium. The 2024-25 budget includes a new NSRP rider, spearheaded by UTA.

UTRGV APPROPRIATIONS / GENERAL ACADEMIC UNIT

For UTRGV’s General Academic Unit (GAU), it was the new Affordability Funding that kept the university from falling behind in a few funding categories such as the Operations Support and Teaching Experience formula-funded line items; the culprit here is the dip in post-pandemic enrollment. In the end, the Affordability Funding package kept most budget lines whole or nearly so and provided additional funding in other areas to create an overall level of funding that surpassed current 2022-2023 appropriations.

NOTES ON CONTINGENCIES:

1. *Affordability Funding is contingent on freezing tuition and academic fees at current levels; and*
2. *Included in the Appropriations Act (HB 1) is a legislative measure known as a Rider which prohibits state funds from being used on Diversity, Equity, and Inclusion (DEI) offices, programs, and practices. The Rider reads as follows:*

Sec. 59. Prohibition on Unconstitutional Diversity, Equity, and Inclusion Programs or Practices. No funds appropriated by this Act may be expended by an entity listed in this article (including any component, constituent unit, supported program, or grant recipient) for the design, implementation, or administration of diversity, equity, & inclusion practices or programs that do not comply with Sections 3 and 3a, Article I, Texas Constitution. This prohibition includes, without limitation, the hiring and supervision of employees, mandatory or recommended training, or programmed activities.

These and other provisions found in HB 1 are effective September 1, 2023.

Key components of 2024-2025 state appropriations for UTRGV's GAU included the following items tied to the Affordability Funding package:

- An increase of \$6.3 million for Comprehensive Regional University (CRU) funding – up 310%
- An increase of \$1.6 million in research funding - up 115%
- An estimated increase of \$2.99 million in Hazlewood funding – up 670%
- An increase of \$8.7 million in Higher Education Group Insurance funding – up 36.8%

UTRGV APPROPRIATIONS / SCHOOL OF MEDICINE (INCLUDES PODIATRY)

For state budgeting purposes, the School of Medicine (SOM) and the School of Podiatric Medicine (SOPM) share their “bill pattern” in the General Appropriations Act – from this perspective of the combined budget, the bill pattern increased by 20%, with most of the increase coming from appropriations to the new SOPM. Without the SOPM appropriations, the SOM saw a very modest increase of about 0.6%. Nonetheless, the SOM's ability to hold on to full funding of current Non-Formula Support line items (the bulk of the school's funding), is significant.

New appropriations for the SOPM include \$12 million in Non-Formula Support funding and \$2.5 million in instruction and operations formula funding.



HIGHER EDUCATION/GENERAL ACADEMIC INSTITUTIONS

Below are bills that passed which will have an impact on institutions of higher education (IHEs); this section focuses on bills that impact general academics (for UTRGV, this includes nursing and other health professions). The section further below entitled Health Related Institutions includes significant legislation impacting medical schools and closely related programs.

TENURE

SB 18 – Creighton – Relating to the tenure and employment of faculty members at certain public institutions of higher education.

Early in the session, the Texas Senate passed a bill out of its chamber that eliminated tenure for any faculty members that did not yet have tenure. The bill was highly unpopular among faculty members across the state, but also unpopular in the Texas House. House Speaker Dade Phelan publicly stated that he thought it was a bad idea to eliminate tenure and that doing so would hurt faculty recruitment and retention and damage the prestige of Texas' research universities. The House, in response, passed a bill that reinstated tenure and placed the focus on the post-tenure review, requiring yearly evaluations and a comprehensive review at least once every six years, which is already the policy at UTRGV. The House bill defines tenure in state statute as "the entitlement of a faculty member of an institution of higher education to continue in the faculty member's academic position unless dismissed by the institution for good cause in accordance with the policies and procedures adopted by the institution." Good cause for dismissal includes:

- Professional incompetence
- Repeatedly failing to perform duties
- Failing to complete a post-tenure review program
- Conduct involving moral turpitude
- Violating laws that affect the faculty member's performance
- Being convicted of a crime affecting the ability to teach or conduct research
- Engaging in unprofessional conduct
- Falsifying academic credentials
- Financial exigency or program elimination and
- Other good cause as defined by an institution's policies

The legislation allows for summary dismissal of a tenured faculty member based on a finding of serious misconduct, as defined by the institution's policies and after holding due process proceedings.

The legislation also expands a faculty member's property interest in tenure to continuous employment, including regular annual salary and other privileges that come with the status as a tenured professor.

In the last days of the session, the Senate concurred with the House version and the bill was signed by Governor Abbott on June 17th.

DIVERSITY, EQUITY & INCLUSION (DEI)

SB 17 – Creighton- Relating to public higher education reform; authorizing administrative penalties.

Unlike the tenure legislation, the Senate did not concur with the House version of the DEI bill, so a conference committee was appointed and the bill that ultimately passed both chambers bans DEI offices, DEI programs and DEI training at public universities. In a nutshell, SB 17 provides that all hiring practices must be “color blind and sex neutral.” The bill also prohibits universities from asking job candidates to provide written answers about how they consider diversity in their work or sharing how they would work with diverse populations, commonly known as diversity statements. The legislation specifically exempts the following from the DEI ban:

- Academic course instruction
- Scholarly research
- Activities of registered student organizations
- Guest speakers and performers on short-term engagements
- Policies, Practices, Procedures, Programs or Activities to enhance academic achievement that are designed and implemented without regard to race, color, sex or ethnicity
- Data Collection and
- Student recruitment and the student admissions process
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The bill requires IHEs to adopt policies and procedures for appropriately disciplining employees or contractors of the institution who violate the provisions of the bill and requires an IHE to certify to the Texas Higher Education Coordinating Board (THECB) that policies and procedures have been adopted before the institution can spend state monies. The legislation also requires the state auditor to conduct a compliance audit at each institution of higher education (IHE) once every four years and if the audit finds a violation, the institution has 180 days to cure the violation. Failure to cure the violation results in loss of formula funding increases and bans exceptional items in the subsequent biennium. The bill allows a cause of action be brought by a student or employee of the institution for alleged violations of the training prohibition and requires THECB to conduct a study each biennium to evaluate the impact of SB 17 on the institution’s application rate, acceptance rate, matriculation rate, retention rate, GPA and graduation rate of students, disaggregated by race, sex and ethnicity.

Because there were concerns raised by universities about complying with grant and accreditor requirements, lawmakers added a provision stating that a Texas university or employee can submit a statement that 1) highlights the institution’s work in supporting first generation students, low-income students, or underserved student populations, or 2) certifies compliance with state and federal antidiscrimination laws.

SB 17 was signed by the Governor on June 17th and becomes effective on January 1, 2024.

We realize there remain questions regarding the implementation of the bill, and we are told that we can expect UT System to begin discussions regarding guidance and the implementation process soon.

TOP 10% LIMITATIONS REMOVED

SB 2538 - Creighton- Relating to limitations on the automatic admission of undergraduate students to general academic teaching institutions.

The Supreme Court of the United States is expected to release a ruling this summer that could result in the elimination of the consideration of race in admissions holistic review. This decision would trigger a provision in the Texas law nullifying the current 75 percent cap in automatic admissions granted to UT Austin in 2009. SB 2538 addresses this issue by repealing a statute relating to limitations on the automatic admission of undergraduate students to general academic teaching institutions to allow UT Austin to maintain its current admissions system with the 75 percent enrollment cap.

AUTOMATIC ADMISSION OF STUDENTS WITH NON-TRADITIONAL SECONDARY EDUCATION TO IHEs

HB 3993 – Paul – Amends current law relating to the automatic admission of students with a nontraditional secondary education to certain public institutions of higher education. Specifically, the legislation amends the top 10 percent rule to clarify that when a public institution of higher education in Texas is admitting students using the top 10 percent rule it should calculate class rank for a homeschool graduate according to the formula passed by the legislature in 2015. Passing this bill will ensure that homeschool students in Texas continue to receive fair treatment in the college admissions process as was intended by the legislature's changes in 2003 and 2015.

ACADEMIC FRESH START

SB 200 – Eckhart – **VETOED by Governor** – Seeks to help adult learners have more success by authorizing a public institution of higher education to disregard course credits or grades earned five years or more before the applicable semester start date.

