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Legislative Update:
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PLEASE NOTE: The summaries contained in this publication were written during the months of July and August of 2025. Accordingly, when a summary refers to "current law," it refers to the law as it existed before the effective date of the legislative enactment. Most amendments, except where noted, are effective September 1, 2025.

TMCEC could not bring this compilation to you and maintain our educational mission without the assistance of the State of Texas, more specifically, the House Research Organization, the Senate Research Center, the Office of Court Administration, and the Legislative Budget Board. With a few exceptions, most of the bill summaries contained in this compilation are derived and adapted from the work product of the State of Texas and the forenamed agencies. We are most appreciative of their efforts.

Many of the summaries are followed by commentary. The commentary is the collaborative effort of the TMCEC staff. Thanks to Mark Goodner, Regan Metteauer, Ryan Turner, Ned Minevitz, Madison Mondragon, Leandra Quick, and Elaine Riot for their contributions throughout this project.

Legislative Update

Courts, Court Costs, and the Administration of Justice

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Courts, Court Costs, and the Administration of Justice

H.B. 1950

Subject: Creation of the Consolidated Municipal Court Building Security and Technology Fund for Municipalities with a Population under 100,000
Effective: May 29, 2025

H.B. 1950 adds Article 102.0175 to the Code of Criminal Procedure creating a consolidated Municipal Court Building Security and Technology Fund for municipalities with a population under 100,000. This is designed to give small and mid-sized cities flexibility to use security and technology funds where they are most needed. Once money is deposited into the new fund, it may be used for either court security under Article 102.017(b)-(c) or technology under Article 102.0172(b).

TMCEC: On all convictions in a municipal court, a $14 Local Consolidated Fee is collected. Of this $14, 35% ($4.90) is allocated to municipal court building security and 28.5714% ($4) is allocated to municipal court technology. For cities under 100,000, applicable fees collected on or after May 29, 2025—regardless of the conviction date—will no longer be split between dedicated accounts and will instead be deposited into the new consolidated fund. Applicable fees collected prior to May 29, 2025 must be deposited into the dedicated funds and maintain the restrictions of those funds. Money in the dedicated funds may not be transferred to the consolidated fund. Therefore, after H.B. 1950 takes effect, cities with a population under 100,000 will have three funds related to security and technology. Cities with a population above 100,000 will continue to use only the dedicated accounts.

For more information, see TMCEC's Full Court Press blog entry dated June 9, 2025 titled HB 1950 Creates a New Consolidated Fund for Cities Under 100,000 available at https://tmcecblog.com/2025/06/09/hb-1950-creates-a-new-consolidated-fund-for-cities-under-100000/.

H.B. 2282

Subject: Increasing the Warrant Reimbursement Fee
Effective: September 1, 2025

H.B. 2282 amends Article 102.011(a) of the Code of Criminal Procedures to increase from $50 to $75 the reimbursement fee required upon conviction when an issued arrest warrant, capias, or capias pro fine has been executed or processed.

TMCEC: Section 51.607(c) of the Government Code provides that a new or changed court cost or fee doesn't take effect until the next January 1 after the law takes effect, regardless of the law's effective date.

H.B. 3425

Subject: Unlawful Disclosure through an Electronic Communication of a Residence Address or Phone Number
Effective: September 1, 2025

In 2023, the 88th Legislature added Section 42.074 of the Penal Code (Unlawful Disclosure of Residence Address or Telephone Number) making it an offense to post such information on a website with intent to harm—targeting threats like "doxing." However, the law does not cover disclosures through electronic messaging. H.B. 3425 amends Section 42.074 as well as Section 36.06(a-1) of the Penal Code (Obstruction or Retaliation) to also prohibit disclosures made through "electronic communication," as defined in Section 42.07 of the Penal Code (Harassment). While Section 42.074 covers disclosures made about any individual, Section 36.06(a-1) covers disclosures made against a public servant or a public servant's family member in retaliation for or on account of the service or status of the individual as a public servant. An offense under Section 42.074 is a Class B misdemeanor. An offense under Section 36.06(a-1) is a third-degree felony.

TMCEC: H.B. 3425 broadens what is considered an unlawful disclosure of a judge or clerk's personal information under both statutes. Section 42.074 does not apply when a public servant posts such information on a public website while performing official duties as required by law.

H.B. 5081

Subject: Protection of Personal Identifying Information for Judges and Court Personnel
Effective: September 1, 2025

H.B. 5081 adds Chapter 92 to the Government Code ("Protection of Personal Identifying Information of At-Risk Individuals"), which provides a multi-faceted enforcement approach to protecting the personal information of judges and court personnel.

Definitions

New Chapter 92 begins with three important definitions. First, Section 92.001(a) defines "at-risk individual" as a judge, court clerk, or judicial branch employee.

Municipal court clerks are included because Section 92.001(2) defines court clerk as a "clerk of a state court" and Section 92.001(9)(E) includes municipal courts under the definition of a "state court." Second, Section 92.001(3) defines "covered information" by providing a long list of examples, including primary and secondary home addresses, personal telephone numbers, e-mail addresses, social security and driver's license numbers, banking information, license plate and vehicle identification numbers, identity of children under 18, dates of birth, information related to children's school or day care, and outside employment information. "Covered information" does not include information regarding employment with a state agency or the display of a property address on a real estate or mapping website as long as it is not displayed in connection with ownership or other personal information. Third, "immediate family member" means an individual related to another individual within the first degree of consanguinity or affinity and includes a foster child, ward, legal dependent, or individual residing in the same household.

Prohibited Dissemination of Covered Information

H.B. 5081 adds Section 92.002 prohibiting a person from knowingly selling, licensing, trading, transferring, or otherwise disseminating covered information of an at-risk individual or an at-risk individual's immediate family member if the at-risk individual or the Office of Court Administration (OCA) submits a written request to the person not to do so. This prohibition does not apply to news stories where the information is relevant to a matter of public concern, internal business uses, alert services for health or safety purposes, consumer reporting agencies and similar businesses, security businesses, financial institutions, insurance or insurance support organizations, law enforcement, 411 directories, and government property records.

Section 92.003 is also added, which prohibits a person from posting or displaying covered information of an at-risk individual or an at-risk individual's immediate family member on the internet if the at-risk individual or OCA submits a written request to the person not to do so. This prohibition does not apply to government entities, employees, or agents, or to news stories where the information is relevant to a matter of public concern. This prohibition applies to any content that is on the internet on September 1, 2025 regardless of when it was posted.

Covered Information Removal

Under new Section 92.004, within 10 business days of receiving a written request under Section 92.002 or Section 92.003, the person must remove any covered information from the internet, identify any other instances of the information that should be removed, and assist the requestor in locating the covered information on the internet.

Under new Section 92.005, the Judicial Security Division of OCA must develop a process by which a judge can request that OCA, on the judge's behalf, notify a person of a written request submitted by the judge to remove covered information on the internet.

Under new Section 92.006, after receiving a written request, a person may not transfer covered information to anyone else through any medium.

Civil Remedies

Under new Section 92.007, if covered information is made public in violation of Chapter 92, the at-risk individual may bring an action seeking injunctive or declaratory relief. If the at-risk individual prevails, the court may impose a fine of $500 per day that the covered information remains public after the date relief was granted and award the at-risk individual or the at-risk individual's immediate family exemplary damages, court costs, and reasonable attorney's fees.

New Section 92.008(a) makes it an offense to intentionally post covered information of an at-risk individual or their immediate family member on the internet without consent. The intent must be to (1) harass or (2) cause or threaten or cause harm. Under the circumstances, the harm to or harassment of the at-risk individual or immediate family member must be a probable consequence of posting the information. Section 92.008(b) makes it an offense for a person, other than a data broker, to not remove information within 10 business days of receiving a written request under Section 92.003. Both offenses are Class B misdemeanors and both are enhanceable to a Class A misdemeanor if they result in bodily harm to the at-risk individual or their immediate family member. All elements of these offenses must be committed on or after September 1, 2025.

S.B. 293

Subject: Amending State Commission on Judicial Conduct (SCJC) Complaint and Investigation Process; Clarifying What Constitutes Misconduct; Creating Administrative Penalty for False Complaints
Effective: September 1, 2025

S.B. 293 implements amendments related to judicial misconduct into Chapter 33 of the Government Code ("State Commission on Judicial Conduct"). The portions of S.B. 293 relevant to municipal judges can be grouped into three categories: (1) complaint

submission process and penalty for false complaints, (2) clarifying what constitutes misconduct, and (3) investigation process.

Complaint Submission Process & Penalty for False Complaints

The bill adds Section 33.0211(a-1), which allows a person that files a complaint with the State Commission on Judicial Conduct (SCJC) to submit additional documentation to support the complaint within 45 days of the initial filing.

New Section 33.02111 creates a statute of limitations for filing complaints with SCJC. Complaints shall be dismissed without an investigation if filed more than seven years after the alleged misconduct occurred or the complainant knew, or with the exercise of reasonable diligence should have known, of the alleged misconduct. The SCJC may, however, investigate late-filed complaints if they determine that good cause exists.

Section 33.02115 is added to authorize the SCJC to impose an administrative sanction and/or penalty if an individual knowingly files a false complaint. Penalties will be up to $500 for a first false complaint, up to $2,500 for a second, and $5,000-$10,000 for each false complaint filed after the second. Any penalty or sanction imposed must be published on the SCJC website.

Clarifying What Constitutes Misconduct

New Subdivision 33.001(a)(8-a) mirrors the definition of "official misconduct" with that in Article 3.04 of the Code of Criminal Procedure: "an offense that is an intentional or knowing violation of a law committed by a public servant while acting in an official capacity as a public servant."

Section 1-a, Article V of the Texas Constitution prohibits "wilful or persistent conduct that is clearly inconsistent with the proper performance of a judge's duties." Section 33.001(b), which provides the scope of this constitutional language, is amended to add "failure to meet deadlines, performance measures or standards, or clearance rate requirements set by statute, administrative rule, or binding court order" as well as persistent or wilful violation of Article 17.15 of the Code of Criminal Procedure ("Rules for Setting Amount of Bail").

Chapter 665 of the Government Code ("Impeachment and Removal [of Public Officers]") is amended to provide that "incompetency" includes the persistent or wilful violation of Article 17.15 of the Code of Criminal Procedure.

Per Section 30 of S.B. 293, the amendments to Section 33.001(b) and Chapter 665 only apply to complaints received on or after September 1, 2025, but such complaints may be for conduct that occurred prior to September 1, 2025.

Investigation Process

Preliminary Hearings

S.B. 293 provides new requirements related to how investigations are conducted, including a new process in Section 33.0212 requiring a preliminary investigation as soon as practicable after receiving a complaint. If, after the preliminary investigation, SCJC staff determine that a full investigation is necessary before the next SCJC meeting, they may immediately commence the full investigation and must provide notice to the judge within seven days of starting it. Once the full investigation concludes, the judge must be given notice of the result within five business days of its conclusion if no action will be taken and within seven business days if further action will be taken. As the SCJC deems appropriate, investigation results shall be posted to their website within five days of providing notice to the judge. Provisions allowing the SCJC to order a time extension for investigations are also added.

Substance Abuse & Physical/Mental Incapacity

Section 32.023 is amended to require a preliminary investigation when a complaint is filed alleging substance abuse or physical/mental incapacity. The results of the preliminary investigation must be presented to each member of the commission within 30 days of the complaint's submission. If the SCJC determines that the alleged substance abuse or physical/mental incapacity brings into question the judge's ability to perform his or her duties, the SCJC shall provide the judge written notice of the complaint and subpoena the judge to appear at the next SCJC meeting. If, following a judge's appearance, the SCJC requires the judge to submit to a physical or mental examination, the SCJC shall suspend the judge with pay for up to 90 days. If the SCJC ultimately determines that the judge is unable to perform his or her official duties, the SCJC shall either recommend suspension from office to the Supreme Court or enter into an indefinite voluntary agreement with the judge for suspension with pay until the SCJC determines that the judge is physically and mentally competent to resume his or her official duties.

Article 17.15 Violations

S.B. 293 adds Section 33.034(j) to require the SCJC, following a public reprimand for a judge's persistent or wilful violation of Article 17.15 of the Code of

Criminal Procedure, to notify, among others, the governor, chief justice of the Supreme Court, Office of Court Administration (OCA), and presiding judge of the administrative judicial region in which the judge serves. Section 33.037(b) is added to provide that no more than 21 days after the SCJC initiates formal proceedings based on the persistent or wilful violation of Article 17.15, the SCJC shall recommend to the Supreme Court that the judge be suspended.

OCA Directory

S.B. 293 adds Section 33.041 to require OCA to establish a directory that contains contact information, including the e-mail address, for each judge in the state. The SCJC shall have access to the directory and any required notice under Chapter 33 may be made via e-mail.

S.B. 1574

Subject: Establishment of "Centers of Excellence" Program
Effective: September 1, 2025

S.B. 1574 adds Section 71.040 to the Government Code, which directs the Texas Judicial Council (TJC) to establish a Centers of Excellence program to identify, support, and recognize judges and justices who excel in serving their communities and in representing the judiciary. In awarding recognition, TJC must consider (1) a justice or judge's governance, access, fairness, case flow management, and court operations and (2) the compliance of the justice's or judge's court with statutory or procedural requirements for judicial reporting, court security, fee collection, indigent defense, and guardianship fraud and abuse prevention. Justices and judges from all levels of the judiciary are eligible and may apply for recognition.

S.B. 1667

Subject: Expunction Procedures
Effective: September 1, 2025

S.B. 1667 reduces costs and improves efficiency in the expunction process by streamlining notification procedures, standardizing service fees, and extending record retention to ensure petitioners have continued access to their records.

As amended, Article 55A.253 of the Code of Criminal Procedure requires ex parte petitions to include the physical and email address (instead of one or the other) for applicable entities (criminal justice and government entities, central federal depositories of criminal records, and other applicable private entities). New Subsection (b) prohibits petitions from listing any state or local agency more than once or including multiple contacts or addresses for different divisions with respect to the same state or local agency. District clerks must compile and maintain on the clerk's website a list of the agencies and entities described by Article 55A.253(a)(8)(A) (criminal justice and government entities) and include the applicable email addresses for those agencies and entities. The amendments to Article 55A.253 apply to petitions filed on or after September 1, 2025.

The bill amends Article 55A.254, which requires the court, after setting the hearing, to give a copy of the petition and notice of hearing to each entity listed in the petition. The bill excludes central federal depositories of criminal records from this requirement. Furthermore, new Subsection (a-1) provides that the clerk of the court is not required to send a copy of either the petition or notice of hearing to the Office of Court Administration (OCA). State or local agencies with an email address on file must accept any petitions or hearing notices sent electronically from the clerk of the court. No fee may be charged by the court for electronic transmittal. If an entity listed in the petition cannot receive them electronically, the clerk shall charge the petitioner $25 per entity to send copies by other means. The Department of Public Safety must also notify the federal criminal record depositories listed in the petition.

New Section 55A.3025 requires courts to keep federal prohibited person information (as defined by Section 411.052 of the Government Code) even if the related criminal case is expunged. These records remain confidential and may only be shared with DPS or the FBI for audits or to confirm inclusion in the National Instant Criminal Background Check System. This applies to records in possession of the clerk on or after September 1, 2025.

Under Article 55A.351, when the order of expunction is final, the clerk must send a copy of the order to certain entities. S.B. 1667 removes the requirement that the copy be certified and adds OCA to that list. Similar to the amendments made for sending the petition and hearing notice, when the clerk sends the order electronically to a state or local agency with an email address on file, the agency must accept it. No fee may be charged for sending the order electronically to an official, agency, or other governmental entity listed in the petition. If an entity listed in the petition cannot receive an electronic transmission, the clerk shall charge the petitioner $25 per entity to send the order by other means.

S.B. 1667 excludes the order of expunction from

the files and records the clerk must destroy under Article 55A.356. It also amends the deadline for such destruction to the first anniversary of the date the expunction order is issued. The clerk is required under new Subsection (c-1) to maintain the expunction order in a confidential manner and provide a copy only to the person subject to the order after proper presentation of identification, subject to any further order from the court regarding access to the order. The bill repeals Articles 55A.356(d) and (e), which require the clerk to notify the attorney representing the state regarding the destruction of files and to certify such destruction to the court, respectively. The amendments to Article 55A.356 apply to records in the clerk's possession on or after September 1, 2025.

The bill repeals Article 102.006, which eliminates the $100 expunction fee for petitions filed in municipal courts of record and justice courts.

TMCEC: S.B. 1667 makes the expunction process more uniform by requiring agencies to accept electronic service of petitions and orders, with no fees charged to petitioners for electronic delivery. This reduces costs for individuals and ensures faster notice. Clerks will now retain expunction orders indefinitely, giving petitioners continued access to their records, and must also maintain related mental health orders and records in a confidential manner. While these changes benefit petitioners, clerks may see increased administrative responsibilities. The bill repeals the $100 expunction fee in municipal and justice courts, reducing costs for petitioners but removing a fee that helped offset court expenses.

S.J.R. 27

Subject: Proposed Constitutional Amendment Related to State Commission on Judicial Conduct (SCJC) Commissioner Composition, Terms of Office, and Public Admonitions

If approved by voters, Proposition 12 would amend Article V, Section 1-a of the Texas Constitution to adjust the composition of the SCJC to include six state judges or justices. It would replace the current language which provides for one judge each from specific levels of the judiciary. It would, however, require that no two judge or justice members be from the same type of court. Proposition 12 would increase the number of citizens from five to seven and eliminate the two spots currently for State Bar of Texas members. It would also raise the minimum age for the citizen members from 30 to 35 and strip the requirement that they be non-attorneys.

Proposition 12 would also create a temporary constitutional provision to provide that the term of office for any current commissioner serving before January 1, 2026 expires on July 1, 2026. The temporary provision would also create staggered terms for new appointees beginning January 1, 2026.

Finally, it would also eliminate the SCJC's ability to issue a private sanction to a judge that has previously been issued at least one order by the SCJC related to misconduct. Any subsequent admonition,warning, or reprimand would have to be public.

Domestic Violence and Human Trafficking

H.B. 45

Subject: Attorney General Prosecution Authority for Human Trafficking
Effective: September 1, 2025

H.B. 45 requires that law enforcement agencies submit probable cause reports for a trafficking offense to the Office of the Attorney General (OAG) in addition to the local prosecuting attorney. New Section 402.103 of the Government Code authorizes and requires the OAG to prosecute the case if the local prosecutor has not taken action within six months of receiving the report.

Citing *State v. Stephens*, 663 S.W.3d 45 (Tex. Crim. App. 2021), some critics said allowing the attorney general to initiate prosecutions independently of a local prosecutor could infringe on the separation of powers and require a constitutional amendment. Supporters of the bill, however, argue that the bill preserves the primary role of local prosecutors by requiring a six-month waiting period before action by the attorney general, consistent with the holding in *Stephens*.

H.B. 1778

Subject: Codifies Human Trafficking Task Force Recommendations
Effective: September 1, 2025

H.B. 1778 implements legislative recommendation from the Texas Human Trafficking Prevention task force. The statute adds Section 43.042 of the Penal Code creating the offense of continuous promotion of prostitution. It also expands the scope of offenses related to failure to report human trafficking.

TMCEC: H.B. 1778 adds Section 146.0075 of the Health and Safety Code requiring tattoo studios and body piercing studios to post signs relating to human trafficking as required by Section 402.0351

of the Government Code. Failure to comply with that provision subjects an entity to a civil penalty. This is distinct from the criminal penalty (Class C) in Section 102.102 of the Business and Commerce Code for violating the requirement to post a human trafficking sign at a sexually oriented business (which is also subject to the civil penalty in Section 402.0351).

H.B. 2073

Subject: Enhancing Penalty for Protective Orders Violations Involving a Deadly Weapon
Effective: September 1, 2025

H.B. 2073 adds Section 25.07(g)(1)(B) to the Penal Code to provide that a violation of a protective order or bond conditions in cases involving family violence, child abuse or neglect, sexual assault or abuse, indecent assault, stalking, or trafficking is a state jail felony if committed while possessing a deadly weapon. H.B. 2073 also amends Section 25.072(e) to elevate the offense to a second-degree felony if at least one of the repeated violations involved possession of a deadly weapon.

H.B. 2492

Subject: Post-bond Mandatory Hold Following Family Violence
Effective: September 1, 2025

H.B. 2492 amends Section 17.291(b) of the Code of Criminal Procedure (Further Detention of Certain Persons) to require, instead of permit, a four-hour mandatory hold for a person arrested or held without a warrant to prevent family violence. If there is probable cause to believe that violence will continue upon immediate release, then an arresting agency shall hold a person arrested or held without warrant for four hours after bond has been posted.

H.B. 2596

Subject: Protective Orders for Burglary Victims
Effective: September 1, 2025

Under current law, victims of sexual assault, aggravated sexual assault, stalking, and trafficking are eligible for protective orders, regardless of their relationship to the perpetrator. Victims of burglaries, including burglaries committed with the intent to facilitate sexual assault or stalking, are not entitled to the same protections. Burglaries can cause lasting trauma and fear, as the intruder knows where the victim lives and may be familiar with aspects of their daily routines. H.B. 2596 closes this gap, amending Subchapter A, Chapter 7B of the Code of Criminal Procedure and extending the existing authorization for certain victims to file for and obtain protective orders following a burglary of a habitation.

H.B. 2761

Subject: No Defense for Failure to Complete or Mental State of Victim in Trafficking Cases
Effective: September 1, 2025

H.B. 2761 amends Sections 20A.02, 20A.03, and 43.05 of the Penal Code to clarify that it is not a defense to prosecution for human trafficking, continuous human trafficking, and compelling prostitution if the victim did not complete the act of prostitution or did not have the mental state to knowingly engage in prostitution when the victim is a child or disabled individual.

