

# 2021 Legislative Analysis Report

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**87th Legislature • Regular Session**

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Summary Information on Bills of Interest to County Officials



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# 2021 LEGISLATIVE ANALYSIS REPORT

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87th Legislature | Regular Session



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# INTRODUCTION

## Message from Executive Director Susan M. Redford

The Texas Association of Counties (TAC) is the representative voice for all Texas counties. We collaborate with county officials, and through TAC, counties communicate the county perspective to state officials and the public. Understanding how county government works and the value of county services helps state leaders support and preserve counties' ability to serve their residents effectively.

We are solely focused on providing solutions tailored to the needs of Texas counties, county officials and county employees. As a one-stop shop for our 254 counties, we will deliver unbelievable customer service in all we do. Through our culture of trust, integrity and service, we will build and maintain valued relationships with county, state and federal officials. We will be the leading resource for Texas counties by leveraging our knowledge and expertise to go above and beyond with the services we provide. We are committed to anticipating the needs of counties better than anyone else. Led by counties for counties, our work benefits all Texans.

The regular session of the 87th legislature, which ended May 31, addressed issues exposed by the pandemic and February's ice storm while also navigating hotly debated topics such as election security, gun rights, law enforcement and bail reform, and of course, taxpayer-funded lobbying. By producing weekly video updates and newsletters, hosting Tuesday morning webinars and assisting county officials at the Capitol, TAC's Legislative Services department delivered the county voice to legislators on hundreds of bills. Your TAC Legislative Services team embodies TAC's member-driven focus — a focus that the following pages highlight.



## Message from Legislative Director Noe Barrios

At the Texas Association of Counties (TAC), we pride ourselves on being a voice for county government, being your voice ... *your advocate* ... on issues that matter. TAC's Legislative Services department helps county officials connect with state officials in Austin and federal officials in Washington, D.C., to provide important facts to the leadership on issues that affect counties. We treasure this responsibility.

TAC Legislative Consultants worked closely with county officials to provide timely and relevant information on a myriad of issues throughout the regular session of the 87th Legislature. The close collaboration made an impact. Legislators and their staff listened, and though things didn't always go our way, we respectfully delivered the county voice.

The Legislative Analysis Report on the pages that follow provide a summary of the legislation enacted by the 87th Legislature that affects counties and the Texans served by counties. TAC's Legislative team proudly delivered your voice on every issue highlighted in this report. We stand ready to continue to do so. We appreciate the opportunity to serve you. We are Stronger Together!





# 2021 LEGISLATIVE ANALYSIS REPORT

TEXAS ASSOCIATION *of* COUNTIES

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## **ANALYSIS OF BILLS BY SUBJECT**

87th Legislature, Regular Session

## ANALYSIS OF BILLS BY SUBJECT (Regular Session)

### BEHAVIORAL AND MENTAL HEALTH

**HB 1213 by Darby.** Relating to court reporter costs incurred in a hearing or proceeding for the involuntary detention of a person with mental illness.

**Summary:** Adds court reporter costs to the list of expenses eligible for reimbursement to a county that conducted an involuntary detention hearing for a person with mental illness. Under current law, a county that houses a state hospital is required to pay such costs.

**Effective Date: Sept. 1, 2021**

**HB 3088 by Coleman.** Relating to the administration of certain mental health grant programs established by the Health and Human Services Commission.

**Summary:** Amends the Government Code to reduce the amount of matching funds required for specified programs established by past legislatures that the Health and Human Services Commission (HHSC) administers from applicable grant recipients. These programs include the Community Mental Health Grant Program, the Texas Veterans + Family Alliance Grant Program, the Mental Health Grant Program for Justice-Involved Individuals, and the grant program for the establishment and expansion of community collaboratives.

For these programs, HB 3088 makes changes to the matching percentages. The requirement has been changed to 25% of the grant amount if the program is in a county with a population of less than 100,000. The match requirements remain equal to 50% of the grant amount for a program located in a county with a population of at least 100,000 but less than 250,000 and 100% for counties with populations of 250,000 or more.

Additionally, the legislation changes the frequency with which the executive commissioner of HHSC must submit reports evaluating the success of the grant programs to the governor, the lieutenant governor and each member of the Legislature from each calendar year to each even-numbered year.



Moreover, HB 3088 allows for communities to leverage funding or contributions from private contributors or local governments. Lastly, it amends the Government Code to delete previous text requiring that a collaborative, using money received from a grant by the Department of State Health Services and private funding sources, to be self-sustaining within seven years.

**Effective Date: June 14, 2021**

**SB 49 by Zaffirini.** Relating to procedures regarding defendants who are or may be persons with a mental illness or intellectual disability.

**Summary:** Adds an exception for defendants who are no longer in custody regarding Article 16.22 of the Code of Criminal Procedure, which requires a magistrate to order an applicable authority or service provider to assess whether a defendant has a mental illness or an intellectual developmental disorder (IDD).

SB 49 adds the sheriff or other person responsible for the defendant's medical records while the defendant is in county jail to the list of persons and entities to whom the magistrate must submit a written report of any mental health or IDD assessment. The measure also expands the list to include, as applicable, any personal bond office for the county in which the

defendant is being confined or the director of the office or department that is responsible for supervising the defendant while they are released on bail and receiving mental health or IDD services as a condition of bail.

The legislation creates provisions related to pilot programs for jail-based competency restoration services as well as provisions related to continuity of prescription medications (Government Code, Sec. 511.009 (d)) for the care and treatment of prisoners.

The Texas Commission on Jail Standards must adopt rules and procedures required by Government Code, Sec. 511.009 (d), by Dec. 1, 2021.

**Effective Date: Sept. 1, 2021**

**SB 640 by Menéndez.** Relating to a study on the interoperability needs and technology readiness of behavioral health service providers in this state.

**Summary:** Directs the Health and Human Services Commission to conduct a study to assess the interoperability needs and technology readiness of behavioral health service providers, including the needs of state hospitals, local mental health authorities and county jails.

**Effective Date: Sept. 1, 2021**

## BROADBAND AND CYBERSECURITY

**HB 5 by Ashby.** Relating to the expansion of broadband services to certain areas.

**Summary:** Creates the broadband development office (BDO) under the Office of the Texas Comptroller to serve as a resource for information regarding broadband, engage in outreach regarding broadband expansion and serve as a clearinghouse for federal programs offering assistance to local entities. To ensure Texas is best positioned to benefit from broadband programs administered by the Federal Communications Commission (FCC), the act grants the BDO the authority to monitor and participate in proceedings of the FCC related to the geographic availability and deployment of broadband service. HB 5 alters the membership of the Governor's Broadband Development Council by adding a county clerk and sheriff from a county with a population less than

60,000 and one nonvoting member appointed by the BDO.

The BDO is required to establish the broadband development program to award grants, low-interest loans and other financial incentives to applicants for expanding services.

The BDO is required to develop a broadband development map classifying each designated area as either eligible or ineligible based on 80% of the addresses within the area having access to broadband services. A provider or political subdivision may petition the office to reclassify an area of the map.

The BDO is required to prepare, update and publish on the comptroller's website a state broadband plan that establishes long-term goals for greater access.

The BDO will be governed by a 10-member board of advisers appointed by the governor, lieutenant governor and speaker. The board will include representatives from specified categories, including members who live in urban and rural areas, a member representing the primary and secondary education community and a member who resides in a border county. Members will serve staggered two-year terms and provide guidance to the office regarding expansion, adoption, affordability and use of broadband services.

**Effective Date: June 15, 2021**

**HB 1118 by Capriglione.** Relating to state agency and local government compliance with cybersecurity training requirements.

**Summary:** Builds on the 86th Legislature's requirement that any county elected official, appointed official or employee who uses a computer to perform at least 25% of their official duties complete a cybersecurity awareness course designed by the Department of Information Resources. Institutes a new requirement that counties must stay in full compliance or lose criminal justice grants for two years; to help counties gain compliance, commissioners courts are granted authority to deny access to the system or database to a person who is not in compliance.

**Effective Date: May 18, 2021**

**HB 3746 by Capriglione.** Relating to certain notifications required following a breach of security of computerized data.

**Summary:** Amends the Business and Commerce Code to require that entities, including counties, reporting a breach of system security to the Office of the Attorney General (OAG) provide the number of Texas residents receiving notification of the breach. The entities must notify the OAG if the breach involves at least 250 residents. HB 3746 places additional requirements on the OAG for public postings of breaches.

**Effective Date: Sept. 1, 2021**

## CIVIL LIABILITY

**SB 45 by Zaffirini.** Relating to the prohibition against sexual harassment in the workplace.

**Summary:** Expands the definition of employer to include a person who employs one or more employees and adds sexual harassment liability to all employers. Additionally, an employer commits an unlawful employment practice if sexual harassment occurs, and the employer knows or should have known it was occurring and fails to take immediate appropriate action.

**Effective Date: Sept. 1, 2021**

**SB 282 by Alvarado.** Relating to a prohibition against the appropriation of money to settle or pay a sexual harassment claim made against certain members of the executive, legislative, or judicial branch of state government and to a prohibition against the use of other public money to settle such a claim.

**Summary:** Prohibits the use of public funds to settle sexual harassment claims for the following:

- An elected member of the executive, legislative or judicial branch of state government.
- A person appointed by the governor to serve as a member of a department, commission, board or other public office within the executive, legislative or judicial branch of state government.
- A staff person for the previously mentioned individuals.

Additionally, the bill prohibits political subdivisions from using public funds to settle sexual harassment claims including counties, municipalities, school districts, special districts or other subdivisions of state government. The bill bans use of public funds for the following:

- An elected or appointed member of the governing body of a political subdivision.
- An officer or employee of the political subdivision.

**Effective Date: Sept. 1, 2021**

## CLERKS

**HB 1514 by Landgraf.** Relating to the administration of unclaimed property.

**Summary:** Requires the clerk of the court that orders an executor or administrator to pay funds to the comptroller, to provide notification by certified mail or e-mail instead of by personal service of citation.

**Effective Date: May 18, 2021**

**HB 1831 by Rogers.** Relating to annual continuing education requirements for certain court clerks.

**Summary:** Allows county and district clerks to carry over from the current calendar year to the following year not more than 10 hours of completed continuing education courses that exceed the 20 hours of continuing education required each year.

**Effective Date: May 15, 2021**

**HB 3415 by Goldman.** Relating to the authority of a county to require photo identification to file certain documents with the county clerk.

**Summary:** Allows clerks in counties with a population of 800,000 or more to require a person filing a document in the real property records to present a photo identification to the clerk to confirm identity of the filer.

**Effective Date: Sept. 1, 2021**

**SB 1179 by Birdwell.** Relating to the procedure for donating juror reimbursements.

**Summary:** Requires that a person who has reported for jury service be provided a form letter for donation of their reimbursement for jury service after jury service has concluded and not before.

**Effective Date: Sept. 1, 2021**

## COUNTY AUTHORITY

**HB 1239 by Sanford.**

Relating to the prohibited suspension of laws protecting religious freedom and prohibited closure of places of worship.

**Summary:** Amends the Civil Practice and Remedies Code to provide that for purposes of a disaster, the Texas Religious Freedom

Restoration Act is not considered a regulatory statute and may not be suspended. A government agency or public official may not issue an order that closes or has the effect of closing places of worship.

**Effective Date: June 16, 2021**

**SB 186 by Perry.** Relating to the authority of a county to issue bonds to restore or maintain a county courthouse.

**Summary:** Authorizes a commissioners court to issue bonds to restore or maintain a county courthouse.

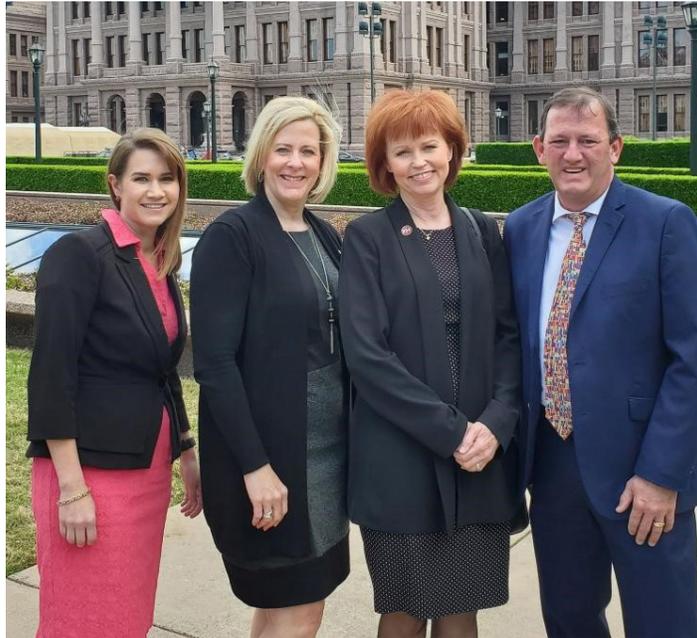
**Effective Date: June 7, 2021**

**SB 2188 by Seliger.** Relating to the municipal or county regulation of residential detention facilities for immigrant or refugee children.

**Summary:** Authorizes a county to adopt and enforce an ordinance, order or other regulation that requires a residential child detention facility to provide necessary services and meet reasonable minimum standards that

promote health and safety. Requires the residential child detention facility owner, before entering into a contract with a federal agency, to provide notice of the proposed facility to the county and meet any requirements adopted by the county.

**Effective Date: Sept. 1, 2021**



**SJR 27 by Hancock.**

Proposing a constitutional amendment to prohibit this state or a political subdivision of this state from prohibiting or limiting religious services of religious organizations.

**Summary:** Prohibits a county from enacting, adopting or issuing an order that prohibits or limits religious services, including all religious services conducted in churches, congregations or in a place of worship. The enabling legislation failed

to pass, and the proposed constitutional amendment will go to the voters.

**Effective Date: Nov. 2, 2021, if voters approve the proposed constitutional amendment in November 2021, or no effect.**

## COUNTY OFFICIALS

**HB 840 by Moody.** Relating to the selection of public members to serve on a county's salary grievance committee.

**Summary:** Amends the Local Government Code to modernize the process for selection of public members and alternates to serve on a county salary grievance committee. Current law provides for random selection of public members and alternates by a specified process under which the names of potential committee members are written on individual folded slips of paper, mixed and drawn from an appropriate container. HB 840 provides an optional alternative process by which a



commissioners court may direct the county clerk to use a computer to generate a randomized list for the selection of public members and alternates to serve on a county salary grievance committee.

**Effective Date: Sept. 1, 2021**

**HB 1082 by King, Phil.** Relating to the availability of personal information of an elected public officer.

**Summary:** Amends current law to allow a county official to elect for the county to withhold certain personal information such as a home address or home telephone number from public disclosure.

**Effective Date: May 19, 2021**

**HB 1500 by Hefner.** Relating to authority of the governor and certain political subdivisions to regulate firearms, ammunition, knives, air guns, explosives, and combustibles and certain associated businesses during certain disasters and emergencies.

**Summary:** Amends the Government Code and the Local Government Code to ensure that neither the governor nor local governments have the authority to prohibit or restrict the business or operations of a firearm or ammunition manufacturer, distributor, wholesaler, supplier or retailer or a sport shooting range during a declared disaster.

**Effective Date: Sept. 1, 2021**

**SB 230 by Seliger.** Relating to the continuing education requirement for county commissioners.

**Summary:** Allows a county commissioner to obtain the required 16 hours of continuing education virtually, with commissioners court approval, except during the first 12-month period of the commissioner's first term, at which time the training must occur in person.

**Effective Date: May 26, 2021**

**SB 1339 by Zaffirini.** Relating to the authority to request attorney general advice on questions relating to actions in which the state is interested.

**Summary:** Adds the head of certain counties' civil legal departments to the list of attorneys the attorney general is required to advise with respect to certain matters if requested to do so. The act is bracketed to counties located on the U.S.-Mexico border that have a population of less than 400,000 and contain one or more municipalities with a population of 200,000 or more (i.e., Webb County). The head of the department also would have to receive approval for the submission of the request from the commissioners court of the county.

**Effective Date: May 24, 2021**

**SB 1357 by Hughes.** Relating to deadlines associated with proposing and adopting a budget for certain counties.

**Summary:** Amends the Local Government Code to provide increased efficiency in the county budgeting process. The 86th Legislature’s passage of the **Texas Property Tax Reform and Transparency Act** made significant changes to the administration of property tax law. Resulting ambiguities and questions regarding process and timeline requirements prompted the filing of SB 1357. The measure provides a clear process by which a county with a population of up to 225,000 may prepare and file a proposed budget for review by the public and by county officials before consideration by the commissioners court.

**Effective Date: June 14, 2021**

## COURT COSTS AND FEES

**SB 41 by Zaffirini.** Relating to the consolidation and allocation of state civil court costs; increasing certain civil court costs; authorizing fees.

**Summary:** Consolidates civil court costs and filing fees to establish a streamlined process and standardize these costs across the state. Some changes to fees were in response to court rulings that declared these fees unconstitutional. In addition, the legislation provides specific guidance as to the remittance and distribution of the court costs and fees to the state, amount retained locally, allowable expenditures of amount collected and how much should be deposited into the appropriate dedicated revenue accounts.

**Effective Date: Jan. 1, 2022**

**SB 1373 by Zaffirini.** Relating to the imposition and collection of fines, fees and court costs in criminal cases.

**Summary:** Passed by the 86th Legislature, HB 435 by Shaheen allowed judges to declare court costs and fees uncollectible under certain circumstances but failed to include fines. SB 1373 clarifies that fines, not just court costs and fees, may be deemed uncollectible if the defendant is dead or serving a life sentence, or if the fine remains unpaid after 15 years. Additionally, SB 1373 clarifies that court costs include any fee modified or imposed after judgment. It also

amends the Code of Criminal Procedure to make clear that judges are required to inquire on the record about the defendant’s ability to pay in Class C misdemeanor cases.

The Office of Court Administration is required to create and make available the forms and materials by June 1, 2022.

Article 7B.001 of the Code of the Criminal Procedure, as amended, and Sec. 82.004 of the Family Code, as amended, apply only to applications for a protective order filed on or after June 1, 2022.

