

**87TH
LEGISLATIVE
SESSION
FINAL
REPORT**





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INTRODUCTION

This final report provides a synopsis of key legislation that passed during the Texas 87th regular legislative session. The report is predominantly relevant to community colleges. Its purpose is to provide an overview of the session's results. It also positions Houston Community College (HCC) to comply with newly enacted state laws.

As the reader considers this final report, general observations include:

- ▶ COVID-19 was an adverse intervening factor that changed the normal course of the session
- ▶ The Legislature approved \$248.5 billion (all funds);
- ▶ The appropriation for all community colleges is \$1.8 billion for the 2022-2023 biennium, including \$68 million in core operations and \$315 million for student success;
- ▶ HCC's base formula funding for the 2022-2023 biennium is \$124,799,433, representing a 7.3% decrease from the 2020-2021 biennium;
- ▶ HCC's was successful in obtaining \$2.375 million (non-formula) for its Regional Resiliency Operations Center for the 2022-2023 biennium;
- ▶ Consistent with the Schaefer amendment adoption, 11 community colleges received \$1 million each (\$11 million total) in special item funding for the 2022-2023 biennium;
- ▶ Community colleges successfully moved hold harmless funding (\$50 million) into and from Article XI to C.S.S.B.1; however, conferees did not include the funds in the final budget bill;
- ▶ Financial aid programs total \$1.25 billion; Community Colleges TEOG allocation is \$7.5 million;
- ▶ \$110 million Student Financial Aid allocated for Texas Grants, Tuition Equalization Grants, TEOG for Public Community Colleges and TEOG Public State and Technical Colleges;
- ▶ SB 1230 now establishes a Texas Commission on Community College Finance that in part will study and make recommendations on the funding model for community colleges; and
- ▶ SB 1102 now establishes the Texas Reskilling and Upskilling through Education (TRUE) Initiative to support workforce education at public junior colleges

The 87th regular legislative session adjourned sine die May 31, 2021. During the session, HCC tracked 649 bills of which HCC subject matter experts deemed 46 high priorities. This report provides an overview of those bills and other relevant legislation and information. It describes each bill's purpose, and the effective date of implementation of the same to ensure that HCC is aware of and complies with newly enacted laws.

This is HCC's final report of the 87th regular legislative session.

STATE OF TEXAS APPROPRIATIONS

The 2022-2023 biennium appropriation for the State of Texas includes:

- ▶ \$248.5 billion from all fund sources in SB 1, a decrease of \$13.5 billion (or -5.2%), as compared to the 2020-2021 biennium.
- ▶ The governor signed SB 1 – the General Appropriations bill – into law June 18 and its effective date is September 1, 2021.

COMMUNITY COLLEGES APPROPRIATIONS

The 2022-2023 biennium general revenue appropriation for all community colleges includes:

- ▶ \$1.830 billion total funding.
- ▶ \$315 million student success funding.
- ▶ \$1.447 billion contact hour funding.
- ▶ \$68 million core operations funding (representing \$1.3 million to each community college).
- ▶ The Legislature essentially moved \$86.5 million from contact hours to student success funding.
- ▶ The overall formula funding level is equal to the amount appropriated in the 2020-2021 biennium
- ▶ 11 community colleges received \$1 million each (\$11 million total) in special items funding

HCC SPECIFIC APPROPRIATIONS

The HCC specific appropriation is as follows:

- ▶ Core Operations: \$1,360,812
- ▶ Student Success: \$21,206,514
- ▶ Contact Hour: \$102,232,1073

Total 2022-2023 base formula funding:
\$124,799,433

Above total is **7.3%** less than the prior biennium appropriation.

Prior biennium (2020-2021) appropriation:
\$134,651,908

HCC REGIONAL RESILIENCY OPERATIONS CENTER FUNDING

HCC was successful in securing an appropriation (non-formula) of **\$2,375,000** for HCC's Regional Resiliency Operations Center project. The funding, emerging from SB 1, is for the 2022-2023 biennium.

KEY LEGISLATIVE INITIATIVES

TEXAS RESKILLING AND UPSKILLING THROUGH EDUCATION (TRUE)

HCC helped successfully advance SB 1102 relating to the establishment of the *Texas Reskilling and Upskilling through Education (TRUE) Program* to support workforce education. The TRUE program is a collaboration between colleges and business partners across the state to rapidly provide well-designed short-term credentials ensuring displaced and underemployed workers are armed with the skills and credentials needed to fill high-demand industry needs that have shifted due to the impact of the COVID-19 pandemic. Community College requested \$50 million to fund the TRUE initiative. However, at this writing the program is unfunded. Potential opportunity for funding is via the rulemaking process.

TEXAS COMMISSION ON COMMUNITY COLLEGE FINANCE

HCC helped successfully advance SB 1230 relating to establishing the *Texas Commission on Community College Finance*. The Texas Commission on Community College Finance will make recommendations for consideration by the 88th Texas Legislature regarding the state funding formula and funding levels for public junior colleges in Texas that would be sufficient to sustain a viable junior college education and throughout the state and improve student outcomes. The governor, lieutenant governor, and speaker of the Texas House will coordinate to ensure that the membership of the commission reflects the geographic diversity of Texas public junior colleges and the ethnic diversity of the communities served by these entities.