EARLY REGISTRATION FOR PARENTING STUDENTS

SB 459 – Paxton – Provides for early registration for university students who are parents. The bill requires a public institution of higher education to provide early registration for an enrolled student who is the parent or legal guardian of a child under 18 years of age in the same manner early registration is provided for any applicable group of students

TRANSFER OF COURSE CREDIT

SB 1887 – West- Relating to the requirements for the early college education program and the transfer of course credit among public institutions of higher education.

SB 25, passed by the 86th Texas Legislature, made significant reforms to the process and protections available to students for understanding how their credits will apply when they transfer from a community college to a general academic teaching institution. SB 1887 seeks to build on these reforms and reflect best practices by revising provisions relating to fields of study curricula and the transferability of credits earned by students in early college education programs and by revising certain dispute resolution procedures relating to the transfer of credit, among other provisions.

TEXAS UNIVERSITY FUND A/K/A NRUF 2.0

HB 1595 - Bonnen- Relating to the administration and investment of, and distribution and use of money from, certain constitutional and statutory funds to support general academic teaching institutions in achieving national prominence as major research universities and driving the state economy, redesignating the national research fund as the Texas University Fund.

HB 1595 amends current law relating to the administration and investment of, and distribution and use of money from, certain constitutional and statutory funds to support general academic teaching institutions in achieving national prominence as major research universities and driving the state economy and redesignates the national research university fund as the Texas University Fund.

Eligible institutions will receive a base funding amount dependent on the institution's research expenditures, as well as supplemental funding tied to the amount of federal and private research expenditures made and number of research doctoral degrees awarded. The new eligibility standards are: \$20 million in federal and private research funds per state fiscal year during the preceding three state fiscal years and awarding on average at least 45 research doctoral degrees per academic year during the preceding three academic years. HJR 3 allows for there to be a constitutional amendment relating to the redesignation of the National Research University Fund (NRUF) to the Texas University Fund (TUF).

HJR 3 proposes a constitutional amendment relating to the Texas University Fund, which provides funding to certain institutions of higher education to achieve national prominence as major research universities and drive the state economy. Requires that the proposed constitutional amendment be submitted to the voters at an election to be held November 7, 2023.

TEXAS SPACE COMMISSION AND TEXAS AEROSPACE RESEARCH AND SPACE ECONOMY CONSORTIUM

HB 3447 – Bonnen – Establishes the Texas Space Commission to promote innovation in the field of space operations and commercial aerospace opportunities, including the integration of space, aeronautics, and aviation industries into the Texas economy. The TSC is administratively attached to the Office of the Governor and is governed by a 9-member board of directors. The bill also establishes the Texas Aerospace Research & Space Economy Consortium to identify research opportunities and make recommendations to the TSC to enhance the state's position in aeronautics R&D, astronautics, space commercialization, spaceflight infrastructure, and enhance space-related industries into the Texas economy. The Consortium is comprised of all higher education institutions in the state, and the executive committee over the Consortium is comprised of 9 appointed members, including the UT and Texas A&M Chancellors or their designee, and the Rice University President or their designee. HB 1 appropriates \$150 million to the Space Exploration and Aeronautics Research Fund, and \$200 million to Texas A&M to construct a building adjacent to Johnson Space Center.

TEXAS SEMICONDUCTOR INNOVATION CONSORTIUM

HB 5174 – Bonnen- Relating to the establishment and administration of the Texas Semiconductor Innovation Consortium.

This bill establishes the Texas Semiconductor Innovation Consortium as an advisory panel to the Governor and the Legislature to further Texas' leadership in advanced semiconductor research, design, and manufacturing and attract investment in the state by leveraging the expertise and capacity of institutions of higher education, industry, and nonprofit stakeholders. The Consortium is administratively attached to the Office of the Governor and is governed by an executive committee comprised of 9 appointed members, including the UT and Texas A&M Chancellors or their designees. The Consortium is comprised of representatives from numerous institutions of higher education in the state, including UT Arlington, UT Austin, UT Dallas, UT El Paso, UT Rio Grande Valley, and UT San Antonio. HB 5174 also establishes the Texas Semiconductor Innovation Fund, which can provide matching funds to institutions of higher education for semiconductor manufacturing and design projects or award grants to business entities. SB 30 includes nearly \$700 million for the Innovation Fund in addition to funding semiconductor-related projects at UT Austin and Texas A&M.

ACCESS TO CRIMINAL HISTORY INFORMATION FOR USE IN CERTAIN RESEARCH OR STATISTICAL PROJECTS

HB 1184 – Rose – Allows approved researchers receiving any combination of municipal, county, grant, or state funding to access criminal history information stored in the National Crime Information Center, controlled by the Department of Homeland Security, and, in Texas, the Texas Crime Information Center (TCIC), owned by the Texas Department of Public Safety.

Artificial Intelligence Advisory Council

HB 2060 – Capriglione – Relating to the creation of the artificial intelligence advisory council. The bill amends the Government Code to create the seven-member Artificial Intelligence Advisory Council to study and monitor artificial intelligence systems developed, employed, or procured by executive and judicial branch state agencies. The council is composed of one member of the House of Representatives appointed by the Speaker of the House of Representatives, one member of the Senate appointed by the Lieutenant Governor, the executive director of the Department of Information Resources (DIR) or the executive director's designee, and four public members appointed by the Governor.

NURSING

NURSING – SCHOLARSHIPS/LOAN REPAYMENTS/GRANTS

SB 25 – Kolkhorst – Relating to support for nursing-related postsecondary education, including scholarships to nursing students, loan repayment assistance to nurses and nursing faculty, and grants to nursing education programs. Establishes and revises provisions regarding scholarships, loan repayment, and grant programs for nursing students. The committee substitute combined several nursing bills: SB 25 (engrossed), HB 901 (as filed), and SB 2059/HB 3930 (as filed).

SB 25 addresses the following provisions of interest:

Financial Aid for Professional Nursing Students and Vocational Nursing Students and Loan Repayment Program for Certain Nurses:

- The bill would revise the definition of “professional nursing student” to mean a student enrolled in an institution of higher education, a private, or independent institution of higher education, or a nonprofit,

tax-exempt, regionally accredited college or university operating in accordance with a memorandum of understanding with the state under an executive order issued by the governor.

- Establishes certain grant programs to support the education and training of nurses, including:
 - Fund preceptor pay differentials at clinical sites to increase the number of preceptors needed to expand clinical site capacity.
 - Create and fund nursing innovation and coordination grants for clinical sites, including hospitals and health systems, and increase funding for workplace violence prevention.
 - Create and fund clinical nurse faculty grant programs.
- Nursing Faculty Loan Repayment Assistance Program:
 - with respect to the nursing faculty loan repayment assistance program, changes the eligibility requirement for receiving loan repayment assistance under the program that, as a condition of eligibility under current law, requires a nurse to, at the time of application for repayment assistance, have been employed part-time or full-time for at least one year as, and be currently employed part-time or full-time as, a faculty member of a nursing degree program at a public, private, or independent institution of higher education;
 - removes the provision setting a \$7,000 cap on the amount of loan repayment.

TEXAS BOARD OF NURSING

SB 1343 – LaMantia – The bill adds a second advanced practice registered nurse (APRN) member and an additional public board member to Texas Board of Nursing (BON) to reflect the growing APRN population in Texas. S.B. 1343 also ensures peer review for APRNs by requiring BON to appoint APRNs to act as expert reviewers in complaints and investigations relating to standard of care violations by APRNs.

NURSING – STANDARDIZED EXAMS

SB 1429 – Hinojosa – Requires the Texas Board of Nursing (BON) to adopt rules related to the use by a school of nursing or educational program offered in this state of a standardized examination prepared by a private entity. Requires that the rules prohibit the use of a standardized examination as a graduation requirement or to deny students an affidavit of graduation.

STUDENT AFFAIRS

LIAISON OFFICERS TO ASSISTANT STUDENTS WHO ARE PARENTS AT IHEs

HB 1361 – Morales Shaw – Appoints a liaison from existing staff to provide guidance and information on health services, eligible benefits, campus resources, and success strategies to parenting students. Requires institutions of higher education to collect demographic and outcomes data on student parents to build knowledge of the needs of parenting students.

HAZING

SB 37 – Zaffirini – Seeks to clarify that hazing reports, for purposes of immunity or avoiding a personal hazing offense for failure to report, may be made to a peace officer or a law enforcement agency and to clarify that persons who may receive immunity include entities that support certain student organizations.

DISCRIMINATION

HB 567 – Bowers – Bill amends current law relating to discrimination on the basis of hair texture or protective hairstyle associated with race.