Articles 7B.003 and 17.292 of the Code of Criminal Procedure, as amended, and Secs. 83.007 and 85.0225 of the Family Code, as added by SB 1373, apply only to orders issued on or after June 1, 2022.

**Effective Date: Sept. 1, 2021**

**SB 1923 by Zaffirini.** Relating to certain criminal court costs, fines and fees.

**Summary:** Amends certain criminal court costs and fees following the passage of SB 346 by Zaffirini from the 86th Legislative Session, consolidating criminal court costs and ensuring they were constitutional. There were several criminal court costs that remained in statute that had constitutional issues and some fees were inadvertently left out that a court could no longer collect. SB 1923 makes those corrections and provides clarification by reclassifying the fees and fines and gives guidance on proper distribution and usage of funds collected. SB 1923 specifies that the purpose of certain reimbursement fees, paid by a defendant convicted of a felony or misdemeanor for the services provided in the case by peace officers, are to cover the cost of such services.

**Effective Date: Sept. 1, 2021**

## COURTS

**HB 39 by Neave.** Relating to protective orders; making conforming changes.

**Summary:** Expands the types of protective orders that are civilly and criminally enforceable. Requires proof of service before certain default protective orders can be issued and allows default protective orders to be rendered without meeting certain civil procedure

rules. The legislation also revises who can apply for certain protective orders relating to cases of sexual assault or abuse, stalking or trafficking, and who can apply to rescind them.

HB 39 also adds an admonishment to the text of every protective order issued under Chapter 85 of the Family Code. The addition states that if a person subjected to a protective order is released from confinement or imprisonment following the date the order would have expired, or if the order would have expired no later than the first anniversary of the date the person is released from confinement or imprisonment, the order is automatically extended to expire on 1) the first anniversary of the date the person is released, if the person was sentenced to confinement or imprisonment for a term of more than five years, or 2) the second anniversary of the date the person is released, if the person was sentenced to confinement or imprisonment for a term of five years or less.

**Effective Date: Sept. 1, 2021**

**HB 1693 by Shaheen.** Relating to access to the financial responsibility verification program by justice and municipal courts.

**Summary:** Amends the Transportation Code to allow a justice or municipal court to access the Financial Responsibility Verification Program to verify financial responsibility for the purpose of a court proceeding.

**Effective Date: June 4, 2021**

**HB 2430 by Murr.** Relating to the mileage expense reimbursement for certain temporary justices of the peace.

**Summary:** Amends the Government Code to authorize a county commissioners court to reimburse mileage expenses for a justice of the peace that is filling in as a temporary justice of the peace for another precinct in the same county.

**Effective Date: Sept. 1, 2021**

**HB 3774 by Leach.** Relating to the operation and administration of and practice and procedure related to proceedings in the judicial branch of state government.

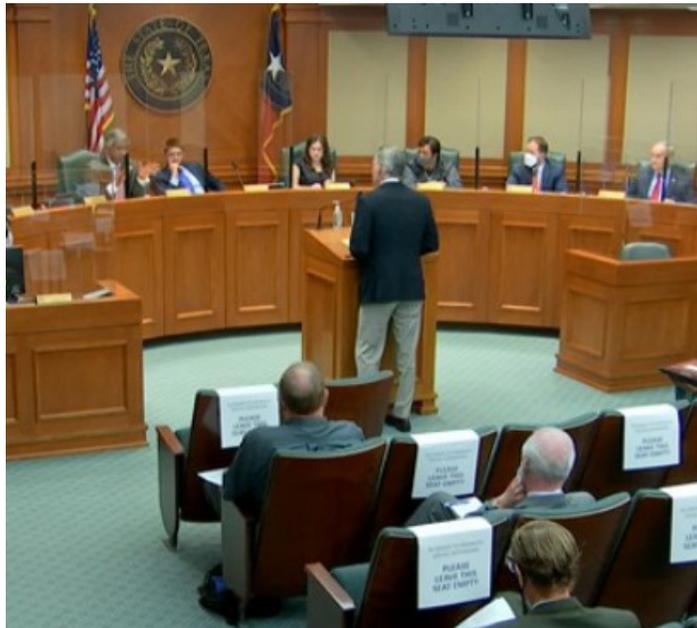
**Summary:** Makes numerous changes to the state's court system, amending both the Government Code and the Family Code:

- Creates Judicial District Courts in the counties of Bell, Cameron, Denton and Hays (effective Sept. 1, 2022); Harris, Hidalgo, McLennan and Smith (effective Jan. 1, 2023); Tarrant (effective Jan. 1, 2022); and Williamson (effective Oct. 1, 2022).
- Creates a Probate Court in Denton County. Provides that the County Court at Law No. 2 of Denton County has jurisdiction over all proceedings for eminent domain and direct and inverse condemnation cases.
- Increases the amount the state reimburses counties with statutory probate judges from \$40,000 annually to an annual amount equal to 60% of the annual base salary of a district judge.
- Creates County Courts at Law in Kendall County (effective Oct. 1, 2022) and McLennan, Montgomery and San Patricio counties (effective Jan. 1, 2023).
- Creates Brazoria County Criminal Magistrate Court, over which the Commissioners Court of Brazoria County, upon recommendation of the local administrative judge, may appoint one or more full- or part-time criminal magistrates to preside. Allows for the judges of the district courts of Tom Green County, with the consent and approval of the Commissioners Court of Tom Green County, to jointly appoint the number of magistrates set by the commissioners court.
- Permits a judge or magistrate of a district court or statutory county court, who is authorized to hear criminal cases, to be appointed to preside over a regional specialty court program in certain circumstances.
- Allows clerks of the courts to use electronic filing systems to transfer cases and documents between courts. The Office of Court Administration is required to promulgate rules and develop all forms and materials required.
- Allows a juror to donate the amount of their juror reimbursement to a veteran's treatment program or a veteran's county service office established by the commissioners court. Changes the maximum amount a judge is authorized to spend per meal for

a juror serving on a jury in a civil case from \$3 to a “reasonable amount.”

- Reduces the annual salary supplement affidavit requirement for a county judge from 40% to 18%. To receive the supplement, a county judge must certify that at least 18% of the functions the judge performs are judicial functions or that at least 18% of the judge’s work hours are in the performance of judicial functions.

**Effective Date: Sept. 1, 2021, with the following exceptions: Secs. 24.129(b), 24.66022, 24.60030, 25.0632(b and c) and 24.60026 of the Government Code, as added or amended by this act, take effect Jan. 1, 2022; Secs. 24.60028 and 24.60099 of the Government Code, as added by this act, take effect Sept. 1, 2022; Secs. 24.60025, 24.120(b), 24.60097, 25.1331, 25.1332 and 25.2481 of the Government Code, as added or amended by this act, take effect Oct. 1, 2022; and Secs. 24.60098, 25.2071(a), 25.2072 and 25.223(l) of the Government Code, as added or amended by this act, take effect Jan. 1, 2023.**



#### **HB 4293 by Hinojosa.**

Relating to the creation of a court reminder program for criminal defendants.

**Summary:** Amends the Government Code to require courts with jurisdiction over criminal cases to adopt a court reminder program that allows a county to send a text message to notify criminal defendants of scheduled court appearances. Requires the Office of Court Administration (OCA) to develop and make available this program at no cost to counties. However, clerks will have to provide OCA with each defendant’s relevant information for the program. Courts may elect to use the program developed by OCA or develop a county program that meets the requirements of the provisions.

**Effective Date: Sept. 1, 2021**

**SB 30 by West.** Relating to the removal of certain discriminatory provisions from a recorded conveyance instrument.

**Summary:** Amends the Property Code to authorize a property owner or a person who has an interest in real property to request removal of discriminatory language in a conveyance document or instrument by completing and filing an affidavit form with the district clerk in the county where the real property is located, or with the clerk of another court having jurisdiction over the real property, requesting removal of the offensive language. The court, after

reviewing, will issue a finding of fact and conclusion of law, which the court clerk will transfer to the county clerk for recording and indexing in the subject conveyance instrument or document filed. SB 30 prohibits the county clerk from collecting a fee for the filing.

**Effective Date: Sept. 1, 2021**

## CRIMINAL JUSTICE

**HB 9 by Klick.** Relating to the criminal punishment

and conditions of community supervision for the offense of obstructing a highway or other passageway; increasing a criminal penalty.

**Summary:** Raises the penalty for certain offenses involving obstructing a highway or other passageway. The offense is enhanced to a state jail felony if, in committing the offense, the actor knowingly prevented the passage of an emergency vehicle or obstructed access to a hospital or other health care facility that provides emergency medical care. Further, if a court grants community supervision to someone convicted of such a state jail felony, the court must require as a condition of community supervision that the defendant submit to at least 10 days of confinement in county jail.

**Effective Date: Sept. 1, 2021**

**HB 385 by Pacheco.** Relating to conditions of community supervision and procedures applicable to the reduction or termination of a defendant's period of community supervision.

**Summary:** Revises the statutes governing the modification and setting of the conditions of community supervision. The act expands the court's considerations relating to a defendant's ability to pay. Specifically, HB 385 states that the court must consider whether a defendant has sufficient resources or income to make payments, excluding restitution, but including fees, fines, reimbursement costs, court costs, rehabilitation costs, program costs, service costs, counseling costs, ignition interlock costs, assessment costs, testing costs, education costs, treatment costs or any other payment or cost.

At any time during their period of community supervision, a defendant may file a written statement requesting reconsideration of their ability to make payments with the court clerk. When the court receives such a statement, the court must consider whether the defendant's financial status or required payments have changed such that their ability to pay is substantially hindered. The court may offer alternate options, such as deferred payments, a partial or complete waiver of the amount due, discharge through community service or any combination of the previous options.

Further, probation officers must notify courts if probationers, who at the time of a review of their probation were delinquent in paying restitution or had not completed counseling or treatment, had later completed either task. After getting the notice, courts must review the defendant's record and consider whether to reduce or terminate probation.

HB 385 removes a prohibition on time credits for those who are delinquent in paying costs, fines and fees. The legislation expands the list of programs for which defendants are entitled to receive time credits to include 30 days credit for successfully completing faith-based, volunteer or community-based programs ordered or approved by the courts.

The act removes as a condition of community supervision the requirement that a defendant avoid persons or places of disreputable or harmful character, including persons who are active members of criminal street gangs. HB 385 gives community supervision and corrections departments that are supervising



defendants the ability to develop the continuum of care treatment plans under Article 42A.303(d)(1) of the Code of Criminal Procedure.

**Effective Date: Sept. 1, 2021**

**HB 624 by Shine.** Relating to increasing the criminal penalty for certain offenses committed in retaliation for or on account of a person's service or status as a public servant.

**Summary:** Increases the punishment for certain criminal offenses if the offense was committed against someone the defendant knew was a public servant or a member of the public servant's family or household or if the offense involved property that the defendant knew belonged to a public servant and the offense was committed in retaliation for the service or status of the person as a public servant. The punishment for such an offense is increased to the punishment prescribed for the next higher category of offense. In legislation, "public servant" has the meaning found in Sec. 36.06 of the Penal Code.

**Effective Date: Sept. 1, 2021**

**HB 757 by Dutton.** Relating to the consequences of receiving a grant of deferred adjudication community supervision and successfully completing the period of supervision.

**Summary:** Prohibits deferred adjudications that resulted in a discharge and dismissal, subject to certain conditions, from being used to deny, suspend or revoke professional or occupational licenses or

certificates of an individual otherwise entitled to or qualified for the license or certificate.

Licensing agencies are authorized to consider the fact that the defendant previously had received deferred adjudication community supervision in issuing, renewing, denying or revoking a license or certificate if the profession for which the license or certificate is sought involves direct contact with children in the normal course of its duties or if the offense was on the list of offenses in Code of Criminal Procedure Article 42A.054 for which judges cannot order community supervision; was listed as a reportable conviction or sexually violent offense under the state's sex offender registry; involved certain other sex offenses or public indecency; was related to the activity or conduct for which the person sought or held the license; or if the defendant is an applicant for or the holder of a license or certificate issued under Chapter 1701 of the Occupations Code (Law Enforcement Officers).

**Effective Date: Sept. 1, 2021**

**HB 766 by Harless.** Relating to the entry into the Texas Crime Information Center of certain information regarding orders imposing a condition of bond in a criminal case involving a violent offense.

**Summary:** Amends the Code of Criminal Procedure to require a magistrate to notify the sheriff of the conditions of bond in a criminal case involving a violent offense and provide the sheriff with certain information not later than the next business day after the magistrate issues the order.

Additionally, the sheriff, not later than the next business day after receiving the information, must enter the conditions of bond into the Texas Crime Information Center (TCIC) database. The sheriff must also make a good faith effort to notify by telephone any named person a condition of bond is intended to protect and, if different and applicable, the victim of the alleged offense that the defendant to whom the order is directed has been released on bond.

The court clerk that issues an order must send a copy of the order to any named person a condition of bond is intended to protect and, if different and applicable, to the victim of the alleged offense that the defendant to whom the order is directed has been released on bond not later than the next business day after the

date the court issues the order.

Section 2 of HB 766 requires the Department of Public Safety to modify the TCIC to enable the database to accept and maintain the information required by the act not later than Dec. 31, 2021.

**Effective Date: This act takes effect Jan. 1, 2022, except for Section 2, which takes effect Sept. 1, 2021.**

## CRIMINAL PROCEDURE

**HB 558 by White.** Relating to the taking of a blood specimen on arrest for certain intoxication offenses.

**Summary:** Requires a peace officer to require the taking of a blood specimen of a person if the officer arrests the person for an intoxication offense involving the operation of a motor vehicle or watercraft that resulted in an accident causing serious bodily injury or death to any individual and the person refuses to voluntarily submit to the taking of a specimen.

Before the passage of HB 558, a peace officer could not require the taking of a specimen unless the officer obtained a warrant directing that the specimen be taken or had probable cause to believe that exigent circumstances existed.

A negotiated Senate floor amendment striking the aforementioned provision and substituting language that referenced the constitutional requirements for such warrantless takings, such as the requirements found in the United States Supreme Court decision of *Missouri v. McNeely*, was removed.

**Effective Date: Sept. 1, 2021**

**SB 576 by Hinojosa.** Relating to the prosecution and punishment of the offense of smuggling of persons.

**Summary:** Removes the intent to obtain pecuniary benefit from the conditions for the offense of smuggling of persons and would establish that a person committed that offense if the person knowingly assisted, guided or directed two or more individuals to enter or remain on agricultural land without the owner's consent.

SB 576 also enhances the offense of smuggling of persons from a third-degree felony to a second-degree

felony if the offense was committed with the intent to obtain a pecuniary benefit; during the commission of the offense, the actor, another party to the offense or an individual assisted, guided or directed by the actor knowingly possessed a firearm; or the actor, while transporting an individual, knowingly fled from a peace officer or special investigator attempting to lawfully arrest or detain the actor.

**Effective Date: Sept. 1, 2021**

## ECONOMIC DEVELOPMENT

**HB 2404 by Meyer.** Relating to the creation and maintenance of a database of information regarding certain local economic development agreements; providing a civil penalty.

**Summary:** Requires the comptroller to create a webpage titled the “Chapter 380 and 381 Agreement Database” with information regarding all local development agreements in this state. If a local government has not complied with the reporting requirement, written notice shall be sent and, if the local government does not respond within 30 days, a civil penalty of \$1,000 may be assessed.

**Effective Date: Sept. 1, 2021**

## ELECTIONS

**HB 574 by Bonnen.** Relating to the creation of criminal offenses involving elections.

**Summary:** Creates a second-degree felony offense if a person knowingly or intentionally counts invalid votes or alters a report to include invalid votes or excludes valid votes or alters a report to exclude valid votes.

**Effective Date: Sept. 1, 2021**

**HB 1264 by Bell, Keith.** Relating to the time for making required reports of deceased residents of this state to a voter registrar and to the secretary of state.

**Summary:** Requires the local registrar of deaths to file an abstract of a death certificate with the voter registrar of the decedent’s county of residence and the Office of the Secretary of State as soon as

possible, but not later than the seventh day after the date the abstract is prepared.

**Effective Date: Sept. 1, 2021**

**HB 1382 by Bucy.** Relating to the availability of certain information regarding early voting.

**Summary:** Requires the Office of the Secretary of State to develop an online tool for early voting clerks that would enable a voter to track the location and status of their application for a ballot by mail and ballot voted by mail on the secretary of state’s website and on a county’s website if the early voting clerk is the county clerk of a county that maintains a website.

**Effective Date: Sept. 1, 2021**

**HB 1622 by Guillen.** Relating to reporting of early voting rosters.

**Summary:** Requires the Office of the Secretary of State to create and maintain a record of complaints against an early voting clerk who does not comply with the requirement of submitting the early voting roster or ballots received by mail to the secretary of state not later than 11 a.m. the following day after received.

**Effective Date: Sept. 1, 2021**

**HB 2283 by King, Phil.** Relating to the acceptance of certain gifts and donations for the administration of elections.

**Summary:** Prohibits a joint elections commission, county election commission and county election board from accepting contributions of \$1,000 or more, including the value of in-kind donations offered by private individuals, a business entity, corporation, partnership, trust or other third party without the written consent of the secretary of state.

**Effective Date: Sept. 1, 2021**

**HB 3107 by Clardy.** Relating to election practices and procedures.

**Summary:** Updates and modifies certain election practices and procedures on voter registration applications, training for election judges and clerks, written notice of ballot drawing, email submission of



certain documents, contact information of the early voting clerk, and requirements for bilingual early voting clerks. HB 3107 also modifies various other provisions of election practices and procedures, and repeals certain provisions of the election code to remove outdated language to comply with new requirements in legislation.

**Effective Date: Sept. 1, 2021**

**HB 3920 by Dean.** Relating to an application to vote early by mail on the grounds of disability or confinement for childbirth.

**Summary:** Extends the application to vote early by mail on the grounds of a disability to include a voter who is expecting to give birth within three weeks before or after Election Day. The legislation also includes a list of reasons that do not constitute a disability and requires an applicant applying for a mail-in ballot on the grounds of a disability to agree to a statement confirming their disability and prohibits them from appearing in person at the polls on Election Day.

