86TH LEGISLATIVE SESSION NEW LAWS

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General Substantive Bill

HB 1	Bonnen, Dade(S) Creighton, Brandon(S)	General Appropriations Bill
		General Remarks: Appropriations for the operations of the state for biennium 2026-27 (HB 1 GAB). The 2026-27 General Appropriations Act (GAA) provides $338.7 billion in all funds and $169.4 billion in general revenue (GR) and GR-dedicated funds, a 2.5 percent increase in all funds and a 1.5 percent increase in GR and GR-dedicated funds from the 2024-25 spending levels. Notable increases in spending include $1.5 billion in all funds for the Texas Education Agency, including $1.4 billion in GR and GR-dedicated funds for public school enrollment growth and $1.4 billion in all funds for the Texas Medical Care Advisory Committee, including $1.1 billion in GR and GR-dedicated funds for Medicaid caseload growth. Notable decreases in spending include $1.2 billion in all funds for the Texas Department of Transportation, including $1.1 billion in GR and GR-dedicated funds for state highway pavement improvements, $1.1 billion in all funds for the Texas Facilities Commission, including $1.1 billion in GR and GR-dedicated funds for deferred maintenance, $1.1 billion in all funds for the Texas Water Development Board, including $1.1 billion in GR and GR-dedicated funds for water and wastewater infrastructure, and $1.1 billion in all funds for the Texas Education Agency, including $1.1 billion in GR and GR-dedicated funds for instructional materials and technology. The GAA includes $1.5 billion in GR and GR-dedicated funds for the Texas Medical Care Advisory Committee, including $1.1 billion for Medicaid caseload growth, $1.4 billion in GR and GR-dedicated funds for the Texas Education Agency for public school enrollment growth, $1.1 billion in GR and GR-dedicated funds for the Texas Water Development Board for water and wastewater infrastructure, $1.1 billion in GR and GR-dedicated funds for the Texas Facilities Commission for deferred maintenance, $1.1 billion in GR and GR-dedicated funds for the Texas Education Agency for instructional materials and technology, $1.1 billion in GR and GR-dedicated funds for the Texas Department of Transportation for state highway pavement improvements, $1.2 billion in GR and GR-dedicated funds for the Texas Department of Criminal Justice for salaries and other operating costs, $1.2 billion in GR and GR-dedicated funds for the Texas Department of Transportation for state highway pavement improvements, $1.2 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and for the school district or open-enrollment charter school that receives the report. The bill requires a person who is a registered sex offender from an administrative office, as applicable, to present the person's sex offender registration card to the school district or open-enrollment charter school before entering the campus. The bill requires a person who is a registered sex offender or a qualifying felon for purposes of disqualifying a person to be a volunteer or an employee of the Teacher Retirement System of Texas and is or was an employee of the public school district prohibited from receiving a service retirement

Last Action: 9-1-23 G Enrolled effective date

HJR 2 — Bonnen, Greg(R) | Huffman, Joan(R)

Proposing a constitutional amendment authorizing the legislature to provide for a one-time supplemental annuity to supplement the benefits of annuitants of the Teacher Retirement System of Texas.

General Remarks: This resolution would propose an amendment to Section 67a, Article XVI, of the Texas Constitution that would authorize the Legislature to provide a supplemental annuity to annuitants of the Teacher Retirement System of Texas (TRS). The benefit enhancement would be in the form of an accompanying appropriation of funds sufficient to fully pay for the benefit enhancement. The benefit enhancement would be in the form of a one-time actuarially sound, with an amortization period of 27 years as of August 31, 2023. Government Code, Section 821.006 defines actuarial soundness, for the purpose of benefit enhancements, as an amortization period of not more than 31 years. The benefit enhancement would take place on the first or first consecutive actuarially sound. The approval of the proposed amendment is contingent upon the TRS Board of Trustees adopting a rule, order, or other action fixing the date for purposes of providing the benefit enhancement. Before the resolution is self enabling, the fiscal impact is shown in the fiscal note for HB 4. The proposed amendment to Section 67a, Article XVI, of the Texas Constitution is an amendment takes effect and would not be considered an expenditure of state tax revenues. The proposed amendment would be submitted to voters at an election to be held November 7, 2023.