H.B. 5509

Subject: Municipal Authority to Revoke Hotel Certificate of Occupancy for Human Trafficking Activity
Effective: September 1, 2025

H.B. 5509 adds Section 215.007 of the Local Government Code authorizing a municipality to suspend or revoke the hotel's certificate of occupancy if the hotel is under investigation for human trafficking. The authority is triggered when law enforcement provides a probable cause affidavit and a court with criminal jurisdiction in the county in which the hotel is located finds probable cause that human trafficking activity is occurring at the hotel.

S.B. 703

Subject: Criminal and Licensing Consequences for Offenses by Massage Establishments, Schools, and Therapists
Effective: September 1, 2025

S.B. 703 aims to combat illicit activity in the massage therapy industry and enhance public safety by tightening licensure requirements and mandating license revocation for certain criminal convictions. It amends Section 455.152 of the Occupations Code (Ineligibility for License) making a person ineligible for a license as a massage establishment, massage school, massage therapist, or massage therapy instructor if the person is an individual and has been convicted of, entered a plea of nolo contendere or guilty to, or received deferred adjudication for: (1) certain Penal Code offenses, including an offense under Chapter 20A (Trafficking of Persons), Section 21.02 (Continuous Sexual Abuse of Young Child or Disabled Individual), Section 21.09 (Bestiality), Section 21.11 (Indecency With a Child), Section 21.12 (Improper Relationship Between Educator and Student), Section 21.15 (Invasive Visual Recording), Section 21.16 (Unlawful Disclosure or Promotion of Intimate Visual Material), Section 21.165 (Unlawful Production or Distribution of Certain Sexually Explicit Videos), Section 21.18 (Sexual Coercion), Section 22.011 (Sexual Assault),

Section 22.012 (Indecent Assault), Section 22.021 (Aggravated Sexual Assault), Section 25.02 (Prohibited Sexual Conduct), Section 43.25 (Sexual Performance by a Child), Section 43.26 (Possession or Promotion of Child Pornography), or Section 43.262 (Possession or Promotion of Lewd Visual Material Depicting Child). Criminal attempt, conspiracy, or solicitation under Section 15.01 (Criminal Attempt), 15.02 (Criminal Conspiracy), or 15.03 (Criminal Solicitation), Penal Code also make the person ineligible if the intended offense is an offense listed above. The expanded list of offenses also results in license revocation under amended Section 455.251(b) of the Occupations Code.

The bill also amends Section 22.011(c) of the Penal Code (Sexual Assault) adding a massage therapist licensed under Chapter 455 of the Occupations Code to the definition of health care services provider.

S.B. 955

Subject: Enhanced Penalty for Trafficking Victims Confined in a Correctional Facility
Effective: September 1, 2025

S.B. 955 amends Section 20A.02(b) of the Penal Code to enhance the penalty to a first-degree felony if the trafficking victim was recruited, enticed, or obtained while confined in a correction facility.

S.B. 958

Subject: Expanded Nondisclosure Eligibility for Trafficking and Prostitution Victims
Effective: September 1, 2025

S.B. 958 expands eligibility for an order of nondisclosure under Government Code Section 411.0728 for individuals who are victims of human trafficking or compelling prostitution. Previously, eligibility was limited to certain drug offenses. The revised statute now includes additional misdemeanor offenses such as those under Subchapter D, Chapter 481 of the Health and Safety Code, as well as Penal Code offenses for criminal trespass (Section 30.05), theft (Section 31.03), tampering with a governmental record (Section 37.10), public intoxication (Section 49.02), and prostitution (Section 43.02). To qualify, the individual must have been convicted of or placed on deferred adjudication for one of these offenses and must have either cooperated with law enforcement in the investigation or prosecution of trafficking or compelling prostitution offenses or declined to assist due to age or a disability resulting from the victimization.

TMCEC: S.B. 958 reflects an effort to mitigate the consequences experienced by trafficking victims who were prosecuted for low-level offenses directly connected to their exploitation. Notably, the newly added offenses in S.B. 958 mark the first time that Class C misdemeanors—such as public intoxication and certain instances of theft and criminal trespass—have been included in the list of eligible offenses. Although these offenses can now serve as the basis for a nondisclosure petition, it is important to clarify that such petitions are not filed in municipal courts. Nevertheless, municipal court judges and personnel should be aware that individuals prosecuted in their courts may later be eligible to seek relief in a court with proper jurisdiction under Section 411.0728 of the Government Code.

S.B. 1120

Subject: Expanded Rights for Victims of Family Violence and Stalking
Effective: September 1, 2025

S.B. 1120 amends Article 56A.001 of the Code of Criminal Procedure to expand the definition of victims to include those affected by family violence and stalking. S.B. 1120 adds additional rights for victims in the section, including the right to be informed of the conditions of the parole, issuance of any warrant for the return of the defendant, and revocation of the defendant's parole involving the victim.

The bill also adds Article 56A.0521, which outlines specific rights for victims of family violence, stalking, and violations of protective orders. Victims will have the right to request information regarding evidence collected and analyzed. Additionally, victims will have the right to be informed of and confer with the prosecuting attorney regarding the status of the case, including a decision not to file charges, to dismiss the charges, to use a pretrial intervention program, or to take a plea bargain.

S.B. 1212

Subject: Increased Applicability and Penalties for Human Trafficking
Effective: September 1, 2025

S.B. 1212 elevates all human trafficking offenses in Texas to a first-degree felony, removing the current distinction that makes some cases second-degree felonies. The bill also amends Section 20A.02(a) of the Penal Code making provisions involving a child or disabled individual apply regardless of whether the person knows the age of the child or knows the victim is disabled.

S.B. 1362

Subject: Prohibition of Extreme Risk Protective Orders
Effective: September 1, 2025

S.B. 1362, titled the Anti-Red Flag Act, creates Chapter 7C of the Code of Criminal Procedure (Prohibition on Recognition, Service, and Enforcement of Extreme Risk Protective Orders). It prohibits Texas officials and governmental entities from recognizing, serving, or enforcing extreme risk protective orders (ERPOs) unless such orders are issued under Texas law. Article 7C.001 defines an ERPO as a court or executive order issued or signed by a magistrate or court officer that has the primary purpose of reducing the risk of firearm-related injury by restricting a person's access to firearms, where the order is not based on conduct that resulted in a criminal charge.

Chapter 7C of the Code of Criminal Procedure broadly prohibits local regulation of ERPOs. Under Article 7C.002, the prohibition applies to (1) the State of Texas or any of its agencies, departments, commissions, bureaus, boards, offices, councils, or *courts*; (2) any university system or system of higher education created by statute or the Texas Constitution; (3) the governing body of a *municipality*, county, special district, or authority; any officer, employee, or other body of a municipality, county, or special district or authority, including sheriffs, municipal police departments, municipal attorneys, and county attorneys; or any district attorney or criminal district attorney. The prohibition applies unless state law specifically authorizes such regulation.

Article 7C.003 (Certain Federal Laws Unenforceable) declares that any federal statute, order, or regulation purporting to implement or enforce an ERPO that infringes on rights protected under the United States or Texas Constitutions, including due process, free speech, or the right to bear arms, is unenforceable and shall have no effect. Under Article 7C.004 (Accepting Certain Federal Grants Prohibited) entities covered by the law may not accept federal grant funds to implement or enforce ERPOs in Texas. Article 7C.005 (Offense) creates a new criminal offense: serving or enforcing, or attempting to serve or enforce, an ERPO not issued under Texas law, which is a state jail felony. Finally, Article 7C.006 (Inapplicability) provides that Chapter 7C does not apply to protective orders issued under the Family Code or Code of Criminal Procedure (i.e., Article 17.292 Magistrate's Order of Emergency Protection) or to protective orders from other states that are recognized or enforceable under those codes.

TMCEC: S.B. 1362 draws a sharp distinction between traditional protective orders under Texas law and extreme risk protective orders adopted in other jurisdictions. While it does not affect judicial orders issued under the Family Code or Code of Criminal Procedure, it seeks to insulate and deter Texas courts and law enforcement agencies from any obligation to participate in out-of-state or federal ERPO schemes. For judges, magistrates, peace officers, and prosecutors, the statute introduces significant criminal liability for enforcement actions that might otherwise be routine in cooperative or interstate settings. Entities receiving federal grant funding should evaluate whether those funds relate to ERPO implementation and whether continued acceptance would violate state law under this new chapter.

S.B. 1804
Subject: Restitution for Tattoo Removal for Human Trafficking Survivors
Effective: September 1, 2025

S.B. 1804 amends provisions related to restitution under Chapter 20A or Subchapter A, Chapter 43 of the Penal Code. The bill allows courts to order restitution to cover the cost of removing tattoos applied through force, fraud, or coercion. It also removes the age restriction, extending eligibility to all trafficking survivors regardless of age.

Gun Laws

H.B. 668
Subject: Renewal of a License to Carry a Handgun
Effective: June 20, 2025

H.B. 668 establishes a renewal grace period for handgun license holders who miss the expiration date, preventing the need to complete all new applicant requirements, such as training and fingerprinting, and resubmitting existing identity documents. As amended, Section 411.185(a) of the Government Code requires a license holder to submit the application and other materials to renew the handgun license on or before the first anniversary of the date the license expired, instead of on or before the expiration date.

H.B. 3053
Subject: Prohibiting Firearm Buyback Programs
Effective: September 1, 2025

Section 280.005 of the Local Government Code, added by H.B. 3053, prohibits municipalities and counties from adopting or enforcing any measure, including an ordinance, in which the municipality organizes, sponsors, or participates in a program that purchases or offers to purchase firearms with the intent to remove firearms from circulation, reduce the number

of firearms owned by civilians, or allow individuals to sell firearms without fear of criminal prosecution.

H.B. 4995

Subject: Defense to Prosecution for Trespass by License Holder for Certified Tactical Medical Professionals
Effective: September 1, 2025

H.B. 4995 provides civil and criminal protections for tactical medical professionals who discharge a firearm while performing their duties during high-risk law enforcement operations. Specifically, the bill provides a defense to prosecution for Sections 30.06 (Trespass by License Holder with a Concealed Handgun) and 30.07 (Trespass by License Holder with Openly Carried Handgun) of the Penal Code if the license holder is a certified tactical medical professional discharging their duties while carrying a handgun. "Tactical medical professional" has the meaning assigned by new Section 411.1884 of the Government Code. H.B. 4995 requires the Department of Public Safety, with the Texas Commission on Law Enforcement, to set minimum standards for handgun training for certification and annual continuing education for tactical medical professionals.

TMCEC: Offenses under Sections 30.06 and 30.07 are generally Class C misdemeanors. This bill adds yet another defense to an already lengthy list.

S.B. 706

Subject: Out-of-State Handgun Licenses
Effective: September 1, 2025

S.B. 706 amends Section 411.173(b) of the Government Code recognizing in Texas a valid license to carry a handgun issued by any other state. The bill eliminates the current process requiring agreements or proclamations by the governor based on background checks and ongoing determinations of qualification for recognition by the attorney general.

If another state requires a reciprocity agreement before recognizing a Texas license to carry, the bill also requires the governor to negotiate it. The Department of Public Safety must publish and annually update a list of states that recognize Texas licenses.

S.B. 1596

Subject: Short-barrel Firearms
Effective: September 1, 2025

Under current state law, short-barrel firearms are generally prohibited unless they meet an exception, such as being registered under the federal National Firearms Act, which requires Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) registration and a $200 tax stamp. A recent federal rule change (ATF Final Rule 2021R-08F), effective January 31, 2023, reclassified certain firearms with stabilizing braces as short-barreled rifles, making previously legal weapons illegal under state law without registration and a tax stamp. Due to uncertainty surrounding the rule, which has been the subject of civil litigation, and anticipated future reclassifications, S.B. 1596 removes short-barrel firearms from the list of prohibited weapons in Section 46.05(a) of the Penal Code, along with its definition in Section 46.01(10).

TMCEC: Removal of short-barrel firearms from the list of prohibited weapons does not affect Section 46.03(a)(3) of the Penal Code, which designates courts as places weapons, including short-barrel firearms, are prohibited.

S.B. 2284

Subject: Municipal Regulation of Archery Equipment and Firearms
Effective: September 1, 2025

S.B. 2284 amends Section 229.001 of the Local Government Code (Firearms, Air Guns, Knives, Explosives) by adding archery equipment to the list of weapons a municipality is prohibited from regulating or requiring owners to obtain liability insurance for. "Archery equipment" is defined in new Subsection 229.001(e)(2-a) as a long bow, recurved bow, compound bow, or crossbow. The term includes an arrow and a component part or accessory of an arrow, bow, or crossbow.

Subsection 229.001(b) preserves some of a municipality's authority to regulate firearms, air guns, and archery equipment, for example, carrying such weapons at certain public places and events (see Subsection 229.001(b)(5)). However, S.B. 2284 adds Subsection 229.001(c)(2), which makes the exception in Section 229.001(b)(5) inapplicable to a person licensed to carry a handgun under Subchapter H of Chapter 411 of the Government Code.

The bill also amends Section 342.003 of the Local Government Code, applicable to Type A general-law municipalities, removing the authority of such entities to prohibit or regulate the use of firearms.

Juvenile Justice and the Interests of Children

H.B. 6

Subject: Discipline Management and Telehealth Mental Health Services in Public Schools
Effective: June 20, 2025

H.B. 6 substantially amends Chapter 37 of the Education Code (Discipline; Law & Order), reorganizing and reinforcing how public schools implement student discipline. It expands teacher authority to remove students after a single incident of disruption, bullying, or unruly behavior (Section 37.002) and limits a principal's ability to return a student to that teacher's class without written consent or a formal "return to class" plan. The Commissioner of Education is directed to adopt a model return-to-class plan.

New procedures require periodic reviews of in-school suspensions (under amended Section 37.005) and of students assigned to 'virtual expulsion programs' (as specified in new Section 37.0083), which may be implemented only if a juvenile justice alternative education program (JJAEP) is unavailable in the county. Section 37.0083 specifies that students placed in these programs are to be counted toward a district's average daily attendance for school funding purposes, a provision of particular interest in cases involving truant conduct. The commissioner of education is directed to adopt rules for determining how attendance will be tracked in these programs. Students in virtual expulsion must receive instruction, computer equipment, and internet access, and teachers may not be required to split instruction between in-person and virtual students during the same class period.

The bill codifies school disciplinary responses to student use, possession, or delivery of nicotine products or e-cigarettes. Under Section 5 of the bill, students may be placed in a disciplinary alternative education program (DAEP) for use, possession, or delivery of nicotine products or e-cigarettes—even for a first offense. Section 10 amends in-school and out-of-school suspension provisions to include vaping-related conduct. These changes provide school districts with a clearer framework for addressing such behavior and operate independently of criminal penalties under Section 161.252 of the Health and Safety Code.

H.B. 6 adds Section 37.0014 to the Education Code, allowing—but not requiring—school districts to adopt parental involvement policies. These may include written behavioral agreements that, if followed, can reduce the duration of DAEP or expulsion placements. The bill also amends Section 37.115 to require that threat assessment teams include a member with expertise in special education when evaluating students receiving those services.

The bill creates new educator immunity under Section 22.05121 of the Education Code, protecting teachers from disciplinary proceedings when they remove a student from the classroom in good faith under Section 37.002. Separately, the bill amends Section 37.028 to prohibit the Texas Education Agency from penalizing school districts based on the frequency of student disciplinary actions. However, the agency retains authority to enforce compliance with federal requirements related to disproportionate disciplinary practices.

H.B. 6 adds Section 38.2545 to the Education Code, establishing a new opportunity for school districts to partner with the Texas Child Health Access Through Telemedicine (TCHATT) program to provide mental health services via telehealth. Districts may refer students only with signed written parental consent, and student participation must be voluntary. The program must comply with the informed consent requirements under Section 113.0152 of the Health and Safety Code.

The bill also requires public transparency: TCHATT must maintain and publicly post detailed lists of participating providers and the vetting processes used to select them. Section 38.2545(e) clarifies that TCHATT is not considered a "school official with a legitimate educational interest" under FERPA—meaning student records shared with the program are not subject to routine school access rules. These measures reinforce parental control and student privacy.

TMCEC: Early in the 89th Regular Session, it looked as if the Legislature was poised to do an "about-face" on school-related issues pertinent to municipal courts. One bill would have reinstated the criminal offense of failure to attend school. Another would have partially dismantled Subchapter E-1 and revived pre–S.B. 393 (2013) school ticketing practices. Both failed to pass.

Instead, H.B. 6 reflects the Legislature's intent to increase campus-level disciplinary autonomy without re-criminalizing school misbehavior. See also Ned Minevitz & Kathleen Person, "Where's the Paddle Now?" *The Recorder* (March 2021).

H.B. 6 does not amend or repeal Subchapter E-1 of Chapter 37 (Criminal Procedure) and does not authorize issuance of Class C citations for student conduct. While H.B. 6 allows DAEP placement based on disruptive conduct under Section 37.124 of the Education Code, that section no longer authorizes criminal prosecution for students enrolled in primary or secondary school. However, because some removals are based on criminal behavior, the risk remains that disciplinary action may be misinterpreted—or conflated—with criminality.

The bill may indirectly affect municipal court referrals if campus officials misapply its provisions or if administrators mistakenly equate disciplinary

infractions with offenses. Awareness and training will be essential to ensure the bill's expanded options for discipline do not inadvertently revive citation-heavy approaches from the past.

H.B. 6 also introduces a significant school-based mental health initiative. By authorizing partnerships with TCHATT, the Legislature signaled a desire to shift some behavioral interventions out of traditional disciplinary and legal frameworks and into a mental health context. For courts, this may reduce inappropriate referrals stemming from underlying behavioral health needs.

H.B. 121

Subject: School Safety, Emergency Planning, and TEA Peace Officer Authority
Effective: September 1, 2025

H.B. 121 expands both state and local authority related to school safety by authorizing the Texas Education Agency (TEA) to employ inspectors (as added to the list of peace officers in Article 2A.001 of the Code of Criminal Procedure) tasked with monitoring safety compliance and coordinating emergency response efforts under added Section 37.1031 of the Education Code. H.B. 121 also broadens TEA's oversight by amending Section 37.1083, directing the agency to monitor not only safety audits and emergency plans, but also how districts respond during actual emergencies.

H.B. 121 adds safeguards for students in special education who are subject to school-based threat assessments. When evaluating a student enrolled in a special education program under Chapter 29, the threat assessment team, under the added Section 37.115(d-1), must now include at least one professional with specific knowledge of the student's disability and how it may manifest in behavior. Acceptable members include the student's special education teacher, a licensed behavior analyst, a licensed social worker, or a licensed school psychologist. This mirrors a similar requirement in H.B. 6, which also emphasized the inclusion of disability specialists during threat assessments of students receiving special education services. Together, the two bills reflect a broader legislative intent to ensure that safety interventions are responsive to the unique needs of students with disabilities.

TMCEC: H.B. 121 continues the Legislature's prior efforts, including H.B. 3 (2023), to enhance emergency preparedness, fortify campuses, and formalize statewide enforcement of school safety standards. Prompted in part by the tragic events three years ago at Robb Elementary School in Uvalde, the bill represents a continuation of comprehensive school safety reform efforts. (See, also, H.B 1458). H.B. 121 expands both the scope of required school emergency operations planning and the role of non-traditional state peace officers in enforcing school safety standards. This expansion warrants the attention of judges and court personnel because it may impact questions of jurisdiction, arrest authority, and interagency operations.

H.B. 367

Subject: Verification of Excused Absences from Public School for Students with Severe or Life-Threatening Illnesses
Effective: June 20, 2025

In 2021, the Legislature required public school districts to excuse a student from attending school for an absence resulting from a serious or life-threatening illness or related treatment. Subsequently, there was reported confusion regarding what information is required for a medically vulnerable student to be excused from attending school. H.B. 367 seeks to address this issue by simplifying the process of verifying such absences with the use of a form and clarifying the law so that all involved parties understand their responsibilities.

H.B. 367 amends Section 25.087 of the Education Code, which governs excused absences in Texas public schools. Section 25.087(b)(3) pertains to students with serious or life-threatening illnesses. As amended, a school district must excuse a student's absence if the student has a serious or life-threatening illness or is receiving related treatment and cannot feasibly attend school and the parent or guardian submits a physician's certification, using a standardized form adopted by the district, stating that (1) the illness is serious or life-threatening; (2) the illness makes attendance infeasible; and (3) the anticipated period of absence. New Section 25.087(g) requires school districts to adopt a form for the physician certification and prohibits a school district from demanding additional documentation beyond what is required on the form. Districts must implement this form as soon as practicable after the bill's effective date. This act applies beginning with the 2025-2026 school year.

H.B. 1106

Subject: Definitions of Child Abuse and Neglect
Effective: September 1, 2025

H.B. 1106 amends Section 261.001 of the Family Code to clarify that the definitions of "abuse" and "neglect" do not include a refusal by a person responsible for a child's care, custody, or welfare to affirm the child's perception of their gender, including a refusal to use a child's preferred name or pronouns, regardless of whether the child's name has been legally changed, or the child's expressed sexual orientation.

The bill adds new Subdivision (1-a) to define "abuse" for this purpose and amends Subdivision (4), which defines "neglect," to incorporate the same exclusion language. This change narrows the scope of what conduct may be considered abuse or neglect for purposes of investigations by the Department of Family and Protective Services and court intervention under Chapter 261 of the Family Code.

According to the bill's author, "in parts of the country, there have been instances where a child's parents have been accused of abuse for refusing to refer to their child with their preferred name, pronouns, and sexual orientation. The bill author has also informed the committee that in other states, legislation has been proposed that considers the refusal of a person responsible for a child's care, custody, or welfare to affirm a child's preferred gender, pronouns, or sexual orientation as a type of coercive control. H.B. 1106 seeks to address this by specifying that a parent who does not affirm their child's preferred name, pronouns, and sexual orientation is not committing abuse or neglect."