**Effective Date: Sept. 1, 2021**

**SB 231 by Seliger.** Relating to training for county election officers.

**Summary:** Requires the Office of the Secretary of State to provide a standardized training program and materials for county election officials and election administrators.

**Effective Date: Sept. 1, 2021**

**SB 331 by Johnson.** Relating to eligibility to serve as an interpreter in an election.

**Summary:** Allows an election officer to appoint an interpreter to assist a voter if the person has not selected an interpreter. SB 331 requires the interpreter to take the oath for interpreters, be a registered voter in the county in which the voter is needing assistance or be a registered voter in an adjacent county.

**Effective Date: June 14, 2021**

**SB 598 by Kolkhorst.** Relating to auditable voting systems.

**Summary:** Applies to elections occurring after Aug. 31, 2026, that contain a race or measure that is voted on statewide, and in which a certain type of auditable voting system is used. SB 598 requires risk-limiting audits of election results within a 24-hour period before the time for conducting the canvass of the election. The legislation requires the Office of the Secretary of State to conduct a pilot program of the risk-limiting audit program beginning with the election on Nov. 8, 2022. The office is required to select at least five counties for the pilot program: at least one county must have a population of at least 500,000. The secretary of state may use any available funds to assist counties with the purchase of an auditable voting system if funds are appropriated.

**Effective Date: Sept. 1, 2021**

**SB 1111 by Bettencourt.** Relating to the residence address of a voter for purposes of a response to a confirmation notice sent by the voter registrar.

**Summary:** Clarifies and defines “residence” as a person’s permanent address. The act gives the voter registrar the authority to confirm a voter’s residence address by sending a notice requesting confirmation of the voter’s current address; the voter has 30 days in which to respond with documentation as to proof of residence.

**Effective Date: Sept. 1, 2021**

**SB 1113 by Bettencourt.** Relating to a registrar's failure to approve, change, or cancel voter registrations under applicable law.

**Summary:** Authorizes the Office of the Secretary of State to withhold Election Code Chapter 19 funds if a voter registrar fails to timely perform their duty to approve, change or cancel a voter's registration. The funds may be distributed if the voter registrar performs their duties not later than 30 days after the funds are withheld.

**Effective Date: Sept. 1, 2021**

**SB 1116 by Bettencourt.** Relating to a county, city, or independent school district posting election notices and results on an Internet website.

**Summary:** Requires a county conducting an election or providing elections services that maintains a website to post certain information on its public website. For an election of public officials or a governmental entity authorized by law to impose a tax administered by the county, the county must post the date of the election, the location of each polling place, each candidate for an elected office on the ballot and each measure on the ballot. Such counties must post this information not later than the 21st day before an election.

**Effective Date: Sept. 1, 2021**

**SB 1134 by Hughes.** Relating to address confidentiality on certain documents for federal officials and family members of certain federal officials or federal or state court judges.

**Summary:** Requires the voter registrar to omit the applicant's residence address from the registration list for certain federal officials and family members of certain federal officials or federal or state court judges.

**Effective Date: Sept. 1, 2021**

**SB 1387 by Creighton.** Relating to a requirement that a voting system used in an election in this state be manufactured, stored, and held in the United States by a company headquartered in the United States.



**Summary:** Requires voting systems and equipment used in Texas elections to meet specific manufacturing requirements.

**Effective Date: June 16, 2021**

**SB 1418 by Schwertner.** Relating to the compensation of the presiding judge of an early voting ballot voting board.

**Summary:** Gives the appropriate authority discretion to compensate the presiding election judge at a higher rate than the early voting ballot board members.

**Effective Date: Sept. 1, 2021**

## EMERGENCY MANAGEMENT

**HB 525 by Shaheen.** Relating to the protection of religious organizations.

**Summary:** Declares religious organizations as essential businesses, including during a declared state of disaster. The act specifies that an organization's religious and other related functions are essential activities even if they are not listed as essential in an order issued during the disaster. HB 525 includes injunctive relief, declaratory relief and attorney's fees for violations of this section. It also waives sovereign or governmental immunity, and allows the Texas attorney general to bring an action against a

governmental entity or employee for a violation. The attorney general may not recover expenses incurred in suing.

**Effective: June 18, 2021**

**HB 2073 by Burrows.** Relating to quarantine leave for firefighters, peace officers, detention officers, and emergency medical technicians employed by, appointed by, or elected for a political subdivision.

**Summary:** Requires a county to provide paid quarantine leave for first responders, including firefighters, police officers, detention officers and emergency medical technicians. The commissioners court must develop and implement a paid quarantine leave policy for the county that provides all employment benefits and compensation and reimbursement for reasonable costs incurred related to quarantine, including lodging, medical care and transportation. The quarantine leave policy may not reduce sick leave, vacation, holiday or any other paid leave.

**Effective Date: June 15, 2021**

**SB 2 by Hancock.** Relating to the governance of the Public Utility Commission of Texas, the Office of Public Utility Counsel, and an independent organization certified to manage a power region.

**Summary:** Amends the Utilities Code as a response to power outages experienced across the state during Winter Storm Uri. SB 2 reduces the number of seats on the Electric Reliability Council of Texas' (ERCOT) Board of Directors from 16 to 11. Eight of the 11 members will be appointed by a three-member selection committee appointed by the speaker, lieutenant governor and governor. The selection committee is directed to use an outside consulting firm to help with the selection. All board members are now required to be residents of Texas.

**Effective Date: June 8, 2021**

**SB 3 by Schwertner.** Relating to preparing for, preventing, and responding to weather emergencies and power outages; increasing the amount of administrative and civil penalties.

**Summary:** Responds to power outages experienced across the state during Winter Storm Uri. SB 3 establishes the Texas Electricity Supply Chain Security and Mapping Committee to map the electricity supply chain, identify critical infrastructure, develop plans to maintain grid operations in extreme weather and recommend oversight procedures and recovery actions. Mapping will encompass the identification and location of energy sources, generation facilities and transmission infrastructure. The mapping committee membership includes specified representatives of the Public Utility Commission, the Texas Railroad Commission, the Electric Reliability Council of Texas and the Texas Department of Emergency Management. The committee must update the electricity supply chain map at least once each year.

The legislation establishes the Texas Energy Reliability Council to oversee power outages lasting more than 24 hours. The council is required to submit to the Legislature, by Nov. 1 of each even-numbered year, a report on the reliability and stability of the state's electricity supply chain.

SB 3 requires generation facilities, transmission providers and water utilities to upgrade or weatherize specified infrastructure. Natural gas production facilities, which supply the fuel for much of Texas' power generation, will be required to weatherize if deemed critical by the Railroad Commission. Failure to comply with weatherization requirements may result in penalties of up to \$1 million.

The act also directs electric providers to inform customers how to register as a "critical care residential customer" or a "critical load industrial customer" to protect against loss of electricity when providers must cut power due to insufficient supply; establishes the State Energy Disaster Reliability Council to design and implement a public warning system similar to Amber Alerts to provide notice of extreme weather and power outages; and grants electric and natural gas market participants the authority to issue ratepayer-backed bonds to mitigate losses and help finance recovery, including weatherization.

**Effective Date: June 8, 2021**

**SB 437 by Blanco.** Relating to the establishment of a personal protective equipment reserve advisory committee.

**Summary:** Creates the Personal Protective Equipment Reserve Advisory Committee under the Texas Division of Emergency Management to make recommendations on the procurement of a statewide personal protective equipment reserve, the storage of the equipment and the distribution of the equipment to health care workers and essential personnel.

**Effective Date: June 16, 2021**

**SB 1225 by Huffman.** Relating to the authority of a governmental body impacted by a catastrophe to temporarily suspend the requirements of the public information law.

**Summary:** Authorizes a county to suspend application of the Public Information Act for no more than 14 days when impacted by a catastrophe. A county may only suspend the act once per disaster.

**Effective Date: Sept. 1, 2021**

## EMERGENCY SERVICES

**HB 786 by Oliverson.** Relating to required cardiopulmonary resuscitation training for telecommunicators.

**Summary:** Requires all telecommunicators to be trained during their basic licensing or continuing education courses on how to coach cardiopulmonary resuscitation (CPR) over the phone. The training would be required to use the most current, nationally recognized emergency CPR guidelines, incorporate recognition protocols for out-of-hospital cardiac arrest and provide information on best practices for relaying compression-only CPR instructions to callers. The Texas Commission on Law Enforcement would be required to adopt rules to implement tele-CPR training.

**Effective Date: Sept. 1, 2021**

**HB 788 by Geren.** Relating to the eligibility of emergency service dispatchers to participate in a



public safety employees treatment court program.

**Summary:** Extends eligibility to public safety employees for the treatment court program established under Government Code Chapter 129 to emergency service dispatchers. The legislation would apply to a person who, on or after the effective date, entered the public safety employees' treatment court program, regardless of when the person committed the relevant offense.

**Effective Date: Sept. 1, 2021**

**HB 1069 by Harris.** Relating to the carrying of a handgun by certain first responders.

**Summary:** Allows first responders and emergency service personnel to carry a handgun while on duty. However, they must first complete a certification class developed by the Department of Public Safety specifically for them. A county may not adopt rules or regulations that prohibit a first responder who holds the certification from carrying a handgun while on duty or prevent a first responder from storing a handgun on county property or within a county vehicle, if secured within the vehicle according to specified requirements. A county is not liable in civil action arising from the discharge of a handgun by a first responder.

**Effective Date: Sept. 1, 2021**

**HB 2911 by White.** Relating to next generation 9-1-1 service and the establishment of a next generation 9-1-1 service fund.

**Summary:** Establishes the Next Generation 911

Service Fund and directs the comptroller’s office to transfer to it all monies made available from the federal Coronavirus State and Local Fiscal Recovery Funds for the purpose of supporting and developing next generation 9-1-1 services. All monies shall be distributed by Dec. 31, 2022 and shall be spent by Dec. 31, 2024. This new technology will allow first responders to find the exact location of a caller — for example, a first responder would be able to ascertain that the call was placed from the fourth floor of a hotel.

**Effective Date: Sept. 1, 2021**

**SB 968 by Kolkhorst.** Relating to public health disaster and public health emergency preparedness and response; providing a civil penalty.

**Summary:** Reorganizes the approach Texas takes to respond to public health disasters and emergencies. The act prohibits a county from issuing a vaccine passport or any other documentation to certify COVID-19 vaccination status. It further mandates that during a disaster or loss of utilities, a county shall conduct wellness checks on “medically fragile individuals” by specified first responder personnel using an automated telephone call and text and a personalized telephone call. If first responders are unable to make contact, they must conduct an in-person wellness check.

**Effective Date: June 16, 2021**

**SB 1343 by Taylor.** Relating to certain meetings of a commissioners court during a disaster or emergency.

**Summary:** Authorizes the commissioners court of a county for which the governor has declared a disaster to hold an open or closed meeting, including via telephone, solely to deliberate about disaster or emergency conditions. The county must make a reasonable attempt to provide public notice.

**Effective Date: Sept. 1, 2021**

## EMINENT DOMAIN

**HB 2730 by Deshotel.** Relating to the acquisition of real property by an entity with eminent domain authority and the regulation of easement or right-of-way agents.

**Summary:** Amends Property Code provisions related to landowner rights and condemnor obligations in eminent domain proceedings. Specifies that the “Landowner’s Bill of Rights” remain at the Office of the Attorney General (OAG), and newly requires that the OAG accept public input into its contents. The Landowner’s Bill of Rights is amended to include notice that a property owner has the right to file a complaint for misconduct by a certified easement or right-of-way agent. The statement must also include notice of the terms required for an instrument of conveyance under Section 21.0114 (c) of the Property Code and those terms a property owner may negotiate under Section 21.014 (d) of the Property Code.

HB 2730 requires right-of-way agents to complete additional continuing education in property acquisition procedures, including ethics. The bill also requires condemning entities to provide additional information with an initial offer, including a statement regarding damages to the remainder and an instrument that includes minimum easement terms. HB 2730 provides for inclusion of procedural timelines upon filing of a condemnation petition, including the timing of appointment of special commissioners.

**Effective Date: Jan. 1, 2022**

**SB 726 by Schwertner.** Relating to establishing actual progress for the purposes of determining the right to repurchase real property from a condemning entity.

**Summary:** Amends the Property Code to change the definition of “actual progress” by requiring three of the specified actions be completed rather than two and by eliminating two actions from the list: the acquisition of a tract or parcel adjacent to the property for the same public use project for which the owner’s land was acquired and the adoption by a governing body of a development plan that indicates the entity will not complete more than one action before the 10th anniversary of the acquisition of the owner’s property. SB 726 carves out navigation districts and port authorities, which are required to complete only one action, provided that the governing body adopts a development plan indicating that it will not complete more than one action within 10 years.

**Effective Date: Sept. 1, 2021**



## ENVIRONMENTAL

**HB 2201 by Ashby.** Relating to the location of pits used in the production of oil and gas.

**Summary:** Requires the Texas Commission on Environmental Quality (TCEQ) to establish standards governing permissible locations for pits used by commercial oil and gas disposal facilities. TCEQ must consider the previous 10-year flooding history in determining permissible locations.

**Effective Date: Sept. 1, 2021**

## FEES AND FINES

**HB 1428 by Huberty.** Relating to procurement by a political subdivision of a contingent fee contract for legal services.

**Summary:** During the 86th Legislature, certain contingency fee contracts were exempted from review by the Office of the Attorney General. HB 1428 expands the exemption to include any contingency fee contract entered into by a political subdivision for legal services for the collection of delinquent obligations. The bill defines “obligation”

as a debt, judgment, claim, account, fee, fine, tax, penalty, interest, loan, charge or grant, but expressly excludes fines or penalties that result from action brought under the Water Code.

**Effective Date: Sept. 1, 2021**

**HB 3897 by Thompson, Senfronia.** Relating to fees levied by municipalities and counties for certain alcoholic beverage licenses.

**Summary:** Restores counties’ ability to collect certain fees. The Texas Alcoholic Beverage Commission (TABC) underwent substantial changes during the 86th Legislature’s Texas Sunset Commission review process. Those changes included renaming, eliminating and combining several categories of permits and licenses under the Alcoholic Beverage Code. Additionally, TABC’s permit and license fees were removed from statute and placed into rule, resulting in an inability for counties to collect the local fees associated with alcohol licensing and permits. HB 3897 restores counties’ ability to collect up to 50% of a brewer’s license or a brewer’s self-distribution license established by rule.

**Effective Date: Sept. 1, 2021**

## INDIGENT DEFENSE

**HB 295 by Murr.** Relating to the provision of funding for indigent defense services.

**Summary:** Amends the Government Code to require the Texas Indigent Defense Commission (TIDC) to provide technical support to assist counties in improving their systems for providing indigent defense services, including indigent defense support services. The act also requires TIDC to assist a county in improving the provision of indigent defense services in the county and expands the list of entities able to receive grants for indigent defense services.

HB 295 amends the Tax Code to change the definition of “indigent defense compensation expenditures” for purposes of the adjustment of a county’s no-new-revenue maintenance and operations rate to reflect increases in those expenditures for tax years beginning on or after Jan. 1, 2022.

**Effective Date: Sept. 1, 2021**

## JUVENILE JUSTICE AND FAMILY ISSUES

**HB 80 by Johnson, Jarvis.** Relating to the discharge by certain defendants of fines and costs through community service.

**Summary:** Prohibits a judge or justice from ordering a youth to pay any amount in fines or costs if the youth is in foster care or under the conservatorship of the Department of Family and Protective Services. In lieu of payment of the fines and costs, the justice or judge may require the defendant to perform community service.

**Effective Date: Sept. 1, 2021**

**HB 1401 by Johnson, Ann.** Relating to methods to send applications and orders for sealing juvenile records.

**Summary:** Allows court clerks to send copies of sealing orders to entities by secure electronic means versus only by regular mail or e-mail.

**Effective Date: Sept. 1, 2021**

## LAND USE

**HB 531 by Walle.** Relating to notice requirements for a leased dwelling located in a floodplain.

**Summary:** Requires a landlord to provide written notice to a tenant notifying them the dwelling they are renting is in a 100-year floodplain. If the landlord fails to provide notice and the tenant suffers a substantial loss or damage to their personal property because of flooding, the tenant may terminate the lease.

**Effective Date: Jan. 1, 2022**

## LAW ENFORCEMENT

**HB 54 by Talarico.** Relating to accompanying and filming peace officers of state and local law enforcement agencies for producing reality television programs.

**Summary:** Prohibits a law enforcement agency, except those that employ game wardens, from contracting with a reality television program, and

from authorizing film crews from accompanying an officer in their line-of-duty activities for the purpose of producing a reality television program. Reality television is narrowly defined as a program primarily for entertainment purposes, excluding reporting on matters of public concern by journalists.

**Effective Date: May 26, 2021**

**HB 368 by Sherman Sr.** Relating to the issuance of a driver's license to certain persons that includes an alternative to the license holder's residence address.

**Summary:** Allows a peace officer or prosecutor to apply for a driver's license that omits their actual residence address and instead includes an alternative address. For a peace officer, the alternate address can be in the municipality or county of the peace officer's residence or the county of the peace officer's place of employment. For a prosecutor, the alternate address can be the address of an office of the prosecutor.

HB 368 amends the Election Code to provide that proof of identification is presented only for the purpose of identifying a voter and not for the verification of residence for those peace officers and prosecutors.

**Effective Date: Sept. 1, 2021**

**HB 402 by Hernandez.** Relating to the use of certain funds derived from criminal asset forfeiture to provide services to domestic victims of trafficking.

**Summary:** Allows prosecutors and law enforcement agencies to use certain civil asset forfeiture funds to cover the cost of a contract with a city or county program to provide services to domestic victims of human trafficking. The funds obtained from contraband used to commit or facilitate human trafficking offenses or intended to facilitate such offenses could be used in this program. Proceeds gained from the commission of human trafficking offenses or property acquired with proceeds from committing human trafficking may also be used for the programs.