Last Action: 11-7-23 G Election date

SB 10 — Huffman, Joan(R) | Bonnen, Greg(R)

Amendments paid to the Teacher Retirement System of Texas.

General Remarks: COLA will issue in January of 2024 if passes the November ballot measure and will apply as follows:

6% COLA if retired on or before August 31, 2001 4% COLA if retired after August 31, 2001 but before August 31, 2013 2% COLA if retired after August 31 2013 but before August 31, 2020

The bill also provides for a one-time payment not later than September of the year in which the bill is enacted to annuitants who are not eligible for the 2% COLA. The payment is the month before the month in which the initial payment is made. Payment is contingent upon the TRS Board of Trustees determining that the payment is actuarially sound. The bill provides that the amount to provide the payment, but the payment is not contingent on the constitutional amendment passing in November, only the above COLA increase will apply to the ballot measure.

Last Action: 6-14-23 G Enrolled effective date

SB 17 — Creighton, Brandon(R) | Bonnen, Greg(R)

Relating to public higher education reform.

Last Action: 5-1-24 G Enrolled effective date

SB 29 — Birdwell, Brian(R) | Lozano, Jose(R)

Relating to prohibited governmental entity implementation or enforcement of a vaccine mandate, mask requirement, or private business or school closure to prevent the spread of COVID-19.

General Remarks: Amends the Health and Safety Code to prohibit the state, a local government or any other governmental entity from requiring a person to be vaccinated, a local government entity from implementing, ordering, or enforcing a mask requirement, or any of the following mandates to prevent the spread of COVID-19: a mandate that a business or school closure, a mandate that a school or business require a person to be vaccinated against COVID-19, or a mandate requiring the closure of a private business, public or private school, or open-enrollment charter school.

Last Action: 9-1-23 G Enrolled effective date

SB 30 — Huffman, Joan(R) | Bonnen, Greg(R)

Relating to supplemental appropriations and reductions in appropriations for the fiscal biennium beginning September 1, 2023 and September 1, 2024.

General Remarks: Supplemental Appropriations Bill Conference Committee Report for the 87th Legislature. Includes additional funding for Texas Year 2023. These supplemental appropriations of $7.1 billion in General Revenue Funds (GR) and $12.2 billion in All Funds (AF). Texas Year 2023 fiscal impacts are included in the fiscal years 2023 and 2024 biennium. The remaining 2023 biennial period, considering the two months in fiscal year 2023, is $268.1 million. Highlights and additions include: • $1.1 billion in GR to the TRS Retiree Health Care Trust Fund (HB 1) • $1.0 billion in GR to Texas University Fund for expansion of the campus in Houston.

Last Action: 6-9-23 G Enrolled effective date

SB 68 — Zaffirini, Judith(D) | Murr, Andrew(R)

Relating to excused absences from public school for certain students to participate in a workplace for a career investigation day.

General Remarks: Amends the Education Code to authorize a public school district to excuse a student who is at least 16 years of age and who has demonstrated the ability to be in the top 25 percent investigation day to visit a place of business or professional's workplace for the purpose of determining the student's interest in a particular career. The bill requires the student's parent to provide the student with an absence note to be excused for this purpose and a procedure to verify the student's visit at the professional's workplace.

Last Action: 6-16-23 G Enrolled effective date

SB 133 — West, Royce(D) | Hull, Lacey(R)

Relating to prohibiting the physical restraint of or use of chemical irritants on certain public school students by peace officers and school district employees and volunteers.

General Remarks: Amends Education Code to prohibit a peace office performing law enforcement duties or school security personnel performing security-related duties on the property of a public school or at a school-sponsored or school-related activity from using a chemical irritant spray or Taser in a student enrolled in the school district or open-enrollment charter school unless a school or team is the student or another person is in imminent danger.

Last Action: 6-18-23 G Enrolled effective date

SB 294 — Johnson, Nathan(D) | Klick, Stephanie(R)

Relating to the use of medication designated for treatment of respiratory distress on public and private campuses.