H.B. 1458

Subject: Public School Security Personnel and Reserve Police Officers
Effective: September 1, 2025

H.B. 1458 adds Section 37.0816 to the Education Code to authorize school district police departments to appoint reserve police officers and amends Section 37.0814 to allow certain retired officers, reserve deputies, and reserve school police officers to serve as armed campus security. The bill also amends Article 2A.001 of the Code of Criminal Procedure to define private school peace officers and reserve school district police officers as peace officers and updates Section 1701.001(6) of the Occupations Code to include officers appointed under Section 37.0816 in the definition of "reserve law enforcement officer."

TMCEC: H.B. 1458 continues the Legislature's focus on school security by expanding police presence in the wake of the Robb Elementary tragedy in Uvalde three years ago. (See also H.B. 121.) In 2023, the 88th Legislature passed H.B. 3 mandating school boards to ensure at least one armed security officer be present at each district campus. It has been reported that many school districts have struggled to comply due to a shortage of available officers. H.B. 1458 allows districts to authorize the chief of the school district police department to appoint reserve officers, adding flexibility while seeking to meet state-mandated armed security requirements. Of note to municipal courts, the bill further broadens who qualifies as a peace officer under Article 2A.001 of the Code of Criminal Procedure. Courts may see more cases involving reserve officers with peace officer credentials but limited familiarity with Subchapter E-1 of Chapter 37 of the Education Code—including Section 37.143, which prohibits citations for school offenses, and Section 37.144, which requires that a complaint be filed only by a school district peace officer or SRO with personal knowledge of the conduct.

H.B. 1481

Subject: Student Use of Personal Communication Devices in Schools
Effective: June 29, 2025

H.B. 1481 amends Section 37.082 of the Education Code, which governs school district policies on student devices, to require the board of trustees of a school district or the governing body of an open-enrollment charter school to adopt, implement, and enforce a written policy prohibiting student use of personal communication devices while on school property *during the school day*. Section 2 of the bill requires that this policy be adopted no later than the 90th day after the effective date. Under Section 37.082(a), the policy must include disciplinary measures for violations and may authorize confiscation of such devices.

Section 37.082(b) allows a school to comply with the prohibition by either banning students from bringing personal communication devices to school property or by designating a method for storing such devices while on campus. The law authorizes disposal of confiscated devices after 90 days' written notice to a parent. H.B. 1481 repeals the former requirement that notice also be provided to the company identified on the device and eliminates the now-obsolete language authorizing notice to be made by "telephone, telegraph, or in writing." It also repeals language permitting the school to charge an administrative fee of up to $15 for the return of a confiscated device.

Section 37.082(c) requires that school policies include exceptions for students whose use of a personal communication device is necessary to implement an individualized education program, a plan created under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794), a directive from a physician, or when use is necessary to comply with a health or safety requirement.

Section 37.082(d) redefines "personal communication device" to include any telephone, smartphone, flip phone, tablet, smartwatch, radio device, paging device, or any other electronic device capable of telecommunication or digital communication. Devices issued to students by the district or school are expressly

excluded from the definition.

Section 37.082(e) requires the Texas Education Agency to publish model policy language to guide school districts and charter schools in developing compliant and consistent policies.

Section 37.082(f) exempts adult education programs operated under a charter granted under Subchapter G, Chapter 12, Education Code.

TMCEC: This legislation reflects a broader effort to reduce student distraction during school hours. It also seeks to protect youth mental health by regulating in-school device usage. It aligns with recommendations in *The Anxious Generation: How the Great Rewiring of Childhood is Causing an Epidemic of Mental Illness* by Jonathan Haidt, a book TMCEC is highlighting throughout Academic Year 25 as part of its focus on child welfare and mental health.

According to researchers at Brown University, nearly half of children in the U.S. own a smartphone by age eleven—a figure that jumps to 71% by age twelve and over 90% among teenagers. Public concern about the effects of constant connectivity has grown accordingly. A July 2025 Pew Research Center survey found that 74% of adults support banning cell phone use during class time, up from 68% last fall. In response, several states—including Florida, Indiana, and Ohio—have enacted legislation to restrict student phone use during the school day. H.B. 1481 positions Texas alongside those states, with the stated goal of creating a more focused, engaging, and safe learning environment.

Nearly 30 years ago, the Texas Legislature authorized school districts to prohibit student possession of paging devices through local policy (Section 37.082, Education Code). At the time, such devices were rare among students and often viewed as symbols of illicit activity. With the passage of H.B. 1481, the Legislature updated that statute to reflect a digital era in which personal communication devices are central to adolescent life.

Note, while the bill authorizes confiscation and disciplinary measures, it does not create any criminal offenses. Although municipal and justice courts have jurisdiction over Class C misdemeanors and specific Education Code violations, their authority to adjudicate violations of school-related rules under Section 37.104 is limited to Subchapter D (Protection of School Buildings and Grounds). Section 37.082 falls outside that scope and does not give rise to criminal liability.

S.B. 207

Subject: Excused Absences for Mental Health Care Appointments
Effective: May 30, 2025

S.B. 207 amends Section 25.087(b) of the Education Code requiring school districts to excuse a student from attending school for a temporary absence resulting from an appointment with mental health professionals for the student or the student's child if the student commences classes or returns to school on the same day of the appointment. This applies beginning with the 2025-2026 school year.

TMCEC: While schools are required to excuse student absences for appointments with health care professionals, school districts have not consistently interpreted this statute as requiring excused absences for appointments with mental health professionals. In written testimony to the House of Representatives one person wrote, "Dealing with my child's mental health struggles was difficult enough without being told that they were truant every time we needed to attend appointments. This is an easy ask to support children and families affected by mental health conditions. Please, support excused absences."

S.B. 991

Subject: Chronically Absent Student
Effective: September 1, 2025

S.B. 991 amends Section 48.009 of the Education Code to define a chronically absent student as one who is absent for more than 10% of the school's required operation and instructional time during a school year or during an enrollment period that exceeds 30 instructional days.

The bill also amends Section 29.081(d) of the Education Code to expand the definition of a student at risk of dropping out of school to include a student who is chronically absent and a student who, while required to attend school under Section 25.085 and not exempt under Section 25.086, fails to attend school without excuse on 10 or more days or parts of days within a six-month period in the same school year.

S.B. 991 amends Section 48.009(b) to require each school district and open-enrollment charter school to report the number of chronically absent students enrolled at each campus, disaggregated by whether the student is receiving compensatory, intensive, or accelerated instructional services under Section 29.081. The same subsection is also amended to require districts to report, disaggregated by campus and grade, the number of students who are truant as defined above, and whether those students are receiving compensatory, intensive, or accelerated instructional services under Section 29.081.

New Subsection (c-1) of Section 48.009 requires the Texas Education Agency to annually aggregate

and publicly report the data on truancy and chronic absenteeism at both the campus and district levels.

TMCEC: Chronic absenteeism is a strong predictor of dropping out, even more so than test scores. Before the pandemic, Texas already faced rising rates. By 2022-23, more than 936,000 students missed over 10% of the school year. Texas law lacked a definition of chronic absenteeism and consistent reporting requirements. By adding truant and chronically absent students to the statutory definition of "at risk," S.B. 991 may expand eligibility for early intervention under Section 29.081. The bill does not change procedures for filing failure to attend school cases but may affect when referrals occur. Juvenile case managers should note the statutory definition of "chronically absent student" now in Section 48.009. New reporting requirements showing how many students miss too much school at each campus and whether they receive services may help courts and schools coordinate more effectively on local diversion efforts.

S.B. 1049

Subject: Excused Absences for Released Time Course
Effective: September 1, 2025

S.B. 1049 amends Section 25.087(b) of the Education Code to require school districts and open-enrollment charter schools to excuse a student's absence to attend a "released time course" in religious instruction. The bill adds new Section 25.0875, defining a released time course as one offered by a private entity and conducted off school property. With written parental consent, students may be excused for at least one but not more than five hours per week.

Section 25.087(c) of the Education Code requires each district and charter school to adopt a written policy that: (1) requires parental consent, off-campus instruction, and private responsibility for transportation and liability; (2) prohibits the use of school funds (beyond de minimis costs) and use of school property, unless permitted under a neutral, equal-access policy; (3) places responsibility for missed schoolwork on the student; and (4) prohibits districts from obstructing a parent's ability to request released time.

All districts and charter schools must adopt a released-time course policy by January 1, 2026.

TMCEC: In *Zorach v. Clauson* (1952), the United States Supreme Court upheld a New York City program that allowed public school students to be released during school hours, with parental consent, to attend religious instruction off campus. The Court ruled that the program did not violate the Establishment Clause because it involved no public funding, took place off school grounds, and was voluntary. The decision affirmed that public schools may accommodate religion by allowing released time for religious instruction, so long as the government does not promote or finance the religious activity.

According to the bill's sponsor, "As interest in release[d] time for religious instruction grows across our state, legislation is needed to strengthen a parent's right to request release[d] time without facing bureaucratic barriers or potential denial by a local school district."

S.B. 1271

Subject: Concurrent Jurisdiction of Texas over U.S. Military Installations Including Juvenile Matters
Effective: May 27, 2025

S.B. 1271 adds Section 2204.104 to the Government Code authorizing the Governor to accept the establishment of concurrent jurisdiction between the State of Texas and the United States over land used for military purposes. The bill creates a formal application process through which an authorized federal representative may request full or partial concurrent jurisdiction. The application must specify the subject matter for which jurisdiction is sought—most notably including juvenile delinquency and status offenses—and describe the metes and bounds of the affected land.

The Governor's written acceptance must detail the terms of jurisdiction and include a termination procedure. Upon approval, documents must be filed with the Secretary of State and the relevant county clerk. The bill allows state agencies and political subdivisions, including municipalities and school districts, to enter into memoranda of understanding with federal agencies to coordinate enforcement under concurrent jurisdiction. The statute affirms that such jurisdiction must include the limited legal process authority already retained under Section 2204.103 and provides immunity from liability for state and local officers acting on the covered land.

TMCEC: By authorizing Texas to assert concurrent jurisdiction over juvenile and status offenses on federal military installations, S.B. 1271 opens the door for municipal, justice, and juvenile courts to receive cases that would otherwise fall exclusively under federal jurisdiction. A status offense is defined as conduct that would not be an offense if committed by an adult. While implementation will depend on agreements negotiated between the Governor and federal authorities, courts near military bases may eventually see referrals for on-

base incidents involving minors. Local officials should monitor intergovernmental agreements or MOUs that may bring these cases within municipal court reach. For Class C offenses committed by juveniles, this law offers a state-level alternative to federal adjudication.

Law Enforcement

H.B. 2217
Subject: Grant Program to Equip Police Vehicles with Bullet-Resistant Components
Effective: September 1, 2025

Due to a lack of funds, most law enforcement vehicles in Texas are not equipped with bullet-resistant components. H.B. 2217 adds Section 772.013 to the Government Code creating a grant program through the Public Safety Criminal Justice Division of the Governor's Office. It will allow law enforcement agencies to apply for funding to equip motor vehicles with bullet-resistant windshields, side windows, and door panels.

S.B. 739
Subject: Authorizing Department of Insurance Investigators to Install Tracking Devices
Effective: September 1, 2025

Chapter 18B of the Code of Criminal Procedure governs the installation and use of tracking equipment, such as electronic serial number readers and pen registers, by authorized peace officers to access certain electronic communications. Currently, even though they are defined as peace officers in Chapter 2A of the Code of Criminal Procedure, investigators commissioned by the commissioner of insurance are not included in the definition of "authorized peace officer" under Article 18B.001(1). To facilitate their fraud investigations, S.B. 739 adds them to this definition.

S.B. 1497
Subject: Clarifying that Skimmers Are Not Wireless Communications Devices
Effective: September 1, 2025

A skimmer is defined by Section 607.001(8) of the Business and Commerce Code as a "wire or electronic device that is capable of unlawfully intercepting electronic communications or data to perpetrate fraud." Skimmers can be used, for example, to steal credit card numbers when a card is inserted into a payment terminal. There is currently uncertainty whether a skimmer qualifies as a "wireless communication device," which requires a warrant to search. Because skimmers serve no legitimate purpose and do not store the owners' private information, S.B. 1497 amends Article 18.0215(a) of the Code of Criminal Procedure to provide that skimmers and devices manufactured for the purpose of illicitly obtaining payment card information or identifying information are not wireless communication devices. Therefore, law enforcement will generally not need a warrant to search such devices.

S.B. 1637
Subject: New Exception to Offense of Deadly Conduct for Peace Officers
Effective: September 1, 2025

Concerns have been raised that peace officers are being wrongfully charged with Deadly Conduct under Section 22.05 of the Penal Code when they are lawfully carrying out their duties. S.B. 1637 amends Section 22.05(c) to provide that the statute's presumption—that recklessness and danger are presumed when a person knowingly points a firearm at another—does not apply to peace officers while lawfully discharging their duties. New Section 22.05(f) provides that Section 22.05(b)(1), which prohibits knowingly discharging a firearm in the direction of another, does not apply to a peace officer discharging his or her official duties if he or she reasonably believed that discharging their firearm was justified under Chapter 9 of the Penal Code.

S.B. 1886
Subject: Out-of-County Blood Warrants
Effective: September 1, 2025

S.B. 1886 amends Article 18.067 of the Code of Criminal Procedure by expanding which peace officers may execute blood search warrants. Currently, Article 18.067 allows blood search warrants to be executed in a county adjacent to the county where the warrant was issued by any law enforcement officer "authorized to make an arrest in the county of execution." S.B. 1886 repeals the second part requiring the law enforcement officer to be authorized to make an arrest in the county of execution. This amendment removes a procedural barrier where, for example, an adjacent county contracts with a different county for police or jail services. Starting September 1, any peace officer who is physically in the adjacent county, regardless which county their department is in, will be able to execute blood search warrants in the adjacent county.

Local Government

H.B. 2464
Subject: Authority of a Municipality to Regulate a Home-based Business
Effective: June 12, 2025

H.B. 2464 amends Subchapter Z, Chapter 229 of the Local Government Code, by adding Section 229.902 (Authority to Regulate Home-based Businesses).

Section 229.902(a) defines "business," "home-based business," and "no-impact home-based business." "Business" has the meaning assigned by Section 1.002 of the Business Organizations Code. "Home-based business" means a business that is operated from a residential property by the owner or tenant of the property; and for the purpose of manufacturing, providing, or selling a lawful good; or providing a lawful service. "No-impact home-based business" means a home-based business that has at any time on the property where the business is operated a total number of employees and clients or patrons of the business that (1) does not exceed the municipal occupancy limit for the property; (2) does not generate on-street parking or a substantial increase in traffic through the area; (3) operates witout its activities being visible from a street; and (4) does not substantially increase noise in the area or violate a municipal noise ordinance, regulation, or rule.

Section 229.902(b) prohibits the governing body of a municipality from *adopting or enforcing* an ordinance, regulation, or other measure that:(1) prohibits the operation of a no-impact home-based business;(2) requires a person that operates a no-impact home-based business or that owns the property where the business is operated to obtain a license, permit, or other approval to operate the business; or (3) requires a person that operates a home-based business or that owns the property where the business is operated to rezone the property for a non-residential use or install a fire sprinkler protection system if the residence where the business is operated consists only of a single-family detached residential structure or a multi-family residential structure with not more than two residential units.

Section 229.902(c) authorizes the governing body of a municipality, subject to Section 229.902(b), to require that a home-based business be in compliance with federal, state, and local law, including a municipal fire and building code and municipal regulations related to health and sanitation, transportation or traffic, solids or hazardous waste, or pollution or noise control compatible with the residential use of the property where the business is located, and secondary to the use of the property as a residential dwelling. Section 229.902(c) authorizes a municipality to limit or prohibit the operation of a home-based business that sells alcohol or illegal drugs, is a structured sober living home, or is a sexually oriented business under Section 243.002 of the Local Government Code.

Section 229.902(d) expressly does not prohibit a person from enforcing a rule or deed restriction imposed by a homeowners' association or by other private agreement or a municipality from adopting or enforcing an ordinance regulating the operation of a short-term rental unit.

TMCEC: COVID-19 marked a renaissance in home-based work. Technological advances enabled individuals to operate businesses from home—reducing overhead, allowing flexible schedules, and supporting self-employment. Yet many municipal zoning, licensing, and permitting requirements restrict home-based businesses even when they have no discernible impact on neighbors or neighborhoods. In many municipalities, operating a home-based business in violation of local ordinances may result in criminal enforcement, including Class C misdemeanor charges, fines, or, in rare cases, warrants and arrests. While H.B. 2464 preserves municipal authority to regulate nuisances, it eliminates blanket prohibitions on home-based businesses. The legal question becomes where the line should be drawn between legitimate regulation and impermissible restriction.

H.B. 2844

Subject: Statewide Regulation of Mobile Food Vendors
Effective: July 1, 2026

H.B. 2844 adds Section 437.0063 to the Health and Safety Code, exempting certain small-scale food businesses from local requirements for permitting and fees. Under Subsection (a)(2), a "small-scale food business" is defined as a legal entity established by a farmer or food producer with less than $1.5 million in annual gross revenue, including sole proprietorships, partnerships, corporations, and limited liability entities. The section prohibits a county, municipality, or public health district from requiring such a business—or its employees—to obtain a permit or pay a permitting fee to operate a food service establishment, retail food store, or related facility if the business either (1) holds a permit issued by the Department of State Health Services (DSHS) or (2) is licensed as a food manufacturer under Subchapter J, Chapter 431. The section expressly preempts conflicting local regulations.

H.B. 2844 adds Chapter 437B to the Health and Safety Code (Mobile Food Vendors), creating a statewide licensing and regulatory framework for mobile food vendors. It consists of five subchapters.

Subchapter A: General Provisions

Definitions in Section 437B.001 include "mobile food

vendor," defined as a person who dispenses food or beverages from a food vending vehicle for immediate service or consumption. Section 437B.002 addresses the construction of the chapter and clarifies that local authorities are not required to enter into agreements with the state. Section 437B.003 preempts local regulations that conflict with the chapter.

Section 437B.004 (Rules) is the bulk of Subchapter A. It authorizes the executive commissioner of the Health and Human Services Commission to adopt rules to implement Chapter 437B. The rules must be narrowly tailored to address demonstrable health or safety risks. The rules may not limit the number of mobile food vendor licenses the department may issue, regulate hours of operation, or restrict propane capacity below what is allowed under state law for commercial vehicles. A mobile food vendor may not be required to (1) operate outside a designated perimeter of a restaurant or commercial establishment, (2) enter into an agreement with a restaurant or commercial establishment except for proper waste disposal, (3) have an operational handwashing sink if selling only prepackaged food, (4) associate with a commissary if the vehicle is properly equipped and disposes of grease and waste in accordance with law, (5) provide fingerprints as a condition of licensure, (6) install a GPS tracking device, (7) keep the vehicle in motion when not serving customers, (8) submit to an additional fire inspection if the vehicle has passed a state or local inspection in the past 12 months, or (9) undergo a health inspection unless conducted by the department, a local authority under a collaborative agreement, or in response to a reported foodborne illness. (Note: Unlike the rest of H.B. 2844, Section 437B.004 goes into effect September 1, 2025).

Subchapter B: License

Section 437B.051 requires each mobile food vendor to obtain a state-issued license from DSHS for every food vending vehicle operated. Section 437B.052 directs the department to create and make available a written application for the license. Section 437B.053 sets out detailed application requirements, including business and vehicle information, and authorizes DSHS to request additional information or deny incomplete applications. Section 437B.055 requires the department to issue licenses to applicants who meet all requirements and whose vehicles pass inspection; licenses expire one year after issuance. Section 437B.056 provides for license renewal and allows vendors to continue operating while a renewal application is pending. Section 437B.057 clarifies that licenses are non-transferable but allows for the substitution of vehicles if the replacement is inspected and approved. Section 437B.058 authorizes the department to charge certain fees, which must be deposited into the state treasury. Section 437B.059 requires DSHS to publish a licensing and inspection guide for mobile food vendors, available both in print and online. Section 437B.060 mandates the creation of a statewide database containing licensing, inspection, complaint, and location information related to mobile food vendors.

Section 437B.054 (Health Inspection) contemplates collaborative agreements between DSHS and local authorities, which could preserve some local health inspection roles under the new statewide system. It requires DSHS, or a local governmental entity operating under a collaborative agreement, to conduct a health inspection of each food vending vehicle within 14 days of receiving a complete license application. DSHS may not issue a license unless the vehicle passes inspection. The inspection must confirm that the vehicle is safe for preparing, handling, and selling food and that the applicant complies with all applicable laws and rules.

Subchapter C: Mobile Food Vendor Operations

Section 437B.101 requires a mobile food vendor to comply with all state and local laws in the jurisdiction in which the mobile food vendor operates, including all fire codes, location restrictions, and zoning codes. Section 437B.102 requires a person who drives a motorized food vending vehicle to hold a current commercial driver's license if a commercial driver's license is required for the vehicle's class under Chapter 522 (Commercial Driver's License) of the Transportation Code. Section 437B.103 requires a mobile food vendor to submit to and pass any required health inspection conducted under Subchapter D and display the mobile food vendor license and health inspection certificate in a conspicuous location for public view. Section 437B.104 directs a mobile food vendor to comply with all laws and rules regarding food safety, including any food safety and food manager certifications required under Chapter 438 (Public Health Measures Related to Food).

Subchapter D: Health Inspections

Section 437B.151 requires the executive commissioner to establish three vendor classifications: Type I vendors dispense only prepackaged, low-risk foods; Type II vendors dispense food that requires limited handling and preparation; and Type III vendors prepare, cook, and serve food. Section 437B.152 allows vendors to be reclassified if their operations change. Section 437B.153 requires DSHS to conduct ongoing, randomized inspections and allows local authorities to inspect under a collaborative agreement

with state reimbursement. Section 437B.154 requires vendors to share intended operating locations with the department. Section 437B.155 allows vendors to request reimbursement for inspections not conducted during the license period.