**Effective Date: Sept. 1, 2021**

**HB 929 by Sherman Sr.** Relating to law enforcement policies and procedures regarding body worn cameras.

**Summary:** Requires peace officers equipped with body-worn cameras to keep the camera on for as long as they are an active participant in an investigation. Peace officers may turn off their cameras when interacting with anyone not related to an investigation.

**Effective Date: Sept. 1, 2021**

**HB 1012 by Dutton Jr.** Relating to access to a residence or former residence to retrieve certain personal property.

**Summary:** Amends the Property Code to require, in certain cases, that a person applying for a writ authorizing entry to a former residence to retrieve personal property accompanied by a peace officer, must apply to the court that has jurisdiction over a pending suit under the Family Code, in which the applicant is involved, or which has jurisdiction over a divorce decree or annulment involving the applicant. For a case in which neither of those conditions exist, the bill requires application to a justice court. HB 1012 adds certain additional personal items to the list of items eligible for retrieval that an applicant (or the applicant's dependents) requires located in the residence.

**Effective Date: Sept. 1, 2021**

**HB 1049 by Harless.** Relating to the requirement for a deputy sheriff, reserve deputy sheriff, deputy constable, or reserve deputy constable to take an official oath.

**Summary:** Amends the Local Government Code to allow for a person reappointed as a deputy sheriff, reserve deputy sheriff or reserve deputy constable to continue to perform the duties of the office before retaking the official oath. Requires individuals to retake the oath as soon as possible after being reappointed to these offices.

**Effective Date: Sept. 1, 2021**

**HB 1307 by González, Mary.** Relating to the care of pregnant women in county jail or in the custody of the Texas Department of Criminal Justice.

**Summary:** Requires a sheriff to ensure that an obstetrician or gynecologist and a mental health professional promptly review health care services provided to any county jail prisoner after receiving a report that the prisoner had a miscarriage or was physically or sexually assaulted. Additional services must be ordered as necessary.

**Effective Date: Sept. 1, 2021**

**HB 1419 by Hull.** Relating to the duties of a law enforcement agency regarding missing children and missing persons and to the duties of a justice of the peace or other investigator regarding unidentified bodies.

**Summary:** Amends the Code of Criminal Procedure to require the justice of the peace or medical examiner (whoever performs the death inquest) to enter all available identifying features of the unidentified body (fingerprints, dental records, any unusual physical characteristics and a description of the clothing found on the body) into the National Missing and Unidentified Persons System. They must do so within the 10th working day after the date that one or more identifying features of the unidentified body are determined or the 60th day after the date the investigation began, whichever is earlier.

**Effective Date: Sept. 1, 2021**

**HB 1545 by Cyrier.** Relating to the continuation and functions of the Commission on Jail Standards.

**Summary:** Continues the Texas Commission on Jail Standards until Sept. 1, 2033, making several changes to the statutes governing the agency. The changes include revising the commission's process for developing jail standards by requiring minimum standards that take into consideration individual facilities' needs and risks and adopting a risk-based inspection process and revising the process for re-inspections. The commission shall also revise the complaint process, adopt graduated sanctions for noncompliance and standardize in-custody death investigations. HB 1545 further authorizes the commission to establish advisory committees.

When revising standards, the commission will have to consider factors listed in HB 1545, including



establishing tiered standards that depend on the size, resources or type of jail.

**Effective Date: Sept. 1, 2021**

**HB 1900 by Goldman.** Relating to municipalities that adopt budgets that defund municipal police departments.

**Summary:** Penalizes municipalities with more than 250,000 residents that reduce police funding, as determined by the Justice Division of the Office of the Governor, by taking a portion of their sales tax revenue equal to the funding reduction and redirecting it to the state's general revenue fund for use by the Department of Public Safety. Cities in violation are also banned from increasing property taxes or utility rates. Cities may cut police department budgets if the decrease is proportionally equal to an overall city budget decrease. Cities can get approval to cut police budgets if expenses for one year were higher because of capital expenditures or disaster response. HB 1900 also lets neighborhoods annexed in the past 30 years to vote to de-annex themselves from a city that has decreased funding to its police department.

**Effective Date: Sept. 1, 2021**

**HB 1927 by Schaefer.** Relating to provisions governing the carrying of a firearm by a person who is 21 years of age or older and not otherwise prohibited by state or federal law from possessing the firearm and to other provisions related to the carrying, possessing,

transporting, or storing of a firearm or other weapon; creating criminal offenses.

**Summary:** Allows individuals who are at least 21 years of age to carry a firearm without a permit. Individuals who are convicted of a felony domestic violence offense or other felonies remain prohibited from carrying a firearm on their person under federal law. This legislation adds misdemeanor convictions regarding assault with bodily injury, disorderly conduct, deadly conduct or terroristic threat to disqualify an applicant from carrying without a permit for a five-year period from the latest conviction.

HB 1927 authorizes peace officers to temporarily disarm individuals during an interaction or in a secure area of a law enforcement facility and requires the Department of Public Safety to develop a free online training course for firearm safety and handling. Additionally, the act provides for a Class C misdemeanor trespassing offense if an individual violates a private property's prohibition on carrying a firearm. HB 1927 also enhances penalties for carrying while intoxicated and for convicted felons in possession of a firearm. Offenses for certain Unlawful Carrying of a Weapon under Penal Code 46.02(a) are eligible to be expunged.

**Effective Date: Sept. 1, 2021**

**HB 1938 by Jetton.** Relating to a grant program for law enforcement agencies to defray the cost of data storage for recordings created with body worn cameras.

**Summary:** Allows a law enforcement agency that provides body-worn cameras to its peace officers to apply to the Office of the Governor for a grant to defray the cost of data storage for recordings created with the body-worn cameras. The grant program can be funded by federal funds, gifts, grants and donations.

**Effective Date: Sept. 1, 2021**

**HB 2315 by Turner, John.** Relating to the forfeiture of contraband relating to the criminal offense of racing on a highway.

**Summary:** Provides that property used or intended to be used in the commission of any Class A

misdemeanor or felony highway racing offense, with the exception of open container Class A misdemeanors under Sec. 545.420(e)(2)(B) of the Transportation Code, can be seized and forfeited as contraband. Highway racing is a Class A misdemeanor if an individual has previously been convicted under that section already, or if at the time of the offense they were operating the vehicle while intoxicated or possessed an open container of alcohol. Highway racing offenses are state jail felonies for a third offense; third-degree felonies if an individual suffered bodily injury because of the offense; and second-degree felonies if an individual suffered serious bodily injury or death.

**Effective Date: Sept. 1, 2021**

**HB 2366 by Buckley.** Relating to criminal conduct that endangers law enforcement; creating a criminal offense and increasing a criminal penalty.

**Summary:** Creates the “Unlawful Use of Fireworks” offense in response to certain tactics used by protesters against law enforcement agencies. The bill creates a third-degree felony when the use of fireworks results in bodily injury to an officer or a first-degree felony when resulting in serious bodily injury to an officer. If an offense of using a commercial firework occurs in the attempt to obstruct an official duty or to escape from an officer, then the offense is a state jail felony. If an individual uses a nonconsumer firework, the offense is a second-degree felony.

**Effective Date: Sept. 1, 2021**

**HB 2831 by White.** Relating to the confinement in county jail of persons with intellectual or developmental disabilities.

**Summary:** Requires the Texas Commission on Jail Standards (TCJS) to establish a 13-member advisory committee to make recommendations on matters related to those in county jails who have an intellectual or developmental disability (IDD). The committee will submit a report in even-numbered years, providing statistics and recommendations to sheriffs and counties regarding the confinement of people considered to have an IDD. The Texas Commission on Law Enforcement and TCJS shall



jointly develop at least four training hours for county jailers to assist them with their interactions with people identified as having an IDD.

**Effective Date: Sept. 1, 2021**

**HB 3363 by Harless.** Relating to the issuance and execution of certain search warrants in a criminal investigation and the admissibility of evidence obtained through certain searches.

**Summary:** Amends the Code of Criminal Procedure to allow for a search warrant to be executed on electronic location information from a provider of electronic communication services or remote computing services. Colloquially called “the Facebook Bill,” these data companies will be required to share geographic location of communication devices, including current, real-time or prospective geographic data of a communication device. Warrants are valid for not more than 60 days.

**Effective Date: Sept. 1, 2021**

**HB 3712 by Thompson, Ed.** Relating to the training of and policies for peace officers

**Summary:** Requires the basic peace officer training course to be at least 720 hours. The basic training course must include training on banning the use of a chokehold unless the officer reasonably believed the restraint was necessary to prevent serious bodily injury

to or the death of the peace officer or another person, on the duty of an officer to intervene in situations considered to be an unreasonable use of force, on the use of reasonable force and on the duty to render first aid. The bill also requires the Texas Commission on Law Enforcement (TCOLE) to consult with the Bill Blackwood Law Enforcement Management Institute of Texas to develop and maintain a model training curriculum and model policies. Each law enforcement agency is required to adopt these policies within 180 days after TCOLE provides the model policies.

Additionally, TCOLE will mandate topics to be covered in up to 16 of the 40 hours of required continuing education programs that peace officers complete every 24 months. TCOLE will also adopt model pre-hire practices.

**Effective Date: Sept. 1, 2021, if funded by the Legislature.**

**SB 23 by Huffman.** Relating to an election to approve a reduction or reallocation of funding or resources for certain county law enforcement agencies.

**Summary:** Requires a county with a population of more than one million to hold an election in order to reduce a law enforcement agency's budget that is primarily responsible for policing, investigating and answering calls for service. A reduction will be calculated as an agency's percentage compared of the overall budget from the proposed fiscal year budget compared with the previous fiscal year. The bill excludes counties that have declined in population compared with the previous fiscal year and counties affected by certain declared natural disasters, as long as they maintain the overall percentage of funding for an agency compared with the new budget. The Criminal Justice Division of the Office of the Governor can receive complaints from citizens who believe a violation has occurred, and the comptroller may order an audit as a result.

**Effective Date: Jan. 1, 2022**

**SB 64 by Nelson.** Relating to a peer support network for certain law enforcement personnel.

**Summary:** Requires the Texas Commission on Law Enforcement (TCOLE) to develop a statewide peer support network for peace officers by Jan. 1, 2022. The network must include peer-to-peer support;

suicide prevention training for coordinators and peers; and identification, retention and screening of licensed mental health professionals. TCOLE will be required to solicit and ensure that specialized training is provided to active or retired persons who apply to provide peer-to-peer support under the network. TCOLE may contract with an institution of higher education to develop the program. TCOLE is required to produce an annual report due each Dec. 1.

**Effective Date: June 14, 2021**

**SB 69 by Miles.** Relating to the use of force by peace officers.

**Summary:** Prohibits a peace officer from intentionally using a chokehold, carotid artery hold or other similar neck restraint unless it is necessary to prevent serious bodily injury to or death of the officer or another person. Additionally, a peace officer who observes another peace officer use excessive force on an individual is required to intervene and to make an incident report and deliver it to their supervisor when: the officer knows or should have known the other officer's conduct violates state or federal law, the other officer is putting a person at risk of bodily injury and the force is not immediately necessary to avoid imminent bodily injury to a peace officer or other person, and the use of force is not required to apprehend the suspect.

**Effective Date: Sept. 1, 2021**

**SB 162 by Blanco.** Relating to a false statement made to illegally acquire a firearm; creating a criminal offense.

**Summary:** Creates a state jail felony for individuals who falsify state or federal documents required for the lawful purchase, sale or other transfer of a firearm.

**Effective Date: Sept. 1, 2021**

**SB 550 by Springer.** Relating to the manner of carrying a handgun by a person who holds a license under Subchapter H, Chapter 411, Government Code.

**Summary:** Removes the limitation of "shoulder or belt" holster as to how a person is required to openly carry a handgun. The removal of these qualifiers allows for

a greater diversity in the types of holsters a person may use when securing a handgun to their person.

**Effective Date: Sept. 1, 2021**

**SB 713 by Buckingham.** Relating to the sunset review process and certain governmental entities subject to that process.

**Summary:** Extends the Texas Commission on Law Enforcement (TCOLE) for two years due to the TCOLE standalone Sunset Commission bill failing to be heard before the second reading deadline in the House. The commission will again review the agency and produce a report to the 88th Legislature in 2023. SB 713 contained multiple sunset extensions, including one for the state's federal lobbying office, the Office of State-Federal Relations.

**Effective Date: June 16, 2021**

**SB 1359 by Hughes.** Relating to adoption by law enforcement agencies of a mental health leave policy for peace officers.

**Summary:** Requires each law enforcement agency to develop and adopt a mental health leave policy for its peace officers who experience a traumatic event in the scope of their employment. The policy must provide clear guidelines establishing the circumstances under which a peace officer is granted and uses mental health leave, must establish the number of mental health leave days available to a peace officer and must create a process to keep an officer who uses the leave anonymous. Additionally, the policy may not deduct from an officer's salary or other compensation.

**Effective Date: Sept. 1, 2021**

**SB 2212 by West.** Relating to the duty of a peace officer to request and render aid for an injured person.

**Summary:** Requires an on-duty peace officer who encounters an injured person to call for medical assistance, to render first aid in accordance with their level of training and to wait for medical services to arrive. The officer is not obligated to provide medical attention if doing so puts them or others at risk of bodily injury or if the officer is injured.

**Effective Date: Sept. 1, 2021**

## MOTOR VEHICLES

**SB 876 by Hancock.** Relating to the county in which a person may apply for the registration of and title for a motor vehicle.

**Summary:** Changes the process by which an automobile dealer or seller of a motor vehicle can title and register the vehicle. Allows the dealer or seller to process the paperwork in any county as long as the tax assessor-collector is willing to accept the transaction. Additionally, the processing county retains a portion of the title application fee and the processing and handling fee. The taxes, fees and other revenue collected at the time of titling and registration are remitted to the purchaser's county of residence.

**Effective Date: March 1, 2022**

**HB 2152 by Meyer.** Relating to the online renewal of vehicle registration.

**Summary:** Allows an individual to renew a vehicle registration online if the person was otherwise eligible to renew the registration.

**Effective Date: Sept. 1, 2021**

## OFFENSES

**SB 476 by Nelson.** Relating to establishment of county adult sexual assault response teams.

**Summary:** Mandates the creation and operation of a sexual assault response team in all counties. The team is required to develop written protocols for response to a report of sexual assault, meet on a quarterly basis and produce an annual report. Further required duties of the team are specified. A multicounty response team is permitted for two or more counties with populations of 250,000 or less in a contiguous area. All counties must establish a sexual assault response team by Dec. 1, 2021 and appoint a presiding officer at the initial meeting.

**Effective Date: Sept. 1, 2021**



## PROPERTY TAX

**HB 533 by Shine.** Relating to ad valorem tax sales of personal property seized under a tax warrant.

**Summary:** Removes current population bracket to authorize all commissioners courts by order to allow a peace officer or tax assessor to conduct online ad valorem tax sales of personal property seized under a tax warrant.

**Effective Date: Sept. 1, 2021**

**HB 1869 by Burrows.** Relating to the definition of debt for the purposes of calculating certain ad valorem tax rates of a taxing unit.

**Summary:** Amends the Tax Code to expand the type of debt that a county must include when evaluating whether a proposed property tax rate requires voter approval. The bill was significantly altered through the legislative process in response to feedback from stakeholders, including county officials. Ultimately, important exclusions were provided to allow for the refunding of a previously issued certificate of obligation, for expenditures on vehicles or equipment, or for the improvement or refurbishment of existing facilities.

**Effective Date: Sept. 1, 2021**

**HB 2429 by Meyer.** Relating to the alternate provisions for ad valorem tax rate notices when the de minimis rate of a taxing unit exceeds the voter-approval tax rate.

**Summary:** Responds to the **Texas Property Tax Reform and Transparency Act**, passed by the 86th Legislature, which created the de minimis tax rate that allows a taxing entity to adopt a rate that generates an additional \$500,000 above the voter-approval rate. Additionally, the act mandated that associated public notices by a taxing unit on the proposed tax rate reflect the actual rate the taxing unit chose to adopt.

HB 2429 clarifies the notice required for a taxing unit calculating the rate that exceeds the voter-approval rate but not the de minimis rate and provides the verbiage the taxing unit should use for the public notice.

**Effective Date: May 15, 2021**

**HB 2723 by Meyer.** Relating to public notice of the availability on the Internet of property-tax-related information.

**Summary:** Requires the Department of Information Resources to create a website indexing all local property tax databases, so property owners may access information regarding their property taxes, including information about the proposed tax rate and scheduled public hearings of each entity with taxing authority. The bill requires the mailed property tax notice to include: “Beginning August 7, visit [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information regarding the amount of taxes that each entity that taxes your property will impose if the entity adopts its proposed tax rate. Your local property tax database will be updated regularly during August and September as local elected officials propose and adopt the property tax rates that will determine how much you pay in property taxes.” *The site is not yet active as of Aug. 1.*

**Effective Date: June 3, 2021**

**SB 742 by Birdwell.** Relating to installment payments of ad valorem taxes on property in a disaster area or emergency area.

**Summary:** Allows a county, following an emergency or disaster proclaimed by the governor, to authorize a person or business to pay property taxes in installments, provided the property was damaged as a result of the emergency or disaster. Responds to the COVID-19 pandemic, during which a number of businesses suffered no physical damage but were subjected to significant economic damages. To qualify, a business must meet specified criteria.

**Effective Date: June 7, 2021**

**SB 1438 by Bettencourt.** Relating to the effect of a disaster on the calculation of certain tax rates and the procedure for adoption of a tax rate by a taxing unit.

**Summary:** The **Texas Property Tax Reform and Transparency Act**, passed by the 86th Legislature, included a provision that allowed taxing units to calculate their tax rate as a special taxing unit in an area declared a disaster by the governor or president of the United States. In 2020, COVID-19 ravaged the world, ultimately resulting in both a presidential and gubernatorial disaster declaration for the entire state of Texas. The applicability of the disaster exemption included in the act due to economic damage sustained from the global pandemic came into question by taxing units as they began their budget process in 2020.