General Remarks: Amends the Education Code to revise the policy voluntarily adopted and implemented by a school district or open-enrollment charter school that provides for the maintenance and administration of asthma medicine at a campus. The bill sets out provisions that, rather than being voluntarily adopted and implemented, provide for the policy to include medication for respiratory distress as defined by the bill. The bill, among other provisions, expands the locations at which such medication may be administered to include any place on a campus at any time students are present. The bill requires a school district or open-enrollment charter school to notify a distress by any school personnel and school volunteers who are authorized and trained to administer medication for respiratory distress.

Further, removes a school nurse as the sole person authorized to maintain and administer the medication. The bill requires the policy to provide for the school to remove a school nurse as the sole person authorized to administer, with the applicable written notification and permission from a parent, prescription asthma medication to a student at a school campus.

Last Action: 5-24-23 G Enrolled effective date

SB 361 — Eckhardt, Sarah(D) | Shine, Hugh(R)

Relating to the eligibility of a person employed by a school district as a peace officer to be a member of the school district's approval review board.

General Remarks: Amends the Tax Code to authorize a person employed as a peace officer by a school district to serve on an appraised district's approval review board (ARB). The bill sets forth the conditions for appointment of employees of a taxing unit to serve on a taxing unit's ARB member.

Last Action: 6-16-23 G Vetoed by the Governor

SB 544 — Blanco, Cesar(D) | Moody, Jacey(R)

Relating to the issuance of a teaching certificate to certain applicants who are employees as instructors for the Community College of the Air Force.

General Remarks: Amends the Education Code to require the State Board for Educator Certification to propose rules providing for a person who has at least two years of experience as an instructor for the Community College of the Air Force, is a fellow and holds a master's or bachelors degree to issue a temporary teaching certificate on the person's enrollment in an educator preparation program. The bill provides that the rules must include the history, and clinical or professional experience as an instructor for the Community College of the Air Force toward the requirements for completion of an educator preparation program and issuance of a standard teaching certificate based upon experience, or clinical experience. The bill specifies that a temporary teaching certificate issued under the bill's provisions is valid for a term of one year from the date of issuance.

Last Action: 9-1-23 G Enrolled effective date

SB 629 — Menendez, Jose(D) | Talarico, Gregory(D)

Relating to the use of opioid antagonists on public and private school campuses and the duties of a school district peace officer and school nurse.

General Remarks: Amends Education Code to require each public school district to implement a policy regarding the maintenance, administration, and disposal of opioid antagonists on a campus of a public school. Requires a school district to through TEA and to authorize each district to adopt and implement a policy at each campus in the district, including campuses serving students in a grade level below grade 6.

Last Action: 6-18-23 G Enrolled effective date

SB 763 — Middleton, Mayes (F)(R) | Hefner, Cecil(R)

Relating to allowing school districts to employ chaplains to perform the duties of counselors.

General Remarks: Amends the Education Code to authorize a public school district or open-enrollment charter school to employ a chaplain who is not required to perform the duties ordinarily performed by a school counselor for students and is not required to be certified by the State Board for Educator Certification.

Last Action: 6-18-23 G Enrolled effective date

SB 798 — Middleton, Mayes (F)(R) | Buckley, Brad(R)

Relating to the certification requirements for a public school counselor.

General Remarks: Amends the Education Code to prohibit the qualifications for certification as a school counselor from including a requirement that a candidate for certification have experience as a classroom teacher. The bill requires the State Board for Educator Certification, not later than January 1, 2024, to propose any rules necessary to implement the prohibition.

Last Action: 9-1-23 G Enrolled effective date

SB 838 — Creighton, Brandon(R) | Thierry, Steven(D)

Relating to school districts and open-enrollment charter schools prohibiting drill and practice active shooter exercises.

General Remarks: Texas has the second highest number of school shootings in the United States with more than 150 shooting events since 1995. Many of these attacks have been fatal. On May 24, 2022, 19 students and 2 teachers were fatally shot in a school in Uvalde, Texas. Since the attack in Uvalde, Texas, school districts began has started shooting upon outside the school, and the school shooter has inside two adjoining classrooms, attacking helpless victims whose only protection from the shooter was a locked door and the hope that he would not enter. Active shooter drills and technology and strategies for rapid notification to law enforcement or medical personnel in the event of an active shooter event or other emergency are important components of school safety. Active shooter drills include waiting for law enforcement to notify students and school staff of the place where the active shooter is located, and school personnel or increased risk of serious injury or death to students and school personnel. Law enforcement and first responders rarely act immediately which makes the difference between life and death. Arizona's Law, requires school districts and open-enrollment charter schools to implement a policy that prohibits active shooter drills and exercises for immediate contact with district or charter school emergency personnel or emergency services agencies, law enforcement agencies, health departments, and fire departments.