PROTECTIONS FOR PREGNANT AND PARENTING STUDENTS

SB 412 – Paxton – By improving student and faculty awareness of pregnant and parenting college students' rights, this bill seeks to ensure that these students receive the accommodations and protections to which they are entitled to eliminate unnecessary and illegal barriers to these students' college education, and in turn empower pregnant and parenting college students to stay in school and finish their degrees. Pregnant or parenting students must be provided access to lecture recordings and instructional materials for classes excused under this bill if those materials are made available to any other students who have an excused absence. The required policy must include the appropriate point of contact for exercising each of the rights and accommodations that students are entitled to under this act.

POST-SECONDARY EDUCATION AND CAREER OPPORTUNITIES

HB 2920 – Paul – Seeks to provide prospective students with more transparent expectations of the costs of higher education. Specifically, this bill will require the Texas Higher Education Coordinating Board (THECB) to prepare information comparing institutions of higher education and programs and post it on the Texas Education Agency website. The information will include:

- Total cost of attendance;
- Median student loan debt;
- Typical debt to-income ratio for alumni; and
- Completion rates, transfer rates, and withdrawal rates.

STUDENTS WITH AUTISM SPECTRUM DISORDER

SB 55 – Zaffirini – Requires the Texas Higher Education Coordinating Board to conduct a study and submit a report regarding best practices for assisting students with ASD. The data obtained would provide a clearer picture on the successes and failures of institutions of higher education in Texas in serving this population and could inform new programs, services, or specialized curricula that could greatly improve the academic and post-graduation prospects of students with ASD.

MENTAL HEALTH SERVICES INFORMATION & MENTAL HEALTH PROFESSIONAL LOANS

SB 532 – West – Information to entering students must include a campus map identifying the location of mental health services and information on how to access such services. Any tour of campus during orientation must identify at least one location described above. The bill also requires a certain mental health professionals to be eligible to receive repayment assistance under Subchapter K (Repayment of Certain Mental Health Professional Education Loans), to meet certain requirements, including having completed one, two, or three years of practice in a mental health professional shortage area designated by the Department of State Health Services.

STUDENTS CONFINED IN PENAL INSTITUTIONS

SB 526 – West – **VETOED by Governor** – Would have required prior approval from the THECB before an entity may offer a degree or certificate program to a person confined in a penal institution or required to reside in a facility

operated by or under contract with the Texas Civil Commitment Office if enrollment in the program would make the person eligible to receive a Pell Grant.

PRECLUDES PRIVATE UNIVERSITIES TO CHARGE A SALES AND USE TAX FOR AN ACADEMIC TRANSCRIPT

SB 65 – Zaffirini – Exempt a transaction for an academic transcript at a private university from the sale tax. This change would ensure that students and graduates from all universities are treated equally when requesting their transcripts.

FINANCIAL AID/SCHOLARSHIP ASSISTANCE/LOAN REPAYMENT

LOAN REPAYMENT PROGRAMS TO INCLUDE LSSPs

HB 1211 – Guillen – Expands eligibility for mental health professional education loan repayment programs to include Licensed Specialists in School Psychology (LSSP). This would provide much-needed financial aid to LSSPs and encourage more mental health professionals to serve in schools.

TEXAS LEADERSHIP SCHOLARS PROGRAM

HB 1590 – Burns – Amends the Education Code to establish the Texas Leadership Scholars Program to serve as a merit-based scholarship and leadership opportunity program for high-achieving, emerging leaders with financial need administered by THECB. The bill requires THECB, using money appropriated or otherwise available for the purpose, to award scholarships and provide academic achievement support and leadership development to eligible students under the program.

STUDENT LOAN REPAYMENT ASSISTANCE FOR CERTAIN MENTAL HEALTH PROFESSIONALS

HB 2100 – Price – Amends the Education Code to extend the eligibility for education loan repayment assistance from the Texas Higher Education Coordinating Board currently available for certain early-career mental health professionals practicing in a designated mental health professional shortage area to equivalent early-career mental health professionals providing mental health services to patients in a state hospital or to individuals receiving community-based mental health services from a local mental health authority. The bill's provisions apply only to a person who first establishes eligibility for loan repayment assistance on the basis of an application submitted on or after September 1, 2023.

TEXAS COMPETENCY-BASED EDUCATION GRANT PROGRAM

HB 4005 – Raney – Amends current law relating to the establishment of the Texas Competency-Based Education Grant Program for certain students enrolled in competency-based baccalaureate degree programs and to formula funding and dropped and repeated course restrictions for students enrolled in those degree programs at public institutions of higher education. This grant will be available to eligible students who attend a private or public institution of higher learning that offers competency-based degree programs and be administered by the Texas Higher Education Coordinating Board.

FUTURE TEXAS TEACHERS SCHOLARSHIP PROGRAM

HB 4363 – Kuempel – Establishes a scholarship program to recruit, prepare, and retain a talented and diverse workforce of career teachers to be leaders in their field and to provide assistance for costs of attendance at eligible institutions.

TEXAS FIRST EARLY HIGH SCHOOL COMPLETION PROGRAM AND TEXAS FIRST SCHOLARSHIP PROGRAM

SB 2294 – Creighton – Expands eligibility of Texas First programs to more institutions of higher education. The legislation removes the research university designation eligibility requirements for institutions as required in the 87th legislative session, and now includes any public technical institute, public junior college, public senior college or university, medical or dental unit, public state college or other agency of higher education. Also requires school districts and charter schools to permit a student to graduate with a Texas First high school diploma if all eligibility requirements are met.

ARMED SERVICES SCHOLARSHIP PROGRAM

SB 371 – Eckhart – Currently, a student must complete four years of ROTC training to be eligible for the Texas Armed Services Scholarship. However, this four-year requirement either excludes students who need fewer than four years to graduate or forces those students to stay in school longer than necessary. S.B. 371 addresses this overly rigid eligibility requirement in order to allow more students to benefit from the scholarship program. The bill also requires the Texas Higher Education Coordinating Board to provide information on the minimum and recommended ROTC service requirements for each entity with which a scholarship recipient may choose to serve after graduating under the scholarship program.

LONE STAR WORKFORCE OF THE FUTURE FUND

HB 1755 – Button – Seeks to help fill the demand for a skilled workforce in Texas and provide Texans with the opportunity to be trained and equipped with the skills necessary to obtain sustaining, full-time employment by establishing the Lone Star Workforce of the Future Fund and a grant program to fund workforce training programs.

LAW ENFORCEMENT

SEARCH WARRANTS FOR ELECTRONIC EVIDENCE

HB 4906 – Hefner – Allows university police officers to apply for or be issued a search warrant for the collection of certain electronic evidence, including evidence relating to social media accounts, direct messaging, and text records.

TERRORIST OFFENDER REGISTRY

SB 1518 – King – Creates a terrorist offender registry to identify those who have proven to be threats to public and national safety. Following completion of their prison sentence for the commission of a reportable offense, S.B. 1518 requires convicted terrorists to register with Texas law enforcement for placement on the registry if they reside in or plan to move to Texas. The legislation operates similarly to state sex offender registration laws, with certain exceptions.

TCOLE CERTIFICATION REQUIRED TO PROVIDE ACTIVE SHOOTER TRAINING

SB 999 – West – To ensure that any person who receives active shooter training in Texas is receiving a state-approved curriculum, S.B. 999 seeks to require all individuals and legal entities providing active shooter training to students or employees at a public school or public institution of higher education to possess a TCOLE certification.

PROSECUTION FOR POSSESSING A WEAPON IN PROHIBITED PLACES ASSOCIATED WITH SCHOOLS OR POSTSECONDARY EDUCATIONAL INSTITUTIONS

HB 1760 – Hefner – Amends current law relating to the prosecution of the offense of possessing a weapon in certain prohibited places associated with schools or postsecondary educational institutions. This bill clarifies that in order for a location to be considered part of the school, the building or premises must be owned by or under the control of the school or institution of higher education.

GRANT PROGRAM TO HELP LAW ENFORCEMENT AGENCIES ATTAIN ACCREDITATION

SB 267 – King – Creates a grant program to provide financial assistance to smaller law enforcement agencies in Texas for certain accreditation purposes.

CAMPUS/BUSINESS OPERATIONS

CONTRACTS AND EXPERIENCE MODIFIERS

HB 679 – Shaheen – Relating to limitations on the use of workers' compensation insurance experience modifier values in soliciting and awarding public construction contracts. Prohibits the use of experience modifiers in construction offer to contract, contract solicitation, contract, or agreement collateral to or affecting a contract.