SB 1438 clarifies the applicability of the disaster exemption. The bill allows a governing body to direct a designated officer to calculate the tax rate as a special taxing unit if any part of the taxing unit is in an area declared a disaster. If the taxing unit calculates under the disaster exemption as a special taxing unit, it must continue to calculate that rate until the earlier of the first tax year in which the total taxable property value exceeds the taxable value in the year the disaster occurred or the third year after the disaster.

Additionally, the first year following the last year of calculating using the disaster exemption, the taxing unit must reduce its rate by the emergency revenue rate using the following calculation:

$$\text{Emergency revenue rate} = \frac{[(\text{last year's adopted tax rate} - \text{adjusted voter-approval rate}) \times \text{last year's total value}] / (\text{current total value} - \text{new property value})}{1}$$

Adjusted voter-approval tax rate means the voter-

approval tax rate a taxing unit would have calculated in the last year for which the disaster exemption applied to the taxing unit if, in each tax year the disaster exemption applied to the taxing unit, the taxing unit adopted a tax rate equal to the greater of:

1. The tax rate actually adopted by the taxing unit for that tax year if that tax rate was approved by the voters at an election.
2. Or the taxing unit's voter-approval tax rate for that tax year, calculated in the manner provided for a taxing unit other than a special taxing unit.

SB 1438 defines a disaster as a tornado, hurricane, flood, wildfire or other calamity, and it specifically excludes droughts, epidemics and pandemics. When increased expenditures are required to respond to a disaster, an election is not required to approve the tax rate adopted by the governing body for the year following the year in which the disaster occurred. However, if a taxing unit adopts this rate, the amount by which the rate exceeds the voter-approval rate may not be considered when calculating the voter-approval rate in the year following adoption of the disaster rate. Lastly, if the taxing unit opts to use this rate, they must specify which disaster declaration they are using to do so and cannot use the same disaster declaration in subsequent years.

**Effective Date: June 16, 2021. Changes to Secs. 11.35 and 11.43 of the Tax Code apply only to ad valorem taxes imposed for a tax year that begins on or after Jan. 1, 2022.**

**SB 1764 by Bettencourt.** Relating to the payment of delinquent ad valorem taxes on property subject to a tax sale.

**Summary:** Authorizes a tax collector to adopt a written policy that requires payment of delinquent taxes, penalties, interest and costs by U.S. currency, cashier's check, certified check or electronic funds transfer.

**Effective Date: June 16, 2021**



## PROPERTY TAX EXEMPTIONS

**SJR 35 by Campbell.** Proposing a constitutional amendment authorizing the Legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a member of the armed services of the United States who is killed or fatally injured in the line of duty.

**Summary:** Proposes a constitutional amendment to authorize the Legislature to provide an exemption from ad valorem taxes to the spouse of a member of the military killed in the line of duty. The amendment would clarify that a member of the armed services killed in a training exercise is eligible.

If the constitutional amendment is approved, **SB 611**, SJR 35's enabling legislation, will go into effect on Nov. 2, 2021.

**Effective Date: Nov. 2, 2021, if the constitutional amendment is approved by voters in November 2021.**

## PUBLIC FINANCE

**SB 321 by Huffman.** Relating to contributions to, benefits from, and the administration of the Employees Retirement System of Texas.

**Summary:** Amends the Government Code to require the state to make annual actuarially determined payments in the amount necessary to fully fund the Employees Retirement System of Texas (ERS) liability in 33 years and restructure the retirement benefit program into a cash balance plan for new members hired on or after Sept. 1, 2022. Currently, the unfunded liability for the ERS pension fund is approximately \$14.7 billion. ERS contains three pension plans, all of which currently have depletion dates — meaning that these funds will run out of money to pay benefits that have already been earned. The ERS fund includes state employees and the elected class, which includes elected felony prosecutors. ERS also manages the Law Enforcement & Custodial Officer Supplemental Retirement Fund (LECOSRF) and the Judicial Retirement System of Texas Plan 2 (JRS 2).

Under SB 321, new employees would contribute 6% of their monthly pay and would have a guaranteed annual interest of 4%. This plan implements a shared-risk strategy for both the state and members to minimize future unfunded liabilities.

In addition to the state contributions required by the bill, each fiscal year the state shall make an actuarially determined payment in the amount necessary to amortize the system's unfunded actuarial liabilities by not later than the fiscal year ending Aug. 31, 2054.

**Effective Date: Sept. 1, 2021**

**SB 1827 by Huffman.** Relating to the creation of the opioid abatement account, an opioid abatement trust fund, and a statewide opioid settlement agreement.

**Summary:** Creates the opioid abatement account as a dedicated General Revenue Fund account to be administered by the Texas Comptroller of Public Accounts. Funds obtained from a statewide opioid settlement agreement will be sent to this account, as will any money the state receives resulting from a state cause of action against an opioid manufacturer or distributor. The account will hold any funds appropriated by the Legislature, as well as gifts and grants. The comptroller will have the authority to distribute funds from the account for nine specific purposes, as delineated in the bill. All nine purposes are directly related to preventing opioid use disorder.

through education and other means or to supporting efforts to assist patients. The bill also creates the opioid abatement trust fund outside the state treasury. The trust fund will distribute 15% of all money obtained under a statewide opioid settlement agreement to counties and municipalities to address opioid-related harms in those communities. For a more detailed look at how settlement funds will be allocated to the account and the trust fund, see Chart 1.

Additionally, SB 1827 creates the Texas Opioid Abatement Fund Council, which is tasked with ensuring that any money in the fund is allocated fairly and spent to remediate the opioid crisis in Texas. The council consists of six regional members who are from academia or who are physicians, four members who are current or retired health care professionals holding or formerly holding a license, one member appointed by the governor, one member appointed by the lieutenant governor, one member appointed by the speaker of the House of Representatives, one member appointed by the attorney general, one member employed by a hospital district and appointed by the governor, one member employed by a hospital district and appointed by the attorney general, one member appointed by the governor who is a member of a law enforcement agency and has experience with opioid-related harms, and one nonvoting member who serves as the presiding officer of the council and is the comptroller or his designee. In making appointments of the six regional members, the executive commissioner of the Health and Human Services Commission shall appoint the members from a list of qualified candidates provided by the governing bodies of counties and municipalities that: brought

a civil action for an opioid-related harm against a released entity; released an opioid-related harm claim in a statewide opioid settlement agreement; and are located within the regions for which the member is being appointed.

Appointments to the Texas Opioid Abatement Fund Council are to be made no later than 60 days after the effective date.

**Effective Date: June 16, 2021**

## PURCHASING

**HB 362 by Sherman Sr.** Relating to the authority of a county to require electronic bids or proposals for competitive bidding.

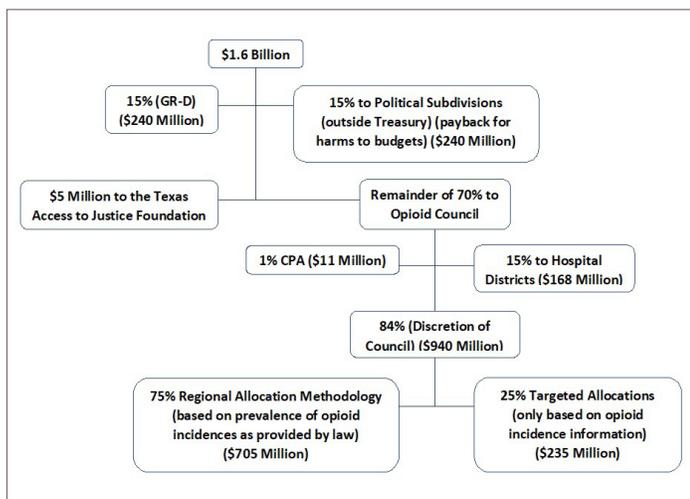
Authorizes the commissioners court of a county to require any response to a competitive bidding proposal be made via electronic means.

**Effective Date: May 15, 2021**

**HB 1476 by Bell, Keith.** Relating to a vendor’s remedies for nonpayment of a contract with this state or a political subdivision of this state.

**Summary:** Requires a county to provide a detailed statement of the disputed amount of a vendor’s invoice and allows the county to withhold from payments required no more than 110% of the disputed amount.

**Effective Date: Sept. 1, 2021**



## STATE BUDGET

**HB 2 by Bonnen.** Relating to making supplemental appropriations and reductions in appropriations and giving direction and adjustment authority regarding appropriations.

**Summary:** Makes supplemental appropriations for the 2020-21 biennium, balancing the books for the two-year budget that ends on Aug. 31, 2021. HB 2 enacts approximately \$5.1 billion in General Revenue and General Revenue-Dedicated Fund cost savings, which — combined with fiscal year 2020 lapses — lead to a 2020-21 savings of almost \$2.8 billion over the estimates in Texas Comptroller Glenn Hegar’s May



2021 revised Biennial Revenue Estimate. Much of the general revenue-related cost savings are due to:

- Reduced appropriations from General Revenue Funds for the salaries of public health and public safety employees eligible for reimbursement from the Coronavirus Relief Fund.
- The 5% reductions that state leadership required of most state agencies in May 2020.
- A reduction in the state's share of school finance costs due to school district property value growth, lower daily attendance rates and federal fiscal relief for school districts.

In addition to these general revenue-related savings needed to fund SB 1, the 2022-23 state budget, HB 2 makes appropriations for the following items of importance to counties:

- \$25 million out of the Economic Stabilization Fund for courthouse preservation grants.
- \$3.4 million in general revenue for food bank programs and home-delivered meals programs.
- \$321.3 million out of the Economic Stabilization Fund, including \$276.5 million to complete replacement of campuses at the Austin and San Antonio state mental health hospitals and \$44.8 million to begin efforts to build new state hospitals in the Dallas area.

For more details on HB 2, see this [infographic](#).

**Effective Date: June 18, 2021**

**SB 1 by Nelson.** General Appropriations Bill.

**Summary:** Complies with all four constitutional spending limits, including the **pay-as-you-go limit**, which prohibits the General Revenue Fund budget from exceeding the comptroller's estimate of available revenue, and the **spending limit**. The latter limit prohibits appropriations out of state tax revenues not dedicated by the constitution from growing faster than the estimated rate of growth of the state's economy. SB 1 is also below the other Texas Constitution spending limits for **debt spending** and **welfare spending**.

From a county perspective, SB 1 includes the following highlights:

- County courthouse preservation grants – \$8.1 million in targeted grants to Mason (\$6 million), Tyler (\$1 million) and Newton (\$1.1 million) counties in SB 1; \$25 million in **HB 2**, the supplemental appropriations bill for the 2020-21 state budget (*see Page 47*).
- \$34 million for reimbursements to counties for the retrofitting or purchase of new auditable voting machines and an increase of \$1.4 million for training county election officials.
- Increases in bed capacity at the state's mental health hospitals to provide relief to local mental health authorities and local law enforcement agencies that may be housing people who require mental health care in their county jails.

Senate Bill 1, by Method of Finance				
MOF Type (in millions)	2020-21	SB1 2022-23	Biennial Change	% Change
General Revenue Funds	\$110,269.6	\$116,368.2	\$6,098.6	5.5%
General Revenue-Dedicated Funds	\$6,563.2	\$6,315.2	(\$248.0)	(3.8%)
Other Funds	\$44,990.3	\$41,100.0	(\$3,890.3)	(8.6%)
<b>TOTAL, GR / GR-D / Other Funds</b>	<b>\$161,823.1</b>	<b>\$163,783.4</b>	<b>\$1,960.3</b>	<b>1.2%</b>
Federal Funds	\$100,281.4	\$84,767.1	(\$15,514.3)	(15.5%)
<b>ALL FUNDS</b>	<b>\$262,104.5</b>	<b>\$248,550.5</b>	<b>(\$13,554.0)</b>	<b>(5.2%)</b>

2020-21 amounts include supplemental appropriations made in **HB 2**.  
 2022-23 amounts do not reflect Gov. Greg Abbott's veto of the Texas legislative branch of government, Article IX.  
 Source: Legislative Budget Board

- ▶ An additional \$30 million for the purchase of inpatient psychiatric beds in urban and rural communities.
- ▶ An additional \$86 million for new state hospital beds.
- ▶ \$276.5 million to complete replacement of campuses at the Austin and San Antonio state hospitals and \$44.8 million to begin efforts to build new state hospitals in the Dallas area (see **HB 2**).
- \$123.5 million for cost-based Medicaid reimbursement. According to the Texas Organization of Rural & Community Hospitals, the state leads the nation in rural hospital closures.
- \$95 million for indigent defense grants, which restores funding of the 5% reduction required by state leadership. Indigent defense is an underfunded mandate, and state grants cover only a small proportion of total costs (only 10% in fiscal year 2019).
- \$1 million in additional funds for the visiting judge program to reduce the backlog in court cases due to COVID-19. According to the executive administrator of the Office of Court Administration, it will take three years to eliminate the backlog. Other observers believe it will take longer.
- \$6 million to restore funding for the juvenile justice prevention and intervention grant program, which was eliminated due to the 5% reduction requirement.
- \$110 million to assist local governments with matching funds for federal disaster assistance.
- \$247.3 million for EMS and trauma care systems, restoring the 5% reduction in funding for regional advisory councils and EMS programs.
- \$56.7 million for 100 additional border troopers, \$8.9 million for vehicles and related equipment for new troopers and \$29.1 million for additional border security equipment in **HB 2**.

County programs for which SB 1 does not restore the 5% reduction in funding to pre-COVID, 2020-21 appropriated amounts include adult probation; continuing education for peace officers; and payments to cities and counties to offset property tax losses

SB 1 compared to constitutional spending limits, 2022-23 Biennium	
Remaining General Revenue Funds Spending Authority (in billions)	
Pay-as-you-go limit (Texas Constitution, Article III, Sec. 49a)	\$0.3
Remaining Spending Authority	
Spending Limit (Texas Constitution, Article VIII, Sec. 22)	
Remaining Spending Authority	\$6.3

The remaining spending authority does not reflect the Gov.'s veto of Article IX, which would add approximately \$410 million to each limit.  
 Source: Legislative Budget Board

attributable to ad valorem tax relief for disabled veterans.

**Effective Date: Sept. 1, 2021**

## TELEMEDICINE AND TELEHEALTH

**HB 4 by Price.** Relating to the provision and delivery of certain health care services in this state, including services under Medicaid and other public benefits programs, using telecommunications or information technology and to reimbursement for some of those services.

**Summary:** Amends the Government Code to require the Health and Human Services Commission (HHSC) to ensure a rural health clinic may be reimbursed for the originating site facility fee or the distant site practitioner fee for covered telemedicine medical services or telehealth services delivered by a health care provider to a Medicaid recipient.

Requires HHSC to ensure that Medicaid recipients, child health plan program enrollees and other individuals receiving benefits under a public benefits program administered by HHSC or a health and human services agency have the option to receive telemedicine/telehealth services.

Requires HHSC to ensure behavioral health services may be provided using an audio-only platform consistent with Sec. 111.008, Occupations Code, for the same recipients previously listed. Allows for HHSC to consider whether using an audio-only platform would be cost-effective and clinically effective for services other than behavioral health.

Mandates HHSC to implement policies and procedures to allow Medicaid-managed care organizations to conduct assessment and service coordination activities for members receiving home and community-based services through telecommunication or information technology in certain circumstances.

**Effective Date: June 15, 2021**



## TRANSPORTATION

**HB 2223 by Canales.** Relating to a study by the Texas Department of Transportation on the impact of certain classifications of motor vehicle on the roads and bridges of this state.

**Summary:** Requires TxDOT, in consultation with the Texas A&M Transportation Institute and the University of Texas Center for Transportation Research, to conduct a study on the impact on roads and bridges of overweight trucks.

**Effective Date: June 4, 2021**

**HJR 99 by Canales.** Proposing a constitutional amendment authorizing a county to finance the development or redevelopment of transportation or infrastructure in unproductive, underdeveloped or blighted areas in the county; authorizing the issuance of bonds and notes.

**Summary:** Authorizes the Legislature by general law to allow a county to issue bonds or notes to finance the development or redevelopment of infrastructure within a transportation reinvestment zone. However, the county may only pledge for repayment of bonds or notes a maximum of 65 percent of the increases in ad valorem tax revenue each year. The same restrictions apply to toll roads.

**Effective Date: Nov. 2, 2021, if the constitutional amendment is approved by voters in November 2021, or no effect.**

**SB 160 by Perry.** Relating to county road reports.

**Summary:** Removes the requirement that a county must submit a road report when applying for a grant from the Transportation Infrastructure Fund. The bill also eliminates the requirement for a road condition report made by a county that is operating under a system of administering county roads under Chapter 252 or a special law.

**Effective Date: June 14, 2021**

## WORKERS' COMPENSATION

**SB 22 by Springer.** Relating to certain claims for benefits, compensation, or assistance by certain public safety employees and survivors of certain public safety employees.

**Summary:** In 2005, Texas created the presumption statute for first responders. The presumption was intended to provide certain workers' compensation benefits to first responders whose job duty placed them at a higher risk of exposure to certain illnesses. The current presumption statute allows benefits for certain cancers, heart attacks and strokes based on a scientific correlation that the work performed by first responders places them at a higher risk of getting such illnesses.

SB 22 adds COVID-19 to the presumption statute for detention officers, firefighters, peace officers, custodial officers and emergency medical technicians. The following requirements must be met in order for the presumption to apply:

- Employed in an area declared a disaster.
- Contracted COVID-19 during the declared disaster.
- Employed full time.
- Diagnosed with COVID-19 using a test authorized or recognized by the Food and Drug Administration.
- Was last on duty not more than 15 days before being diagnosed with COVID-19.

If the individual is deceased, the presumption applies if the individual was on duty not more than 15 days prior to death and meets one of the following criteria:

- The individual was diagnosed with COVID-19 using



an approved test.

- A physician determined the individual was exhibiting symptoms of COVID-19.
- The person was hospitalized for COVID-19.
- The individual died of COVID-19.

SB 22 introduces a different standard for an employer to dispute a presumption case and specifies the information allowed to be considered during a rebuttal. The bill allows an individual previously denied a COVID-19 workers' compensation claim to refile the claim under the new presumption standards and have the claim reevaluated. If a claim filed prior to SB 22 is still pending, the law in effect at that time is the law that governs that claim.