The bill establishes that a district or charter school's provision of such information to a student's parent or guardian may be satisfied by communicating its multihazard emergency operations plans for a district or charter school to ensure employees have classroom access to a telephone or another electronic communication device in the event of a lockdown. The bill requires a district to comply with the bill's requirements not later than the beginning of the school safety allotment used for the improvement of safety and security in other instances, including the purchase of a district or charter school's safety or procurement process.

SB 838 applies beginning with the 2025-2026 school year

Last Action: 5-23-23 G Enrolled effective date

SB 999 — West, Royce(D) | King, Tracy(D)

Relating to the requirements for providers of active shooter training at public schools and institutions of higher education obtain a certificate issued by the Texas Commission on Law Enforcement.

General Remarks: Amends law to prohibit an individual or legal entity from providing active shooter training to employees of a school district, open-enrollment charter school or a public institution of higher education on or after December 7, 2024, unless the individual providing the instruction is certified by the Texas Commission on Law Enforcement (TCOLE) to provide the training. The bill provides the training is provided by a legal entity, both the legal entity and the individual providing the instruction on behalf of the legal entity are certified by TCOLE to provide the training. The bill provides that the provisions expire on September 1, 2025, a certification program for providers of active shooter training and issue a certificate to a provider who meets the qualifications of the program.

Also, prohibits a public school district or public institution of higher education from requiring an employee or student to participate in active shooter training. Requires a employee of the district or institution unless the training provider is certified by TCOLE to provide the training as provided by the bill. That prohibition applies only to active shooter training provided on or after December 7, 2024.

Last Action: 9-1-23 G Enrolled effective date

SB 1008 — Flores, Pete(R) | Buckley, Brad(R)

Relating to establishing residency for purposes of admission into public colleges.

General Remarks: In 2018, a law was passed allowing students in military families assigned to Texas to be classified as residents for purposes of tuition, allowing students to participate in high-demand programs and classes, that military families experiencing long lead times to find housing, often taking up to 90 days, and that military families moving to Texas from other states, would be enrolled in a home school has created a need to address this issue. Military parents now must provide proof of residence for purposes of public school enrollment, which is difficult for families who are in the process of moving. The military families have the 90th day after that arrival date extending current deadline

Last Action: 5-10-23 G Enrolled effective date

SB 1131 — Blanco, Cesar(D) | Ortega, Lina(D)

Relating to the authority of certain independent school districts to participate in the general election for officers.

General Remarks: Amends the Election Code to authorize the governing body of an independent school district that holds its general election on a date other than the date of the November uniform election date to change the date on which it holds its general election to the date of the November uniform election date. The bill applies only to a county that borders the United Mexican States and that has a population of at least 450,000 and not more than 870,000 which includes DPSD. The bills provisions expire January 1, 2025.

Last Action: 6-18-23 G Enrolled effective date

SB 1471 — Bettencourt, Paul(R) | Noble, Cecil(R)

Relating to access by the Texas Education Agency and private schools to criminal history record information.

General Remarks: Amends Education Code to require the Department of Public Safety (DPS), on request by a private school, to determine whether the school is eligible under the federal National Child Protection Act of 1993 to receive criminal history record information for a person who is being considered for employment. The bill authorizes a qualified private school to obtain state criminal history record information (CHRI). The bill defines a "qualified private school" as a private school that is not a home school and that primarily focuses in one or more grades from prekindergarten through grade 12, is accredited by a organization recognized by the Texas Education Agency (TEA) or TEA or the Texas Private Schools Accreditation Commission (TEPSAC), and has enrollment of at least 100 students. The bill provides

Last Action: 6-18-23 G Enrolled effective date

SB 1506 — Hughes, Bryan(R) | Clardy, Travis(R)

Relating to crisis management and treatment plan for the care to be provided by a public school to a student with a seizure disorder.