Subchapter E: Investigation & Enforcement

Section 437B.201 authorizes DSHS or a local authority to investigate vendors based on reasonable suspicion or complaints and requires vendor cooperation. Section 437B.201(c) states that "This chapter may not be construed to impede the department or local authority when conducting an investigation of a reported foodborne illness." Section 437B.202 allows DSHS to deny, suspend, or revoke a license for violations, fraud, or repeated noncompliance. Section 437B.203 outlines the notice and hearing process, including referral to the State Office of Administrative Hearings (SOAH). Section 437B.204 permits emergency suspension of a license if an imminent health threat exists, with expedited hearings before SOAH. Section 437B.2045 confirms the right to appeal license actions under contested case procedures. Section 437B.205 authorizes administrative penalties against vendors who continue operating after suspension or revocation. The amount of an administrative penalty is determined by DSHS.

Section 5 of H.B. 2844 addresses implementation and applicability of the new law. Subsection (a) states that Chapter 437B applies to all ordinances, rules, regulations, policies, and procedures—regardless of whether they were adopted before, on, or after the effective date. Subsection (b) requires the executive commissioner of DSHS to adopt the necessary rules by May 1, 2026. Subsection (c) clarifies that mobile food vendors are not required to hold a license under Chapter 437B until July 1, 2026.

TMCEC: Why H.B. 2844? Why now? Mobile food vendors cited excessive local fees, duplicative inspections, and inconsistent regulations as major barriers to operating across jurisdictions. Many described spending thousands annually just to stay compliant in multiple cities and counties, often with little return. Supporters praised the bill's proposed statewide permit as a fair, efficient solution that would support small business growth. Opponents warned that the bill could undermine local health oversight and create unfunded mandates.

Understanding H.B. 2844 requires an understanding of Chapter 437 of the Health and Safety Code (Regulation of Food Service Establishments, Retail Food Stores, Mobile Food Units, and Roadside Food Vendors). Chapter 437 establishes a broad regulatory framework for food safety in Texas, covering food service establishments, retail food stores, mobile food units, and other vendors. It authorizes counties, municipalities, and public health districts to issue permits and conduct inspections, while the Department of State Health Services (DSHS) retains authority in areas without local regulation.

Chapter 437A (Mobile Food Service Establishments Operating in Certain Counties in More than one Municipality, created by H.B. 2878 in 2023), in contrast to Chapter 437, is narrowly tailored and, based on specific population and airport criteria, presently only applies to Harris County. It governs county-level regulation and was likely intended to curb overregulation at the county level without affecting municipal authority. H.B. 2844 repeals Section 437A.003 (County Permit Required).

H.B. 2844 creates Chapter 437B, a new statewide licensing framework for mobile food vendors and marks a significant shift toward centralized regulation. It preempts many forms of local control. Unlike Chapter 437, which relies heavily on local enforcement, Chapter 437B consolidates authority with DSHS and sharply limits what local jurisdictions can require, signaling a clear legislative intent to standardize mobile food vendor regulation across Texas.

H.B. 4215

Subject: Creating a State Regulatory Framework for Delivery Network Companies (DNC)
Effective: September 1, 2025

H.B. 4215 creates a comprehensive regulatory framework for companies, such as DoorDash and Favor, that deliver food or consumer goods to customers. The bill incorporates DNCs into Chapter 2402 of the Occupations Code, which regulates transportation network companies, making regulation of DNCs an exclusive power of the state and prohibiting municipalities from such regulation.

The bill defines a DNC in Section 2402.001(1-a) of the Occupations Code as "a business entity that offers or uses a digital network to arrange for the delivery of food, beverages, or consumer goods from a restaurant or retail establishment to a delivery customer. The term does not include an entity that only delivers products that the entity produces or stores on the entity's premises." That section includes other new related definitions such as "delivery person" and "driver."

Beginning September 1, 2025, DNCs will be required to maintain a permit issued by the Texas Department of Licensing and Regulation. DNCs will also be

required to implement an intoxicating substance policy that prohibits any amount of intoxication for a delivery person that is logged into the system (i.e., awaiting a job or order) or making a delivery. As amended, DNC drivers must be at least 18 and, in the previous seven-year period, not have been convicted of DWI, use of a motor vehicle to commit a felony, a felony involving property damage, fraud, theft, an act of violence, or an act of terrorism. Drivers may not be registered in the national sex offender public website or, in the preceding three-year period, have more than four moving violations or at least one conviction for reckless driving, driving without a driver's license, driving with an invalid driver's license, or fleeing the police.

TMCEC: In 2017, the 85th Legislature added Chapter 2402 of the Occupations Code establishing a uniform statewide framework for regulating transportation network companies (TNCs), such as Uber and Lyft, and preempting municipalities from regulating them. H.B. 4215 brings DNCs under the same statewide regulatory framework as TNCs to replace the current inconsistent and confusing patchwork of local rules. Though some amendments merely add DNCs to this existing framework, new Subchapter C-1 provides requirements specific to the operation of DNCs.

H.B. 4753
Subject: Document Verifying Certificates of Occupancy
Effective: June 20, 2025

H.B. 4753 amends the Local Government Code by adding Section 214.909 (Document Verifying Certificate of Occupancy). Subsection 214.909(a) requires municipalities to issue a document verifying that a certificate of occupancy has been issued for a building, upon request by the building's owner, if the municipality has a record of the original certificate of occupancy. Subsection 214.909(b) prohibits municipalities from requiring building owners to obtain or display the original certificate of occupancy or enforcing an ordinance, regulation, or other measure that requires the owner of a building issued a document under Section 214.909(a). Section 214.909(c) mandates that municipalities accept the verifying document in lieu of the original certificate of occupancy for display purposes. The bill prevents municipalities from requiring a property owner who lost an original certificate of occupancy to go through the application process again, including the payment of application fees, if the municipality has a record of the original certificate issuance.

TMCEC: A certificate of occupancy is an official document issued by a city that confirms a building is safe and approved for use. It shows that the building meets local building codes and zoning laws. A certificate of occupancy is important because most businesses and property owners are not allowed to open, lease, or occupy a building without one.

H.B. 4765
Subject: Clarification Regarding Code Enforcement Officers and Officers in Training
Effective: September 1, 2025

H.B. 4765 amends Chapter 1952 of the Occupations Code to clarify that only natural persons may register as code enforcement officers by replacing the term "person" with "individual" throughout the chapter. The bill adds a formal definition for "code enforcement officer in training" in Section 1952.001(2-a) but does not substantively change the existing authority of such individuals to engage in code enforcement under supervision, as already permitted under Section 1952.103(c). The bill also updates the reciprocity provision in Section 1952.104 to allow registration from another state if its standards are *substantially* equivalent to those of Texas.

TMCEC: While this bill has little direct impact on municipal courts, it may slightly affect who qualifies as a code enforcement officer under state law. These individuals often serve as complainants or enforcement witnesses in ordinance violations. The new language reinforces that only individuals, not corporations, may claim the title. The bill replaces "person" with "individual," likely to avoid confusion under Section 311.005(2) of the Government Code, which defines "person" to include entities like corporations and trusts.

H.B. 5084
Subject: Sale of Fireworks for the Lunar New Year Holiday
Effective: September 1, 2025

H.B. 5084 amends Section 2154.202(g) of the Occupations Code generally authorizing a retail fireworks permit holder to sell fireworks to the public beginning five days before Lunar New Year and ending at midnight on Lunar New Year in a county in which the commissioners court of the county has approved the sale of fireworks during the period.

S.B. 304
Subject: Municipal Court Jurisdiction of Health and Safety and Nuisance Abatement Ordinances
Effective: September 1, 2025

S.B. 304 amends Section 29.003 of the Government Code by adding Subsection (a-1), which authorizes

the governing body of a municipality by ordinance to provide that a non-record municipal court has: (1) civil jurisdiction for the purpose of enforcing municipal ordinances enacted under Subchapter A (Dangerous Structures), Chapter 214 (Municipal Regulation of Housing and Other Structures) of the Local Government Code or Subchapter E (Junked Vehicles: Public Nuisance; Abatement), Chapter 683 (Abandoned Motor Vehicles) of the Transportation Code; (2) concurrent jurisdiction with a district court or a county court at law under Subchapter B (Municipal Health and Safety Ordinances), Chapter 54 (Enforcement of Municipal Ordinances) of the Local Government Code, within the municipality's territorial limits and property owned by the municipality located in the municipality's extraterritorial jurisdiction for the purpose of enforcing health and safety and nuisance abatement ordinances; and (3) authority to issue search warrants for the purpose of investigating a health and safety or nuisance abatement ordinance violation and seizure warrants for the purpose of securing, removing, or demolishing the offending property and removing the debris from the premises. Prior to S.B. 304 state law only contemplated such jurisdiction via ordinance in municipal courts of record.

TMCEC: The newly added Section 29.003(a-1) raises significant legal and procedural questions for courts and local governments alike. While S.B. 304 authorizes municipalities to expand the civil jurisdiction of non-record municipal courts, it leaves several unresolved issues. Chief among them: *What is the path of appeal from a civil judgment rendered by a municipal court that is not a court of record? What rules of procedure govern such cases?* These concerns are not new. Municipal courts of record in cities that adopted similar ordinances under Section 30.00005(d)(2) of the Government Code have wrestled with unclear appellate standards and the lack of civil procedural guidance. S.B. 304 risks introducing those same uncertainties into non-record courts, which lack the benefit of a formal appellate record.

The bill also authorizes judges to issue "seizure warrants" for the purpose of securing, removing, or demolishing offending property. While municipal judges may issue administrative search warrants under Article 18.05 of the Code of Criminal Procedure, seizure and demolition of private property constitute significant interferences with possessory interests and trigger both Fourth and Fourteenth Amendment protections. The bill's language arguably blurs the line between investigation and abatement. This concern is not unique to non-record courts; courts of record face similar issues—but Article 18 distinguishes between the types of warrants each court may issue, adding another layer of legal complexity.

Fortunately, the jurisdiction authorized by S.B. 304 is discretionary; it is an option, not a mandate, for a city council. A non-record municipal court does not acquire this jurisdiction automatically. Once conferred by ordinance, a municipal judge may not decline it; but absent such local authorization, the court lacks the civil jurisdiction described in the bill.

S.B. 840/S.B. 2477

Subject: Conversion of Office Buildings to Mixed-Use and Multifamily Residential in Certain Municipalities
Effective: September 1, 2025

S.B. 840 and S.B. 2477 add Chapter 218 (Regulation of Mixed-Use and Multifamily Residential Use and Development in Certain Municipalities) to the Local Government Code to create a statutory framework facilitating conversion of older office buildings into mixed-use and multifamily residential properties. New Chapter 218 applies to municipalities with a population greater than 150,000 that is wholly or partly located in a county with a population greater than 300,000. The intent of both bills is to address Texas' housing shortage by allowing mixed-use and residential development on commercial properties and restricting municipal regulation of such development.

Section 4 of S.B. 2477 provides that if both S.B 2477 and S.B. 840 are enacted, their provisions in Chapter 218 of the Local Government Code should be harmonized, with any conflicts resolved in favor of S.B. 840. Both bills passed.

TMCEC: Cities subject to Chapter 218 include Houston, San Antonio, Dallas, Austin, Fort Worth, El Paso, Arlington, Plano, Lubbock, Corpus Christi, Garland, Irving, Frisco, McKinney, Grand Prairie, Laredo, Amarillo, and Brownsville. Each has a population over 150,000 and lies wholly or partly within a county exceeding 300,000 residents. Other cities may qualify depending on how population estimates are interpreted or updated. Pasadena hovers or meets both thresholds. Killeen may also qualify now or soon. Several cities are approaching the law's scope, including Mesquite, Carrollton, Round Rock, and Waco. Continued growth or annexation could soon make them subject to Chapter 218.

S.B. 1376

Subject: Supervision Requirements of Code Enforcement Officer in Training
Effective: June 20, 2025

To ease staffing challenges in small or rural areas, S.B.

1376 amends Section 1952.103(c) of the Occupations Code (Eligibility to Register as Code Enforcement Officer in Training) creating an exception authorizing a code enforcement officer in training to engage in code enforcement without supervision, if the employer of the officer in training does not also employ a registered code enforcement officer.

Magistrate Duties and Mental Health

H.B. 75

Subject: Magistrate's Duty to Make Written Findings for Determination of No Probable Cause
Effective: September 1, 2025

H.B. 75 adds Subsection (h) to Article 15.17 of the Code of Criminal Procedure (Duties of Arresting Officer and Magistrate) requiring magistrates to enter written findings in support of a determination that no probable cause exists to believe that a person committed the offense for which the person was arrested not later than 24 hours after such a determination.

TMCEC: According to the latest Annual Statistical Report for the Texas Judiciary (FY 2023), municipal judges issued over 269,000 magistrate warnings that year. Municipal judges working as magistrates should take note of this newly required documentation.

S.B. 9

Subject: Conditions of and Procedures for Setting Bail and Reviewing Bail Decisions
Effective: September 1, 2025 (except where noted)

Following implementation of the reforms in S.B. 6 (2021), the goals of S.B. 9 are to clarify legislative intent, ensure that the new systems are running efficiently, and further increase the safety of our communities. It primarily achieves these goals through amendments to the Code of Criminal Procedure.

Sections 2 and 3: Public Safety Report System (PSRS)

S.B. 9 adds PSRS requirements to the list in Article 17.021(b), including additional criminal history information such as whether the defendant is currently on community supervision, parole, or mandatory supervision, currently released on bail or participating in a pretrial intervention program (along with any conditions), has outstanding warrants entered into NCIC or TCIC, or any current protective orders. Note: Article 17.021(b) is effective April 1, 2026.

Upon request, under new Subsection 17.021(c-1), the Office of Court Administration (OCA) must provide access to the PSRS to an attorney representing the state for the purpose of a bail form. OCA is also tasked by new Subsection (h) with configuring the PSRS to allow a county or municipality to integrate their jail records management systems and case management systems. New Subsections (h-1) and (i) authorize OCA to offer grants for such integration and to incorporate technological advances to the PSRS that improve notices or enhance public protection. Note: Articles 17.021(c-1), (h), and (h-1) are effective January 1, 2026.

Amended Article 17.022 (Public Safety Report) authorizes a magistrate to order, prepare, or consider a public safety report in setting bail for a defendant who is not in custody at the time the report is ordered, prepared, or considered.

Sections 4 and 5: Commission of a Felony While on Bail for Another Felony

S.B. 9 makes Article 17.027(a) applicable to defendants taken before a magistrate for (rather than "charged with") a felony while released on bail for another felony. If the subsequent offense was committed in a different county than the previous offense, S.B. 9 clarifies the recipient and timeframe for providing electronic notice to the county where the previous offense occurred. Such notice must be given to the individual designated to receive electronic notices for the county in which the previous offense was committed, not later than the next business day after the date the defendant is taken before the magistrate. The purpose of such notice in new Subsection 17.027(a-1) requires the court before which the case for the previous offense is pending to consider whether to revoke or modify the terms of the previous bond or to otherwise re-evaluate the previous bail decision. Note: Article 17.027(a) and Subsection 17.027(a-1) take effect April 1, 2026.

New Subsections 17.027(a-2) and (a-3) limit the authority of Chapter 54 magistrates to release on bail and require an order by such statutory magistrates granting bail to include the names of each individual who appointed the magistrate. (Such statutory magistrates are distinct from public officials who are authorized to perform magistrate duties by virtue of holding public office, e.g., judges and justices of the peace.)

Section 6: Review of Bail Decisions

New Article 17.029 applies to bail decisions for defendants charged with or arrested for a felony and made under Article 17.028 (Bail Decision) by the magistrate of a court that does not have jurisdiction to try the offense charged. The bill grants jurisdiction to applicable district judges (based on the county of

arrest or where charges will be filed) to modify such bail decisions, regardless of whether the defendant has been previously indicted or an information has been previously filed for the offense for which the defendant was arrested. In modifying bail decisions, district judges must comply with Article 17.09 (Duration; Original and Subsequent Proceedings; New Bail) and shall consider the facts presented and the rules established by Article 17.15(a) in setting the defendant's bail. If a district judge increases bail or adds conditions for a defendant who is not in custody, the judge must (1) issue a summons and (2) give the defendant a reasonable chance to appear before issuing an arrest warrant.

If an attorney representing the state files a request to review a bail decision with the district clerk, a district judge must review the bail decision as soon as practicable but not later than the next business day after the date of request. The bill also addresses the procedure for notifying a district judge regarding such requests.

Section 7: Personal Bonds

S.B. 9 amends Article 17.03 (Personal Bond) restricting the authorization to release a defendant on personal bond for certain offenses, including (1) murder as a result of manufacture or delivery of a controlled substance in Penalty Group 1-B; (2) terroristic threat (Class A misdemeanor or felony); (3) violation of court orders or bond conditions in cases involving family violence, child abuse or neglect, sexual assault or abuse, indecent assault, stalking, or trafficking; and (4) unlawful possession of a firearm. Certain offenses committed while on parole are also ineligible for release on personal bond.

Section 10: Limits on Reducing Bond or Conditions in Certain Cases

New Article 17.092 prohibits a magistrate described by Article 2A.151(5)-(14) (including a municipal judge) from reducing the amount or conditions of bond set by a district judge, including a district judge in another county.

Section 11: Bail in Felony

S.B. 9 amends Article 17.21 requiring magistrates, before releasing on bail a defendant charged with a felony, to ensure that (1) the defendant has appeared before the magistrate; and (2) the magistrate has considered the public safety report prepared under Article 17.022 for the defendant.

Section 15: State's Right to Appeal Orders Granting Insufficient Bail

S.B. 9 amends Article 44.01 providing the State the right to appeal an order that grants bail in an amount it considers insufficient for defendants charged with certain felonies, including those committed while already on bail for another felony. For such appeals, the court of appeals must conduct a de novo review, expedite the appeal, and issue an order within 20 days of the appeal's filing. The court may affirm or modify the bail amount or reject it and remand the case with or without guidance for modification.

For appeals related to insufficient bail, if the defendant is not in custody, the defendant may remain free on existing bail. If the defendant is in custody, the defendant must be held in custody during the pendency of the appeal.

Sections 16 and 18: Victim's Rights

The bill amends Article 56A.051 entitling a victim, guardian of a victim, or close relative of a deceased victim to certain rights within the criminal justice system, including, when requested, the right to be informed in the manner provided by Article 56A.0525 by the office of the attorney representing the state concerning whether the defendant has fully complied with any conditions of the defendant's bail.

S.B. 9 amends Section 51A.003 of the Human Resources Code, which dictates the content of notice to victims of family violence, stalking, harassment, or terroristic threat. The bill adds to the list of required content the ability of the victim to provide information to the local prosecutor that will be helpful to a magistrate setting bail if the person committing the offense is arrested.

Section 17: Bail Form

New Subsection 72.038(b-1) of the Government Code makes the requirement to complete the bail form applicable to a person under the authority of a standing order related to bail who releases on bail a defendant who is charged with an offense punishable as a Class B misdemeanor or higher.

The bill shortens the deadline in Subsection 72.038(c) from 72 hours to 48 hours after bail is set to submit the bail form to OCA.

New Subsection (c-1) requires OCA to provide an electronic copy of the bail form to each county's elected district attorney for each defendant whose bail is set in the county for an offense involving violence, as defined by Article 17.03 of the Code of Criminal Procedure. Note: It is effective January 1, 2026.

Other Changes

Other amendments include making Section 3 of Article 17.09 regarding re-arrest and new bond

applicable regardless whether the defendant has been previously released under Article 17.151 because of delay, revising reporting requirements for charitable bail organizations and increasing transparency by requiring additional data to be submitted to OCA (Article 17.071), mandatory confinement before sentencing for defendants found guilty of certain offenses (new Article 27.20), reporting requirements for the attorney representing the state who is responsible for monitoring pretrial intervention programs (new Article 16.24, effective January 1, 2026), the local administrative judge's process for designating a county contact to receive and distribute electronic bail notices (new Article 17.027(c) and (d), effective January 1, 2026), and required affirmative findings in judgments and dismissal orders for certain Class B or higher offenses that state if, and how many times, the defendant willfully failed to appear after release (new Article 42.0195).

TMCEC: Last year Judges Stephen Vigorito and Ryan Kellus Turner highlighted the need for legislative clarity on how magistrate jurisdiction is vested and transferred—issues rooted in the problematic precedent of *Ex parte Clear*, 573 S.W. 2d 224 (Tex. Crim. App. 1978). See Vigorito and Turner, "Clear as Mud: *Ex parte Clear* and the Need for Legislative Clarification of Procedures Pertaining to Magistrate Duties in Texas," *The Recorder* (June 2024) at 3. In *Ex parte Clear,* the Court of Criminal Appeals held that once a court acts as magistrate, it retains sole authority over bail decisions until formal charges are filed—relying on Article 4.16 of the Code of Criminal Procedure, which governs trial courts, not magistrates. The authors suggest this approach is problematic given the realities of Texas magistration, where cases often remain with non-trial courts while prosecutors decide on charges. During this period, bail and bond issues can impact both due process and public safety. They further note that trial courts, particularly district courts, are better equipped to address these concerns given their regular contact with prosecutors, defense attorneys, and pretrial services.

Though S.B. 9 does not address how magistrate jurisdiction vests, it does provide some resolution to the issues raised by the journal article. New Article 17.029 allows district judges to modify bail decisions made under Article 17.028 for felony cases by magistrates of courts without trial jurisdiction, regardless of whether charges have been formally filed. The bill also allows an attorney representing the state to request such review. Conversely, new Article 17.092 prohibits certain magistrates, including municipal judges, from reducing bond amounts or conditions set by a district judge, even from another county. Together, these provisions reflect a legislative step toward improving magistration and bail decisions.

S.B. 664

Subject: Qualifications, Training, Removal, and Supervision of Chapter 54 Magistrates
Effective: September 1, 2025

Under Chapter 54 of the Government Code, 25 different counties have their own qualification standards, hiring and firing processes, jurisdictional powers, and other governing statutes for their local magistrates. To provide uniformity, S.B. 664 adds Subchapter A to Chapter 54 of the Government Code, which creates statewide qualifications for these magistrates (and masters, referees, associate judges, and hearing officers under that chapter) in Section 54.001 and training requirements in Section 54.002, New Section 54.003 addresses suspension and removal and tasks the local administrative judges with oversight of Chapter 54 requirements and violation reporting.