The presumption provisions included in SB 22 will sunset on Sept. 1, 2023.

**Effective Date: June 14, 2021**

## VETOED BILLS

**HB 686 by Moody.** Relating to the release on parole of certain youthful offenders; changing parole eligibility.

**Summary:** Provides for a second look at cases with respect to consideration for release on parole if the inmate was younger than 17 years at the time of the offense. Requires the Texas Board of Pardons and Paroles to adopt a policy establishing factors for a parole panel to consider when reviewing such inmates to ensure that the inmate is provided a meaningful opportunity to obtain release. The policy must consider the age of inmates at the time

of the commission of the offense as a mitigating factor in favor of granting release on parole; permit people having knowledge of the inmates before they committed the offense or having knowledge of their growth and maturity after conviction to submit statements to the parole panel; and establish a mechanism for the outcome of a comprehensive mental health evaluation conducted by an expert qualified by education and clinical training in adolescent mental health issues to be considered by the parole panel.

Inmates serving life sentences for the capital felonies of either murdering a peace officer or fireman or for murdering more than one person would not be eligible for parole until the actual calendar time the inmate has served, without consideration of good conduct time, equals 40 calendar years.

Inmates serving sentences for first-degree felonies under Article 42A.054 (a) of the Code of Criminal Procedure, for continuous trafficking of persons, for organized criminal activity or for directing activities of criminal street gangs would not be eligible for release on parole until the inmate's actual calendar time served equals 30 calendar years or one-half of the applicable time provided by Sec. 508.145 of the Government Code, whichever is less.

**Effective Date: Vetoed**

**SB 1458 by Zaffirini.** Relating to standardized forms and materials for the issuance of protective orders, magistrate's orders for emergency protection and temporary ex parte orders.

**Summary:** Specifies that people filing protective order applications, issuing protective orders or temporary ex parte orders, or issuing magistrate's orders for emergency protection shall use the standardized order or application form, as applicable. The Office of Court Administration (OCA) of the Texas judicial system is directed to create the aforementioned forms. OCA shall make the forms available on its website, in addition to other materials necessary to apply for, issue, deny, revise, rescind, serve and enforce protective orders, magistrate's orders for emergency protection or temporary ex parte orders.

Each standardized form developed must include:

1) the prohibitions and requirements imposed on

the respondent; 2) the duration of the order; 3) the potential consequences of violating the order; and 4) any other admonishments or warnings required by law.

The materials developed must include a procedure to ensure that a copy of the order is transmitted to all required parties and all relevant information is entered into the statewide law enforcement information system maintained by the Department of Public Safety.

**Effective Date: Vetoed**



# 2021 LEGISLATIVE ANALYSIS REPORT

TEXAS ASSOCIATION *of* COUNTIES

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## **STATE BUDGET FISCAL YEARS 2022-2023**

## 2022-2023 State Budget Overview: Items of Interest to Counties

The approved state budget for the 2022-23 biennium, **SB 1**, totals \$248.6 billion. When adjusted for Gov. Greg Abbott's line-item veto, SB 1 represents a decrease of \$172.3 million, or 0.1%, from the 2020-21 General Appropriations Act, **HB 1**. Exercising veto powers provided by **Article 4, Section 14** of the Texas Constitution, Abbott vetoed the funding provided for the legislative branch of state government included in SB 1. Relative to the total budget, this is a small amount — \$410.3 million in 2022-23 appropriations. In **his signing proclamation**, Abbott alluded to the “unfinished business” of the 87th Legislature as the rationale for his veto. Funding for the state's legislative branch was not restored during 2021's first called special session, which began on July 8.

TAC has identified and tracked those budget items of interest to county officials in the following tables. In addition to SB 1, **HB 2**, the supplemental appropriations bill for the 2020-21 state budget, also includes items of interest to counties. It includes appropriation cuts due to the 5% reductions that the leadership required of state agencies in May 2020 and the replacement of eligible General Revenue Fund appropriations with federal fiscal relief funds, but it also increases appropriations for courthouse preservation grants and state mental health beds. These items are listed in the HB 2 columns of the following tables and in some instances are funded by the Economic Stabilization Fund.

SB 1 funding highlights of interest to counties are listed below, along with information regarding any related, additional funding in HB 2.

- A total of \$8.4 billion for behavioral health and substance abuse services, which includes \$8.1 billion in SB 1 and \$321.3 million in HB 2. SB 1 includes an additional \$86 million for new state hospital beds and \$30 million for the purchase of inpatient psychiatric beds in urban and rural communities, \$15 million each. HB 2 appropriates Economic Stabilization Fund money to complete the replacement of campuses at state hospitals in Austin and San Antonio and begin planning for new state hospitals in North Texas.
- County Courthouse Preservation Grants – \$8.1 million in targeted grants to Mason (\$6 million), Tyler (\$1 million) and Newton (\$1.1 million) counties in SB 1; and an additional \$25 million available to all counties in HB 2.
- \$34 million for reimbursements to counties for retrofitting or purchase of new auditable voting machines and an increase of \$1.4 million for training county election officials in SB 1.
- \$123.5 million for cost-based Medicaid reimbursement.
- \$95 million for indigent defense grants, which restores funding lost to the 5% reduction required by state leadership. Indigent defense is an underfunded mandate, with state grants covering only a small proportion of total costs each fiscal year.
- \$6 million to restore funding for the Juvenile Justice Prevention and Intervention grant program, which was eliminated due to the 5% reduction requirement.
- \$110 million to assist local governments with matching funds for federal disaster assistance.
- \$247.3 million for EMS and Trauma Care Systems, which restores the 5% reduction in funding for Regional Advisory Councils and EMS programs.
- \$56.7 million for 100 additional border troopers, \$8.9 million for vehicles and related equipment for new troopers and \$29.1 million for additional border security equipment in HB 2.

<b>Recap of State Budget by Article/Function (All Funds)</b>	<b>HB 1 – General Appropriations Act 2020-21 Biennium</b>	<b>SB 1 – General Appropriations Act 2022-23 Biennium</b>	<b>Biennial Change</b>	<b>% Change</b>
ARTICLE I – General Government	\$7,452,689,424	\$6,919,582,325	\$(533,107,099)	-7.2%
ARTICLE II – Health and Human Services	\$84,303,829,071	\$86,677,994,175	\$2,374,165,104	2.8%
ARTICLE III – Agencies of Education	\$95,901,920,858	\$93,505,591,333	\$(2,396,329,525)	-2.5%
ARTICLE IV – The Judiciary	\$933,755,098	\$928,245,755	\$(5,509,343)	-0.6%
ARTICLE V – Public Safety and Criminal Justice	\$12,548,895,438	\$12,892,393,113	<b>\$343,497,675</b>	2.7%
ARTICLE VI – Natural Resources	\$9,012,375,041	\$7,507,554,371	<b>\$(1,504,820,670)</b>	-16.7%
ARTICLE VII – Business and Economic Development	<b>\$37,061,108,187</b>	<b>\$36,546,796,195</b>	<b>\$(514,311,992)</b>	-1.4%
ARTICLE VIII – Regulatory	<b>\$707,033,698</b>	<b>\$728,038,491</b>	<b>\$21,004,793</b>	3%
ARTICLE IX – General Provisions	<b>\$-</b>	<b>\$2,435,297,492</b>	<b>\$2,435,297,492</b>	N/A
ARTICLE X – The Legislature	<b>\$392,227,255</b>	<b>Governor's Veto Proclamation</b>	<b>\$(392,227,255)</b>	-100%
<b>GRAND TOTAL, All Funds</b>	<b>\$248,313,834,070</b>	<b>\$248,141,493,250</b>	<b>\$(172,340,820)</b>	<b>-0.1%</b>

1. Typically, the LBB would prepare an extended summary which includes a breakdown by article/function of government for All Funds, GR, GR-Dedicated, Federal, and Other Funds. These tables would consist of appropriated amounts for the upcoming biennium and the amounts for the current two-year budget as adjusted by that session's supplemental appropriations bill. Usually, the overall biennial change from the adjusted figures for the current two-year budget to the appropriated amounts for the upcoming biennium would be available by article/function of government.

However, that summary has not been published as of August 6, 2021. Therefore, the 2020-21 budget amounts as adjusted by HB 2, the supplemental appropriations bill, are not currently available either by article or function of government, strategy or program. Accordingly, the 2020-21 amounts shown in this appendix reflect House Bill 1, the state budget for the 2020-21 biennium, as enacted by the 86th Legislature.

2. HB 1, the General Appropriations Act for the 2020-21 biennium, incorporates certain appropriation adjustments relating to agency riders, article-specific special provisions, and Article IX of HB 1 (Conference Committee Report), 86th Legislature, regular session; HB 3317 and SB 500, 86th Legislature, regular session; other legislation enacted by the 86th Legislature that affects appropriations; and technical and/or reconciling adjustments.

3. Gov. Greg Abbott vetoed all appropriations for Article X, which funds the legislative branch of Texas government.

4. Excludes interagency contracts.

87TH LEGISLATURE STATE BUDGET - ITEMS OF INTEREST TO COUNTIES

Article/Agency	Program Name/Strategy/Rider <i>(Riders are in blue text.)</i>	2020-21 General Appropriations Act (GAA) HB 1	Senate Bill 1 2022-23 Biennium	% Change from 2020-21 GAA	House Bill 2 Supplemental Appropriations Bill
<b>ART. I - GENERAL GOVERNMENT</b>					
Fiscal Programs – Comptroller of Public Accounts	<b>Lateral Road Fund Districts:</b> These funds are allocated from the state motor fuel tax. The funds are to be used for improvements or construction on county lateral roads (Transportation Code, Sec. 256.002). Strategy A.1.5	\$14,600,000	\$14,600,000	0.0%	
	<b>Gross Weight/Axle Fee Distribution:</b> This fund is dedicated to counties for partial reimbursement for over-weight-truck road damage. (Transportation Code, Sec. 621.353) Estimated. Strategy A.1.10	\$34,000,000	\$34,000,000	0.0%	
	<b>Disabled Veterans Assistance Payments:</b> Property tax relief for disabled veterans; offset payments to eligible cities and counties. Strategy A.1.12	\$20,000,000	\$19,000,000	-5%	
	<b>Mixed Beverage Tax Reimbursement:</b> Reimbursements to counties and incorporated municipalities from mixed beverage tax collections (Tax Code, Sec. 183.051). Estimated. Strategy A.1.2	\$492,855,000	\$483,264,000	-1.9%	
	<b>County Taxes – University Lands:</b> Payment of county taxes on university lands. Estimated. Strategy A.1.4	\$15,747,708	\$20,144,442	27.9%	
	<b>Law Enforcement Education Funds:</b> These funds may be used to pay for continuing education for law enforcement personnel. The funds are allocated to the county based on the number of law enforcement personnel. Strategy A.1.7	\$12,000,000	\$9,400,000	-21.7%	
	Report on Cost of Ad Valorem Tax Exemption for 100% disabled veterans. Rider 21	N/A	\$ -	N/A	
	<b>Opioid Abatement Account.</b> Contingent on enactment of SB 1827 or similar legislation, all sums deposited to the Opioid Abatement Account, a new GR-Dedicated account, are appropriated to the comptroller in Strategy A.1.14, Opioid Abatement Account. Rider 23	N/A	to be determined	N/A	
	<b>Contingency for House Bill 5.</b> Funding and staff (5.0 positions) for a State Broadband Development Office. Art. IX, Sec. 18.01	\$ -	5,000,000	N/A	
Commission on State Emergency Communications	<b>911 Services:</b> Grants and assistance to local governments via RPCs as they develop and implement regional plans and maintenance for 911 services. Strategy A.1.1	\$125,822,281	\$95,775,321	-23.9%	

87TH LEGISLATURE STATE BUDGET - ITEMS OF INTEREST TO COUNTIES

Article/Agency	Program Name/Strategy/Rider (Riders are in blue text.)	2020-21 General Appropriations Act (GAA) HB 1	Senate Bill 1 2022-23 Biennium	% Change from 2020-21 GAA	House Bill 2 Supplemental Appropriations Bill
<b>ART. I - GENERAL GOVERNMENT</b>					
Texas Emergency Services Retirement System (TESRS)	TESRS is a pension fund for volunteer firefighters and emergency services personnel in Texas.	\$3,866,803	\$3,886,849	0.5%	
Trusteed Programs within the Office of the Governor	<b>Disaster Funds:</b> Helps cover the cost of the 25% match required for FEMA local disaster grants. Strategy A.1.1. HB 2 appropriates \$50 million for border security surge operations.	\$183,097,857	\$110,000,000	-39.9%	\$50,000,000
	<b>Criminal Justice:</b> Grants to local entities, nonprofit organizations and independent school districts for a variety of criminal justice related projects. Strategy B.1.1	\$602,786,872	\$554,452,747	-8%	
	<b>County Essential Services Grant:</b> Funds for counties with unanticipated and extraordinary expenses, generally criminal justice related. Strategy B.1.2	\$2,340,666	\$2,106,600	-10%	
	<b>Commercially Sexually Exploited Persons Programs:</b> Grants to counties for the implementation of prostitution prevention programs. Rider 33 [Strategy B.1.1, Criminal Justice]	\$3,500,000	\$3,500,000	0%	
	<b>Grants for Local Border Security:</b> To fund grants to local law enforcement agencies to support Operation Border Star. The grant funds may also be awarded for the humane processing of the remains of undocumented migrants. Rider 20 [Strategy B.1.3, Homeland Security]	\$10,200,000	\$10,200,000	0%	
	<b>Border Security Operations:</b> For border prosecution grants. Rider 18 [Strategy B.1.3, Homeland Security]	\$15,126,000	\$15,126,000	0%	
	<b>Truancy Prevention Court Cost:</b> Grants to justice, municipal and constitutional county courts to establish a new juvenile case manager in a jurisdiction that does not already have one. Rider 21, Dedicated Account No. 5164 [Strategy B.1.1, Criminal Justice]	\$6,193,872	\$6,193,872	0%	
	<b>Anti-Gang Programs:</b> Grants for anti-gang activities. Rider 22 [Strategy B.1.1, Criminal Justice]	\$14,200,000	\$15,800,000	11.3%	
	<b>Bullet-Resistant Vests:</b> To fund grants to local law enforcement agencies and/or DPS for the purchase of bullet-resistant personal body armor compliant with the National Institute of Justice standard for rifle protection. Rider 26 [Strategy B.1.1, Criminal Justice]	\$5,000,000	\$10,000,000	100%	

87TH LEGISLATURE STATE BUDGET - ITEMS OF INTEREST TO COUNTIES

Article/Agency	Program Name/Strategy/Rider (Riders are in blue text.)	2020-21 General Appropriations Act (GAA) HB 1	Senate Bill 1 2022-23 Biennium	% Change from 2020-21 GAA	House Bill 2 Supplemental Appropriations Bill
<b>ART. I - GENERAL GOVERNMENT</b>					
Trusteed Programs within the Office of the Governor (continued)	<b>Grants for Technology Infrastructure:</b> To provide grants to local law enforcement agencies for upgrading technology infrastructure to implement incident-based reporting. Unexpended Balance (UB) only Rider 25; Dedicated Account No. 5153 [Strategy B.1.1, Criminal Justice]	UB	UB	N/A	
	<b>Specialty Court Grants:</b> Funding to assist counties that would like to implement a drug court. Rider 12; Dedicated Account No. 5184 [Strategy B.1.1, Criminal Justice]	\$4,000,000	\$4,430,667	10.8%	
	<b>Internet Crime Against Children Task Forces:</b> Grant funds to prevent and stop internet crimes against children, with priority given to local government programs that prevent technology-facilitated exploitation. Rider 19 [Strategy B.1.1, Criminal Justice]	\$1,600,000	\$1,600,000	0%	
	<b>Child Sex Trafficking Team:</b> Operating costs for the unit, and victim service grants. Rider 23 [Strategy B.1.1, Criminal Justice]	\$5,668,300	\$5,668,300	0%	
	<b>Evidence Testing:</b> Grants for local law enforcement agencies or counties for testing evidence collected for sexual assault or other sex offenses. Rider 28; Dedicated Account No. 5170 [Strategy B.1.1, Criminal Justice]	\$2,200,000	\$2,200,000	0%	
	<b>Grants to Border Zone Fire Departments:</b> Grants to professional fire departments in the border region to assist in the acquisition of specialized equipment, maintenance and medical supplies to support emergency services associated with deterring crimes in the border area. Rider 31 [Strategy B.1.1, Criminal Justice]	\$1,000,000	\$1,000,000	0%	
	<b>Grants for Testing of Forensic Evidence:</b> Grants to reimburse district attorneys for costs associated with the testing of forensic evidence. Rider 32 [Strategy B.1.1, Criminal Justice]	\$2,000,000	\$2,000,000	0%	
	<b>Grants to Sexual Assault Forensic Exam (SAFE)-Ready Facilities:</b> Not to exceed \$50,000 per facility in any fiscal year. Rider 29 [Strategy B.1.1, Criminal Justice]	\$6,000,000	\$6,000,000	0%	
	<b>Body-Worn Camera Program:</b> Grants to local law enforcement agencies for the establishment of a body-worn camera program pursuant to Subchapter N, Chapter 1701, Occupational Code. Rider 35 [Strategy B.1.1, Criminal Justice]	\$ -	\$15,000,000	N/A	