OTHER RELEVANT LEGISLATION

APPROPRIATIONS/FISCAL MATTERS

[HB 2](#) (by Bonnen/Nelson)

Relating to making supplemental appropriations and reductions in appropriations and giving direction and adjustment authority regarding appropriations.

The legislation identifies supplemental state appropriations to all state agencies and other entities, including institutions of higher education, in order to ensure previously appropriated sums align with revised revenue estimated and supplemental needs.

Effective Date: Immediately.

[HB 1869](#) (by Burrows/Bettencourt)

Relating to the definition of debt for the purposes of calculating certain ad valorem tax rates of a taxing unit.

The legislation amends the Texas Tax Code regarding property tax assessment, to restrict the definition of debt used in truthintaxation property tax rate calculations to debt that meets specified requirements. The legislation also provides definitions for designated infrastructure, refunding bonds and self-supporting debt.

Effective Date: September 1, 2021.

[SB1](#) (by Bonnen/Nelson)

General Appropriations Bill.

The legislation identifies state appropriations to all state agencies and other entities, including higher education institutions, for the 2022-2023 biennium.

Effective Date: September 1, 2021.

[SB 1230](#) (by Taylor/Pacheco)

Relating to establishing the Texas Commission on Community College Finance.

The legislation creates The Texas Commission on Community College Finance to make recommendations for consideration by the 88th Texas Legislature regarding the state funding formula and funding levels for public junior colleges in Texas that would be sufficient to sustain viable junior college education and training offerings throughout the state and improve student outcomes in alignment with state postsecondary goals. The legislation provides specifics for the composition of the commission and directs the governor, lieutenant governor, and speaker of the Texas house to coordinate to ensure that the membership of the commission reflects, to the extent possible, the geographic diversity of Texas public junior colleges and the ethnic diversity of the communities served by those junior colleges.

Effective Date: September 1, 2021.

FINANCIAL AID/WORKFORCE**[HB 626](#) (by Rosenthal/Zaffirini)**

Relating to the expansion of the Texas Innovative Adult Career Education (ACE) Grant Program to include certain nonprofit organizations providing job training to veterans.

The legislation expands the Texas Innovative Adult Career Education Grant program to include qualifying nonprofit organizations providing job training to veterans. The bill describes specific eligibility requirements for those non-profit organizations to receive grants, including matters such as organizational governance and sufficient indicia of likely program success.

Effective Date: September 1, 2021.

[SB 1019](#) (by Zaffirini/Turner)

Relating to a requirement for the Texas Higher Education Coordinating Board to report certain student loan data.

The legislation requires the Texas Higher Education Coordinating Board, in its annual financial aid report, to include a breakdown of disaggregated student loan data (by race, ethnicity, sex, degree type, and enrollment status, including whether the student has graduated).

Effective Date: September 1, 2021.

[SB 346](#) (by Paxton/Dutton)

Relating to the participation of open-enrollment charter schools in the Jobs and Education for Texans (JET) Grant Program.

The legislation adds certain open-enrollment charter schools to the list of educational outlets eligible to receive grants under the Jobs and Education for Texans (JET) Grant Program (current eligible recipients include public junior colleges, public technical institutes, public state colleges, and independent school districts).

Effective Date: May 24, 2021.

HUMAN RESOURCES

[HB 7](#) (by Button/Nelson)

Relating to the computation of the replenishment ratio used to determine an employer's unemployment compensation tax rate.

The legislation precludes inclusion in the replenishment ratio of "benefits paid and not effectively charged to an employer's account as a result of an order or proclamation by the governor declaring at least 50 percent of the counties in this state to be in a state of disaster or emergency."

Effective Date: May 13, 2021.

[HB 180](#) (by Gonzalez/Blanco)

Relating to the transfer of vacation leave time to a sick leave pool in certain counties.

The legislation reduces the minimum population required for counties that may allow an employee to voluntarily transfer vacation leave time earned by the employee to a county sick leave pool. The required population is reduced to 800,000 from 1,000,000.

Effective Date: June 4, 2021.

[HB 917](#) (by Hernandez/Lucio)

Relating to the composition of the board of trustees of the Employees Retirement System of Texas.

The legislation alters the requirements to serve on the TRS Board so that a retiree who does not meet some of the existing requirements may serve as an elected member.

Effective Date: September 1, 2021.

[HB 1585](#) (by Lambert/Lucio)

Relating to the continuation and functions of the Teacher Retirement System of Texas.

The legislation modifies TRS' next sunset review date and requires TRS to implement various sunset recommendations. These include the following matters: communications and outreach with members to better help retirement planning, penalties for employment after retirement, appeal response times, appointment of an ombudsman to monitor the agency's interactions with members, complaint investigations, reporting to the board on member issues, recommended changes to agency operations to better assist members, contribution returns in specified circumstances, board member training, and various reporting requirements.