General Remarks: Amends the Education Code to require the Texas Education Agency (TEA) to adopt and post on its website, not later than December 1, 2023, a form to be used by a public school district or open-enrollment charter school to develop and implement a seizure disorder plan for the student's parent or guardian and the physician responsible for the student's seizure treatment.

Last Action: 5-27-23 G Enrolled effective date

SB 1647 — Parker, Tan (F)(R) | Hefner, Cecil(R)

Relating to dropout recovery education programs.

General Remarks: Amends the Education Code to revise statutory provisions authorizing a public school district to use a dropout recovery program for the purpose of providing alternative education programs for students at risk of dropping out of school as defined by Section 29.081(d) and (e). The bill defines "dropout recovery education" independent school district for such purposes as an instructional arrangement using a private or public community-based dropout recovery education program to provide students who are at risk of dropping out of compulsory school attendance an opportunity to provide alternative education programs for students in an open-enrollment charter school, and replaces the authorization for such school districts to contract with a private or public community-based dropout program that operates a high school diploma and prepares the student for career the workforce with an authorization for such programs to be offered remotely or through a hybrid in-person and remote instruction.

The bill makes the requirements under existing law for an online dropout recovery education program to include a requirement that the dropout recovery education program, including providing a monthly report to the student's charter school regarding the student's progress in those programs, and requiring the operator of an online dropout recovery program to operate an in-person student engagement center in a location suitable for high school students. The bill specifies that requirements for a student's participation in a dropout recovery education program under existing law apply to an in-person program.

Authorizes a dropout recovery education program to be operated only by an entity that is accredited by the Texas Education Agency or by a private accrediting agency. The bill requires such a program to offer or provide students who are at risk of dropping out of school or who have dropped out of school an opportunity to earn sufficient credits to complete a traditional education program. The bill authorizes a district or charter school to contract with a dropout recovery education program to provide services to students in the district or charter school and authorizes a district or charter school administrator or school counselor to refer a student to a dropout recovery education program. The bill requires a district or charter school to determine that a program could prevent the student from dropping out of school.

Last Action: 6-18-23 G Enrolled effective date

SB 1720 — Kolkhorst, Lois(R) | Lozano, Jose(R)

Relating to the confidentiality of the identity of a public school employee who reports a potential threat to the school's threat assessment and safe and supportive teams.

General Remarks: Texas Education Code requires the board of trustees of each school district to establish a threat assessment and safe and supportive team (TASST) to assess/manage/mitigate threats/ threats of violence in school/ harmful, threatening, or violent behaviors." Identifying individuals who may pose a threat to the safety of students or staff in a school district, campus, or school facility. Concerns have been raised that some school district employees are hesitant to report a potential threat to the threat assessment team out of fear of retaliation from the person who is the subject of the report. SB 1720 bill text addresses these concerns by allowing the individual reporting the potential threat to keep their identity confidential, except as necessary for the threat assessment team, district or law enforcement.

Last Action: 6-18-23 G Enrolled effective date

SB 1854 — Perales, Angela(R) | Lambert, Dade(R)

Relating to a group benefits plan for dental and vision care under the Texas Public School Employees Group Insurance Program.

General Remarks: Amends the Insurance Code to require the Employees Retirement System of Texas to establish or contract for and make available under the Texas Public School Employees Group Insurance Program a group benefits plan for employees, dependents, surviving spouses, and surviving dependent children that provides coverage for dental care, and an optional plan that provides coverage for vision care.

Last Action: 9-1-23 G Enrolled effective date

SB 2032 — Creighton, Brandon(R) | Buckley, Brad(R)

Relating to the authorization of certain adult high school charter school campuses.

General Remarks: Expands the entities eligible for a charter to operate an adult education program to include a public or private institution of higher education, workforce requirements, a public school district, an entity granted an open-enrollment charter, or a general academic teaching institution, public junior college, or a nonprofit organization.

The bill authorizes such an entity to obtain a charter to operate an adult school with a nonprofit entity that is an eligible entity to operate an adult education program. That specifies that an entity is eligible to be granted a charter for an adult education program if the entity is a member of the entity's executive committee, board of directors, or governing body, and that the entity has a whose education and training opportunities have been coordinated with workforce training opportunities.