EXEMPTING CERTAIN CONTRACTS FROM NOTICE REQUIREMENTS

HB 3013 – Slawson – The bill amends the Government Code to exempt a contract for services necessary to respond to a natural disaster from certain procurement notice requirements applicable to a procurement in an amount that exceeds \$20 million. The bill applies only to a contract for which a state agency first advertises or otherwise solicits bids, proposals, offers, or qualifications on or after the bill's effective date.

SALE OF PERSONAL DATA

SB 821 – Nichols – The bill requires the Sunset Advisory Commission to evaluate whether a state agency sells personal data, to whom it is sold, the purpose for which it is sold, the dollar amount the agency receives for the sale, and the statute that authorizes the agency to sell the data. The Sunset Advisory Commission would then recommend prohibiting the practice unless the commission identifies a compelling state interest justifying the sale.

PROHIBITED TICKET SALES

SB 1639 – Zaffirini – S.B. 1639 amends the Business & Commerce Code to prohibit a person from using or creating a bot to do the following:

- Purchase tickets in excess of posted limits for an online ticket sale;
- Use multiple Internet Protocol (IP) addresses, multiple purchaser accounts, or multiple email addresses to purchase tickets in excess of posted limits for an online ticket sale;
- Circumvent or disable an electronic queue, waiting period, presale code, or other sales volume limitation system associated with an online ticket sale; or
- Circumvent or disable a security measure, access control system, or other control or measure that is used to facilitate authorized entry to an event.

AUDIT/COMPLIANCE

REPORTING OF CERTAIN INFORMATION RE: APPROPRIATIONS, AUDITS, CONSULTANTS

HB 4510 – Smithee – Seeks to allow comptroller staff additional time to compile the ACFR by moving the submission deadline for most state agencies to November 1 for unaudited reports or to December 15 for audited reports, while retaining the current November 20 deadline for public institutions of higher education.

CONFIDENTIALITY OF PERSONS MAKING COMPLIANCE REPORTS AT IHEs

SB 336 – Zaffirini – Currently, public institutions of higher education are required to maintain the anonymity of employees who make compliance reports or participate in compliance investigations. This protection, however, does not extend to agents or contractors acting on the institution's behalf. SB 336 seeks to ensure that the identity of all persons acting on behalf of such an institution are kept confidential as part of the institution's compliance program, which would encourage more reporting of compliance issues.

LEGAL

DISPLAY OF NATIONAL MOTTO IN PUBLIC SCHOOLS AND INSTITUTIONS OF HIGHER EDUCATION

HB 2012 – Oliverson – Expands the Education Code to allow a faculty member at a public school or institution of higher education to display in the classroom a copy of the national motto (“In God We Trust”) that meets accompanying statutory requirements.

PUBLIC INFORMATION LAW

HB 3033 – Landgraf – Amends/Adds to public information law under Govt. Code Ch. 522.

HUMAN TRAFFICKING & EXPLOITATION

HB 3553 – Landgraf – The bill seeks to deter human trafficking and exploitation on college campuses and align those offenses with protections of applicable Penal Code provisions established by the 87th Legislature by enhancing the penalty from a second degree felony to a first degree felony for the offense involving trafficking of a person on the premises of or within 1,000 feet of a public, private, or independent institution of higher education.

ACADEMIC BOYCOTTS

SB 1517 – Paul – Seeks to extend the concept to college campuses by prohibiting certain academic boycotts of foreign countries by public institutions of higher education. The bill would, however, allow for academic boycotts if the target of the boycott is included by the U.S. Department of State on a list of state sponsors of terrorism.

TECHNOLOGY

ESPIONAGE, IP THEFT, AND RESEARCH

SB 1565 – Hughes – Relating to policy frameworks for research security established by public institutions of higher education.

SB 1565 amends the Education Code to require the governing board of each public institution of higher education to establish a policy framework that promotes secure academic research at the institution while mitigating the risk

of foreign espionage and interference. The bill requires the governing board of a university system to establish a separate policy framework for each institution under the governing board's management and control.

SB 1565 requires the policy framework to address the following:

- Achieving the highest level of compliance with applicable ethical, legal, regulatory, contractual, and system standards and requirements for securing and protecting the institution's research portfolios;
- Promoting within the institution an organizational culture of compliance with federal requirements to ensure the institution maintains eligibility for federal funding; and
- Designating a person to serve as a research security officer responsible for maintaining classified information, maintaining controlled unclassified information, conducting foreign influence reporting, and addressing other issues at the institution associated with the goals of the policy framework.

The bill authorizes the governing board of a university system to designate a person to serve as a research security officer in an institutional or system-wide capacity and requires a person designated to serve as a research security officer to attend the annual academic security and counter exploitation program seminar offered by Texas A&M University.

BANNING OF TIK-TOK

SB 1893 – Birdwell – Establishes a formal state policy on the use of social media services and applications such as TikTok that pose potential security risks to the state by requiring all state agencies to adopt policies prohibiting the use of certain services and applications identified as posing such potential security risks on any devices owned or leased by the agency, with certain authorized exceptions, including for law enforcement purpose.

DIGITAL COURSE MATERIALS PILOT PROGRAM

HB 2177 – Stucky – Seeks to provide for the establishment of a pilot program to award grants for the purpose of providing financial assistance to eligible students for the cost of accessing digital course materials defined by the bill as a digital textbook, supplemental material, or open educational resource.

STATE INFORMATION TECHNOLOGY CREDENTIAL

HB 584 – Capriglione – Directs the Texas Higher Education Coordinating Board to approve an information technology credential program for state agencies, which includes a one-year apprenticeship. What's more, it requires the Department of Information Resources to update its career ladder program to allow this credential and an associate degree to be substituted for a four-year degree and directs the State Auditor to review and revise job descriptions accordingly. These changes would help address workforce shortages in state information resources. H.B. 584 amends current law relating to the development of a state information technology credential offered by public junior colleges or public technical institutes to address shortages in the state information resources workforce.

TEMPORARY CERTIFICATION TO TEACH CAREER AND TECHNOLOGY EDUCATION

HB 621 – Shaheen - Amends current law relating to creating a temporary educator certification for certain military service members and first responders.

REPORTING TO DIR

SB 271 – Johnson – Requires a state agency or local government that owns, licenses, or maintains computerized data that includes sensitive personal information, confidential information, or information the disclosure of which is regulated by law, in the event of a security incident, rather than breach or suspected breach of system security or an unauthorized exposure of that information to report to DIR in the same manner as state agencies.

ACCOUNTING

PUBLIC ACCOUNTANCY

HB 2217 – Button – The structure of the required examination for state certification in public accountancy has changed significantly since the Public Accountancy Act was last amended. Certain sections of the current law reflect outdated methods of examination and communication and contain language that limits the ability of the Texas State Board of Public Accountancy to efficiently oversee licensed and prospective accountants. H.B. 2217 seeks to address these issues by updating language in the Public Accountancy Act to reflect current practices and provide needed clarifications.

CPA CERTIFICATE AND EXAM

SB 159 – Perry – This bill decreases from 150 to 120 the minimum number of semester hours or quarter-hour equivalents in courses recognized by the Texas State Board of Public Accountancy (TSBPA) that an applicant for the uniform CPA examination who satisfies other existing education requirements must complete to be eligible to take the examination.

ATHLETICS

NAME, IMAGE, LIKENESS

HB 2804 – Kuempel – This bill makes several updates to the Name, Image, & Likeness statute passed last session. It allows student-athletes to use IP/other property owned by the institution under their NIL contracts if the institution grants permission, and use of a facility, trademark, etc. may only be authorized with compliance of institution-required parameters. Institutions will now be permitted to identify, create, facilitate, or assist enrolled students with NIL opportunities under certain conditions, and the role of third-party entities (e.g. “collectives”) is clarified. The bill also updates the financial literacy/life skills program to be required only for first year students, not first and third year; makes private any information written/produced/maintained by an institution related to a student athletes NIL contract; and prohibits an athletic association or conference from penalizing institutions that allow or participate in NIL-related activities authorized by the statute.

ATHLETIC TRAINER LICENSE/REGULATION OF ATHLETIC TRAINERS

HB 2495 – Price – Amends current law relating to the requirements to obtain or renew an athletic trainer license.