Effective Date: May 26, 2021.

[HB 1589](#) (by Davis/Menendez)

Relating to paid leave for public officers and employees engaged in certain military service.

The legislation provides that certain persons called to state active duty by the governor or another appropriate authority in response to a disaster are entitled to a paid leave of absence from the person's duties for each day the person is called to active duty during the disaster, not to exceed seven workdays in a fiscal year. Additionally, HB 1589 would preclude such persons from being subjected to loss of time, efficiency rating, personal time, sick leave, or vacation time.

Effective Date: September 1, 2021.

[HB 2022](#) (by Darby/Huffman)

Relating to enrollment of certain retirees in the Texas Public School Employees Group Insurance Program

The legislation allows the trustee in the Texas Public School Employees Group Insurance Program by rule to provide one opportunity to reenroll in one of its health plans for otherwise eligible retirees.

Effective Date: June 15, 2021.

[HB 3898](#) (by Anchia/Huffman)

Relating to the funding of public retirement systems.

The legislation enhances funding policy and funding soundness restoration plan requirements for certain public retirement systems. Among other matters, the legislation changes the evaluation of investments and other matters and reporting requirements of certain public retirement systems and imposes requirements on specified systems pertaining to relationships with independent firms, and conflicts and remuneration involving such firms.

Effective Date: September 1, 2021.

[SB 44](#) (by Zaffirini/Leach)

Relating to leave for state employees who are volunteers of certain disaster relief organizations.

The legislation provides that a state employee who is a volunteer of an organization that is a member of the Texas Voluntary Organizations Active in Disaster may be granted leave to participate in disaster relief services without a deduction in salary or loss of vacation time, sick leave, earned overtime credit, or state compensatory time if specified conditions are met. There is a ten day per fiscal year cap for this type of paid leave.

Effective Date: September 1, 2021.

[SB 202](#) (by Schwertner/Anchia)

Relating to the payment of certain employer contributions for employed retirees of the Teacher Retirement System of Texas.

The legislation provides that a reporting employer is ultimately responsible for payment of amounts required to be contributed by employers of retired members of the Teacher Retirement System. The legislation further expressly provides that employers may not directly or indirectly pass that cost on to the retiree through payroll deduction, by imposition of a fee, or by any other means designed to recover the cost.

Effective Date: June 14, 2021.

SB 1028 (by Huffman/Smithee)

Relating to health benefit plan coverage for colorectal cancer early detection.

The legislation provides that covered health benefit plans subject to the minimum coverage requirements of Section 1363.003 of the Insurance Code must include coverage for colorectal cancer related services and tests. It also lowers the age persons are deemed at risk of developing this type of cancer from 50 to 45 for minimum coverage purposes.

Effective Date: September 1, 2021.

INSTRUCTIONAL SERVICES

HB 33 (by Dominguez/Zaffirini)

Relating to measures to facilitate the award of postsecondary course credit leading to workforce credentialing based on military experience, education, and training.

The legislation requires the Texas Workforce Commission to evaluate programs of study or courses offered by career schools or colleges leading to industry-based certifications or other workforce credentials to identify programs or courses for which skills obtained through military experience, education, and training frequently align. In determining whether to approve a career school or college that offers a program of study or course so identified, the bill directs the commission to require that the career school or college provide credit to a student toward any course time required for the program of study or course for skills obtained by the student through military experience, education, or training, unless the school or college can demonstrate that those skills are not appropriately aligned with the program of study or course. The legislation also requires the Texas Veterans Commission to develop an energy industry program for veteran professional development.

Effective Date: September 1, 2021.

HB 885 (by Harris/Birdwell)

Relating to the requirements for a junior college district to receive approval from the Texas Higher Education Coordinating Board to offer baccalaureate degree programs.

The legislation exempts public junior colleges from meeting certain requirements to offer certain baccalaureate degree programs if the taxable property valuation of the college does not exceed a certain amount and there is no four-year institution of higher education in the same county.

Effective Date: June 15, 2021.

[HB 1027](#) (by Parker/Creighton)

Relating to the disclosure of certain information regarding textbooks and learning content management systems by certain institutions of higher education.

The legislation amends the Education Code relating to the disclosure of specified information regarding course materials (such as, among other things, price, author, publisher, copyright date, and associated fees) by public institutions of higher education. The legislation also requires private or independent institutions of higher education to disseminate certain course and textbook information.

Effective Date: September 1, 2021.

[HB 1247](#) (Lozano/Powell)

Relating to the development of and report on a tri-agency work-based learning strategic framework by the Texas Workforce Commission, the Texas Education Agency, and the Texas Higher Education Coordinating Board

The legislation directs the Texas Education Agency, the Texas Workforce Commission, and the Texas Higher Education Coordinating Board to jointly develop a strategic framework to encourage work-based learning in Texas and modifies existing law concerning tri-agency efforts. Among other things, it specifically requires identification of available federal funds for work-based training and recommendations on the use of those funds.