TMCEC: It is important to note that this bill only applies to magistrates appointed under Chapter 54 of the Government Code. Chapter 54 does not apply to magistrates serving in their capacity as appointed or elected municipal judges. Notably, Section 54.001 calls for a person to have been licensed to practice law for five years in Texas (or two years in certain counties) to be eligible for appointment as a magistrate. While current Chapter 54 non-attorney magistrates are not barred from continuing their service, counties should be aware that any newly appointed magistrates must be attorneys.

S.B. 1020

Subject: Notification of Electronic Monitoring Device Violations
Effective: September 1, 2025

S.B. 1020 adds several provisions to Chapter 17 of the Code of Criminal Procedure requiring notice to the court or magistrate with jurisdiction over the case after a determination that there is reasonable cause to believe that a defendant being supervised has violated a condition of release on bond related to an electronic monitoring device, including a global positioning monitoring system as defined by Article 17.49. This requirement applies to personal bond offices established under Article 17.42 (new Article 17.431), agencies designated by the magistrate to supervise a defendant's release on bond, other than a personal bond (new Article 17.442), and community supervision officers (new Article 43A.7515).

The bill also clarifies that information related to

a person who is required to submit to electronic monitoring under Article 42.035 of the Code of Criminal Procedure, or as a condition of community supervision, parole, mandatory supervision, or release on bail is not "judicial work product" under Section 21.013(a)(1) of the Government Code. Similarly, the bill amends Section 76.019 of the Government Code authorizing a community supervision and corrections department established under Chapter 76 to release data or information, including electronic monitoring data, related to the location of a person being supervised to law enforcement or the office of the attorney representing the state for the purpose of locating the person or serving a warrant.

S.B. 1896

Subject: Requirement to Provide Information to Magistrate for MOEP
Effective: September 1, 2025

For offenses listed in Article 17.292(a) of the Code of Criminal Procedure (Magistrate's Order for Emergency Protection), S.B. 1896 requires the arresting officer or the person having custody of a defendant arrested for certain offenses to provide to the magistrate the information necessary for the issuance of a magistrate's order for emergency protection (MOEP) and information that would aid the magistrate in issuing the order. The bill incorporates this requirement into new subsections: Articles 14.06(a-1) (Must Take Offender Before Magistrate), 15.17(a-2) (Duties of Arresting Officer and Magistrate), and 17.292(d-3).

New Article 15.052 (Additional Information for Complaints for Certain Offenses) requires a person making a complaint alleging the commission of an offense described by Article 17.292(a) to include the information necessary for the issuance of a MOEP as provided by Article 17.292(d-3). Failure to do so does not affect the sufficiency of the complaint.

To the extent the information is available, Article 17.292(d-3) also requires the officer or custodian to provide information about the victim to assist the magistrate in issuing the MOEP.

However, Article 17.292(d-3) makes it clear that failure to provide the necessary information about the defendant or victim to the magistrate does not negate the magistrate's authority or duty to issue a MOEP.

S.B. 2196

Subject: Duration of a MOEP
Effective: September 1, 2025

S.B. 2196 increases the minimum and maximum duration of a magistrate's order for emergency protection (MOEP) by amending Article 17.292(j) of the Code of Criminal Procedure. As amended, orders under Article 17.292(a) and (b)(1) remain in effect up to the 91st (currently 61st) day but not less than 61 (currently 31) days after the date of issuance. Orders under Article 17.292(b)(2) remain in effect up to the 121st (currently 91st) day but not less than 91 (currently 61) days after the date of issuance. According to the bill's sponsor, the current duration does not provide enough time for crime victims to adequately reorganize their life, safely seek shelter, or obtain legal representation.

S.J.R. 5

Subject: Proposed Constitutional Amendment Requiring the Denial of Bail under Certain Circumstances to Persons Accused of Certain Felonies

According to the sponsor of S.J.R. 5, the current options for denying bail lead to rare utilization, even in the most appropriate situations to ensure public safety. S.J.R. 5 proposes adding Section 11d to Article I of the Texas Constitution, denying bail pending trial to persons charged with certain felonies, such as murder, capital murder, aggravated kidnapping, aggravated sexual assault, indecency with a child, and trafficking. Such denial requires the State to demonstrate after a hearing either (1) by a preponderance of the evidence that the granting of bail is insufficient to reasonably prevent the person's willful nonappearance in court; or (2) by clear and convincing evidence that the granting of bail is insufficient to reasonably ensure the safety of the community, law enforcement, and the victim of the alleged offense. A person is entitled to representation by counsel at this hearing.

A judge or magistrate granting bail under this new section must (1) set bail and conditions only as needed to prevent willful nonappearance and protect the community, law enforcement, and the victim; and (2) prepare written findings of fact and justification for the decision.

In determining whether a preponderance of the evidence or clear and convincing evidence, as applicable, exists as described by this section, a judge or magistrate shall consider (1) the likelihood of the person's willful nonappearance in court, (2) the nature and circumstances of the alleged offense, (3) the safety of the community, law enforcement, and the victim, and (4) the person's criminal history.

Section 11d does not limit a person's right to challenge a bail denial or amount or require testimonial evidence for a judge or magistrate to make a bail decision.

Procedural Law

H.B. 654

Subject: Dismissal of Certain Illegal Hunting Charges
Effective: September 1, 2025

Hunters can be charged for unknowingly hunting a deer whose antlers are one inch higher than the acceptable spread measurement. Since hunters are unable to measure a deer's antlers beforehand, the occasional and accidental hunting of deer with antlers exceeding the maximum-allowed spread occurs. H.B. 654 establishes the Asp-Morgan Act adding Section 61.902 to the Parks and Wildlife Code.

New Section 61.902 creates a discretionary deferral and dismissal process for certain minor violations related to illegal deer hunting under the Parks and Wildlife Code. Specifically, it applies when the alleged violation involves a one-inch-or-less discrepancy in antler spread measurements for mule deer or white-tailed deer.

Under the new provision, a court may defer proceedings for a period not to exceed 180 days, and ultimately dismiss the charge, if the defendant reports the offense to the game warden before leaving the location of the offense, does not retain possession of the deer carcass or otherwise disposes of it in a manner prescribed by the Parks and Wildlife Department, has not been previously convicted or had a dismissal under this provision, completes a hunter education course, and does not commit another Parks and Wildlife Code violation during the deferral period.

TMCEC: These violations constitute Class C Parks and Wildlife Code misdemeanors, punishable under Section 61.901. Because they are Class C misdemeanors, municipal courts have jurisdiction over these offenses.

This process will feel very similar to deferred disposition, with a couple of exceptions. First, a court may transfer a case that has been deferred to a different court if that court consents to the transfer and has jurisdiction over the case. Second, in addition to the court costs and fees applicable to the offense, the court may assess a $10 reimbursement fee to cover administration costs (which must be deposited in the county treasury) as well as a $10 reimbursement fee to cover the hunter education course provider's cost for offering the course.

H.B. 1261

Subject: Disposition of Abandoned or Unclaimed Property Seized by a Peace Officer
Effective: September 1, 2025

Current Texas law requires local law enforcement agencies to publish notices of unclaimed or seized property in a paper of general circulation. This provision in the Code of Criminal Procedure was established when newspapers were more widely read and physically distributed. That is no longer the case today, as most people view the news on their phones and on the Internet. Law enforcement officers have expressed concerns over the cost and effectiveness of publishing notices.

H.B. 1261 alleviates these concerns by amending Article 18.17 of the Code of Criminal Procedure to allow law enforcement to post notices of seized or unclaimed property on the Internet and social networking websites utilized by the agency.

H.B. 1610

Subject: Nonsubstantive Revision of Certain Provisions of the Code of Criminal Procedure
Effective: April 1, 2027

The Texas Legislative Council is required by Section 323.007 of the Government Code to carry out a complete nonsubstantive revision of the Texas statutes. The process involves reclassifying and rearranging the statutes in a more logical order, employing a numbering system and format that will accommodate future expansion of the law, eliminating repealed, invalid, duplicative, and other ineffective provisions, correcting drafting errors, and improving the draftsmanship of the law, if practicable—all toward promoting the stated purpose of making the statutes "more accessible, understandable, and usable" without altering the sense, meaning, or effect of the law.

H.B. 1610 is the latest in a long-range project by the council to modernize the Code of Criminal Procedure without substantive change. Effective April 1, 2027, the bill adds Chapters 5A, 9A, 49A, and 50A concerning family violence prevention, public health offenses, and inquests, while repealing the existing Chapters 5, 9, 49, and 50.

TMCEC: If this feels familiar, it's because municipal court personnel are still adapting to the non-substantive reorganization of Chapter 45 into 45A that took effect January 1, 2025, under H.B. 4504 (88th Regular Session). Like its predecessor, H.B. 1610 does not alter the meaning of the law, but it will require courts, clerks, and legal practitioners to retrain their eyes to new article numbers, subchapter headings, and structural groupings. Courts should be prepared to update citations in forms, procedures, and educational materials by the bill's effective date of April 1, 2027.

H.B. 1620

Subject: Nonsubstantive and Conforming Codifications from the 88th Legislature
Effective: September 1, 2025

The Texas Legislative Council is required by Section 323.007 of the Government Code to carry out a complete nonsubstantive revision of the Texas statutes. This process involves reclassifying and rearranging statutory provisions in a more logical order, adopting a consistent numberin system that allows for future expansion, and eliminating repealed, duplicative, or ineffective provisions. The goal is to improve clarity and accessibility without altering the meaning or effect of the law.

TMCEC: In the span of 249 legal-sized pages, H.B. 1620 reorganizes and codifies procedural laws enacted by the 88th Legislature, many of which were left without a permanent statutory home following the repeal of certain provisions, including Chapter 45 of the Code of Criminal Procedure. Most notably, the Youth Diversion program—located in now-repealed Chapter 45—is moved to Chapter 45A, Articles 45A.501–45A.510. Additionally, provisions within Chapters 2A, 45A, and 55A are renumbered or adjusted for consistency. The Code of Criminal Procedure is one of 20 different codes affected by this legislation. While the bill makes no substantive changes, courts should update internal references, forms, and citations to reflect the new statutory locations, especially in youth diversion matters.

H.B. 2348

Subject: Video Recording of Depositions of Elderly or Disabled Persons in a Criminal Case
Effective: September 1, 2025

Section 39.025 of the Code of Criminal Procedure establishes certain protections for elderly and disabled individuals who may be victims or key witnesses in criminal cases. These individuals often face significant challenges in providing testimony, including health concerns, mobility limitations, or the stress of courtroom proceedings. The law previously allowed for the depositions of applicable elderly or disabled individuals to be read under certain circumstances into the record during a trial.

H.B. 2348 amends Chapter 39 of the Code of Criminal Procedure authorizing a court under amended Article 39.025 (Depositions of Elderly or Disabled Persons), on the motion of either party in a criminal action, to order the state's attorney to take a deposition by video recording of an elderly or disabled person who is the alleged victim of or witness to an offense. The article further requires the person operating the video recording device to be available to testify regarding authenticity of the video recording and the taking of the deposition for the video recording to be admissible. H.B. 2348 applies only to a criminal proceeding that commences on or after the bill's effective date. A criminal proceeding that commences before the bill's effective date is governed by the law in effect on the date the proceeding commenced, and the former law is continued in effect for that purpose.

H.B. 2594

Subject: Venue for Certain Theft Crimes
Effective: September 1, 2025

Currently, Texas statutes fail to recognize Texans' increased reliance on and use of intangible assets, especially in the context of cybercrime. Prosecutors face limitations when charging cases involving theft of intangible personal property such as funds from financial institutions and virtual assets (i.e., cryptocurrency). These limitations stem, in part, from unnecessarily narrow venue statutes that often prevent prosecution in the county where the victim resides.

H.B. 2594 addresses this gap by expanding venue options in certain theft-related cases involving intangible personal property. The bill amends Articles 13A.251 and 13A.501 of the Code of Criminal Procedure to allow prosecution in the county where the victim resides, where the defendant is apprehended, or where the defendant is extradited. This change strengthens prosecutors' ability to pursue complex theft and fraud cases, especially those involving organized criminal activity and cyber-enabled schemes.

S.B. 14

Subject: Judicial Review of State Agency Interpretations of Laws or Rules
Effective: September 1, 2025

S.B. 14 adds Chapter 465 to the Government Code establishing a Regulatory Efficiency Division within the Governor's Office to support state agencies in their review of rules and in developing cost benefit analyses of these rules. The bill also creates a new, user-friendly portal to give individuals and business owners the ability to search for rules and requirements applicable to their specific business activities and plans. The bill increases transparency in the rule review process by requiring more direct notice and solicitation of input on the cost and impact of such rules, and in addition, requires all rules be written in plain language. The bill allows a rule to be invalidated if an agency fails to properly perform the statutorily required cost benefit and impact analysis.

S.B. 14 also updates the standard for judicial review

of state agency interpretations of law or rules in two new sections added to the Government Code. Section 2001.042 (Judicial Review of State Agency Legal Determination Regarding Laws and Rules) provides that, in a judicial proceeding in this state, a court is not required to give deference to a state agency's legal determination regarding the construction, validity, or applicability of the law or a rule adopted by the agency. A court is not prohibited from giving consideration to a legal determination made by a state agency that is reasonable and does not conflict with the plain language of the statute. Section 2001.1721 (Judicial Review of Question of Law) requires a reviewing court to review all questions of law de novo, including the interpretation of constitutional or statutory provisions or rules adopted by a state agency, without giving deference to any legal determination by a state agency, although the court may give consideration to the agency's determination.

TMCEC: The passage of S.B. 14 comes in the wake of *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024), where the U.S. Supreme Court formally overturned *Chevron* deference. See Ryan Kellus Turner, Regan Metteauer, Ned Minevitz, "2024 Case Law and Attorney General Opinion Update," *The Recorder* (December 2024) at 27. While Texas courts never fully adopted *Chevron*, they have historically given some weight to reasonable agency interpretations of law. S.B. 14 clarifies that such deference is no longer required, though courts may still consider agency views if consistent with statutory text.

It is unclear how much these changes will affect municipal courts. While municipal judges follow rules set by state agencies like TxDOT, DPS, the Comptroller, and the Office of Court Administration, this new law doesn't mean judges will now be reinterpreting agency rules in every case. The change mainly applies when a rule is directly challenged in court. Judges can now decide what the rule means without deferring to the agency—but only if that interpretation is central to resolving the case.

Courts should be prepared to interpret agency rules independently if challenged, as S.B. 14 makes clear that courts—not agencies—have the final word on legal interpretation.

S.B. 487

Subject: Confidentiality of Identifying Information of Victims of Certain Offenses
Effective: September 1, 2025

Victims of stalking, invasive visual recording, and indecent assault face ongoing risks of harassment, retaliation, and emotional distress if their identifying information is made public. Current Texas law provides confidentiality protections for stalking victims, such as prohibiting public disclosure of names, addresses, and contact information in legal proceedings. However, victims of invasive visual recording and indecent assault have not received the same privacy protections, despite facing similar safety concerns.

S.B. 487 amends the Code of Criminal Procedure to extend these confidentiality protections to victims of invasive visual recording and indecent assault. Article 58.151 expands the definition of "victim" to include individuals subjected to these offenses and affected by other offenses committed as part of the same criminal episode under Section 3.01 of the Penal Code.

TMCEC: While the offenses specifically listed in S.B. 487 are outside the jurisdiction of municipal courts, a Class C misdemeanor committed as part of the same criminal episode could be filed in municipal court. In such cases, confidentiality protections for the victim's identifying information would still apply. Municipal courts should be prepared to coordinate with other courts and take necessary steps to protect victim confidentiality under this new law.

S.B. 1220

Subject: Criminal Jurisdiction and Exhaustion of Civil Remedies
Effective: June 20, 2025

S.B. 1220 responds to the Texas Court of Criminal Appeals decision in *Ex parte Charette*, No. PD-0522-21, 2024 WL 4138710 (Tex. Crim. App. Sept. 11, 2024), *reh'g granted* (Jan. 15, 2025). In that case, the Court held that the Texas Ethics Commission (TEC) had exclusive jurisdiction under Chapter 571 of the Government Code to investigate certain Election Code violations before a criminal prosecution could proceed. The court dismissed the prosecution because no TEC proceeding had occurred. In direct response, S.B. 1220 adds Section 23.002 to the Government Code, providing that, unless expressly stated otherwise, exhaustion of civil or administrative remedies is not a prerequisite to the exercise of subject matter jurisdiction in a criminal trial court. The provision applies to all criminal actions, regardless of whether they were initiated before, on, or after the effective date.

TMCEC: While *Ex parte Charette* involved campaign and ethics violations, S.B. 1220 is not limited in subject matter. The bill codifies a broader rule: criminal trial courts retain subject matter jurisdiction without requiring prior civil or administrative proceedings, unless a statute expressly provides otherwise.

For municipal judges and prosecutors, this new

provision in Section 23.002 of the Government Code clarifies that filing and proceeding with a criminal case does not depend on prior enforcement or adjudication by a civil or regulatory body, unless specifically required by law. This may be particularly relevant in areas where parallel administrative and criminal enforcement schemes exist, such as code enforcement, public health, or juvenile matters.

S.B. 1220 underscores that jurisdictional prerequisites must be clearly stated by statute and cannot be inferred solely from the existence of civil or administrative remedies.

S.B. 1537

Subject: Court Interpreters in Criminal Cases
Effective: May 30, 2025

In criminal cases, persons who do not speak English need qualified interpreters to understand the proceedings and guarantee due process of law. Article 38.30(a) of the Code of Criminal Procedure, however, does not require interpreters to be licensed or certified, stating only that "any person may be appointed to interpret." This ambiguity leads to inconsistent interpreter qualifications, creating risks of miscommunication, unfair trials, and due process violations.

By contrast, Section 57.002 of the Government Code sets clear qualifications for court interpreters in both civil and criminal cases. It requires courts to appoint licensed court interpreters for spoken language translation, with limited exceptions.

S.B. 1537 amends Article 38.30 of the Code of Criminal Procedure to explicitly reference the interpreter appointment requirements under Section 57.002 of the Government Code.

TMCEC: Courts are already required—by the Constitution and state law—to provide interpreters for individuals who cannot understand English during criminal proceedings. S.B. 1537 reinforces this obligation by clarifying that interpreters must meet state licensing or qualification requirements, as detailed in Section 57.002 of the Government Code.

For municipal courts, this is a timely reminder to ensure compliance with interpreter standards. While most interpreter appointments in municipal courts involve Spanish, the bill includes exceptions for rare languages and small jurisdictions—scenarios that may apply in some communities. Courts should review their interpreter appointment practices to ensure they align with these clarified state standards.

Substantive Criminal Law

H.B. 46

Subject: Medical Use and Administration of Low-THC Cannabis under the Texas Compassionate-Use Program
Effective: September 1, 2025

H.B. 46 adds Section 487.05(c) of the Health and Safety Code, which deems patient identity information in the Texas Compassionate-Use Program registry as confidential, to be accessed only by the Department of Public Safety, registered physicians, and dispensing organizations. The bill adds an exception in new Subsection (d), which stipulates that, upon a patient's request, the department may release registry information to the patient or someone designated by the patient.

H.B. 46 also amends Section 487.101 regarding dispensary licensing. Licensed dispensing organizations may use satellite locations for storage if listed in the license application or approved under Section 487.1035. To make the Texas Compassionate-Use Program available to all eligible Texas patients, the bill also sanctions a total of 15 qualified dispensary locations, one for each public health region.

This bill changes several sections of the Occupations Code, including Section 169.003(a)(3)(A), which adds the following four diagnoses to those that allow the prescription of low-THC cannabis: a condition that causes chronic pain; traumatic brain injury; Crohn's disease and other inflammatory bowel disease; and a terminal illness for which the patient is receiving hospice or palliative care. In addition, physicians will soon be able to prescribe low-THC cannabis via pulmonary inhalation of a vapor under the new Section 169.006. It should be noted that inhaling a vapor is differentiated from smoking, which is still excluded from medical use under the revised Section 169.001. A reasonable timeline will be established for reviewing and granting approval of medical devices to accommodate pulmonary inhalation.

TMCEC: H.B. 46 continues the steady expansion of the Texas Compassionate Use Program, which began in 2015 and was limited to patients diagnosed with intractable epilepsy. Since that time, expansions in 2019 and 2021 broadened eligibility to include conditions such as ALS, multiple sclerosis, cancer, PTSD, autism, and more. With the addition of chronic

pain, traumatic brain injury, Crohn's disease/IBD, and terminal illness under H.B. 46, the program now supports access for 14 qualifying medical conditions.

H.B. 108

Subject: Using Body Armor While Committing Certain Offenses
Effective: September 1, 2025

H.B. 108 requires the judge to make an affirmative finding when a defendant uses metal or body armor during the commission of certain offenses and enhances the punishment for those offenses. The bill defines "metal or body armor" as any body covering manifestly designed, made, or adapted for the purpose of protecting a person against gunfire.

The bill adds Article 42.01992 of the Code of Criminal Procedure providing that in the trial of an offense under Title 5 of the Penal Code (Offenses Against the Person), punishable as a third-degree felony or higher (but not a first-degree felony), the judge must enter an affirmative finding in the judgment if the judge or jury determines beyond a reasonable doubt that the defendant used metal or body armor during the commission of the offense.

If such a finding is made, new Section 12.503 of the Penal Code provides that the punishment is increased to the next higher category of offense.

This enhancement does not apply if the defendant is a peace officer; a member of the state military or U.S. armed forces; or a security officer.

H.B. 108 also amends Article 42.01 of the Code of Criminal Procedure by adding Section 17 requiring the judgment to reflect the finding in new Article 42.01992.

TMCEC: Although felons are prohibited from owning body armor, until now there wasn't a law prohibiting its use during the commission of a crime. Criminals using body armor have a tactical advantage, according to the author of H.B. 108, making it more difficult for law enforcement to employ strategies to subdue and apprehend suspects.