The bill requires the commissioner of education to accept applications for a charter to operate an adult education program during the 60-day period beginning on September 1 of each year. The bill requires the commissioner to provide each applicant with a list of the criteria and a description of the commissioner's decision to grant the charter and a written explanation of the reasons for denying the charter. If applicable, not later than the 60th day following the end of the 60-day period, the commissioner shall provide an opportunity to cure any defects in the application, if applicable.

Revises the restrictions on the number of charters for an adult education program application to be granted by the commissioner as follows - removes the prohibition against granting more than two such charters in a calendar year and replaces it with a prohibition against granting more than two such charters in calendar year September 1, 2023, or a total of more than two charters, and September 1, 2024, or four charters before September 1, 2026, and - related provisions prohibit the commissioner from granting more than 10 charters for adult education programs.

Last Action: 5-29-23 G Enrolled effective date

SB 2069 — Bettencourt, Paul(R) | Schaefer, Matt(R)

Relating to the required posting of signs regarding human trafficking prevention by certain entities.

General Remarks: In 2021, the legislature passed S.B. 1631 by Senator Larry Taylor requiring the posting of warning signs of increased human trafficking potential. The bill removes the requirement that private primary and secondary schools post this signage.

Last Action: 9-1-23 G Enrolled effective date

SB 2124 — Creighton, Brandon(R) | Howard, Donna(R)

Relating to requiring an opt-out policy for accelerated mathematics courses for certain students.

General Remarks: Requires school districts to establish an opt-out policy to enroll students who have demonstrated proficiency in mathematics in accelerated mathematics standardized assessment or a local measure that includes data showing demonstrated proficiency in classwork, into accelerated math in sixth grade to improve chances of passing access to Algebra I in eighth grade.

Last Action: 5-27-23 G Enrolled effective date

SB 2294 — Creighton, Brandon(R) | Kuempel, John(R)

Relating to the establishment of certain programs to facilitate early high school students' completion of a high school diploma and associate's degree and to the repeal of the Early High School Graduation.

General Remarks: Amends the Education Code to expand the types of institutions of higher education eligible to participate in the Texas Third Early High School Completion Program and in the Texas First Scholarship Program bring only an institution of higher education that is a component institution of the Texas state health system or disability that may impede effective participation with a peace officer and who receive special education services or who are covered under Section 504 of the Rehabilitation Act of 1973 to participate in the program. The bill requires the bill commissioner to be provided information on each applicable student who is 16 years of age or older until the earlier of the student's graduation from high school or the student's 19th birthday. The bill requires Texas Education Agency to collaborate with the Department of Public Safety, the Texas Department of Motor Vehicles, and the Governor's Committee on People with Disabilities to develop a plan to provide information to students that the materials include information regarding a person's rights under the law, let any health condition or disability that may impede the person's effective participation with a peace officer and how to request a reasonable accommodation and information for a student and school district to provide information to be provided with any special education transition planning materials.

Requires the Texas Commission of Licensing and Regulation (TCLR), not later than January 1, 2024, to develop a program to provide training to Texas Driving with Disability Program Participant in the curriculum of each driver education and driving safety course. The bill requires each provider of such a course to provide to the TCLR information regarding the course and curriculum has been updated to include the required information.

Revises the definition of "classroom instruction," with respect to statutory provisions regarding driver and traffic safety education, to include instruction by an in-person driver education provider in a traditional classroom setting or through a synchronous online course or through the Internet. The bill applies beginning with the school year 2024.

Last Action: 6-18-23 G Enrolled effective date

SCR 28 — Huffman, Joan(R) | Herrero, Alex(D)

Urging Congress to repeal the Government Pension Offset and the Windfall Elimination Provision of the Social Security Act.

General Remarks: Urges Congress to repeal the Government Pension Offset (GPO) and Windfall Elimination Provision (WEP) provisions to the Social Security Law. The GPO eliminates or reduces the Social Security benefit for spouses, widows or widowers who receive a government pension based on their own employment. The WEP reduces the Social Security benefit for public employees who at some time in their careers were employed in jobs where he paid into Social Security and earned Social Security benefits. Repeal of the GPO and provisions provision thousands of educators and other public workers in Texas retirement benefits they should receive. TSTA supported this resolution and will continue to work to repeal the GPO and WEP.

Last Action: 5-10-23 G Signed by the Governor

All	Track
Total Bills:	