Effective Date: September 1, 2021.

[HB 1799](#) (by Button/Zaffirini)

Relating to the administration of apprenticeship training programs.

The legislation requires the Texas Workforce Commission to prepare and submit to the Texas Workforce Investment Council or to the Apprenticeship and Training Advisory Committee, as designated by the Texas Workforce Investment Council, at least annually report that includes: (1) an apprenticeship-related instruction cost study for the most recent state fiscal year; and (2) the funding distribution for apprenticeship-related instruction programs for the state fiscal year in which the report is submitted. The bill otherwise updates apprenticeship-related terminology.

Effective Date: September 1, 2021.

[HB 2827](#) (by Gonzalez/Zaffirini)

Relating to the transfer to the Texas Higher Education Coordinating Board of certain responsibilities relating to postsecondary education and career counseling.

The legislation transfers duties to the Texas Higher Education Coordinating Board from the Center for Teaching and Learning at the University of Texas at Austin in connection with the development and provision of postsecondary education and career counseling academies for school counselors and other postsecondary advisors employed by a school district at a middle school, junior high school, or high school. The bill also makes conforming changes to related provisions.

Effective Date: June 18, 2021.

[HB 3348](#) (by Pacheco/Creighton)

Relating to the number of baccalaureate degree programs certain public junior colleges may offer.

The legislation increases to five the number of baccalaureate degree programs that a public junior college offering may offer under existing law.

Effective Date: June 16, 2021.

[HB 3767](#) (by Murphy/Bettencourt)

Relating to measures to support workforce development in the state, including the establishment of the Tri-Agency Workforce Initiative and additional employer workforce data reporting.

The legislation creates a “Tri-Agency Workforce Initiative” amongst the Texas Education Agency, the Higher Education Coordinating Board, and the Texas Workforce Commission. The initiative is designed to coordinate and improve information and other resources in connection with state and federal workforce funds and workforce development goals, alignment of career education and training programs to workforce demands, and enabling of state and local policymakers to identify workforce outcomes of participants in various programs. Among other matters, the legislation provides for interagency agreements/staffing, quarterly discussions, joint development of workforce goals/strategies, web-based credentials libraries and other internet-based resources, student success reporting and other reporting.

Effective Date: September 1, 2021.

[HB 3938](#) (by Bell/Powell)

Relating to the establishment of the industry-based certification advisory council and the transfer of certain duties to that advisory council.

The legislation establishes an industry-based certification advisory council to advise the Texas Workforce Commission on the alignment of public high school career technology education programs with current and future workforce needs. The legislation also transfers certain duties currently carried out by the Texas Education Agency, the Texas Workforce Commission, and the Texas Higher Education Coordinating Board to the council, which will receive administrative and staff support from the Texas Workforce Commission.

Effective Date: June 15, 2021.

[HB 4361](#) (by Raney/Bettencourt)

Relating to off-campus workforce education or lower-division programs offered by a public institution of higher education at the request of an employer.

This legislation provides that an institution of higher education may enter into an agreement with an employer to provide a credit or noncredit off-campus workforce education or lower-division program to the institution's students at a site requested by the employer without the approval of a higher education regional council regardless of whether the site at which the program would be offered is located within the institution's uniform state service region or, if the institution is a public junior college, within the junior college district's service area. However, certain conditions specified in the bill must be met.

Effective Date: June 14, 2021.

[SB 165](#) (by Blanco/Fierro)

Relating to an exception to dropped course limitations at public institutions of higher education for courses dropped during a disaster that results in a bar or limit on in-person course attendance.

The legislation adds to the types of allowable good cause for exceeding a set number of allowed course droppings. Specifically, it adds a disaster declared by the governor, resulting in a bar or limit on in-person course attendance at the institution of a duration that significantly affects the student's ability to participate in coursework. It also carves out Covid-19 related dropped courses as specified in the bill from being counted toward the number of courses permitted to be dropped.

Effective Date: June 14, 2021.

[HB 226](#) (by Paxton/Lozano)

Relating to instruction in educator training programs regarding digital learning, virtual learning, and virtual instruction.

The legislation adds virtual learning, and virtual instruction to digital learning as a form of learning required in certain instances where minimum academic qualifications for a specified certificate require a person to possess a bachelor's degree. In these instances, all these types of learning will all now be subject to certain instructional requirements.

Effective Date: September 1, 2021.

[SB 279](#) (by Hinojosa/Bucy)

Relating to the inclusion of suicide prevention information on certain student identification cards issued by a public school or public institution of higher education.

The legislation requires inclusion of contact information for suicide prevention resources to be printed on all student ID cards issued by pre-collegiate public schools for grades six or higher as well as community colleges and public universities.

Effective Date: June 14, 2021.

[SB 770](#) (by Hughes/Button)

Relating to eligibility for job-training programs provided under the self-sufficiency fund.

This legislation provides that the persons eligible for certain job training programs are individuals who are identified by the Workforce Commission as being low-income or at risk of becoming dependent on public assistance benefits.