This issue has surfaced in many high-profile fatal shootings, including in Boulder, Colorado in 2021 and in 2017 in Sutherland Springs, Texas.

H.B. 127

Subject: Measures to Protect Higher Education Institutions from Theft of Trade Secrets
Effective: September 1, 2025

H.B. 127 addresses concerns that Texas institutions of higher learning could be unduly influenced by foreign adversaries. The bill establishes new requirements and restrictions to protect institutions of higher education from foreign adversaries, including mandating reporting and approval of gifts, contracts, and cultural agreements with foreign entities; requiring screening of foreign researchers; implementing foreign travel monitoring; restricting certain student group affiliations; and mandating cybersecurity reviews.

The bill provides for the Higher Education Research Security Council and for certain civil and criminal penalties, including trade secret theft that benefits foreign agents.

TMCEC: H.B. 127 amends the Education Code and Penal Code to establish provisions relating to measures that protect public institutions of higher education from foreign adversaries. Most notably for criminal law, H.B. 127 amends Section 31.05 of the Penal Code, increasing the penalty for theft of trade secrets from a third-degree to a second-degree felony when committed to benefit a foreign agent, foreign government, or foreign instrumentality.

H.B. 166

Subject: Presumption of Placing a Child, Elderly Individual, or Disabled Individual in Imminent Danger by Exposing Them to Opiates
Effective: September 1, 2025

For Abandoning or Endangering a Child, Elderly Individual, or Disabled Individual under Section 22.041 of the Penal Code, two of the three current ways it is presumed that a person engaged in conduct that places a child, elderly individual, or disabled individual in imminent danger are if the person (1) manufactured, possessed, or in any way introduced into the body of any person methamphetamine in the presence of the child, elderly individual, or disabled individual or (2) the person's conduct related to the proximity or accessibility of methamphetamine to the child, elderly individual, or disabled individual and a chemical analysis shows methamphetamine in the body of the child or individual.

H.B. 166 adds controlled substances listed in Penalty Group 1-B, Section 481.1022 of the Health and Safety Code to both presumptions. Penalty Group 1-B consists of numerous opiates—most notably fentanyl.

H.B. 201

Subject: Expanding Purview of the Financial Crimes Information Center (FCIC)
Effective: September 1, 2025

The FCIC was launched in 2022 with a focus on combating credit card skimmers. H.B. 201 expands

the FCIC by adding motor fuel theft to its purview. Beginning September 1, 2025, the FCIC will be Texas's primary entity for combating motor fuel theft.

H.B. 201 adds Section 2312.001(4-a) to the Occupations Code to define "motor fuel manipulation device" as a mechanism manufactured, assembled, or adapted to manipulate or alter a motor fuel metering device or a motor fuel unattended payment terminal for an unlawful purpose. The FCIC will play a key role in detecting and preventing the use of such devices.

The definition of "skimmer" in Section 2312.001(5) is expanded to include a credit card shimmer. A shimmer is a type of skimmer that is inserted into a credit card reader slot and to capture data from the card's chip (as opposed to the magstripe).

H.B. 210

Subject: Prohibited Vendor Conflicts in School District and Charter School Contracts
Effective: September 1, 2025

H.B. 210 addresses potential conflicts of interest by creating criminal penalties for vendors who contract with a school district or open-enrollment charter school when a board member or their close relative has a prohibited financial or personal interest.

Under added Section 11.067 of the Education Code, a vendor commits an offense if a school board member (or their relative within the second degree) has a substantial interest in the vendor or a subcontractor hired by the vendor or has received or been promised gifts or in-kind services valued at more than $250.

"Substantial interest" is defined as owning more than 10% of the vendor's voting interest or sharing in more than 10% of the vendor's profits or capital gains.

A first offense is a Class C misdemeanor, escalating up to a state jail felony for repeated violations.

Additionally, any offense becomes a state jail felony if the vendor directly or indirectly compensates the board member in exchange for securing the contract.

TMCEC: Municipal courts should be prepared for the possible filing of this new Class C misdemeanor, and prosecutors should be aware of the enhancements that could take the offense out of municipal court jurisdiction.

Notably, while addressing potential conflicts of interest, the offense can only be committed by a vendor. Those school board members that may have a conflict of interest are spared from culpability under this new provision.

H.B. 272

Subject: Permitting Fraudulent Use or Possession of Credit Card or Debit Card Information to be Filed in Victim's County of Residence
Effective: September 1, 2025

H.B. 272 adds Article 13A.2551 to the Code of Criminal Procedure to provide that felony offenses under Section 32.315 of the Penal Code (Fraudulent Use or Possession of Credit Card or Debit Card Information) may be prosecuted in any county in which the offense was committed or in the county of residence of any person whose credit card or debit card information was unlawfully obtained, possessed, transferred, or used by the defendant. This change applies to criminal proceedings commencing on or after September 1, 2025. H.B. 272 also adds Fraudulent Use or Possession of Credit Card or Debit Card Information to the list of offenses in Article 38.19(a) of the Code of Criminal Procedure where the prosecutor is not required to prove that the defendant committed the act with intent to defraud any particular person—proving that the act was calculated to injure or defraud any person or entity is sufficient.

H.B. 285

Subject: Adding Criminal Negligence as a Culpable Mental State for Cruelty to Nonlivestock Animals; Creating a Defense to Prosecution
Effective: September 1, 2025

Cruelty to Nonlivestock Animals under Section 42.092 of the Penal Code, a Class A misdemeanor or higher, currently requires a culpable mental state of intentionally, knowingly, or recklessly. H.B. 285 amends Section 42.092(b) by adding criminal negligence to this list. The bill also adds a defense to prosecution if the actor was discharging their duties as a veterinarian or veterinarian's assistant.

H.B. 521

Subject: Prohibiting Electioneering and Loitering Within 20 Feet of Curbside Voting Parking Space; Creating New Class A Misdemeanor
Effective: September 1, 2025

Concerns have been raised about the consistency of accommodations related to curbside voting as well as the potential misuse. H.B. 521 seeks to strengthen curbside voting procedures in various ways.

Currently, under Section 61.003(a) of the Election Code, it is a Class C misdemeanor to electioneer or loiter within 100 feet of a polling place during a voting period. H.B. 521 amends Section 61.003(a) to include electioneering and loitering within 20 feet of a parking space designated for curbside voting under Section 64.009 of the Election Code.

Under Section 85.036(a) of the Election Code, it is a Class C misdemeanor to electioneer within 100 feet of an early voting polling place during the early voting period. H.B. 521 amends Section 85.036(a) to expand this prohibition to include electioneering within 20 feet of a parking space designated for curbside voting under Section 64.009 of the Election Code.

Under Section 64.009(f) of the Election Code, individuals that assist seven or more curbside voters by providing transportation to the polling place must complete and sign a form provided by an election officer. H.B. 521 creates a Class A misdemeanor in Section 64.009(i) for intentionally failing to complete this form.

H.B. 554

Subject: Allowing Fireworks Sales on and before Juneteenth
Effective: May 26, 2025

H.B. 554 amends Section 2154.202(g) of the Occupations Code to authorize a retail fireworks permit holder to sell fireworks beginning June 14 and ending at midnight on June 19 in counties in which the commissioners court has approved the sale of fireworks during this period.

H.B. 1422

Subject: Increasing Voyeurism from a Class C Misdemeanor to a Class A Misdemeanor; Creating Offense of Continuous Sexual Abuse; Increasing Sexual Assault Penalties
Effective: September 1, 2025

H.B. 1422 elevates the offense of Voyeurism under Section 21.17 of the Penal Code from a Class C misdemeanor to a Class A misdemeanor for offenses committed on or after September 1, 2025.

The bill also adds Section 21.03 to the Penal Code to create a new first-degree felony: Continuous Sexual Abuse. This offense occurs when a person aged 17 or older, during a period of at least 30 days, commits two or more acts of sexual abuse against two or more victims. An "act of sexual abuse" means aggravated kidnapping with the intent of sexual abuse, indecency with a child (other than by touching a child's breast), sexual assault, aggravated sexual assault, burglary under Section 30.02 of the Penal Code with intent to commit a sexual offense, sexual performance by a child, trafficking of persons, or compelling prostitution. If the victims were younger than 17, affirmative defenses are created if the actor (1) was not more than five years older than the youngest victim, (2) did not use duress, force, or threat, and (3) was not required to register for life as a sex offender or have a reportable past conviction under Section 21.03 or past conviction for an "act of sexual abuse." This new offense is integrated into numerous sections of the Code of Criminal Procedure, such as the list of offenses ineligible for community supervision or parole.

To encourage the reporting of sexual assaults and other sex offenses that would otherwise remain unreported, H.B. 1422 adds Section 420.0736 to the Government Code, which allows sexual assault survivors to choose to have the Department of Public Safety (DPS) test sexual assault examination kits for foreign DNA material without immediately filing a report with law enforcement. DPS is charged with creating a form that will enable survivors or other authorized persons to provide this limited consent. It must contain the following statement: "IT IS NOT NECESSARY TO REPORT AN OFFENSE TO A LAW ENFORCEMENT AGENCY IN ORDER TO OBTAIN FORENSIC DNA TESTING OR BIOLOGICAL EVIDENCE COLLECTED DURING YOUR FORENSIC MEDICAL EXAMINATION. HOWEVER, IF YOU AUTHORIZE FORENSIC DNA TESTING OF THE BIOLOGICAL EVIDENCE COLLECTED DURING YOUR EXAMINATION WITHOUT REPORTING THE OFFENSE TO LAW ENFORCEMENT, ANY RESULTS OF THE FORENSIC DNA TESTING WILL NOT BE COMPARED TO THE DNA PROFILES MAINTAINED IN DNA DATABASES AND WILL NOT BE SUBJECT TO USE IN A CRIMINAL INVESTIGATION OR TRIAL."

H.B. 1422 amends Section 22.021(f)(1) of the Penal Code (Aggravated Sexual Assault) to increase the maximum age of a victim that triggers the 25-year minimum term of incarceration from six to ten.

Finally, the bill amends Section 3.03(b) of the Penal Code to give judges discretion to stack Sexual Assault and Aggravated Sexual Assault charges for offenses with victims of all ages, not just those against minors.

H.B. 1443

Subject: Increasing Penalties for Possession of Child-like Sex Dolls
Effective: September 1, 2025

While child-like sex dolls can generally be considered obscene materials under Section 43.23 of the Penal Code, Section 43.23 only prohibits wholesale promotion or possession with intent to promote such materials. H.B. 1443 creates a new definition for "child-like sex doll" and creates a criminal offense for the mere possession (with no intent to distribute) of child-like sex dolls.

Under new Section 43.231 of the Penal Code, a

"child-like sex doll" means an obscene, anatomically correct doll, mannequin, or robot that has the features of a child and that is intended to be used for sexual stimulation or gratification. Promotion of such dolls is a second-degree felony, possession with intent to promote is a third-degree felony, and possession is a state jail felony. The bill creates an affirmative defense if the actor possesses or promotes a child-like sex doll for a bona fide law enforcement purpose.

H.B. 1465
Subject: Invasive Visual Recording
Effective: September 1, 2025

H.B. 1465 amends Section 21.15(a) of the Penal Code (Invasive Video Recording) expanding the location to a "place in which a person has a reasonable expectation of privacy." The term includes a bathroom, bedroom, and changing room. A conviction of this crime requires the convicted individual to register as a sex offender.

H.B. 1661
Subject: New Offenses and Enhanced Penalties for Failure to Provide Election Supplies
Effective: September 1, 2025

Existing law requires that each election precinct have at least the number of ballots equal to the percentage of voters who voted in the most recent election plus 25% of that number. H.B. 1661 creates two new offenses under the Election Code. Section 51.005 (Number of Ballots) establishes a Class A misdemeanor if the authority responsible for procuring election supplies intentionally fails to provide the required number of ballots. Section 51.008 (Supplementing Distributed Ballots) similarly establishes a Class A misdemeanor if the authority responsible for procuring election supplies intentionally fails to promptly supplement the distributed ballots upon request.

H.B. 1661 also increases the category of offense for three provisions in the Election Code. Section 51.010 (Failure to Distribute or Deliver Supplies) and Section 51.011 (Obstructing Distribution of Supplies) will be Class A misdemeanors (instead of Class C misdemeanors) and Section 61.007 (Unlawfully Revealing Information Before Polls Close) will be a state jail felony (instead of a Class A misdemeanor).

H.B. 1871
Subject: Increasing Punishment for Attempted Capital Murder of a Peace Officer
Effective: September 1, 2025

For attempted crimes under Section 15.01 of the Penal Code, the punishment is one category lower than the offense attempted. H.B. 1871 creates an exception by adding Section 15.01(e) to provide that attempted capital murder of a peace officer is a first-degree felony carrying a prison sentence of 25 years to life. This creates a unique first-degree felony punishment because the standard term of incarceration for a first-degree felony is 5-99 years. The bill amends Sections 508.145 and 508.149 of the Government Code making individuals convicted of attempted capital murder of a peace officer ineligible for release on parole or mandatory supervision.

H.B. 1902
Subject: Creates the Offense of Jugging
Effective: September 1, 2025

According to the Texas Department of Banking, jugging involves following someone who has just withdrawn cash from a bank or ATM and robbing them at another location. Some argue it should be criminalized specifically because it is distinct from other forms of theft that do not require planning, surveillance, or coordination. H.B. 1902 adds Section 29.04 to the Penal Code to establish the criminal offense of jugging. A person commits this offense if, with the intent of committing theft from another person, the person knowingly travels from a commercial business or financial institution on the same path or route as the other person without substantially deviating from that path or route and is in possession of two or more criminal instruments as defined by Section 16.01 of the Penal Code. The punishment for this offense ranges from a state jail felony to a first-degree felony.

H.B. 2001
Subject: Tiered Penalties for Misuse of Official Information
Effective: September 1, 2025

H.B. 2001 amends Section 39.06 of the Penal Code to implement a tiered punishment system based on the net pecuniary gain from a public servant's misuse of official information. The offense remains a third-degree felony if the net pecuniary gain is less than $150,000. If the gain is $150,000 or more but less than $300,000, it is a second-degree felony. If the gain is $300,000 or more, it is a first-degree felony.

H.B. 2510
Subject: Offense for Unlicensed Personal Assistance Services in Assisted Living Facilities
Effective: September 1, 2025

H.B. 2510 creates an offense for operating or providing personal assistance services in assisted living facilities without a license. The first conviction is a Class A misdemeanor. A subsequent conviction is a third-degree felony.

H.B. 2593
Subject: Increased Penalty for Indecent Assault of Elderly or Disabled Individual
Effective: September 1, 2025

H.B. 2593 amends Section 22.012(b) of the Penal Code to enhance the penalty for indecent assault against elderly or disabled individuals from a Class A misdemeanor to a second-degree felony.

H.B. 2733
Subject: Barratry via Electronic Messaging
Effective: September 1, 2025

H.B. 2733 expands the scope of barratry (Section 38.12 of the Penal Code) to include the solicitation of professional services by direct message on social media or other electronic communication. Previously, the law only covered solicitation in person and by telephone.

H.B. 3611
Subject: Bolstering Enforcement of "Bandit Signs"
Effective: September 1, 2025

Concerns have been raised that enforcement of illegal signs on public rights-of-way, a Class C misdemeanor under Section 393.005 of the Transportation Code, has not been effective enough. There is also a civil penalty provided in Section 393.007. As currently written, these laws allow offenders to claim that they did not personally place the sign or simply pay the fine as a cost of doing business. H.B. 3611 addresses each of these enforcement issues by expanding the definition of "person" under Chapter 393, providing enhanced notice requirements, and increasing the civil penalty.

H.B. 3611 adds Section 393.001(1) to provide that a "person," for the purposes of that chapter, includes a person's employee, agent, independent contractor, assignee, business alter ego, and successor in interest.

It also amends Section 393.007(a) to provide that a person can be liable for the civil penalty under Section 393.007 if their commercial advertisement is unlawfully placed on a sign regardless of whether they personally placed it there. A new notice requirement, however, is also implemented in Section 393.007(a). Before a civil penalty can be assessed for a first violation, the person must be provided written notice of the violation and a chance to remove the sign within a specified period. H.B. 3611 also repeals language that each day the illegal sign is present constitutes a separate civil violation. Currently, the civil penalty is $500-$1,000. For violations committed on or after September 1, 2025, the penalty will be up to $1,000 for a first violation, up to $2,500 for a second violation, and up to $5,000 for a third or subsequent violation.

H.B. 3463
Subject: Notice of Demand for Theft of Services
Effective: September 1, 2025

H.B. 3463 amends Section 31.04 of the Penal Code to allow notice demanding payment in a theft of services matter to be provided by email or text message, in addition to existing methods.

H.B. 3464
Subject: Enhanced Penalty for Prohibited Substances Provided by Correctional Facility Employees
Effective: September 1, 2025

H.B. 3463 enhances the penalty for the offense of providing or possessing with the intent to provide a prohibited substance or item in a correctional facility when the offense is committed by a facility employee. The offense is increased from a third-degree felony to a second-degree felony. If the prohibited item causes the death of someone in the custody of the correctional facility, the offense is enhanced to a first-degree felony.

H.B. 4454
Subject: Prohibited Patient Solicitation and Marketing Practices
Effective: September 1, 2025

Patient brokering is the illegal exchange of something of value for a patient referral. Those engaging in patient brokering may use deceptive practices to steer prospective patients to one service provider over another for compensation or benefits. This exploits, harms, and misleads individuals as they attempt to receive honest, quality care.

Following numerous investigations into patient brokering, the 73rd Legislature passed laws to curb unethical marketing practices and significantly reduced patient brokering. More than 30 years later, evolving healthcare and marketing methods necessitate statutory updates.

H.B. 4454 strengthens state laws against patient brokering and deceptive marketing within healthcare. The bill adds Chapter 110 to the Health and Safety Code, creating the Task Force on Patient Solicitation to study and recommend improvements to the enforcement of Chapter 164 of the Health and Safety Code and Chapter 102 of the Occupations Code—both of which regulate marketing and referral practices for treatment facilities and health care professionals. Both chapters are also amended by H.B. 4454.

The bill amends Chapter 164 of the Health and Safety Code to address digital marketing, online referral systems, and recovery housing. It increases civil

penalties for prohibited marketing practices to a minimum of $2,000 per violation (previously $1,000).

H.B. 4454 also updates key criminal provisions in Chapter 102 of the Occupations Code.

Sections 102.001 and 102.051 of the Occupations Code both prohibit offering or accepting remuneration for patient referrals, but they apply to different groups and carry different penalties. Section 102.001 governs licensed health professionals and remains a Class A misdemeanor. H.B. 4454 broadens the scope of prohibited conduct to include not just direct payments but also benefits and commissions. Similarly, Section 102.051, which applies to individuals "practicing the art of healing" without a license, is amended to include benefits and commissions alongside other forms of compensation. However, violations under this section remain classified as Class C misdemeanors. The parallel amendments in these two sections highlight the Legislature's intent to address deceptive patient solicitation broadly, while preserving a tiered penalty structure that distinguishes between regulated professionals and unlicensed individuals.

The bill also incorporates violations of Chapter 164 into the offense framework of Section 102.004, thereby expanding its applicability.

Section 102.006, a Class A misdemeanor, is revised to require disclosure of both affiliation and any remuneration, including a benefit or commission, at the initial contact and again at the time of referral.

H.B. 5115

Subject: Expanded Election Fraud Offenses and Penalties
Effective: September 1, 2025

H.B. 5115 amends Sections 276.013 of the Election Code to expand the list of offenses constituting election fraud. New offenses include knowingly counting invalid votes, failing to count valid votes, or altering reports to include invalid votes or exclude valid votes. The bill also enhances penalties. The offense is raised from a Class A misdemeanor to a second-degree felony. If committed in an elected official's official capacity, it is a first-degree felony. An attempted offense is a third-degree felony.

H.B. 5238

Subject: Disrupting a Meeting or Procession
Effective: September 1, 2025

H.B. 5238 amends Section 42.05(a) of the Penal Code to expand the offense of disrupting a meeting or procession to include virtual meetings and electronic disturbances, in addition to in-person meetings.

S.B. 20

Subject: Obscene Visual Material Depicting a Child
Effective: September 1, 2025

S.B. 20 reflects an effort to address the challenges posed by modern technology in the creation and distribution of harmful visual content, particularly concerning the protection of minors. S.B. 20 creates a new criminal offense for the possession or promotion of obscene visual material that appears to depict a child. This bill specifically targets visual depictions of minors in obscene activities, regardless of whether the depiction is of an actual child, a cartoon or animation, or an image created using artificial intelligence or other computer software.

S.B. 20 adds Section 43.235 to the Penal Code, which makes it an offense to knowingly possess, access with intent to view, or promote obscene visual material that appears to depict a child under 18 years of age engaging in certain activities. The offense is classified as a state jail felony. However, it can be enhanced to a third-degree felony if the person has a prior conviction under this section or related sections (43.23, 43.26, 43.261, or 43.262). It can further escalate to a second-degree felony if there are two or more prior convictions.

S.B. 261

Subject: Prohibiting the Sale of Cell-Cultured Protein for Human Consumption
Effective: September 1, 2025

Cell-cultured protein is made by harvesting animal cells and growing them in a bioreactor to produce tissue-based food products. The United States is one of only three countries that allow the sale of cell-cultured meat. However, multiple states have banned or considered banning its use. Supporters of such legislation cite concerns over food labeling transparency, the risk of contamination, potential long-term health impacts, and the economic disruption to traditional livestock markets.

TMCEC: S.B. 261 adds Sections 431.02105 and 433.057 to the Health and Safety Code, each prohibiting the sale or offering for sale of cell-cultured protein for human consumption.

Under Chapter 431, violations constitute a Class A misdemeanor. Under Chapter 433, violations are subject to criminal penalties of a fine not to exceed $1,000, up to one year of confinement, or both—consistent with offenses under the chapter. Notably, both sections are temporary provisions and are scheduled to expire on September 1, 2027. This expiration date was not included in the introduced version of the bill but was

added in committee substitutes—signaling legislative compromise or uncertainty. This temporary prohibition will allow Texas lawmakers to revisit the issue in a future session.