HB 2512 – Morrison – Seeks to allow greater access to an athletic trainer's services under such supervision and increase employment opportunities for athletic trainers by revising the definitions of "athletic training" and "athletic injury" to reflect the current language included in the domains of athletic training education and practice.

TRANSGENDER COLLEGE ATHLETES

SB 15 – Middleton – Relating to requiring public institution of higher education students who compete in intercollegiate athletic competitions to compete based on biological sex.

SB 15 requires that students participating in an intercollegiate athletic competition sponsored or authorized by a higher education institution do so based on their biological sex, as correctly stated on their birth certificate at or near their time of birth. The bill allows a female student to compete in an intercollegiate competition designated for male students if a corresponding team/competition for female students was not offered or available. SB 15 prohibits males from competing on a mixed-sex intercollegiate athletic competition sponsored or authorized by the institution in a position that is designated for female students. This bill does not apply to intramural sports.

TEXAS HISTORY

TEXAS HISTORY COURSE ACCESS

SB 427 – Kolkhorst – This requires any college or university receiving state support or state aid from public funds to provide access to a Texas History course. If the college or university does not offer at least three semester credit hours or the equivalent in Texas History to their undergraduate students, they are required to enter into an agreement with another institution to provide their students access to such a Texas History course.

NEW ADDITION TO UT SYSTEM

NEW ADDITION TO UT SYSTEM - STEPHEN F AUSTIN

SB 1055 – Nichols – Relating to the creation of new university in Nacogdoches, Texas, within the University of Texas System; abolishing Stephen F. Austin State University.

The bill moves Stephen F. Austin State University (SFA) into The University of Texas System. The bill dissolves SFA as a stand-alone university and recreates it within the UT System. SFA will retain its name and will be known as Stephen F. Austin State University, a member of The University of Texas System. This bill allows for flexibility during the transition period, giving discretion to the UT System board. The bill also sets out additional provisions relating to the transition, the admission and credit transfer of students, and the employment of tenured and tenure-track faculty.

COMMUNITY COLLEGES

COMMUNITY COLLEGE OUTCOMES-BASED FUNDING

HB 8 – Van Deaver – Relating to public higher education, including the public junior college state finance program. HB 8 revises the funding system for how community colleges will be funded. They will be on a two-tier level of funding with the base tier providing some state and local funding to ensure each CC has access to a defined level of base funding for I&O and a performance tier of state funding that is distributed based on measurable outcomes aligned with regional and state workforce needs and state goals. The bill also provides for the establishment of the financial aid for swift transfer (FAST) program for students to enroll in dual credit courses at no cost to the student.

PUBLIC SCHOOL SAFETY

HB 3 – Burrows – Seeks to provide schools in Texas with a new standard of emergency preparedness and response while also ensuring adequate state funding is provided to school districts through the school safety allotment to ensure that schools are able to be defended and new emergency operation standards can be implemented. The bill also provides for routine school safety audits to ensure that the updated standards are being followed and schools are better prepared for any future emergency events.

SCHOLARSHIPS FOR EARLY CHILDHOOD EDUCATION STUDENTS

HB 1615 – Button – Requires the Texas Workforce Commission (TWC) to formally establish and administer a prekindergarten partnership program to assist eligible private child-care providers in partnership with local school districts and open-enrollment charter schools. While these partnerships are currently authorized, there is limited information on the programs due to the lack of a streamlined process. The bill also codifies a professional development scholarship program for current and prospective child-care workers. The program gives scholarships for child development associate credentials or associate's/bachelor's degrees in early childhood education or related fields. Lastly, the bill adds the child-care workforce to the list of required representation on local workforce development boards.

OPEN ENROLLMENT CHARTER SCHOOLS

HB 1707 – Klick – Ensures that open-enrollment charter schools and school districts are treated in the same manner when it comes to certain aspects of local government such as zoning, permitting, code compliance, and other local ordinances.

VISITING PROFESSIONAL WORKPLACE FOR CAREER DAY CONSTITUES EXCUSED ABSENCE

SB 68 – Zaffirini – Amends current law relating to excused absences from public school for certain students to visit a professional's workplace for a career investigation day.

REGULATION OF LIBRARY MATERIALS IN PUBLIC SCHOOL LIBRARIES

HB 900 – Patterson – The Restricting Explicit and Adult-Designated Educational Resources Act, or READER Act, provides procedures for rating school library materials to identify content that is sexually relevant or sexually explicit, as well as establishes state standards for school libraries. In doing so, the READER Act provides Texas public school students and their families with increased transparency regarding library materials and increased parental control over the types of content their children may access at school.

CONCUSSION OVERSIGHT TEAM

HB 1002 – Price – Amends current law relating to the membership of a public school concussion oversight team and the removal of a public school student from an interscholastic athletic activity on the basis of a suspected concussion. It provides for the inclusion of a licensed chiropractor or physical therapist on a concussion oversight team and expands the list of persons with authority to remove a student from practice or competition following a concussion.

UIL

HB 699 – Frank – Relating to determining the student enrollment of a public school that allows non-enrolled students to participate in UIL activities for purposes of assigning a University Interscholastic League classification. H.B. 699 seeks to prevent discouragement of home-schooled student participation in UIL activities by requiring UIL, for classification purposes, to calculate student enrollment using the same formula regardless of whether a school allows homeschooled students to participate in UIL activities.

CONTINUING EDUCATION & TRAINING REQUIREMENTS FOR TEACHERS & PUBLIC-SCHOOL COUNSELORS

HB 2929 – Lozano – Adds Subsection (d-2) to Section 21.054, providing that "training in a topic of instruction described by Subsection (d) attended by a classroom teacher in excess of an amount of hours equal to 25 percent of the training required of the teacher every five years shall be counted toward the teacher's overall training requirements." This change will ensure that classroom teachers who choose to do so may count more than 25 percent of the hours of professional learning they receive in the mandatory CPE topics toward their total CPE hours if they so desire. H.B. 2929 amends Section 21.054(f) to provide that "at least" 25 percent of the total number of CPE hours required for counselors must include certain listed topics (those listed in current law). This removes the limit on how many hours in the required topics can count toward counselors' overall training requirements.

HEALTHCARE OR HEALTH-RELATED ISSUES

POSTPARTUM MEDICAID COVERAGE

HB 12 – Rose – Expanded postpartum Medicaid coverage for low-income Texans for 12 months. The bill requires the Health and Human Services Commission (HHSC) to continue Medicaid coverage to women enrolled during a pregnancy for 12 months, beginning the last day of the woman's pregnancy.

PROHIBITING MASK AND VACCINE MANDATES AND PROHIBITING CLOSURES OF BUSINESSES/SCHOOLS

SB 29 – Birdwell – Amends the Health and Safety Code to prohibit the state, a local government entity, an open-enrollment charter school, or an agency of the state or a local government entity from implementing, ordering, or otherwise imposing any of the following mandates to prevent the spread of COVID-19:

- A mandate requiring a person to wear a mask or other face covering;
- A mandate requiring a person to be vaccinated against COVID-19, to the extent that the prohibition does not conflict with the final rule adopted by the federal Centers for Medicare and Medicaid Services (CMS) and published at 86 Fed. Reg. 61555 (November 5, 2021); or
- A mandate requiring the closure of a private business, public or private school, or open-enrollment charter school.

COUNCIL FOR INTELLECTUAL AND DEVELOPMENTAL DISABILITY

HB 729 – Rose – **VETOED by Governor** – Would have established a council to ensure a strategic statewide approach to IDD services. For a person with an intellectual or developmental disability—or their family—navigating the services offered by the state for persons with intellectual and developmental disabilities is exceedingly challenging. From navigating the complex nature of Medicaid waiver programs, to understanding long-term care issues, little is simple for those with IDDs and their families. A statewide IDD coordinating council would ensure that persons with

IDDs and their families are served in a strategic, holistic manner to help those persons and their families understand all services available.

SOCIAL ISSUES

REGULATION OF SEXUALLY ORIENTED PERFORMANCES

SB 12 – Hughes – Amends the Local Government Code to authorize a municipality or county to regulate sexually oriented performances as the municipality or county considers necessary to promote the public health, safety, or welfare, but prohibits a municipality or county from authorizing a sexually oriented performance on public property or in the presence of an individual younger than 18 years of age. Legislation also amends the Health and Safety Code to prohibit a person who controls the premises of a commercial enterprise from allowing a sexually oriented performance to be presented on the premises in the presence of an individual younger than 18 years of age. The bill makes a person who violates this prohibition liable to the state for a civil penalty in an amount capped at \$10,000 for each violation.