87TH LEGISLATURE STATE BUDGET - ITEMS OF INTEREST TO COUNTIES

Article/Agency	Program Name/Strategy/Rider (Riders are in blue text.)	2020-21 General Appropriations Act (GAA) HB 1	Senate Bill 1 2022-23 Biennium	% Change from 2020-21 GAA	House Bill 2 Supplemental Appropriations Bill
<b>ART. I - GENERAL GOVERNMENT</b>					
Trusteed Programs within the Office of the Governor (continued)	<b>Sexual Assault Survivors’ Task Force:</b> Implement statewide policies and practices, personnel training, evidence collection and preservation, and data collection and analysis regarding the prevention, investigation and prosecution of sexual assault and other sex offenses (includes three FTEs). Rider 34 [Strategy B.1.1, Criminal Justice]	\$1,361,406	\$1,500,000	10.2%	
	<b>Update IT Case Management System:</b> Contingent on the availability of federal funds and the expenses being an allowable use, funds are appropriated for an updated case management system for children’s advocacy center programs pursuant to Texas Family Code Sec. 264.405. [Strategy B.1.1, Criminal Justice]	\$ -	\$1,198,500	N/A	
	<b>Grants for County Jail Medication-Assisted Treatment for Opioid and Alcohol Dependence.</b> For county jail inmates. HB 1, 2020-21 GAA, Rider 34 [Strategy B.1.1, Criminal Justice]	\$1,000,000	\$ -	-100%	
	<b>Peace Officer Mental Health Program.</b> Allocation from unexpended balances. Rider 39 [Strategy B.1.1, Criminal Justice]	\$ -	\$200,000	N/A	
	<b>Victims of Human Trafficking:</b> Grant to an organization for male victims of sex trafficking in Denton County. [Strategy B.1.1, Criminal Justice] See SB 1, Article IX, Sec. 17.23	\$ -	\$10,000,000	N/A	
	<b>Economic Development/Tourism:</b> Loans to economic development corporations that assist local regions and communities with economic growth and development through job creation and capital investment. Strategy C.1.1.	\$534,159,759	\$322,004,270	-39.7%	
Historical Commission	<b>Courthouse Preservation:</b> Grants to counties for the renovation and rehabilitation of historic courthouses. Strategy A.1.3. Includes \$8.1 million in targeted grants for three counties: Mason (\$6 million), Newton (\$1.1 million) and Tyler (\$1 million). See SB 1, Article IX, Sec. 17.25. HB 2 appropriates \$25 million out of the Economic Stabilization Fund for courthouse grant funds available to counties via a competitive RFP process.	\$26,160,126	\$9,535,623	-63.5%	\$25,000,000
	<b>Development Assistance Programs:</b> Grants to cities and counties that promote economic development through historic preservation. Strategy A.2.1	\$3,512,718	\$3,443,036	-2%	

87TH LEGISLATURE STATE BUDGET - ITEMS OF INTEREST TO COUNTIES

Article/Agency	Program Name/Strategy/Rider (Riders are in blue text.)	2020-21 General Appropriations Act (GAA) HB 1	Senate Bill 1 2022-23 Biennium	% Change from 2020-21 GAA	House Bill 2 Supplemental Appropriations Bill
<b>ART. I - GENERAL GOVERNMENT</b>					
Library and Archives Commission	<b>Library Support Services:</b> Assistance provided to Texas libraries. Strategy A.1.1	\$51,309,157	\$51,452,879	0.3%	
Secretary of State	<b>Elections Administration:</b> Maintain uniformity and integrity of elections; oversee election process. Strategy B.1.1	\$11,849,700	\$14,794,694	24.9%	
	<b>Primary Funding/VR postage</b> Election financing; VR postal payment services. Strategy B.1.2.	\$19,147,600	\$16,778,590	-12.4%	
	<b>Elections Improvement (HAVA)</b> Strategy B.1.4 (Federal funds/restrictions on use — match required)	\$17,243,859	\$17,945,381	4.1%	
	<b>Financing Voter Registration:</b> Payments to counties for voter registration. <b>Estimated.</b> Strategy B.1.5	\$5,777,500	\$5,777,500	0%	
	<b>Reimbursement for Auditable Voting Machines:</b> Federal funds appropriated to reimburse counties for the retrofitting of auditable voting machines, replacement of systems and development of secure tracking systems for mail ballots pursuant to SB 7 or similar legislation. If sufficient federal funds are not available, then general revenue funds are appropriated for the same purpose. Rider 19 [Strategy B.1.4, Elections Improvement]	\$ -	\$34,000,000	N/A	
	<b>Voter Identification Education:</b> Funds allocated to educate the public about required voting documents and voting process pursuant to Sec. 31.012, Elections Code.	\$4,000,000	\$3,500,000	-12.5%	
Veterans Commission	<b>Veterans General Assistance Grants:</b> Provides grants to nonprofits or local governments to provide direct services to Texas veterans and their families. Strategy B.1.1	\$26,157,438	\$39,576,464	51.3%	
	<b>Housing for Texas Heroes:</b> Provides grants to nonprofit or local governments providing temporary or permanent housing to Texas veterans and their families. Strategy B.1.2	\$12,132,000	\$12,660,000	4.4%	
	<b>Veterans Treatment Courts:</b> Strategy B.1.3	\$5,000,000	\$8,000,000	60%	

87TH LEGISLATURE STATE BUDGET - ITEMS OF INTEREST TO COUNTIES

Article/Agency	Program Name/Strategy/Rider (Riders are in blue text.)	2020-21 General Appropriations Act (GAA) HB 1	Senate Bill 1 2022-23 Biennium	% Change from 2020-21 GAA	House Bill 2 Supplemental Ap- propriations Bill
<b>ARTICLE II – HEALTH AND HUMAN SERVICES</b>					
Department of Family & Protective Services	<b>CPS Direct Delivery Staff:</b> Strategy B.1.1	\$1,629,947,363	\$1,687,879,784	3.6%	
	<b>Child Abuse and Neglect Prevention Program:</b> Prevention and Early Intervention Programs, Goal C	\$214,176,598	\$224,876,042	5%	
Health and Human Services Commission (HHSC)	<b>Community Mental Health Services – Adults:</b> Strategy D.2.1	\$802,772,368	\$785,705,000	-2.1%	
	<b>Community Mental Health Services – Children:</b> Strategy D.2.2	\$196,779,821	\$187,879,512	-4.5%	
	<b>Community Mental Health Crisis Services:</b> Strategy D.2.3	\$221,233,584	\$231,398,300	4.6%	
	<b>Substance Abuse Services:</b> Strategy D.2.4	\$538,707,601	\$496,360,084	-7.9%	
	<b>Behavioral Health Waivers/Amendments:</b> Strategy D.2.5	\$56,494,540	\$58,874,900	4.2%	
	<b>Community Mental Health Grant Programs:</b> Strategy D.2.6 new strategy	\$145,000,000	\$145,000,000	0%	
	<b>Indigent Health Care Reimbursement (UTMB):</b> Health care for the uninsured and indigent in Texas. Strategy D.3.1	\$878,886	\$878,886	0%	
	<b>County Indigent Health Care Services:</b> Strategy D.3.2	\$1,758,251	\$1,358,250	-22.7%	
	<b>Mental Health State Hospitals:</b> Strategy G.2.1	\$898,738,475	\$965,484,056	7.4%	
	<b>Mental Health Community Hospitals:</b> Strategy G.2.2	\$272,320,452	\$307,010,202	12.7%	
<b>Facility Capital Repairs &amp; Renovation:</b> Mental health state hospitals, state-supported living centers and other. Strategy G.4.2	\$230,905,776	\$27,541,872	-88.1%	\$321,383,334	
<b>Mental Health for Veterans Grant Program:</b> Rider 53 Community MH Grant Programs, Strategy D.2.6, Community Mental Health Grant Programs	\$20,000,000	\$20,000,000	0%		

87TH LEGISLATURE STATE BUDGET - ITEMS OF INTEREST TO COUNTIES

Article/Agency	Program Name/Strategy/Rider (Riders are in blue text.)	2020-21 General Appropriations Act (GAA) HB 1	Senate Bill 1 2022-23 Biennium	% Change from 2020-21 GAA	House Bill 2 Supplemental Ap- propriations Bill
Health and Human Services Commission (HHSC) (continued)	<b>MH Grant Program for Justice-Involved Individuals:</b> Grant program to reduce recidivism, arrest and incarceration among individuals with mental illness and reduce wait times for forensic commitments. Rider 53 Community MH Grant Program, Strategy D.2.6, Community MH Grant Programs	\$50,000,000	\$50,000,000	0%	
	<b>Harris County MH Jail Diversion:</b> Grant to most populous county to reduce recidivism, arrest and incarceration among individuals with mental illness and reduce wait times for forensic commitments. Rider 53 Community MH Grant Programs, Strategy D.2.6, Community MH Grant Programs	\$10,000,000	\$10,000,000	0%	
	<b>Community MH Grant Program:</b> Matching grants for community MH programs, Rider 53 <b>Community MH Grant Programs:</b> Strategy D.2.6, Community MH Grant Programs	\$40,000,000	\$40,000,000	0%	
	<b>Community Collaboratives:</b> Grants to establish or expand community collaboratives that provide services to people experiencing homelessness, substance abuse issues or mental illness. Preference for new collaboratives or collaboratives that serve two or more counties with populations of less than 100,000. Rider 53 Community MH Grant Programs, Strategy D.2.6, Community Mental Health Grant Programs	\$25,000,000	\$25,000,000	0%	
	<b>Mental Health Peer Support Re-Entry Program:</b> Partnering with LMHAs and county sheriffs, peer support specialists to ensure inmates with MH issues transition from county jail to clinically appropriate community-based care. Rider 49, Strategy D.2.1, Community MH Services – Adults	\$ -	\$1,000,000	N/A	
	<b>Additional MH Community Hospital Beds for Urban and Rural Areas:</b> Additional funding out of general revenue for additional state-purchased inpatient psychiatric beds in rural and urban areas of the state — \$15 million for rural areas and \$15 million for urban areas. Rider 54, Strategy G.2.2, Mental Health Community Hospitals	\$ -	\$30,000,000	N/A	
	<b>Hospital Payments:</b> Additional funding of \$123.5 million for cost-based reimbursement of rural hospitals for Medicaid services. Rider 8, Goal A, Medicaid Client Services	\$810,442,496	\$933,905,470	15.2%	
Department of State Health Services	<b>EMS and Trauma Care Systems:</b> Provides EMS certifications, including funding for local project grants. Strategy B.2.1	\$252,269,959	\$247,290,168	-2%	

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Article/Agency	Program Name/Strategy	2020-21 General Appropriations Act (GAA) HB 1	Senate Bill 1 2022-23 Biennium	% Change from 2020-21 GAA	House Bill 2 Supplemental Appropriations Bill
<b>ARTICLE III – EDUCATION</b>					
Texas Education Agency	<b>FSP – Equalized Operations and Equalized Facilities:</b> Foundation School Program – Equalized Operations and Equalized Facilities, Strategies A.1.1 and A.1.2. Fully funds the state’s commitment to the public education investments made by HB 3, 86R, with funding for projected enrollment growth during the 2022-23 biennium. Combining the contingencies for HB 1525, and HB 4545 (see Article IX, Secs. 18.25 and 18.27) and the \$44 million appropriation in HB 2 for special education with funding in SB 1 provides the same total funding as current law.	\$51,871,977,463	\$51,761,428,796	-0.2%	
Sam Houston State University	<b>Law Enforcement Management Institute:</b> Strategy C.2.3, Bill Blackwood Law Enforcement Management Institute of Texas	\$7,309,546	\$6,903,546	-5.6%	
	<b>Correctional Management Institute:</b> Strategy C.2.4, Criminal Justice Correctional Management Institute of Texas	\$4,569,000	\$5,140,000	12.5%	
Texas A&M Forest Service	<b>Volunteer Fire Department Grants</b> for equipment and training. Strategy B.1.2 and Strategy B.1.3	\$40,459,293	\$41,121,137	1.6%	
Texas Division of Emergency Management	<b>Emergency Management (TDEM):</b> Goal A (includes Coronavirus Relief and FEMA funds)	\$3,523,942,279	\$734,623,458	-79.2%	
UNT Health Science Center at Fort Worth	<b>DNA Laboratory:</b> Conducts blood and DNA tests associated with paternity testing for the Office of Attorney General, and services for other entities approved by the UNT Health Science Center. [Strategy D.2.1]	\$5,791,292	\$1,650,000	-71.5%	
	<b>Texas Missing Person and Human Identification Program:</b> [Strategy D.2.3] 2022-23 Funding limited to amounts appropriated to Department of Public Safety (see DPS Rider 22)	\$2,122,664	\$ -	-100%	

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Article/Agency	Program Name/Strategy	2020-21 General Appropriations Act (GAA) HB 1	Senate Bill 1 2022-23 Biennium	% Change from 2020-21 GAA	House Bill 2 Supplemental Appropriations Bill
<b>ARTICLE IV – JUDICIARY</b>					
Office of Court Administration	<b>Indigent Defense:</b> State funding to assist counties in providing quality legal representation in a cost-effective manner. Strategy D.1.1 (No Estimated Appropriation Authority allowing TIDC to spend FY2021 fund balance and revenues in excess of 2022-23 appropriations in GR-D Fair Defense Account No 5073)	\$94,435,712	\$94,963,926	0.6%	
Court of Criminal Appeals	<b>Judicial and Court Personnel Training:</b> Provides for the continuing legal education of judges and court personnel. Strategy B.1.1	\$27,883,764	\$32,649,656	17.1%	
Judiciary Section, Comptroller's Department	<b>District Judges:</b> State-funded salaries for district judges in courtrooms across the state. Estimated. Strategy A.1.1. Salaries are fully funded based on HB 2384 (86R) judicial compensation structure. Also includes funding for related SB 891 (86R) provisions.	\$154,289,577	\$158,572,159	2.8%	
	<b>Constitutional County Judge:</b> A county judge is entitled to an annual salary supplement from the state of \$15,000 if at least 40 percent of the functions that the judge performs are judicial functions (Government Code, Sec. 26.006). Reduced from 40% to 18% by HB 3774 (87R). Estimated. Strategy C.1.1	\$11,255,594	\$11,486,594	2.1%	
	<b>Statutory County Judge 573 Supplement:</b> Government Code, Sec. 25.0015. Estimated. Strategy C.1.2	\$42,403,490	\$42,403,490	0%	
	<b>Statutory Probate Judge Supplement:</b> Government Code, Sec. 25.0021. Estimated. Strategy C.1.3	\$2,739,572	\$2,739,572	0%	
	<b>District Attorney – Salaries:</b> Help defray the salaries and expenses of the office (Government Code, Sec. 41.013). Estimated. Strategy B.1.1. Salaries are fully funded based on HB 2384 (86R) judicial compensation structure.	\$1,656,121	\$1,706,989	3.1%	
	<b>Professional Prosecutors Salaries:</b> Government Code, Sec. 46.002, 46.003, 46.005 Estimated Strategy B.1.2 Salaries are fully funded based on HB 2384 (86R) judicial compensation structure.	\$48,874,331	\$50,264,281	2.8%	
	<b>Felony Prosecutors Salaries:</b> Government Code, Sec. 44.220, 45.175, 45.280 Estimated Strategy B.1.3	\$772,070	\$816,328	5.7%	
	<b>Prosecutors, Subchapter C:</b> Government Code, Sec. 43.180 (Harris), and 41.201(1) Strategy B.1.4	\$272,046	\$259,276	-4.7%	

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Article/Agency	Program Name/Strategy	2020-21 General Appropriations Act (GAA) HB 1	Senate Bill 1 2022-23 Biennium	% Change from 2020-21 GAA	House Bill 2 Supplemental Appropriations Bill
<b>ARTICLE IV – JUDICIARY</b>					
Judiciary Section, Comptroller's Department	<b>Assistant Prosecutor Longevity Pay:</b> These funds are used to supplement the pay of assistant district attorneys who have at least four years of lifetime service credit as an assistant prosecutor. Estimated. Strategy D.1.1	\$9,365,246	\$9,365,246	0%	
	<b>County Attorney Supplement:</b> Government Code 46.0031, Estimated. Strategy D.1.2	\$13,550,789	\$13,550,789	0%	
	<b>Special Prosecution Unit – Walker County:</b> Strategy D.1.4	\$10,855,663	\$10,967,837	1%	
	<b>Juror Pay:</b> Used to reimburse counties for the cost of juror services. Estimated. Strategy D.1.7	\$24,632,700	\$27,632,700	12.2%	
	<b>Indigent Inmate Defense:</b> Code of Criminal Procedures, Article 26.051(i). Estimated. Strategy. D.1.8	\$108,895	\$108,895	0%	
	<b>Contingency for HB 3774:</b> Additional appropriations to provide judicial salaries and supplements for newly created courts – court creation bill HB 3774 (87R). Article IX, Sec. 18.24	N/A	\$6,702,867	N/A	
Special Provisions – Judiciary	New Informational listing detailing tiered judicial compensation schedule				

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Article/Agency	Program Name/Strategy	2020-21 General Appropriations Act (GAA) HB 1	Senate Bill 1 2022-23 Biennium	% Change from 2020-21 GAA	House Bill 2 Supplemental Appropriations Bill
<b>ART. V - PUBLIC SAFETY &amp; CRIMINAL JUSTICE</b>					
Texas Department of Criminal Justice (TDCJ)	<b>Basic Supervision:</b> State aid to the local community supervision and corrections department (CSCD) to pay for misdemeanor probation funding — primarily staff and departmental operations. (Health Insurance is now accounted for separately.) Strategy A.1.1	\$136,912,473	\$130,328,238	-4.8%	
	<b>Diversion Program:</b> Residential treatment and rehabilitation programs for offenders in lieu of incarceration in jail or prison. Strategy A.1.2	\$250,569,016	\$250,569,016	0%	
	<b>Community Corrections:</b> Treatment and rehabilitation of offenders in the community, including some special needs programs and restitution programs. Strategy A.1.3	\$86,360,909	\$86,360,909	0%	
	<b>Treatment Alternatives to Incarceration:</b> Community-based programs targeted to treating offenders in community in lieu of revoking to jail or prison. Without funding to TAIP (Treatment Alternatives to Incarceration Program), counties are likely to experience increased recidivism, unemployment, child support arrears and probation revocations. Strategy A.1.4	\$21,547,951	\$21,547,951	0%	
	<b>Special Needs Projects Programs and Services:</b> The Texas Correctional Office on Offenders with Medical or Mental Impairments coordinates with the Department of State Health Services, county and municipal jails, and community mental health and mental retardation centers to establish methods for the continuity of care for pre- and post-release activities of defendants who are returned to the county of conviction after the defendant's competency has been restored. Strategy B.1.1	\$55,172,545	\$55,102,124	-0.1%	
	<b>Board of Pardons and Paroles:</b> Funding provides staff necessary to determine which offenders are to be released on parole, preparation of parole case summaries, conditions of parole or mandatory supervision and executive clemency recommendations to the governor. Strategy D.1.1	\$11,253,556	\$12,225,359	8.6%	
	<b>Revocation Processing:</b> Strategy D.1.2	\$15,104,540	\$16,077,878	6.4%	
	<b>Academic/Vocational Training:</b> Provides TDCJ inmates with education and skills training so they will be better qualified in the workforce upon release from prison. Strategy C.2.2	\$5,838,088	\$5,838,088	0%	