S.B. 456
Subject: Increased Penalty for the Purchase or Sale of Human Organs
Effective: September 1, 2025

It is estimated that trafficked organs account for up to 10% of organ transplants performed around the world. Profits are conservatively estimated to be between $840 million and $1.7 billion annually, creating dangerous incentives for traffickers. Reports from victims include being misled, coerced, or forced into selling their organs. Strengthening criminal penalties is one strategy to deter such exploitation.

S.B. 456 amends Section 48.02(d) of the Penal Code, increasing the penalty for the illegal purchase or sale of a human organ from a Class A misdemeanor to a state jail felony.

The bill also adds Section 164.0571 to the Occupations Code, requiring the mandatory revocation of a physician's license if the physician knowingly uses a human organ that has been trafficked or unlawfully harvested.

S.B. 482
Subject: Assault, Harassment, and Interference Offenses Against Utility Workers
Effective: September 1, 2025

In the wake of Hurricane Beryl, utility workers restoring power faced not only physical hazards but also alarming hostility from members of the public. These essential workers endured harassment, verbal threats, and even physical assaults—highlighting the need for stronger legal protections during emergencies.

S.B. 482 increases penalties and creates new offenses to deter threats and violence against utility workers performing job duties during declared disasters or in evacuated areas. The bill amends Section 22.01 of the Penal Code (Assault) to elevate the existing Class A misdemeanor offense of assault to a third-degree felony when committed against a utility worker known by the actor to be on duty. S.B. 482 amends Section 38.15 (Interference with Public Duties) to create a new Class B misdemeanor offense for criminally negligent interference with a utility worker performing official duties. It also amends Section 42.07 (Harassment) to enhance the penalty for harassment from a Class B to a Class A misdemeanor when the victim is a known utility worker acting within the scope of their employment. S.B. 482 defines "utility" broadly to include electric, gas, water, telecommunications, cable and video providers, pipelines, broadband, and sewer services.

S.B. 745
Subject: Enhancing Intoxication Manslaughter Penalties in Certain Circumstances
Effective: September 1, 2025

Currently, the criminal offense of intoxication manslaughter is classified as a felony of the second degree, punishable by a fine of up to $10,000 and two to 20 years in prison. In some cases, multiple individuals have been killed by a drunk driver who received a maximum sentence of one count of intoxication manslaughter. In these cases, victims' families have advocated for a change in the current sentencing structure for those charged with intoxication manslaughter involving multiple victims. S.B. 745 amends Section 49.09 of the Penal Code to enhance intoxication manslaughter to a first-degree felony if the offender caused the death of more than one person in the same criminal transaction.

S.B. 996
Subject: One-Day Fireworks Sales Window for July 5, 2026
Effective: September 1, 2025

On July 4, 2026, the United States will celebrate the semiquincentennial anniversary of American Independence Day. Current law only permits Texans to purchase fireworks from June 24 until 11:59 p.m. on July 4. Because July 4, 2026, falls on a Saturday, Texans would only be able to purchase fireworks for half of the weekend. S.B. 996 amends Section 2154.202 of the Occupations Code to allow retail fireworks permit holders to sell fireworks to the public on July 5, 2026. This new one-day sales window begins at 12:01 a.m. and ends at 11:59 p.m. on that date. The authorization is temporary and expires on September 1, 2026.

S.B. 1137
Subject: Creating a Group Home Referral Offense
Effective: September 1, 2025

Group home consultants receive referral fees for directing potential residents to group homes. Without verifying whether the facilities are properly licensed or permitted, this practice can lead to vulnerable individuals being placed in unregulated and potentially unsafe living conditions. A consultant may direct a resident to an unlicensed group home that lacks oversight, proper staffing, or adequate living conditions, putting the resident at risk of neglect or abuse, even when they know of reports of inadequate living conditions.

S.B. 1137 creates a new criminal offense by adding Section 767.004 to the Health and Safety Code prohibiting group home consultants from referring residents to unlicensed or unpermitted group homes, except when no licensed options exist in a given region or when the person cannot afford the cost of a licensed or permitted group home. S.B. 1137 also mandates disclosure of known complaints against unlicensed or unpermitted homes if a referral is made. A violation will be classified as a Class B misdemeanor.

S.B. 1197

Subject: Operating an Unmanned Aircraft Over a Spaceport
Effective: September 1, 2025

Current law prohibits the operation of unmanned aircraft over military installations and airports, but that prohibition does not apply to the air space above spaceports, defined as a property or facility used for the launch, landing, recovery, or testing of spacecraft. S.B. 1197 amends Section 42.15 of the Penal Code to expand the offense of operating an unmanned aircraft over certain facilities to include spaceports, creating a new Class B misdemeanor offense for such conduct.

TMCEC: Texas is home to two FAA-licensed spaceports in Houston and Midland. Additionally, there are two private spaceports in Texas. Blue Origin's Launch Site One is in Van Horn, and SpaceX's Starbase is in Boca Chica. These facilities may draw increased public attention and curiosity, potentially resulting in more unmanned aircraft activity.

S.B. 1198

Subject: Spaceports as Critical Infrastructure Facility
Effective: September 1, 2025

Spaceports are a vital part of the Texas economy, with the commercial space industry employing thousands of Texans and generating an economic impact worth tens of billions of dollars. Spaceports also play a pivotal role when it comes to national security, as they serve as the location for the development, manufacturing, and testing of certain technologies prioritized by the U.S. Department of Defense. In 2019, to protect certain vital state assets from potential attack, the legislature created criminal offenses for damaging critical infrastructure facilities such as oil and gas pipelines, airports, and military installations.

S.B. 1198 expands the definition of "critical infrastructure facility" under Section 424.001 of the Government Code (Offense: Operation of Unmanned Aircraft over Critical Infrastructure Facility) to include spaceports—properties or facilities used for the launch, landing, recovery, or testing of spacecraft, as defined by Section 507.001 of the Local Government Code.

TMCEC: Along with S.B. 1197, this bill reflects a growing focus on the space industry. While S.B. 1198 does not create a new offense, it expands the scope of existing criminal penalties to cover spaceports.

S.B. 1267

Subject: Hull Damaged Vessel Title Brand Offense
Effective: January 1, 2028

As part of an overhaul of the regulations governing boat titling and numbering in Texas, S.B. 1267 adds Section 31.0505 (Hull Damaged Title Brand) to the Parks and Wildlife Code, requiring disclosure of hull damage when transferring ownership of a vessel covered by a certificate of title issued by the Texas Parks and Wildlife Department (TPWD).

If the damage occurred while the seller owned the vessel and the seller has notice of the damage at the time of transfer, the owner must either apply for a new certificate of title branded "Hull Damaged" or mark the existing title accordingly before delivering it to the buyer. Insurers transferring a hull-damaged vessel must apply for a new "Hull Damaged" title before transfer. TPWD must issue the branded title within 20 days of receiving the application or certificate.

Intentionally or knowingly failing to comply with Section 31.0505(a) or (b) or for soliciting or colluding in such failure is a Class B Parks and Wildlife Code misdemeanor. Negligently failing to comply is a Class C Parks and Wildlife Code misdemeanor.

S.B. 1281

Subject: Criminal Offenses Involving Mail or a Mail Receptacle
Effective: September 1, 2025

Mail theft has become a pervasive and costly crime in Texas. While current state law criminalizes the theft of mail, it does not adequately address the growing problem of stolen negotiable instruments, such as checks, money orders, and bearer bonds, which are frequently altered, counterfeited, and fraudulently cashed. Additionally, organized mail theft rings increasingly target mail receptacle keys and locks to facilitate large-scale theft operations. Stolen postal keys grant criminals unrestricted access to cluster mailboxes and multi-unit residences, allowing them to intercept sensitive personal and financial information. Despite the severity of these offenses, Texas law lacks a specific statute to criminalize the theft of mail receptacle keys or locks, making prosecution and deterrence more difficult.

S.B. 1281 amends Section 31.20 of the Penal Code (Mail Theft) to include negotiable instruments and mail in transit. Penalties range from a state jail felony to a first-degree felony, depending on the number of victims and the defendant's intent, and may be enhanced when the victim is disabled or elderly. The bill also adds Section 32.56 creating a specific offense for stealing mail receptacle keys or locks. Theft of such keys or locks is now a third-degree felony and may be enhanced to a second-degree felony with prior convictions.

S.B. 1300

Subject: Organized Retail Theft
Effective: September 1, 2025

Organized retail crimes cost Texas millions of dollars in losses every year. To protect Texans from these losses, S.B. 1300 addresses the prosecution and punishment of organized retail theft. S.B. 1300 redefines and enhances penalties for organized retail theft under Section 31.16 of the Penal Code. A person commits the offense by acting in concert with others to steal from a merchant, committing multiple thefts within a 180-day period, knowingly benefiting from such thefts committed by others, or coordinating with others to overwhelm store or law enforcement response during a theft. The bill significantly increases penalties across all value thresholds, raising the lowest offense level from a Class C to a Class B misdemeanor and elevating each subsequent category. The highest penalty now applies when the stolen property is valued at $150,000 or more, consolidating the previous top two tiers into a single first-degree felony. Additionally, S.B. 1300 streamlines evidentiary and charging procedures to aid prosecution.

S.B. 1313

Subject: Prohibited Cigarette, E-cigarette, and Other Tobacco Advertising
Effective: September 1, 2025

E-cigarette and tobacco retailers employ predatory advertisement tactics to entice minors to enter their stores and purchase cigarettes, e-cigarettes, and other harmful tobacco products. These tactics include employing retailer logos, outdoor signage with dynamic lighting, and cartoon-like images that appeal to minors.

S.B. 1313 adds Section 161.124 to the Health and Safety Code creating a new Class B misdemeanor for tobacco and e-cigarette retailers who use certain types of imagery in advertising or marketing. It prohibits the use of signs, logos, or design marks that depict cartoon-like fictional characters aimed at entertaining minors, imitate the trademarks or appearance of products primarily marketed to minors, include symbols commonly used to market products to minors, display images of celebrities, or feature imagery resembling food products such as candy or juice.

S.B. 1330

Subject: Billing and Reimbursement for Medicare-covered Medical Equipment; Creating an Offense
Effective: September 1, 2025

Because there is currently no limit, some durable medical equipment (DME) suppliers charge up to 800% above Medicare-approved prices for equipment like wheelchairs and scooters, then balance bill Medicare enrollees for the amount Medicare will not cover. When Medigap insurers cover these charges, premiums rise for all seniors. S.B. 1330 caps DME overcharges, preventing balance billing for covered items, and allowing suppliers and Medigap insurers to negotiate reimbursement rates—reducing artificial premium inflation.

S.B. 1330 adds Chapter 566 to the Insurance Code (Billing for Certain Medical Equipment, Devices, and Supplies). Section 566.001 defines durable medical equipment and other terms related to the chapter. Section 566.051 limits nonparticipating suppliers to charging no more than 115% of the Medicare-approved amount for covered DME, orthotics, or prosthetics—unless the enrollee agrees in writing to the higher charge and either pays in full or sets up a rental plan before receiving the item. The written agreement must state that Medicare covers 80% of the approved amount and that Medigap plans are not required to reimburse the nonparticipating supplier or enrollee for the amount in excess of 115% of the Medicare-approved amount.

Section 566.102 creates a misdemeanor for a nonparticipating supplier who intentionally violates Chapter 566, punishable by a fine ($500-$1,000). This new offense may be prosecuted in Travis County or a county in which prosecution is authorized under the Code of Criminal Procedure.

TMCEC: Not only does this bill create a new Class C misdemeanor, but unlike most municipal court offenses, it involves Medicare billing practices. Judges and prosecutors may need to become familiar with Medicare-related definitions, pricing rules, and the 115% cap on charges.

S.B. 1349

Subject: Creating the Offense of Transnational Repression
Effective: September 1, 2025

Transnational repression refers to the actions of foreign governments attempting to suppress or

politically persecute their citizens or dissidents living abroad, including in the United States, through the use of covert tactics such as surveillance, intimidation, harassment, and threats of violence to control individuals who speak out against them. Countries like China, Russia, and Iran have been linked to such practices, targeting activists, journalists, and political dissidents in the United States to stifle freedom of expression and prevent criticism of their governments.

S.B. 1349 creates two new offenses under Sections 76.045 and 76.046 the Penal Code related to transnational repression. A person commits transnational repression under Section 76.045 if, acting as an agent of a foreign government or foreign terrorist organization, they commit or conspire to commit certain underlying crimes (e.g., assault, harassment, trafficking) with the intent to suppress or retaliate against protected speech or coerce conduct in support of a foreign regime. The offense is punished one category higher than the most serious underlying offense, with a minimum sentence of 15 years if the base offense is a first-degree felony. Unauthorized enforcement of foreign law, a second-degree felony under the new Section 76.046, applies when someone acting on behalf of a foreign government attempts to enforce that foreign law on U.S. soil without authorization.

The bill adds Section 411.02098 of the Government Code, requiring the Department of Public Safety to develop a transnational repression training to prepare peace officers to identify, prevent, report, and respond to transnational repression.

S.B. 1379

Subject: Increasing the Criminal Penalties for Forgery
Effective: September 1, 2025

International criminal organizations have caused a significant rise in financial organized crime, operating in increasingly sophisticated fraud schemes. The U.S. Department of the Treasury reports that check fraud has increased 385% since the COVID-19 pandemic.

S.B. 1379 increases criminal penalties for forgery under Section 32.21 of the Penal Code. The offense is elevated from a Class A misdemeanor to a state jail felony. More serious penalties apply when the forged writing is a will, deed, credit card, check, or other commercial instrument, or when the forgery involves government records, securities, or instruments representing financial interests (third- or second-degree felonies). The punishment tiers are further adjusted based on the value of property or services the actor intended to obtain, with amounts of $150,000 or more subject to first-degree felony penalties.

S.B. 1451

Subject: Increasing Penalty for Stealing or Receiving a Stolen Check or Similar Sight Order
Effective: September 1, 2025

S.B. 1451 increases the penalty for Stealing or Receiving a Stolen Check or Similar Sight Order under Section 32.24 of the Penal Code from a Class A misdemeanor to a state jail felony. This change applies to offenses committed on or after September 1, 2025.

S.B. 1621

Subject: Expanding the Scope of Child Pornography to Include Computer-Generated Content
Effective: September 1, 2025

S.B. 1621 bolsters Section 43.26 of the Penal Code (Possession or Promotion of Child Pornography). It provides two new defined terms. First, "depiction of a child" includes not only real images of a child under age 18 but also computer-generated images that appear to be a child under age 18. Second, "visual material" encompasses any medium that depictions may be stored on or displayed from. The bill also creates a new felony in Section 43.26 for accessing visual depictions of a computer-generated child engaging in sexual conduct. S.B. 1621 also increases the enhancements in Section 43.26. Finally, a new affirmative defense to prosecution under Section 43.26 is created: if the actor is a judicial or law enforcement officer discharging the officer's official duties.

S.B. 1646

Subject: Bolstering Penalties for Copper and Brass Theft and Creating New Regulatory Framework for Copper and Brass Transactions
Effective: May 30, 2025

Copper and brass theft and vandalism are on the rise, particularly in relation to telecommunications infrastructure. These crimes have the potential to disrupt the flow of communications and connections to emergency services. S.B. 1646 seeks to prevent this by increasing criminal punishments related to copper and brass theft. Section 31.03(f-2) is added to the Penal Code, which provides an enhancement to the next higher category of offense if certain theft currently punishable as a state jail felony or higher occurs at a "critical infrastructure facility." S.B. 1646 also creates Subchapter C-2 of the Occupations Code to create a regulatory framework for copper and brass material transactions. Within Subchapter C-2, Section 1956.136 limits municipalities' ability to regulate purchasing and recordkeeping requirements related to brass and copper.

S.B. 1809

Subject: Creating the Offense of Fraudulent Use, Possession, or Tampering with a Gift Card
Effective: September 1, 2025

Gift card fraud has been on the rise, with criminals exploiting various methods to illegally obtain or use gift cards. This includes stealing gift card numbers, tampering with physical cards, and using stolen credit card information to purchase gift cards. S.B. 1809 addresses these issues by creating specific offenses and penalties, thereby providing law enforcement with the tools needed to prosecute offenders effectively. Gift cards are often targeted by fraudsters due to their monetary value and the ease with which they can be transferred and used.

S.B. 1809 adds Section 32.56 to the Penal Code, creating an offense for a person, with intent to harm or defraud another, to engage in certain conduct involving gift cards or related digital data. This includes: (1) acquiring or retaining a gift card, digital imprint, or redemption information without consent; (2) altering or tampering with a gift card or its packaging; (3) using, attempting to use, possessing, or transporting a counterfeit or unlawfully obtained card to obtain something of value; or (4) deceptively placing an unactivated gift card for sale in a retail display. The offense is punishable as a state jail felony if fewer than five items are involved, a third-degree felony for five to nine, a second-degree felony for 10 to 49, and a first-degree felony for 50 or more.

S.B. 1833

Subject: Increased Penalties for Using a Social Media Platform to Deliver Controlled Substances
Effective: September 1, 2025

S.B. 1833 adds Section 481.142 to the Health and Safety Code to increase the penalty for certain controlled substance delivery offenses in Chapter 481 to the next higher class of offense if a social media platform was used in furtherance of the offense. For first degree felonies, the maximum incarceration is increased by five years and the maximum fine is doubled.

S.B. 2024

Subject: Broadening Definition of E-Cigarette; Prohibiting the Sale of Certain E-Cigarette Products
Effective: September 1, 2025

S.B. 2024 amends the definition of "e-cigarette" under Section 161.081(1-a)(A)(ii) of the Health and Safety Code to provide that there is no requirement that a consumable liquid solution or material contain nicotine to be considered an "e-cigarette." It also specifies that prescribed medications or substances unrelated to the cessation of smoking are not e-cigarettes.

The bill also seeks to curb marketing that targets minors by amending Section 161.0876 of the Health and Safety Code (Prohibited E-Cigarette Products). As amended, it is an offense under this section to market, advertise, sell, offer for sale, or cause to be sold an e-cigarette product with certain images primarily marketed to minors, celebrity images, or images resembling food, candy, or juice. The bill increases the level of this offense from a Class B misdemeanor to a Class A misdemeanor. It also adds additional e-cigarette products to the prohibited list, including products shaped or designed to appear as an alternative product (such as a toy, headphones, smart phone, clothing, backpack, or lipstick), products that are wholly or partially manufactured in China or a country designated as a foreign adversary of the United States, and products that contain, are mixed with, or are marketed as containing or being mixed with cannabinoids, alcohol, kratom, kava, mushrooms, tianeptine, or any derivatives of those substances.

S.B. 2112

Subject: Punishment for Cultivated Oyster Mariculture Offenses
Effective: September 1, 2025

Oyster mariculture is an important industry in Texas, but violations of regulations concerning oyster cultivation have undermined efforts to protect and sustain the resource. Current penalties for offenses related to oyster mariculture may not be strong enough to deter repeat violators, impacting the sustainability of the industry. S.B. 2112 increases penalties for individuals or businesses that violate the Parks and Wildlife Code related to oyster mariculture. By enhancing penalties for repeat offenses, the bill strengthens deterrents against illegal activities and ensures the long-term sustainability of oyster cultivation in Texas.

S.B. 2112 amends Section 75.0107 of the Parks and Wildlife Code to enhance penalties for violations related to cultivated oyster mariculture. A first-time offense for violating Section 75.0104 (requiring a permit to engage in cultivated oyster mariculture) or Section 75.0106 (prohibiting unauthorized sale or barter of cultivated oysters) remains a Class B Parks and Wildlife Code misdemeanor, but as amended, the offense is elevated to a Class A misdemeanor if the defendant has a prior conviction within five years. S.B. 2112 reclassifies violations of Parks and Wildlife Commission rules under Chapter 75 from Class B to Class C misdemeanors, with enhancement to Class B for two or more prior convictions within five years.

TMCEC: Municipal courts already have jurisdiction over offenses in Chapter 76 of the Parks and Wildlife Code (Oysters), which covers general regulations concerning oysters, including both public and private oyster beds. S.B. 2112 creates new Class C misdemeanors (reclassified from Class B misdemeanors) for violations of rules adopted under Chapter 75, which primarily focuses on cultivated oyster mariculture. Rules adopted under Chapter 75 generally may address the location and size of operations; handling and sale of cultivated and broodstock oysters; marking of cultivation structures; fees and use of public resources; and other matters needed to implement Chapter 75. While initial violations fall within the jurisdiction of municipal courts, repeat violations may be reclassified and handled at the county level. Courts in coastal regions should be aware of the new offenses and enhanced penalty structure when addressing these cases.

S.B. 2371

Subject: Skimmers on Electronic Terminals
Effective: May 27, 2025

In 2021, the 87th Legislature passed H.B. 2106, creating the Financial Crimes Intelligence Center (FCIC) to enhance coordination of law enforcement strategies for combatting organized financial crimes resulting from the proliferation of card skimmers at gas pumps. S.B. 2371 builds on existing strategies by targeting crimes occurring through a broader range of devices, providing for civil and criminal penalties to give law enforcement more tools to fight these crimes, and expanding the scope of the FCIC's authority to include oversight of certain electronic terminals, such as ATMs, point-of-sale terminals, and virtual currency kiosks.

S.B. 2371 creates three new offenses in new Section 607A.102 of the Business & Commerce Code. A person commits a Class C misdemeanor by refusing to allow an inspection of an electronic terminal at the merchant's place of business in violation of Section 607A.053, which requires a merchant to cooperate with the FCIC or law enforcement during an investigation of a discovered or reported skimmer. It is a Class B misdemeanor offense to negligently or recklessly dispose of a skimmer that was installed on an electronic terminal by another person. Finally, it is a third-degree felony offense for a person who, knowing that an investigation is ongoing or that a criminal proceeding has commenced and is pending, disposes of a skimmer installed on an electronic terminal by another person.