This changes current law which references "certain recipients of financial assistance under Chapter 31, Human Resources" as the eligible persons. The bill also modifies the class of persons eligible for placement services.

Effective Date: September 1, 2021.

[SB 788](#) (by Creighton/Howard)

Relating to the development of a model data-sharing agreement for sharing student information between public schools and public and private postsecondary educational institutions

The legislation provides that the Texas Education Agency, the Texas Higher Education Coordinating Board, and the Texas Workforce Commission jointly shall develop and make available various model data-sharing agreements for sharing information subject to existing federal privacy law for purposes of system evaluation and improved support of students and workforce preparation participants. The agreements would be available to public schools, public or private institutions of higher education, state and local workforce entities, and certain other entities.

Effective Date: September 1, 2021.

[SB 937](#) (by Campbell/Tinderholt)

Relating to an excused absence from a public institution of higher education for a student called to required military service.

The legislation changes the Education Code regarding excused absences at institutions of higher education due to a service member's military service. Absent the change, the statute excuses absences due to "active" military service. The bill changes the statute from "active" to "required" service so as to cover a different mission.

Effective Date: June 4, 2021.

[SB 959](#) (by Zaffirini/Romero)

Relating to student success-based funding recommendations for certain continuing workforce education courses offered by public junior colleges.

The legislation adds requirements for the Texas Higher Education Coordinating Board to make recommendations relating to institutional appropriations of incentive funds for public junior colleges based on achievement on student success measures. The legislation also provides that the board--in consultation with colleges-- incorporate the consideration of student success measures, and include appropriate funding recommendations based on those success measures, achieved in qualified continuing workforce education courses offered by those colleges for which credit toward a certificate or associate degree is not awarded.

Effective Date: September 1, 2021.

SB 1094 (by Creighton/Frullo)

Relating to the payment of apprenticeship education expenses using the state's programs for paying, prepaying, or saving toward the costs of attending an institution of higher education.

The legislation allows students to use their tax-advantaged 529 savings plan accounts to pay for apprenticeship programs and qualified expenses. Qualified expenses include fees, books, supplies, and equipment required for a designated beneficiary to participate in an apprenticeship program. Eligible apprenticeships must be registered and certified with the United States Department of Labor.

Effective Date: September 1, 2021.

SB 1095 (by Creighton/Dutton)

Relating to notice regarding the availability to public school students of college credit and work-based education programs and subsidies for fees paid to take certain advanced placement tests.

The legislation requires public school districts to notify the parents of students enrolled in grade nine or above of the availability of certain career and technology or other work-based education programs and subsidies (based on financial need) for fees paid to take college advanced placement tests or international baccalaureate examinations, as well as the qualifications for enrolling in the district's college credit and work-based education programs.

Effective Date: June 14, 2021.

SB 1102 (by Creighton/Parker)

Relating to the establishment of the Texas Reskilling and Upskilling through Education (TRUE) Initiative to support workforce education at public junior colleges.

The legislation creates a new program under which funds appropriated or otherwise available for the purpose will be used by the Texas Higher Education Coordinating Board to award grants to eligible entities for creating, redesigning, or expanding workforce training programs and delivering education and workforce training that: (1) lead to postsecondary industry certifications or other workforce credentials required for high-demand occupations; (2) are developed and provided in consultation with employers who are hiring in high-demand occupations; and (3) create pathways to employment for students and learners. Eligible entities under the legislation include: (A) a lower-division institution of higher education; (B) a consortium of lower-division institutions of higher education; or (C) a local chamber of commerce, trade association, or economic development corporation that partners with a lower-division institution of higher education or a consortium of lower-division institutions of higher education.

Effective Date: June 14, 2021.

SB 1227 (by Taylor/Metcalf)

Relating to the granting of undergraduate course credit at public institutions of higher education for certain scores on examinations administered through the College-Level Examination Program.

The legislation provides that in establishing the minimum required score on a CLEP examination for granting course credit for certain lower-division courses, an institution of higher education may not require a score higher than the minimum score recommended by the American Council on Education for granting course credit for that examination unless the institution's chief academic officer determines, based on evidence, that a higher score on the examination is necessary to indicate that a student is sufficiently prepared to be successful in a related, more advanced course for which the lower-division course is a prerequisite.

Effective Date: June 14, 2021.

SB 1277 (by West/Turner)

Relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district.

The legislation requires school districts and public institutions of higher education that offer dual credit programs to designate at least one employee to provide academic advising for each student enrolled in a dual credit course prior to enrollment. It also provides requirements for agreements between a school district and public institution of higher education in connection with dual credit programs provided to high school students enrolled in the district.

Effective Date: May 30, 2021.

SB 1531 (by West/Turner)

Relating to formula funding for excess undergraduate credit hours at public institutions of higher education and to the tuition rate that may be charged for those credit hours.