MENTAL HEALTH

HB 400 – Klick – Relating to innovation grant programs to support residency training programs in psychiatric specialty fields and recruitment, training, and retention programs in behavioral health fields.

The bill requires THECB to establish an innovation grant program under which the board awards incentive payments to medical schools that administer innovative residency training programs designed to increase the number of physicians in this state who specialize in pediatric or adult psychiatric care. THECB is required to prioritize grants (each up to \$1 million) to medical schools with innovative residency programs based in rural or underserved areas.

The bill also requires THECB to establish an innovation grant program under which the board awards incentive payments of up to \$1 million to institutions of higher education that administer innovative recruitment, training, and retention programs designed to increase the number of mental health professionals.

SB 26 – Kolkhorst – Relating to local mental health authority and local behavioral health authority audits and mental and behavioral health reporting, services, and programs. The bill seeks to expand mental health capacity, especially for children and adolescents, through the creation of an innovation matching grant program for mental health early intervention and treatment. The bill also directs a structured methodology for transitioning patients out of state hospitals. The bill further seeks to increase transparency and accountability for the Texas community-based mental and behavioral health systems by providing for the submission of regular performance and financial audits and to increase data reporting related to the populations they serve.

SB 850 – Blanco – Relating to the Texas Child Mental Health Care Consortium. The Consortium was established to address urgent mental health challenges throughout the state by leveraging the expertise and capacity of mental health-related institutions. Under current law, membership on the TCMHCC includes 13 universities, the Health and Human Services Commission, the Texas Higher Education Coordinating Board, three mental health-related nonprofits, and any other entity deemed necessary by the consortium's executive committee. However, a permanent seat for an educational service center does not exist. SB 850 will add a representative from an education service center whose region encompasses mostly rural school districts to the consortium's composition to serve as the direct link between local mental health needs and access to appropriate mental health care. The bill would establish a two-year term limit for the rural ESC representative.

GENDER MODIFICATION

SB 14 – Campbell – Relating to prohibitions on the provision to certain children of procedures and treatments for gender transitioning, gender reassignment, or gender dysphoria and on the use of public money or public assistance to provide those procedures and treatments.

The bill bans gender modification and certain related treatments for children. This legislation prohibits physicians and other health care providers from performing procedures and providing treatments for gender transitioning, gender reassignment, or gender dysphoria for children.

TELEMEDICINE

HB 617 – Darby – Relating to a pilot project to provide emergency telemedicine medical services and telehealth services in rural areas. The bill directs the Commission on State Emergency Communications (CSEC) and the Texas Tech University Health Services Center (center) to implement a strategic telemedicine and telehealth network in rural areas of Texas. The center should enroll interested and qualifying trauma facilities and emergency medical services providers into the telemedicine and telehealth network. The network will help bring patients and physicians together more quickly.

HB 2727 – Price – Relating to the provision of home telemonitoring services under Medicaid. The bill seeks to provide for telemonitoring services under Medicaid for certain high-risk pregnancies and certain other diagnosed medical conditions. HB 2727 amends the Government Code to change the determination that triggers the requirement for HHSC to establish a statewide program that permits Medicaid reimbursement for home telemonitoring services for persons with certain medical conditions from a determination that the program is cost-effective and feasible to a determination that the program is clinically effective.

MEDICATIONS

HB 25 – Talarico – Relating to wholesale importation of prescription drugs in this state; authorizing a fee. The bill creates a Wholesale Prescription Drug Importation Program in Texas, requiring the Texas State Board of Pharmacy to work with state drug wholesalers to import safe, eligible prescription drugs from Canada. Texas will have to obtain federal approval from the FDA by submitting a proposal that proves the program would generate significant cost savings for consumers and not pose additional risks to health and safety.

HB 1647 – Harris – Relating to health benefit plan coverage of clinician-administered drugs. The bill seeks to protect patient choice and safety, and the patient-physician relationship, by prohibiting issuers of certain health plans from imposing certain limitations relating to coverage of clinician-administered drugs under certain circumstances for patients with chronic, complex, rare, and life-threatening medical conditions. The goal is to address concerns about "whitebagging," the practice of delivering drugs, typically infusion drugs, from a pharmacy, physician's office, or other site of service where a provider can administer the drugs to the patient.

HB 4990 – Bonnen – Relating to the Texas Pharmaceutical Initiative and a governing board and advisory council for the initiative. The bill creates a board to govern the Initiative and an Advisory Council to advise the board, and establishes the Texas Pharmaceutical Initiative to provide cost-effective access to prescription drugs and other medical supplies for:

- (1) Employees, dependents, and retirees of public higher education systems and institutions;
- (2) Employees Retirement System of Texas members;
- (3) Teacher Retirement System of Texas members;

- (4) Persons confined by the Texas Department of Criminal Justice or the Texas Juvenile Justice Department;
and
- (5) Individuals served by a program operated or administered by the health and human services system.

SB 629 – Menendez – Requires the commissioner of State Health Services (commissioner) to establish an advisory committee to examine and review the administration of epinephrine auto-injectors to a person experiencing an anaphylactic reaction, and opioid antagonists to a person experiencing an apparent opioid-related drug overdose, on a campus of a school district, an open-enrollment charter school, a private school, or institution of higher education. It also permits school personnel and school volunteers to administer opioid antagonists if they are trained to do so, both on and off-campus.

SB 867 – West – Relating to the recipients of opioid antagonists under the opioid antagonist program. The bill adds institutions of higher education to the list of institutions and individuals likely to be in a position to respond to an opioid overdose, and thus allowed to be provided opioid antagonists by the executive commissioner of the Health and Human Services Commission as part of the opioid antagonist program.

WOMEN'S HEALTH

HB 1575 – Hull – Relating to improving health outcomes for pregnant women under Medicaid and certain other public benefits programs. Amends the Government Code to add requirements that standardized assessment questions be adopted to screen for, identify, and aggregate data regarding the nonmedical health-related needs of pregnant women eligible for benefits under a public benefits program administered by HHSC or another health and human services agency including Medicaid and the “Alternatives to Abortion” program.

HB 3058 – Johnson – Relating to the provision of certain medical treatment to a pregnant woman by a physician or health care provider. The intent of this bill is to ensure that pregnant women who are experiencing complications receive the medical treatment they need in a timely manner. The bill seeks to clarify that if a physician performs a medically necessary service for a patient with whom the physician has a physician-patient relationship and for which the patient has given informed consent in compliance with current state law, the physician may not be held liable solely for performing the service.

VETERAN CARE

HB 1457 – Rosenthal – Relating to required military informed care or military cultural competency training for certain personnel of entities that provide mental health services to veterans or veterans' families before award of a state agency grant. The bill seeks to ensure that entities receiving grants to provide mental health services for veterans or veterans' families have proper training in this regard. HB 1457 amends current law relating to required military informed care or military cultural competency training for certain personnel of entities that provide mental health services to veterans or veterans' families before award of a state agency grant.

PATIENT PROTECTIONS

HB 1649 – Button – Relating to health benefit coverage for certain fertility preservation services and notice regarding certain risks of impaired fertility. The bill seeks to provide cancer patients with increased access to life-altering fertility preservation services by requiring certain health benefit plans to provide coverage for these services to a covered individual who will receive certain medically necessary treatments and requires notification by health care facilities prior to administering chemotherapy or radiation to a child that may cause impaired fertility to the patient's parents or legal guardians.

HB 2545 – Capriglione – Relating to an individual's genetic data, including the use of that data by certain genetic testing companies for commercial purposes and the individual's property right in DNA; authorizing a civil penalty. Although of interest to HRIs, the bill does not apply to IHEs.

HB 3162 – Klick – Relating to advance directives, do-not-resuscitate orders, and health care treatment decisions made by or on behalf of certain patients, including a review of directives and decisions.

According to the author, the bill seeks to address the shortcomings of existing law and improve protections for patients, medical professionals, and medical facilities. This legislation requires physicians to perform certain procedures to facilitate a patient's transfer to another physician or health care facility, sets out requirements for ethics or medical committees that review a physician's refusal to honor an advance directive or health care or treatment decision, extends the duration of notice provided to a patient's medical decision-makers of such a meeting, extends the period during which all avenues of transfer may be explored if the committee decides to override and withdraw life-sustaining treatment, prohibits disabilities from being considered by the ethics or medical committee, creates a reporting mechanism at the Health and Human Services Commission for data collection, prohibits a patient's wishes regarding do-not-resuscitate (DNR) orders from being overridden by other medical decision-makers, and removes a duplicative notice requirement for medical decision-makers of DNR orders.