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<b>ART. V - PUBLIC SAFETY &amp; CRIMINAL JUSTICE</b>					
Texas Department of Criminal Justice (TDCJ) (continued)	<p><b>In-Prison Treatment:</b> Provides treatment to incarcerated offenders, including drug/alcohol and special needs programs. Strategy C.2.5</p>	\$65,419,087	\$65,550,965	0.2%	
	<p><b>Substance Abuse Felony Punishment:</b> Strategy C.2.4</p>	\$99,996,966	\$100,780,254	0.8%	
	<p><b>Operate Parole: (Goal E)</b> Without adequate funding for parole supervision, department operations and programs, counties can anticipate increased crime and parole revocation proceedings, increased jail populations and increased demands on the court system.</p>	\$366,179,188	\$366,086,232	-0.03%	
	<p><b>Payments to District Clerks:</b> Payments to district clerks in counties with four or more TDCJ correctional facilities are allocated \$12,000 per fiscal year in equal monthly installments for costs incurred in filing TDCJ inmate correspondence. [Out of appropriated funds.] Rider 48</p>	\$24,000	\$24,000	0%	
	<p><b>Harris County Community Corrections Facility:</b> Rider 52 [Strategy A.1.2, Diversion Programs]</p>	\$12,000,000	\$12,000,000	0%	
	<p><b>Report on Warrants Issued for Parole Violations.</b> Report on "blue warrants" funded out of 2022-23 appropriations due Dec 1, 2022, including recommendations for expediting blue warrant process. Rider 60.</p>	\$ -	not specified		
Commission on Jail Standards	<p><b>Jail Standards: (Goal A)</b> Inspection and enforcement of laws/regulations governing county jails. Commission is under sunset review. <i>See HB 1545 on page 26.</i></p>	\$2,092,306	\$2,216,730	5.9%	
	<p><b>Prisoner Safety Grants:</b> Grants to county jails for capital improvements associated with prisoner safety. Strategy C.1.1 [GR-Dedicated Account No. 5172] Program ended: According to the agency, all eligible counties have either received grant funding or reimbursement or have certified that they are in compliance with standards. FY2021 ending balance in GR-D Account No. 5172 is an estimated \$644,000 (2022-23 BRE).</p>	\$129,690	\$-	-100%	

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Article/Agency	Program Name/Strategy	2020-21 General Appropriations Act (GAA) HB 1	Senate Bill 1 2022-23 Biennium	% Change from 2020-21 GAA	House Bill 2 Supplemental Appropriations Bill
<b>ART. V - PUBLIC SAFETY &amp; CRIMINAL JUSTICE</b>					
Texas Juvenile Justice Department (TJJD)	<p><b>Juvenile Justice Alternative Education Programs (JJAEPs):</b> Strategy A.1.6. Revised JJAEP funding allocations (Rider 13): Changes TEA transfer at the beginning of each fiscal year from \$1.5 million to 15% of total; removes language saying counties with populations between 72,000 and 125,000 that choose to participate in requirements of Chapter 37 of the Texas Education Code be included in the funding distribution; alters the cap for summer school expenditures from \$3 million to 10% of appropriations; adds language that requires TEA to increase appropriations to provide a minimum reimbursement of \$86 per attendance day if the reimbursement rate falls below \$86 per day due to increased days of attendance.</p>	\$12,500,000	\$11,875,000	-5%	
	<p><b>Funding for Additional Eligible Students at JJAEPs:</b> Allocation up to \$500,000 of annual appropriated amounts for counties with populations of at least 72,000 that operate a JJAEP. County is eligible to receive funding at a rate of \$96 per day for students required to be expelled under Sec. 37.007, Texas Education Code, and are expelled from an ISD in a county that does not operate a JJAEP. Rider 14, Strategy A.1.6.</p>	\$500,000	\$500,000	0%	
	<p><b>Prevention and Intervention:</b> Strategy A.1.1</p>	\$6,024,354	\$6,024,354	0%	
	<p><b>Basic Probation Supervision:</b> Strategy A.1.2</p>	\$73,603,421	\$73,303,576	-0.4%	
	<p><b>Community Programs:</b> Strategy A.1.3</p>	\$89,359,791	\$87,359,792	-2.2%	
	<p><b>Pre- and Post-Adjudication Facilities:</b> Strategy A.1.4</p>	\$49,564,314	\$49,564,314	0%	
	<p><b>Commitment Diversion:</b> Strategy A.1.5</p>	\$38,985,000	\$38,985,000	0%	
	<p><b>Mental Health Services Grants:</b> Strategy A.1.7</p>	\$28,356,704	\$28,356,706	0%	
	<p><b>Regional Diversion Alternatives:</b> Strategy A.1.8</p>	\$21,585,963	\$21,585,964	0%	
<p><b>Harris County Leadership Academy:</b> Rider 31 [Strategy A.1.4, Pre- and Post-Adjudication Facilities]</p>	\$2,000,000	\$2,000,000	0%		

87TH LEGISLATURE STATE BUDGET - ITEMS OF INTEREST TO COUNTIES

Article/Agency	Program Name/Strategy	2020-21 General Appropriations Act (GAA) HB 1	Senate Bill 1 2022-23 Biennium	% Change from 2020-21 GAA	House Bill 2 Supplemental Appropriations Bill
<b>ART. V - PUBLIC SAFETY &amp; CRIMINAL JUSTICE</b>					
Texas Juvenile Justice Department (TJJD) (continued)	<p><b>Prevention, Intervention and Commitment Diversion:</b> Legislative intent – Rider 36. Amounts appropriated for Strategy A.1.1, Prevention and Intervention are for programs and services that keep youth from contact with the juvenile justice system. Amounts appropriated for Strategy A.1.5, Commitment Diversion are to provide JPDs the ability to operate basic supervision, community and health programs and place youth within their communities.</p>	N/A	\$ -	N/A	
	<p><b>Harris County Front-End Multisystemic Therapy Team:</b> Allocates \$1 million out of general revenue appropriated for community programs for a county-operated programs intended to prevent youth and adolescents from entering the juvenile justice and child welfare systems. Rider 37, Strategy A.1.3, Community Programs</p>	\$ -	\$1,000,000	N/A	
	<p><b>Harris County Admissions:</b> Directs TJJD to work with Harris County to house some or all of its own TJJD admissions, including the provision of funds, treatment, services and monitoring. TJJD is authorized to use 2022-23 appropriations to contract with Harris County to provide these services. Rider 38.</p>	N/A	to be determined	N/A	
	<p><b>El Paso County Front-End Multisystemic Therapy Team:</b> Allocates \$1 million out of general revenue appropriated for community programs for a county-operated program intended to prevent youth and adolescents from entering the juvenile justice and child welfare systems. Rider 39, Strategy A.1.3, Community Programs</p>	\$ -	\$1,000,000	N/A	
Commission on Law Enforcement	<p><b>Texas Commission on Law Enforcement</b> (all items of appropriation)</p>	\$8,169,980	\$10,276,257	25.8%	\$4,607,401
	<p><b>Texas Law Enforcement Peer Network:</b> Allocates general revenue funds to establish a mental health peer network for law enforcement officers. Authorizes TCOLE to contract with higher education institution with MH or police training expertise. Rider 9, Strategy B.1.2, Technical Assistance</p>	\$ -	\$1,051,820	N/A	
	<p><b>Study on Peace Officers:</b> Allocates general revenue funds for a salary study of peace officer pay in the state and throughout the U.S., including salary comparisons by size of law enforcement agency and across regions with varying costs of living. Rider 11, Strategy B.1.2, Technical Assistance</p>	\$ -	\$121,008	N/A	

87TH LEGISLATURE STATE BUDGET - ITEMS OF INTEREST TO COUNTIES

Article/Agency	Program Name/Strategy	2020-21 General Appropriations Act (GAA) HB 1	Senate Bill 1 2022-23 Biennium	% Change from 2020-21 GAA	House Bill 2 Supplemental Appropriations Bill
<b>ART. V - PUBLIC SAFETY &amp; CRIMINAL JUSTICE</b>					
Department of Public Safety (DPS)	<b>Crime Laboratory Services:</b> Strategy C.1.1	\$132,519,906	\$128,305,853	-3.2%	
	<b>Databases and Clearinghouses Related to Missing Persons and Children:</b> Allocates general revenue for the University of North Texas Health Science Center at Fort Worth Missing Persons DNA Database and the Missing Children and Missing Persons Information Clearinghouse established under the Code of Criminal Procedure, Chapter 63. Rider 22, Strategy A.1.1, Intelligence	\$2,193,256	\$2,193,256	0%	
	<b>Secure the Texas Border:</b> (Goal B)	\$450,560,009	\$411,785,450	-8.6%	
	<b>Driver's License Services:</b> Strategy D.1.1	\$481,798,135	\$465,753,163	-3.3%	

87TH LEGISLATURE STATE BUDGET - ITEMS OF INTEREST TO COUNTIES

Article/Agency	Program Name/Strategy	2020-21 General Appropriations Act (GAA) HB 1	Senate Bill 1 2022-23 Biennium	% Change from 2020-21 GAA	House Bill 2 Supplemental Appropriations Bill
<b>ARTICLE VI – NATURAL RESOURCES</b>					
Department of Agriculture (TDA)	<p><b>Rural Community and Economic Development:</b> Grants for community and economic development in rural areas, primarily federal Community Development Block Grant (CDBG) funds. CDBG grants assist cities with populations of less than 50,000 and counties with non-metropolitan populations of less than 200,000 that are not eligible for direct CDBG funding from HUD. Strategy A.2.1</p>	\$131,091,774	\$138,935,278	6%	
	<p><b>Rural Health:</b> Grants, programs and technical assistance to 150 rural hospitals. Grants are for the acquisition, construction or improvement of facilities, equipment or property used to provide health services. Funding is provided by income from two tobacco settlement trust funds. Strategy C.1.1</p>	\$8,888,908	\$8,919,404	0.3%	
	<p><b>Texans Feeding Texans:</b> Funds the surplus agricultural product grant program (\$10.2 million) and the home-delivered meals grant program for homebound elderly and disabled Texans (\$19.7 million). TDA provides grants to organizations that provide home-delivered meals and that receive matching funds from the county where meals are served. Rider 10, Strategy C.1.2, Nutrition Assistance for At-Risk Children and Adults</p>	\$29,905,836	\$29,905,836	0%	\$3,380,000
Commission on Environmental Quality (TCEQ)	<p><b>Texas Emissions Reduction Plan (TERP):</b> HB 3745, 86R moves the GR-Dedicated TERP Account No. 5071 outside the state treasury and no longer subject to the legislative appropriations process as of 8/31/2021. The \$1.4 million appropriation is a contingency to avoid disruptions in operating cash during the transition. Strategy A.1.1, Rider 19. FYI, 1.5% sales tax surcharge on off-road diesel equipment will continue to be deposited to the new TERP trust fund outside the treasury. Also, the State Highway Fund (Fund 6) will continue to transfer an amount equal to the motor vehicle certificate of title fees deposited to the Texas Mobility Fund to the TERP trust fund outside the treasury. The estimated \$2.1 billion balance in the GR-Dedicated TERP Account No. 5071 as of 8/31/2021 will be retained by the treasury and used to certify SB 1, the 2022-23 state budget, absent further action by the 87th Legislature.</p>	\$154,747,204	\$1,400,000	-99.1%	

87TH LEGISLATURE STATE BUDGET - ITEMS OF INTEREST TO COUNTIES

Article/Agency	Program Name/Strategy	2020-21 General Appropriations Act (GAA) HB 1	Senate Bill 1 2022-23 Biennium	% Change from 2020-21 GAA	House Bill 2 Supplemental Appropriations Bill
<b>ARTICLE VI – NATURAL RESOURCES</b>					
Commission on Environmental Quality (TCEQ)	<p><b>Air Quality Planning:</b> Grants for air quality planning activities to reduce ozone in affected counties not designated as nonattainment areas for the National Ambient Air Quality Standards (NAAQS) as of 9/1/2020 and other areas at significant risk of nonattainment. Affected counties: Bastrop, Caldwell, Comal, El Paso, Gregg, Guadalupe, Hardin, Harrison, Hays, Henderson, Hood, Hunt, Jefferson, Nueces, Orange, Rusk, San Patricio, Smith, Travis, Upshur, Williamson and Wilson. Rider 7, Strategy A.1.1, Air Quality Assessment and Planning</p>	\$4,500,000	\$4,500,000	0%	
	<p><b>Waste Management and Permitting:</b> Sec. 361.014(b) of the Health and Safety Code requires TCEQ to provide grants to councils of government for local and regional municipal solid waste planning and management activities. Strategy A.2.3</p>	\$19,550,442	\$19,713,062	0.8%	
Parks & Wildlife Department	<p><b>Local Park Grants:</b> Funds provide 50% matching grants to local governments and other entities authorized by provisions in the Texas Parks and Wildlife Code, Chapter 24. Strategy B.2.1</p>	\$37,132,685	\$38,725,996	4.3%	
	<p><b>Boating Access and Other Grants:</b> Funding for recreational trails, community outdoor outreach, boating access and other grants. Recreational trail grants provide 80% matching funds (maximum \$200,000) to build trails in local communities. This program receives federal funding from the National Recreational Trail Fund. Strategy B.2.2</p>	\$17,674,687	\$23,563,728	33.3%	
	<p><b>Enforcement Programs:</b> Wildlife, fisheries and water safety enforcement. Funding for game wardens. Strategy C.1.1</p>	\$120,894,583	\$115,416,923	-4.5%	\$19,076,272

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Article/Agency	Program Name/Strategy	2020-21 General Appropriations Act (GAA) HB 1	Senate Bill 1 2022-23 Biennium	% Change from 2020-21 GAA	House Bill 2 Supplemental Appropriations Bill
<b>ARTICLE VII- BUSINESS &amp; ECONOMIC DEVELOPMENT</b>					
Department of Motor Vehicles	<b>Motor Vehicle Crime Prevention Authority (Automobile Burglary &amp; Theft Grants):</b> Provides grants to law enforcement jurisdictions to support motor vehicle theft and burglary enforcement teams and nonprofit organizations designed to reduce the incidence of motor vehicle theft and burglary. Strategy B.2.1	\$25,671,702	\$29,959,210	16.7%	
	<b>Capital Budget Item:</b> Technology Replacement & Upgrades – regional support for county tax assessor-collector offices.	\$10,025,000	\$10,025,000	0%	
Department of Transportation	<b>Contracted Planning &amp; Design:</b> Provides funding for all aspects of structural planning, design, review, construction and inspection of bridges. Strategy A.1.2	\$956,919,344	\$823,725,321	-13.9%	
	<b>Right of Way Acquisition:</b> Provides funding to build, widen and enhance roads. Strategy A.1.3	\$1,713,687,748	\$1,386,938,800	-19.1%	
	<b>Transportation Infrastructure Fund:</b> Grants to counties for transportation infrastructure projects for roads impacted by oil and gas production. Rider 47 allocated \$125 million out of Fund 6. SB500 (86R) appropriated an additional \$125 million out of the Economic Stabilization Fund for the same purpose.	\$125,000,000	\$0	-100%	
	<b>Ector County Airport Runway:</b> Directs TxDOT to allocate funds to extend the runway at the Ector County Airport. Strategy C.5.1, Aviation Services. See SB 1, Article IX, Sec. 17.43	\$ -	\$15,000,000	N/A	
<b>ARTICLE IX – GENERAL PROVISIONS</b>					
Sec. 10.04	<b>Behavioral Health &amp; Substance Abuse Services – Informational Listing</b>	\$7,783,048,736	\$8,114,667,311	4.3%	\$321,383,334
XXX.XX.XX	<b>Border Security – Informational Listing (estimated)</b>	\$800,600,000	\$1,013,400,000	26.6%	\$110,300,000
Sec. 13.01	<b>Federal Funds/Block Grants.</b> Requires the legislature to appropriate certain federal funds received from the American Rescue Plan Act (ARPA) for the Coronavirus State Fiscal Recovery Fund and any funds made available under the American Jobs Act or similar federal legislation enacted after the regular session of the 87th Legislature. No impact on federal ARPA funds directly allocated to Texas cities and counties.	N/A	est. \$16.8 billion	N/A	

87TH LEGISLATURE STATE BUDGET - ITEMS OF INTEREST TO COUNTIES

Article/Agency	Program Name/Strategy	2020-21 General Appropriations Act (GAA) HB 1	Senate Bill 1 2022-23 Biennium	% Change from 2020-21 GAA	House Bill 2 Supplemental Appropriations Bill
Sec. 17.17	<p><b>Reporting: Texas Opioid Settlement Receipts.</b> Requires state agencies or institutions of higher education that receive funds or compensation from the Texas Opioid Multi-District Litigation (MDL) or any other opioid-related litigation to report it within 15 calendar days of receipt to the lieutenant governor, speaker, LBB, etc.</p>	N/A	N/A	N/A	
Sec. 17.18	<p><b>Informational Listing: Pro Rata Share of Texas Opioid Settlement Receipts Received by Municipal Areas and Regions.</b> Informational listing of the pro rata share (%) to be received by municipal areas from the 15% allocation of receipts to political subdivisions from the settlement or other disposition of the Texas Opioid MDL or any other opioid-related litigation or settlements involving the state of Texas. Listing also includes the pro rata share for each region that the Texas Opioid Council will adopt when making the initial distribution of funds received by the council from the settlement or other disposition of the Texas Opioid MDL or any other opioid-related litigation or settlements involving the state of Texas.</p>	N/A	N/A	N/A	









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