The legislation adjusts the hours of excess credit for which an institution of higher education could charge a resident undergraduate student tuition at a higher rate. An institution that charges students who accumulated excess credit hours tuition at a higher rate may adopt a policy for hardship exemptions. The legislation also revises provisions excluding any excessive credit hours earned by a resident undergraduate student from formula funding calculations to reflect the bill's thresholds.

Effective Date: September 1, 2021.

[SB 1677](#) (by Buckingham/Frullo)

Relating to eliminating reporting requirements for public institutions of higher education and the requirement for a plan by certain school districts to increase enrollment.

The legislation provides that if the commissioner of higher education determines that the Texas Higher Education Coordinating Board has access to an alternative means of collecting data or receiving information to be included in a report sufficient to fulfill a requirement under the Education Code, the board by rule may eliminate the reporting requirement for that data or information. The bill includes other provisions designed to reduce reporting requirements.

Effective Date: September 1, 2021.

[SB 1856](#) (by Powell/Klick)

Relating to certain vocational nursing students providing essential services during a declared state of disaster.

The legislation provides that services provided by certain persons including certain students seeking a licensed vocational nurse (LVN) license be defined as "essential services" during a declared disaster.

Effective Date: September 1, 2021.

[SB 1860](#) (by Powell/Neave)

Relating to creating an electronic application system for state student financial assistance.

The legislation delays the implementation of the electronic version of the Texas Application for State Financial Aid to applications submitted for the 2023-2024 school year.

Effective Date: September 1, 2021.

INFORMATION TECHNOLOGY

HB 5 (by Ashby/Nichols)

Relating to the expansion of broadband services to certain areas.

The legislation modifies the composition and governance of the Governor’s Broadband Development Council. It also establishes a Broadband Development Office inside the Comptroller’s office, which will set required download and upload speeds to qualify as “broadband” service for the purposes set forth in the legislation and the office will also designate areas qualifying for as areas eligible for broadband development under broadband development grants and other financial assistance to specified applicants provided for under the legislation. The legislation also creates an advisory board and requires the Comptroller’s office to put forth a statewide broadband development plan and provides the comptroller’s office rulemaking authority in connection with various provisions.

Effective Date: June 15, 2021.

HB 3130 (by Capriglione/Paxton)

Relating to state agency contracts for Internet application development.

The legislation adds the function of a native mobile application to existing requirements for a state agency to notify the Department of Information Resources of the agency’s intent to bid for Internet application development services that duplicate a state electronic Internet portal function.

Effective Date: September 1, 2021.

SB 58 (by Zaffirini/Turner)

Relating to purchasing of cloud computing services by a political subdivision.

The legislation allows for the financing of cloud computing services by amending the definition of personal property in The Public Property Finance Act.

Effective Date: June 3, 2021.

SB 59 (by Zaffirini/Geren)

Relating to the advertising and promotion of a state purchasing program for local governments.

This legislation provides that the comptroller may advertise in any available media or otherwise promote the state purchasing program for local governments.

Effective Date: June 7, 2021.

SB 851 (by Blanco/Dominguez)

Relating to the composition of the cybersecurity council.

The legislation requires that an existing state cybersecurity council include one member who is an employee of the Elections Division of the Texas Secretary of State's office.

Effective Date: September 1, 2021.

LEGAL**HB 1500** (by Hefner/Creighton)

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.

The legislation limits the ability of the governor and local governments to restrict the business and operations of firearms or ammunition manufacturers, distributors, wholesales, suppliers, retailers or sport shooting ranges during disasters. Additionally, HB 1500 restricts a municipality's ability to regulate firearms use in certain cases regardless of a municipality's purported public health and safety rationale.

Effective Date: September 1, 2021.

HB 1987 (by Vasut/Taylor)

Relating to eligibility requirements to hold a political party office.

The legislation clarifies who is an officer of a political party so that precinct chairs, county chairs, and members, chairs or vice chairs of a state executive committee are deemed officers of political parties and only county chairs and precinct chairs need to be qualified voters in the appropriate counties.

Effective Date: September 1, 2021.

SB 19 (by Schwertner/Capriglione)

Relating to prohibited contracts with companies that discriminate against the firearm or ammunition industries.

With respect to contracts involving a specified dollar value and companies of a certain size, and subject to certain exceptions, The legislation prohibits governmental entities from entering into contracts for the purchase of goods and services unless the contract includes assurances that the companies contracted with do not discriminate against firearms entities or firearm trade associations and that there will be no discrimination during the terms of the contracts. Governmental entities include state agencies or political subdivisions of the state.

Effective Date: September 1, 2021.

SB 797 (by Hughes/Oliverson)

Relating to the display of the national motto in public schools and institutions of higher education.

The legislation requires a public elementary or secondary school or a public institution of higher education to display in a conspicuous place in each building of the school or institution a durable poster or framed copy of the U.S. national motto, "In God We Trust," if the poster or framed copy meets certain requirements and was donated for display or purchased from private donations and made available to the school or institution.

Effective Date: June 16, 2021.