HB 3414 – Oliverson – Relating to the statewide all payor claims database. The All Payor Claims Database (APCD) is a database of health care claims files created by the 87th Legislature. All "payers" (mostly insurance companies) that are subject to Texas law must submit claims forms to the database. HB 3414 allows access to the data, specifies how entities qualify to access the data and includes what data is shareable in its aggregated form. The bill also includes higher education health insurance plans and includes a higher education spot on the advisory board.

SB 490 – Hughes – Relating to itemized billing for health care services and supplies provided by health care providers. The bill requires that a medical provider sends an itemized bill prior to attempting to collect any money from the patient. If the provider is not attempting to collect any money from the patient, the provider is not required to send the itemized bill; the medical bill must include an itemized list of each medical service provided, the amount the provider will accept as payment in full for that service, and a plain language description of the service.

SB 2105 – Johnson – Relating to the registration of and certain other requirements relating to data brokers; providing a civil penalty and authorizing a fee. The bill seeks to create a comprehensive framework to regulate data brokers and empower Texans to control the collection and sale of their personal information to these entities.

WILLED BODY PROGRAMS

SB 2040 – Springer – Relating to the continuation and transfer of the regulation of willed body programs to the Texas Funeral Service Commission (from the State Anatomical Board), the regulation of willed body programs, non-transplant anatomical donation organizations, and anatomical facilities, and the creation of the State Anatomical Advisory Committee; requiring registration; authorizing fees; authorizing an administrative penalty. Willed body programs serve as a primary resource for institutions of higher education and other health professions by ensuring affordable access to cadavers, which are essential for teaching and training.

The bill addressed issues found in the Sunset Commission’s report after it had reviewed the State Anatomical Board, some of which centered on the emergence of new participants in the whole-body donation field that are commercial and sometimes for-profit in nature. These participants, known as non-transplant anatomical donation organizations (NADOs), are now doing the same or similar things in Texas as are the more traditional higher education body donation programs. However, outdated statutory language does not fully account for the existence of NADOs and as such the state cannot effectively oversee them. HB 2040 addresses these issues.

MEDICALLY NECESSARY COVERAGE

SB 989 – Huffman – Relating to health benefit plan coverage for certain biomarker testing. SB 989 amends the Insurance Code to include medically necessary coverage for biomarker testing of patients with cancer and other rare diseases. The bill establishes guidelines for health benefit plan issuers to provide coverage for biomarker testing when the test is supported by medical and scientific evidence and provides clinical utility, which means the use of the test for the condition is evidence-based, scientifically valid, outcome focused, and predominately addresses the acute issue for which the test is being ordered. The bill also requires plans to provide coverage in a manner that limits disruptions in care, including minimizing the number of biopsies and biospecimen samples needed. The provisions of this bill apply to certain health care plans offered across the state, including those offered by the Employees Retirement System and Teacher Retirement System.

IMMUNIZATION DISCRIMINATION

HB 44 – Swanson – Relating to provider discrimination against a Medicaid recipient or child health plan program enrollee based on immunization status.

The author of the bill cites testimony of concerned citizens that indicates some providers who accept Medicaid or CHIP have refused to treat children and their family members based on immunization status; HB 44 seeks to address this issue by prohibiting a Medicaid or CHIP provider from refusing to provide health care services to an individual based solely on the individual's refusal or failure to obtain certain immunizations or vaccines.

TEXAS MEDICAL BOARD

HB 1998 – Johnson – Relating to the regulation of physicians, the disciplinary authority of the Texas Medical Board, and the administration of the Texas Physician Health Program; increasing a criminal penalty; imposing a surcharge.

The bill establishes several requirements including:

- Texas Medical Board (TMB) to annually subscribe each licensee to the National Practitioner Data Bank's (NPDB) continuous query feature, and allowing TMB to set a new surcharge to cover the cost of these annual subscriptions;
- TMB to maintain publicly available physician profiles that would be updated with the information found in these queries regarding disciplinary action against the physician and the history of a physician's license in other states;
- TMB to submit a set of fingerprints of all licensees who do not have fingerprints on file to the Department of Public Safety for the purposes of a criminal background check;
- Elimination of the the \$1,200 annual participation fee for the Texas Physicians Health Program (TXPHP) paid by program participants and replace it with a \$15 surcharge due at the time of license issuance or registration permit renewal for all licensed physicians and physician's assistants; and
- Increase the penalty for making a false statement in a license application or under oath to obtain a medical license from a Class A misdemeanor to a felony if the intent is to defraud or harm another.

SICKLE CELL DISEASE

HB 1488 – Rose – Relating to sickle cell disease health care improvement and the sickle cell task force. The bill seeks to address current disparities in sickle cell disease awareness by requiring the Health and Human Services Commission to support initiatives that ensure Texas Medicaid managed care plans offer services that align with national standard and to use existing data to identify opportunities for improving healthcare outcomes for recipients under such plans. The bill includes the establishment of a sickle cell task force, the improvement of sickle cell disease education for healthcare providers and public-school personnel, and the inclusion of sickle cell disease education in medical school curriculums.

OTHER INSTITUTIONS

HB 1794 – Schaefer – Relating to funding for The University of Texas at Tyler 's school of pharmacy. The UT Tyler Fisch College of Pharmacy was founded in 2013 and has operated on a "private school model," relying on tuition and philanthropy to funds its operations. The Fisch College continues to be the only school of pharmacy at a Texas public institution of higher education that does not receive state formula funding; this changed on June 10 when the bill was signed into law and became effective immediately.

SB 1563 – Creighton – Relating to the eligibility of Sam Houston State University to receive formula funding for the Sam Houston State University College of Osteopathic Medicine. Makes SHSU-COM eligible for the funding granted through the health-related institution and operation formula.

SB 2123 – Hughes – Relating to the participation of the medical school at The University of Texas Health Science Center at Tyler in the Joint Admission Medical Program (JAMP). Thirteen other programs, including UTRGV's School of Medicine, are in the JAMP program. JAMP is a workforce pipeline program that assists highly qualified undergraduate students from low socioeconomic backgrounds with earning admission to medical school; participants who successfully meet rigorous program requirements are guaranteed admission to a participating Texas medical school.



OTHER LEGISLATION OF IMPORTANCE

BROADBAND INVESTMENT

HB 9 – Ashby – Allocates \$1.5 billion to the Texas Broadband Infrastructure Fund that is meant to expand internet availability in a state where 7 million people lack access to the service.

PROPERTY TAX ABATEMENT AGREEMENTS

HB 5 – Hunter – The bill seeks to create an innovative, transparent, and accountable economic development program to attract jobs and investment to Texas through school district property tax abatement agreements. HB 5 amends current law relating to agreements authorizing a limitation on taxable value of certain property to provide for the creation of jobs and the generation of state and local tax revenue, authorizes a fee, and authorizes penalties.

TEXAS POWER GRID (Finance & Incentives)

HB 1500 – Holland – The bill changed how companies that produce electricity can make money in the Texas market; the changes included creation of financial tools based on how much and when a company can make power available. Requirements for new producers are imposed that will obligate a set amount of power at defined times of high demand, and establishing an allowance for new transmission lines.

SB 2627 – Schwertner – The bill creates a completion bonus and zero interest loan for new dispatchable generation resources directly targeted at "steel in the ground." It also provides low-interest loans for existing dispatchable generators as a mechanism for generators to access capital needed to maintain and make necessary improvements to existing generation resources.

CONSUMER DATA PROTECTION

HB 4 – Capriglione – The bill seeks to establish comprehensive regulations for the collection, use, processing, and treatment of consumers' personal data by certain business entities by enacting the Texas Data Privacy and Security Act, which aims to maximize both the utility of the rights provided to consumers and interoperability with other states to minimize compliance costs for businesses.

PROTECTING MINORS ON DIGITAL PLATFORMS

HB 18 – Slawson – Requiring digital service providers to register the age of all users and establishes rules for digital service providers regarding their duties relating to known minors, including the duty to prevent harm, create parental tools, and prevent certain targeted advertising.

WATER INFRASTRUCTURE INVESTMENT

SB 28 – Perry – Earmarks \$1 billion to upgrade Texas’ failing water infrastructure and jumpstart massive water supply projects.