SB 1225 (by Huffman/Paddie)

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

The legislation clarifies that a catastrophe for which requirements of the public information act may be suspended "does not mean a period when staff is required to work remotely and can access information responsive to an application for information electronically, but the physical office of the governmental body is closed." The legislation also tightens other aspects of when a catastrophe rises to the level allowing for suspension of the public information act response by an agency and limits the number of suspensions.

Effective Date: September 1, 2021.

[SB 1385](#) (by Creighton/Murphy)

Relating to the compensation and professional representation of student athletes participating in intercollegiate athletic programs at certain institutions of higher education.

The legislation provides that specified educational institutions may not: (1) adopt or enforce a policy, requirement, standard, or limitation that prohibits or otherwise prevents a student athlete participating in an intercollegiate athletic program at the institution from: (A) earning compensation for the use of the student athlete 's name, image, or likeness when the student athlete is not engaged in official team activities, as that term is defined by the institution; or (B) obtaining professional representation, including representation by an attorney licensed to practice law in this state, for contracts or other legal matters relating to the use of the student athlete 's name, image, or likeness; or (2) provide or solicit a prospective student athlete of an intercollegiate athletic program at the institution with compensation in relation to the prospective student athlete 's name, image, or likeness. The legislation also precludes in specified instances the disqualifying students from certain programs/assistance if they take advantage of the foregoing rights and includes corresponding provisos concerning team contracts for intercollegiate athletic programs. Among other things, it also imposes some obligations on students to inform institutions about their contracts for compensation and imposes requirements on such contracts, including in regard to team contracts.

Effective Date: July 1, 2021.

[SB 1371](#) (by Huffman/Murphy)

Relating to the reporting of certain incidents of sexual harassment, sexual assault, dating violence, or stalking at certain public or private institutions of higher education.

With respect to reports of certain incidents of sexual harassment, assault and similar matters, the legislation clarifies that a campus peace officer employed by a postsecondary educational institution who receives information regarding an incident from an alleged victim who chooses to complete a pseudonym form provided for under various provisions of law, shall, in making a report, state only the type of incident reported and may not include the victim 's name, phone number, address, or other information that may directly or indirectly reveal the victim's identity.

Effective Date: June 14, 2021.

[SJR 27](#) (by Hancock/Leach)

Proposing a constitutional amendment to prohibit this state or a political subdivision of this state from prohibiting or limiting a religious service conducted by a religious organization.

This senate joint resolution proposes a constitutional amendment for voters' consideration that would provide that neither the state nor its political subdivisions may enact, adopt, or issue a statute, order, proclamation, decision, or rule that prohibits or limits religious services, including religious services conducted in churches, congregations, and places of worship, in this state by a religious organization established to support and serve the propagation of a sincerely held religious belief.

Effective Date: To be submitted to voters at an election scheduled November 2, 2021.

PEACE OFFICERS

[HB 315](#) (by VanDeaver/Hughes)

Relating to the purchasing of a uniform by certain honorably retired peace officers.

The legislation allows honorably retired and medically discharged state peace officers or their relatives to purchase uniforms for purposes of the peace officers being buried in their uniforms.

Effective Date: September 1, 2021.

[HB 781](#) (by Sanford/Paxton)

Relating to the carrying and possession of a handgun by a public junior college school marshal.

The legislation eliminates requirements that require certain school marshal's to store handguns in a locked safe and give them greater access to a handgun while on duty.

Effective Date: September 1, 2021.

[HB 918](#) (by Leman/Hughes)

Relating to a license to carry a handgun for certain young adults who are protected under certain court orders related to family violence.

The legislation provides that individuals under age 21 are eligible for a license to carry a handgun if they are the subject of certain protective orders and otherwise meet existing eligibility requirements.

Effective Date: September 1, 2021.

[HB 1069](#) (by Harris/Birdwell)

Relating to the carrying of a handgun by certain first responders.

The legislation expands rights of certain first responders for smaller municipalities and counties to carry a handgun while carrying out their duties so long as they meet certain conditions/qualifications. These include being licensed and having specified training and insurance. The bill also limits liability for actions arising out of handgun discharge by first responders.

Effective Date: September 1, 2021.

[HB 1927](#) (by Schaefer/Schwertner)

Relating to the carrying of a firearm by a person 21 years of age or older and who is not otherwise prohibited from possessing the firearm and to criminal offenses otherwise related to the carrying of a firearm.

This is the much publicized “constitutional carry” legislation to allow carry of handguns without a license. The legislation amends and repeals various provisions of the Code of Criminal Procedure, the Education Code, the Government Code, the Penal Code, the Health and Safety Code, the Labor Code, and the Alcoholic Beverage Code relating to the carrying of a firearm by a person 21 years of age or older that are not otherwise prohibited from possessing the firearm and to the carrying, possessing, transporting, or storing of a firearm or other weapon. The legislation also creates certain misdemeanor offenses relating to handgun carry under certain conditions, as well as setting forth instances in which peace officers may disarm persons with firearms in specified circumstances. The legislation also requires DPS to offer gun safety training online for free.

Effective Date: September 1, 2021.