PREEMPTION OF LOCAL REGULATIONS

HB 2127 – Burrows – This legislation bars cities and counties from issuing local ordinances that go further than what’s already allowed under areas of state law, including labor, agriculture, natural resources, and finance codes.

COLA FOR RETIRED TEACHERS

SB 10 – Huffman – This legislation provides for certain benefit enhancements for eligible annuitants of the Teacher Retirement System of Texas (TRS) at a cost of nearly \$5 billion to the state.

FAILED

HIGH PROFILE LEGISLATION THAT DID NOT PASS

- Critical Race Theory prohibition in higher education –
- Property Tax Reform (special session called)
- Raising the Age to purchase semi-automatic rifles
- Authorizing Casino Gambling in Texas
- Legalizing online sports betting
- Electric grid reform & fix
- Creation of the Mental Health and Brain Research Institute of Texas
- Restriction of foreign land ownership
- Public School Vouchers (likely to be part of a special session)
- Border Security Funding and creating a border security unit
- Daylight Savings time
- Raising minimum sentencing for gun crimes
- Educators pay raises and Educator Prep funding (likely will be in a special session)
- Establishment of the Texas Center for Rural Health Education at The University of Texas Rio Grande Valley
- Establishment of a law school in the Rio Grande Valley

VETOED BILLS

HB 181 - Establishes a Sickle Cell Disease Registry, which would have kept "accurate, complete records of cases of sickle cell disease to aid in the cure and treatment of sickle cell disease."

HB 279 - Broadens the scope of current human trafficking laws to include protections for disabled individuals.

HB 558 - Limits the governor's powers to use executive orders, proclamations, or regulations to restrict the operations of an organization that benefits veterans during a state of emergency.

HB 729 - Establishes a statewide Intellectual and Developmental Disability Coordinating Council composed of members of various state agencies, university programs and more. The council would develop and implement recurring five-year strategic plans to provide resources to Texans.

HB 1466 - Limits the Texas Education Agency commissioner from adopting a rule excluding training certificates that are applicable to relevant licenses.

HB 2138 - Creates an exemption to allow nonprofit wildlife conservation groups to sell raffle tickets online.

HB 2416 - Creates a Gulf Coast Protection Account consisting of gifts, donations and grants both federal and local that would be used for the protection of the Gulf Coast.

HB 2629 - Makes minor adjustments to the language of a section of the Election Code regarding campaign spending reports.

HB 2879 - Allows for a provision in contracts for property improvements that allow the contract to become void if it requires the contractors to be brought outside the state.

HB 2956 - Allows municipalities to annex areas adjacent to railway right of ways.

HB 3159 - Creates an accessible absentee mail system for people eligible to early vote by mail. It's designed to help those with disabilities vote.

HB 3436 - Addresses the transfer of property between the Texas Military Department and Palo Pinto County Livestock Association.

HB 4106 - Addresses procedures for Texans to file complaints before the Public Utility Commission of Texas.

HB 4128 - Allows associate judges to oversee and monitor guardianship and protective services proceedings.

HB 4158 - Requires the chief appraiser in each appraisal district to determine the number of residences in each school district subject to tax increase limitations.

HB 4219 - Adjusts the maximum rate of interest on certain consumer loans.

HB 4759 - Creates harsher penalties for owners in dog attacks.

HB 4779 - Creates more penalties for organized retail theft.

HB 5332 - Addresses the creation of the Montgomery County Public Utility District No. 229.

HB 5358 - Addresses the creation of a Ranger Ridge Municipal Utility District in Palo Pinto County.

HB 5360 - Addresses the creation of the Deer Creek Ranch Municipal Utility District No. 1.

HB 5366 - Addresses the creation of the Grimes County Municipal Utility District No. 3.

SB 200 - Addresses the time period in which public universities must accept academic credits and when they can disregard them.

SB 247 - Adjusts the transport codes regarding honorary consulates.

SB 261 - Addresses the titling and registration of trailers built by hobbyists.

SB 267 - Creates a Law Enforcement Agency Accreditation Grant program for law enforcement agencies with less than 250 peace officers.

SB 315 - Defines a "telephone call" in the context of telephone solicitation.

SB 335 - Requires the Family and Protective Services Council to broadcast open meetings online.

SB 348 - Addresses what may or may not be posted online in appraisal records.

SB 361 - Allows teachers employed by a school district in an appraisal district to serve on the appraisal review board.

SB 467 - Increases the criminal penalties for tampering with fuel pumps.

SB 485 - Designates the second Saturday in October Hospice and Palliative Care Day.

SB 498 - Requires the specification of what statewide technology centers may provide.

SB 526 - Requires approval from the Texas Higher Education Coordinating Board to offer a program to incarcerated people that would qualify for a federal Pell Grant.

SB 796 - Requires insurance contract arbitration for subjects located entirely in Texas to be done in accordance with state law.

SB 813 - Requires the Texas Commission on Environmental Equality to notify legislators when there is a violation of the water code in their region.

SB 987 - Requires comptrollers to report activities done by a consultant regarding recovery audits.

SB 1051 - Addresses benefits questionnaires for health insurance plans.

SB 1080 - Requires the Lost Pines Groundwater Conservation District to establish a mitigation program to address overdrawing an aquifer.

SB 1367 - Protects confidential information of government employees, like home addresses.

SB 1393 - Addresses insurance rates for property located within 4 miles of a Texas Windstorm Insurance Association-designated catastrophe area.

SB 1399 - Addresses permitting requirements and procedures for certain concrete plants.

SB 1404 - Creates a work group to study the benefits of coal-to-nuclear electric plant conversions.

SB 1431 - Addresses what information is considered confidential for current and former administrative judges for the State Office of Administrative Hearings.

SB 1439 - Addresses ad valorem taxes for businesses with personal property.

SB 1467 - Addresses health records disclosed electronically.

SB 1568 - Defines the terms "substitute trustee" and "trustee" in the context of purchasing property.

SB 1614 - Addresses franchise taxes for goods sold by TV and radio broadcasters.

SB 1615 - Aims to increase access to and reduce the unnecessary burdens that go along with a cosmetology license.

SB 1668 - Addresses the management of property owners' associations.

SB 1712 - Addresses the purchasing of property for a limited partnership.

SB 1916 - Requires governing bodies to distribute service upgrade plans online.

SB 1979 - Commissions a yearly report from the Texas A&M University Texas Real Estate Research Center on single-family home purchases and sales by institutional buyers.

SB 1998 - Designates how some ad valorem tax forms must be filled out.

SB 2010 - Requires energy market monitors to report any potential market manipulations in writing.

SB 2016 - Addresses the certifications of dietitians and designates who qualifies as a licensed dietitian.

SB 2035 - Addresses anticipation payments for governing bodies for bond proposals.

SB 2052 - Increases the maximum fee imposed by the Southeast Texas Groundwater Conservation District for drawing groundwater.

SB 2192 - Creates municipal utility districts for certain counties.

SB 2248 - Amends parts of the Estates Code regarding guardianship for incapacitated persons.

SB 2260 - Repeals a section of the Human Resources Code about cases with multiple reports.

SB 2269 - Addresses the discontinuation of group self-insurance coverage, as well as dissolving the Texas self-insurance group guaranty fund and trust fund under the Texas Workers' Compensation Act.

SB 2275 - Repeals a section of the Government Code associated with the Texas Supreme Court's authority to adopt rules.

SB 2277 - Addresses special appointments in lawsuits involving parent-child relationships.

SB 2292 - Requires judges to set a minimum bond requirement of \$500,000 in guardianship proceedings, Estates Code or probate proceedings.

SB 2379 - Addresses aquifer storage and recovery projects for a portion of the Edwards Aquifer.

SB 2399 - Addresses the Public Utility Commission's authority to grant certificates to voiceover internet protocol providers.

SB 2453 - Adds regulations for residential and commercial buildings, including energy and water conservation standards.

SB 2474 - Addresses civil penalties for violations of rules and laws regarding addiction treatment facilities.

SB 2493 - Updates the language of a law regarding rental unit repairs and the refund of security deposits.

SB 2597 - Addresses the creation of a Montgomery County Municipal Utility District.

SB 2598 - Addresses the creation of Honey Creek Improvement District No. 1.

SB 2604 - Addresses the creation of Harris County Municipal Utility District No. 589.

SB 2605 - Addresses the creation of a Knob Creek Municipal Utility District.

SB 2613 - Addresses the creation of a Tabor Ranch Municipal Management District.

SB 2616 - Addresses the creation of Travis County Municipal Utility District No. 27.

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