[HB 1938](#) (by Jetton/Kolkhorst)

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

The legislation allows law enforcement agencies that provide body worn cameras to its peace officers to apply to the Governor’s office for a grant to defray the cost of data storage for recordings created with the body worn cameras. Additionally, the bill provides that grant programs established by it may be funded by federal funds or by gifts, grants, and donations.

Effective Date: September 1, 2021.

[HB 2112](#) (by Metcalf/Springer)

Relating to the carrying of holstered handguns by handgun license holders.

The legislation removes specifics in Texas law as to the type of holster one must use to carry a handgun in public and simply provides for holstering.

Effective Date: September 1, 2021.

[HB 3712](#) (by Thompson/West)

Relating to the training and hiring of peace officers.

The legislation creates specific requirements for basic peace officer training including addressing matters such as the number of hours, the use of force, an officer's duty to stop improper behavior of other officers, and duties to injured persons. The legislation also addresses other training programs including programs to be developed in partnership with the Bill Blackwood Law Enforcement Management Institute of Texas and other interested parties and adoption of various policies and procedures by law enforcement agencies.

Effective Date: September 1, 2021.

[SB 550](#) (by Springer/Spiller)

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

The legislation is similar to HB 2112 in removing requirements in Texas law as to the type of holster one must use to carry a handgun in public and simply provides for holstering.

Effective Date: September 1, 2021.

PROCUREMENT

[HB 1428](#) (Huberty/Huffman)

Relating to procurement by a political subdivision of a contingent fee contract for legal services.

The legislation modifies existing law concerning procurement of a contingent fee contract for legal services by a political subdivision, which exempts certain delinquent obligation collection contracts from attorney general review. HB 1428 extends such exemption to certain additional contracts.

Effective Date: September 1, 2021.

[HB 1476](#) (by Keith/Nichols)

Relating to a vendor's remedies for nonpayment of contract with this state of a political subdivision of this state.

The legislation provides for governmental entities to include disputed amounts invoices provided to them and requires detailed statements regarding such amounts. It also caps the amount a governmental entity may withhold from payment on the invoice in relation to the disputed amount.

Effective Date: September 1, 2021.

[SB 783](#) (by Creighton/Murphy)

Relating to the purchase of iron and steel products made in the United States for certain projects by public institutions of higher education.

The legislation expands the existing state procurement "Buy America" provisions program to include institutions of higher education.

Effective Date: September 1, 2021.

[SB 1122](#) (by Zaffirini/Holland)

Relating to participation in the comptroller's contracts for travel services.

The legislation clarifies in statute that additional entities, including local government entities, certain community centers, certain assistance organizations, and certain political subdivisions, can purchase from the statewide travel services contracts. The legislation also removes language relating to a travel service fee that could be collected by the comptroller's office.

Effective Date: May 28, 2021.

SEXUAL OFFENSES

SB 45 (by Zaffirini/Zweiner)

Relating to the prohibition against sexual harassment in the workplace.

The legislation provides that an employer commits an unlawful employment practice if sexual harassment of an employee occurs and the employer or the employer's agents or supervisors: (1) know or should have known that the conduct constituting sexual harassment was occurring; and (2) fail to take immediate and appropriate corrective action.

Effective Date: September 1, 2021.

TAXATION

HB 2429 (by Meyer/Bettencourt)

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.

The legislation specifies/alters contents of tax rate notices for taxing units that are not required to hold an election under Section 26.07 of the Texas Tax Code and for which the qualified voters of the taxing unit may not petition to hold an election under Section 26.075 of that code. Among other requirements, the bill alters/provides definitions in the notice for "voter-approval tax rate" and "de minimis rate".

Effective Date: May 15, 2021.

HB 2723 (by Meyer/Bettencourt)

Relating to public notice of the availability on the Internet of property-tax-related information.

The legislation amends various sections of the Texas Tax Code to include notice requirements and specifically sets forth world-wide-web address information to obtain information regarding a property owner's property taxes, tax rates, taxing authorities' publicly scheduled hearings, etc.

Effective Date: June 3, 2021.

[SB 742](#) (by Birdwell/Anderson)

Relating to installment payments of ad valorem taxes on property in a disaster area.

The legislation provides for extension of tax installment payments to property damage to specified properties in an emergency (as well as disaster) area and provides that installment plans are available for specified property owners in disaster or emergency areas even if the properties have not been damaged as a direct result of the disaster/emergency. The legislation affords taxing units case-by-case discretion on approving installment payments in such scenarios.

Effective Date: June 7, 2021.

[SB 1427](#) (by Bettencourt/Shine)

Relating to the applicability of the temporary exemption from ad valorem taxation of a portion of the appraised value of certain property damaged by a disaster.

The legislation clarifies that that only physical damage exemptions are available under Section 11.35 of the Texas Tax Code.

Effective Date: June 16, 2021.

Bill descriptions and related
information sourced to
Texas Legislature Online,
87th Legislature Regular Session, 2021.

See pertinent information at this link:
capitol.texas.gov/Home.aspx



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