S.B. 2373

Subject: Financial Exploitation or Financial Abuse Using Artificially Generated Media
Effective: September 1, 2025

Artificial intelligence (AI) is increasingly being exploited for financial scams, particularly targeting vulnerable populations such as seniors and individuals with disabilities. Fraudsters use AI-generated media, including deepfake videos, voice cloning, and phishing communications, to deceive vulnerable victims into transferring money or providing sensitive personal information to their detriment.

Current Texas law criminalizes financial exploitation and fraud through the Penal Code in Section 32.51 (Fraudulent Use or Possession of Identifying Information) and Section 33.07 (Online Impersonation). However, these laws do not explicitly cover AI-generated scams. This legal gap hinders prosecution to protect the most vulnerable Texans, lacks recovery provisions for victims, and enables the proliferation of AI-driven fraud. S.B. 2373 responds to the growing threat of financial scams using AI-generated content, such as deepfake videos, voice cloning, and phishing emails.

S.B. 2373 adds Chapter 100B to Title 4 of the Civil Practice & Remedies Code, which defines artificial intelligence and artificially generated media, establishes a civil cause of action for financial exploitation through AI-generated scams, and allows victims to further recover lost damages and attorney's fees. The bill also introduces civil penalties for offenders, provides confidential identity protection for victims of AI scams, and creates a tiered criminal offense, ranging from a Class B misdemeanor to a first-degree felony based on the amount exploited.

The bill adds Section 32.56 to the Penal Code, making it an offense to knowingly engage in financial abuse using artificially generated media or phishing communication. The new offense carries penalties ranging from a Class B misdemeanor (if less than $100 is involved) to a first-degree felony (if $150,000 or more is involved). These penalties are more severe than the standard theft value ladder.

Section 32.56 incorporates definitions for two terms related to the offense. "Artificially generated media" is defined as an image, an audio file, a video file, a radio broadcast, written text, or other media created or modified using artificial intelligence or other computer software with the intent to deceive. "Financial abuse" is defined as the wrongful taking, appropriation, obtaining, retention, or use of, money or other property of another person by any means, including financial

exploitation or exerting undue influence. Exceptions apply to internet service providers, telecom companies, and FCC-licensed broadcasters who transmit—but do not create—this content.

Traffic Safety and Transportation

H.B. 647

Subject: Establishing a Process to Remove Corrective Lense Restriction from Driver's License (DL) Following Surgery
Effective: September 1, 2025

Certain individuals have a restriction on their DL that requires them to wear corrective lenses while driving. H.B. 647 requires that the Department of Public Safety (DPS) create a process for removal of the restriction and mailing the person a new DL if the person submits to DPS a statement from a physician verifying that the person's vision has been surgically corrected and he or she no longer needs corrective lenses for vision.

H.B. 2029

Subject: Repealing Outdated Statutory Language Related to Travel Trailer Safety Inspections
Effective: May 29, 2025

H.B. 2029 is a cleanup bill. It repeals Section 548.054 of the Transportation Code, which allowed certain travel trailer owners to self-inspect their trailers in lieu of a formal safety inspection. This section is repealed because travel trailers weighing 4,500 pounds or less are no longer subject to safety inspections.

H.B. 2029 also reenacts Section 548.510(a), related to the $7.50 vehicle registration fee, which had two versions following the 88th Legislature in 2023. One of the versions was specific to travel trailers. Now, there is only one version that encompasses all vehicles subject to the fee (including travel trailers).

TMCEC: H.B. 2029 should be read in conjunction with S.B. 1729 (2025), which provides additional cleanup for Chapter 548 of the Transportation Code.

H.B. 3012

Subject: Removing Driving Safety Course (DSC) Course Materials/Administrative Fee
Effective: September 1, 2025

H.B. 3012 amends Section 1001.352 of the Education Code to remove the $3 minimum fee that DSC providers must charge each student for course materials and for supervising and administering the course. Beginning September 1, 2025, DSC providers will only be statutorily authorized to charge students a single fee of at least $25 for the course.

H.B. 3928

Subject: Online Posting of Towed Vehicle Notices
Effective: September 1, 2025

Currently, when a vehicle registered in Texas is towed, the vehicle storage facility is required to send written notice to the vehicle's registered owner or primary lienholder. If the vehicle is registered in another state or the owner's identity or address cannot be determined, the vehicle storage facility may provide notice in a newspaper of general circulation. H.B. 3928 amends Chapter 2303 of the Occupations Code to provide that, as an alternative to providing notice in a newspaper, vehicle storage facilities may provide notice on a publicly available internet website maintained by a third party approved by the Texas Department of Licensing and Regulation. The department must post a link on its website to any approved third-party site where notice can be given.

H.B. 4804

Subject: Elimination of Hearing prior to Commercial Driver's License (CDL) Disqualification; Elimination of Delay Prior to CDL Disqualification
Effective: September 1, 2025

To avoid the potential loss of federal highway funds and decertification of the Texas CDL program, certain Texas laws must be repealed.

Accordingly, H.B. 4804 repeals Sections 522.087(b) and 521.297(b) from the Transportation Code. Section 522.087(b) provides that certain CDL disqualifications are subject to general notice and hearing procedures which should not, under federal law, be afforded to CDL holders. Section 521.297(b) provides for a 40-day delay for certain CDL disqualifications to take effect, which is also not consistent with federal law. Beginning September 1, 2025, such disqualifications will be immediate.

H.B. 4804 also makes automatic revocation of a personal identification certificate under Section 521.101(h) and a driver's license under Section 521.348(a) applicable to license holders who are subject to the Chapter 65 Terrorist Offender Program of the Code of Criminal Procedure and fail to apply for renewal under Article 65.058.

H.B. 5033

Subject: Eliminating Vehicle Emissions Inspections if Federal Law Is Amended
Effective: September 1, 2025

Despite the recent elimination of non-commercial vehicle safety inspections in Texas, vehicle owners in 17 counties are still required to undergo annual emissions inspections under the federal Clean Air Act. H.B. 5033 creates a trigger mechanism that would eliminate these emissions inspections in Texas if federal law is amended or repealed.

H.B. 5033 adds Section 382.2025 to the Health and Safety Code to eliminate vehicle emissions inspections on the 30th day after Congress repeals the federal Clean Air Act, amends the Clean Air Act in a way that vehicle emissions inspections are no longer required, or the U.S. Constitution is amended giving states the ability to prohibit or solely regulate vehicle emissions inspections. If none of these occur, H.B. 5033 has no effect.

S.B. 296

Subject: Creating Entitlement to Take One Driving Safety/Motorcycle Operator Course (DSC/MOC) to Dismiss Multiple Charges Stemming from a Single Criminal Transaction
Effective: September 1, 2025

Subchapter H of Chapter 45A of the Code of Criminal Procedure gives Texas driver's license holders an option to have certain fine-only traffic charges dismissed by completing DSC/MOC. Currently, under Articles 45A.352(a) and 45A.352(b), eligible defendants are *entitled* to use this option to dismiss one eligible charge per year. Judges have discretion to dismiss additional charges within the same year under Article 45A.352(c). Courts are authorized to require defendants that request DSC/MOC under Article 45A.352(a) to pay a $10 reimbursement fee. If requested under Article 45A.352(c), courts may require defendants to pay a fine not to exceed the amount of the fine for the offense committed by the defendant.

S.B. 296 amends Article 45A.352(b) to provide that if a defendant is charged with more than one eligible offense arising out of the same criminal transaction, the defendant is entitled to have each offense dismissed following completion of a *single* DSC/MOC. It further provides that courts are authorized to collect a separate $10 reimbursement fee for each charge dismissed. The bill also gives courts the ability to make requesting DSC/MOC under Article 45A.352(a) less onerous. Currently, defendants must present their written request in person or via certified mail. S.B. 296 amends Article 45A.352(a)(4)(B) to provide that defendants may, if authorized by the court, send their written request through a court-designated e-mail address or internet portal. S.B. 296's amendments apply to requests to take DSC/MOC made on or after September 1, 2025, regardless of when the offense(s) occurred.

TMCEC: Notably absent from S.B 296 is a definition for "criminal transaction." As a result, there may be uncertainty in Texas municipal courts regarding when a defendant is entitled to have multiple charges dismissed through a single DSC/MOC. There is no definition for "criminal transaction" elsewhere in Texas law either. Perhaps the closest is in Section 3.01 of the Penal Code where "criminal episode" is defined as "the commission of two or more offenses… under the following circumstances: (1) the offenses are committed pursuant to the same transaction or pursuant to two or more transactions that are connected or constitute a common scheme or plan; or (2) the offenses are the repeated commission of the same or similar offenses."

It is, however, possible that the Legislature intended "criminal transaction" to mean multiple offenses cited during a single traffic stop. The S.B. 296 Bill Analysis provides that "[u]nder this legislation, if a driver is cited with more than one traffic violation, *that all arise out of the same traffic stop*, each citation would be dismissed [through a single DSC/MOC] [emphasis added]." This could be workable with the generally accepted definition of a criminal episode or transaction if, for example, a person is cited for speeding and failure to maintain a single lane after an officer observed both acts happening at the same time. But what if a person, during a single traffic stop, is cited for speeding and having a rear lighting device that is not red? These offenses arguably are not part of the same criminal transaction under the generally accepted meaning of this phrase. What about if a person is cited for having the same non-red rear lighting device on two separate citations received on two different days?

Now that DSC/MOC requests may become even more frequent with S.B. 296's implementation of online requests, municipal judges need to be prepared to make determinations whether two offenses constitute the same criminal transaction or not. Should the judge make these determinations case-by-case following a hearing? Could this be done without engaging in ex parte communication? Can judges devise their own objective test whether two traffic offenses are part of the same criminal transaction? Will the Legislature provide clarity in the future?

S.B. 305

Subject: Adding Vehicles that Trigger Move Over or Slow Down Law
Effective: September 1, 2025

Section 545.157 of the Transportation Code currently requires motorists to either move over a lane or slow down when passing six types of vehicles parked on the side of a roadway. S.B. 305 amends Section 545.157 to add two types of vehicles to the list: (1) vehicles operated by animal control officers or the Texas Department of Transportation for the purpose of removing or disposing of an animal or animal carcass from a roadway and (2) vehicles operated by an employee of a local authority for the purpose of issuing a parking citation. For both types of vehicles, visual signals adopted under Section 547.105 of the Transportation Code must be used to trigger the move over or slow down law.

S.B. 826

Subject: Increased Penalty for Driving While Intoxicated (DWI) in a School Crossing Zone
Effective: September 1, 2025

S.B. 826 creates a new enhancement for DWI by adding Section 49.04(e) to the Penal Code. If it is shown at trial that the DWI occurred in a school crossing zone during the time the reduced speed limit applied to the zone, the offense is enhanced from a Class B misdemeanor to a state jail felony.

S.B. 857

Subject: Authorizing Towing When Operator Violates Certain Transportation Code Laws
Effective: September 1, 2025

Section 545.305 of the Transportation Code lists situations when a peace officer or license and weight inspector may remove (i.e., tow) or require the vehicle operator/owner to remove a vehicle from a highway. S.B. 857 adds to this list permitting removal when the operator is in violation of certain provisions of the Transportation Code. Specifically, if the operator is in violation of Section 521.021 (no driver's license), Section 521.457 (driving while license invalid), Section 601.191 (fail to maintain financial responsibility), or Section 729.002 (minor driving without a license), towing will be authorized beginning September 1, 2025.

S.B. 1018

Subject: Increasing Portion of the State Traffic Fine that Funds the Trauma Facility and Emergency Medical Services Account
Effective: September 1, 2025

Upon conviction of many traffic offenses, municipal courts collect a $50 State Traffic Fine under Section 542.4031 of the Transportation Code. Once the state gets their portion, 70% goes into a general revenue fund and 30% goes into the designated trauma facility and emergency medical services account. For amounts received by the state on or after September 1, 2025, this 70/30 split will change to a 50/50 split.

S.B. 1366

Subject: Requiring Inclusion of Information Related to Operating a Vehicle in Construction or Maintenance Work Zones in Driver's Education and Driving Safety Course Curricula
Effective: September 1, 2025

S.B. 1366 adds Section 1001.1102 to the Education Code requiring information relating to construction or maintenance work zones be included in the curriculum of driver education courses and driving safety courses. The information must include content about the dangers associated with violating traffic laws in construction or maintenance work zones and the penalties under Section 542.404 of the Transportation Code.

S.B. 1493

Subject: Legalizing Flashing Stoplamps on Vehicles
Effective: September 1, 2025

Under Section 547.323 of the Transportation Code, motor vehicles and trailers must be equipped with stoplamps (i.e., "brake lights"). Automobile manufacturers, in the interest of safety, have begun manufacturing vehicles with flashing stoplamps, which are designed to be even more attention-grabbing than traditional stoplamps. At the request of the Texas Department of Safety, S.B. 1493 adds Section 547.323(g) to make it clear that stoplamps that vary in intensity four or fewer times but never deactivate when the vehicle brakes for not more than two seconds are legal and comply with current federal standards.

S.B. 1555

Subject: Creating Grants for Railroad Grade Separation Projects
Effective: May 24, 2025

S.B. 1555 adds Section 471.010 to the Transportation Code creating a grant program administered by TxDOT for railroad grade separation projects. Such projects eliminate direct intersections between roads/pedestrian crossings and railroad tracks, often by using bridges, underpasses, or underground tunnels. For separation projects covering the intersection of roads and tracks, grants will only be available for intersections of railroads and roads that are not part of the state highway system. There is no such restriction for projects covering the intersection of pedestrian crossings and railroad tracks. Grantees will be required to support the award with at least 10% in matching funds provided by a source other than the state.

S.B. 1598

Subject: Expanding Law Enforcement Access to Vehicle Collision Reports and Vehicle Identification Numbers (VIN)
Effective: September 1, 2025

Under Section 550.065 of the Transportation Code, vehicle collision reports are generally confidential. S.B. 1598 clarifies that such reports are accessible by a law enforcement agency for the purposes of collision prevention or a criminal investigation. Furthermore, the bill repeals confusing language that grants access to contractually authorized "agents" of a law enforcement agency. It replaces it with language granting access to a contractually authorized person that is "acting on behalf" of the law enforcement agency. Finally, S.B. 1598 clarifies that VINs and specific collision information relating to the vehicles may be released to the law enforcement agency, including a person acting on behalf of the agency who is authorized by contract to obtain the information.

S.B. 1729

Subject: Repealing Outdated Statutory Language Related to Vehicle Safety Inspections
Effective: September 1, 2025

S.B. 1729 is a cleanup bill that permanently removes outdated statutory language related to vehicle safety inspections on non-commercial vehicles, which were eliminated by the 88th Legislature. It repeals the following sections of the Transportation Code: 548.051(a) and (c) (vehicles and equipment subject to safety inspections), 548.052 (vehicles not subject to inspection), 548.054 (allowing travel trailer owners to self-inspect their travel trailers), 548.1025 (inspection of rental vehicles), 548.104(d) (inspection reports), 548.501(a) (inspection fees), and 548.5035 (rental vehicle inspection fees).

TMCEC: H.B. 2029 (2025) also cleans up portions of Chapter 548 specific to travel trailer inspections.

S.B. 1816

Subject: Permitting Registration of Miniature Vehicles
Effective: June 20, 2025

S.B. 1816 adds Sections 501.009 and 502.006 to the Transportation Code to provide that a "miniature vehicle" is a motor vehicle that can be registered and titled.

It also adds Section 502.001(21-a) to the Transportation Code defining a miniature vehicle as a miniature motor vehicle that is designed to propel itself with four or more tires in contact with the ground, complies with applicable federal law, and is not a custom vehicle or street rod, neighborhood electric vehicle, golf cart, or off-highway vehicle.

New Section 545.429 of the Transportation Code allows registered and titled miniature vehicles to operate on public highways if they are capable of complying with state traffic laws. This legislation paves the way for small "Kei" trucks—which originated in Japan—to be lawfully operated on public roads in Texas.

S.B. 2039

Subject: Creating a New Term — "Sidewalk User"
Effective: September 1, 2025

S.B. 2039 creates a new term in Section 541.001(6) of the Transportation Code: "sidewalk user." It is defined as an individual lawfully operating a bicycle, motor-assisted scooter, electric personal assistive mobility device, skateboard, roller skates, or similar device on a sidewalk.

The bill creates two new sections in the Transportation Code: Sections 552.0035 and 552.0036. Section 552.0035 requires vehicle operators to stop and yield the right-of-way to a sidewalk user in a crosswalk if no traffic control signal is present and the sidewalk user is on the half of the roadway in which the vehicle is travelling or is approaching so closely from the opposite half as to be in danger. Section 552.0036 requires sidewalk users approaching an intersection with a stop sign to stop before entering the crosswalk and, after stopping, yield the right-of-way to vehicles that have entered the intersection or are approaching so closely as to pose a hazard to the sidewalk user if they were to enter the intersection.

This new term is also added to various existing pedestrian laws. First, sidewalk users are added to Sections 544.007(b) through (d) of the Transportation Code, meaning that drivers facing a green light or making a lawful turn on a red light will need to stop and yield to sidewalk users lawfully in the intersection or an adjacent crosswalk. Second, sidewalk users are added to Section 545.256 of the Transportation Code, meaning that drivers emerging from alleys, driveways, and buildings must yield to sidewalk users. Third, sidewalk users are added to Sections 552.001 and 552.002 of the Transportation Code, meaning that sidewalk users are subject to traffic control signals, such as "walk" and "don't walk."

TMCEC: Even though "sidewalk user" is defined as an individual "on a sidewalk," it appears that they retain their status as a "sidewalk user" even when they leave the sidewalk to cross the street.

The goal of S.B. 2039 seems to be to treat individuals

using wheeled transportation devices, such as bikes, scooters, and skateboards, the same as on-foot pedestrians when they are in crosswalks and sidewalks that intersect with roadways. This should help prevent confusion among road users concerning who has the right-of-way when bicyclists and other types of vehicle operators are crossing a street.

S.B. 2129

Subject: Increased Fine for Disobeying Flagger at Railroad Grade Crossing
Effective: September 1, 2025

Texas leads the nation in railroad crossing accidents, highlighting growing risks for both drivers and rail crews.

Currently, violating any portion of Section 545.251 of the Transportation Code (Obedience to Signal Indicating Approach of Train or Other On-Track Equipment) carries a fine of $50-$200. S.B. 2129 increases the penalty to $100-$400 if the operator disregarded a warning given by a flagger, which is a trained professional manually directing traffic, under Section 545.251(a)(2). The bill aims to deter drivers from ignoring flaggers and to protect flaggers at crossings from vehicles attempting to bypass them.

TMCEC: The other ways to violate Section 545.251, such as not stopping when a crossing gate is lowered, will continue to carry a $50-$200 fine.

H.B. 5436

Subject: Authorizing Used Automotive Parts Recyclers (UAPRs) to Purchase Non-Title Bearing Vehicles; Creating New Class C Misdemeanor
Effective: September 1, 2025

UAPRs may only purchase titled vehicles. There are, however, many non-title bearing vehicles in Texas. There is generally no lawful way to buy or sell a non-title bearing vehicle. This contributes to many vehicles "disappearing" from state oversight, which often leads to them ending up at illegal chop shops or being used in committing crimes.

H.B. 5436 adds Section 501.098 to the Transportation Code to permit UAPRs to purchase vehicles without obtaining a title if, among other things, the vehicle is at least 13 years old and has not been registered for at least seven years.

Under Section 501.098(b), following the purchase of a non-title bearing vehicle, the UAPR is required to compile a comprehensive report including, among other things, a description of the vehicle, the Vehicle Identification Number (VIN), license plate number of any vehicle transporting the vehicle being sold, the amount paid for the vehicle, a written statement from the seller that they have the lawful right to sell the vehicle (Section 501.098(b)(8)), and the amount paid for the vehicle.

Under Section 501.098(c), following the purchase of a non-title bearing vehicle, UAPRs shall, within 24 hours (not counting weekends or holidays) after the close of business on the day the vehicle was received, submit to the Department of Motor Vehicles (DMV) and to the National Motor Vehicle Title Information System the information required by 28 C.F.R. Section 25.26. This includes, among other things, the VIN, date of sale, and seller's information.

Under Section 501.098(g), following the purchase of a non-title bearing vehicle, UAPRs are required to verify whether the vehicle is subject to any recorded security interest or lien. Under Section 501.098(h), if there is a security interest or lien, the UAPR shall provide notice to the county assessor-collector. Under Section 501.098(h)(4), the UAPR must include in the notice a written statement that the vehicle will not be dismantled or scrapped on or before the 21st day after the date notice is given.

If it is determined that the vehicle was stolen, the UAPR is not criminally or civilly liable unless they had knowledge that the vehicle was stolen or failed to comply with the new reporting requirements. Following receipt of a report under Section 501.098(c), if it is determined that the vehicle has an existing title, the DMV shall cancel that title.

H.B. 5436 creates a new Class C misdemeanor in Section 501.109(c-1) of the Transportation Code for failing to obtain or falsifying the information required under Section 501.098(c), falsifying the information required under Section 501.098(b) or (h), falsifying the statement required under Section 501.098(b)(8) or (h)(4), selling a vehicle under Section 501.098 that is the subject of certain security interests or liens, or otherwise violating Section 501.098. Subsequent offenses are enhanceable to higher category offenses.

Under Section 501.098(i), money generated from offenses under Subsection (c-1) may be used only for enforcement, investigation, prosecution, and training activities related to motor vehicle related offenses.

TMCEC Academic Schedule 2025-2026

Seminar	Date(s)	Location
East Texas Regional Clerks Seminar	October 21-23, 2025	Holiday Inn Tyler Conference Center
East Texas Regional Judges Seminar	October 21-23, 2025	Holiday Inn Tyler Conference Center
Central Texas Regional Clerks Seminar	November 12-14, 2025	Austin Southpark Hotel
Central Texas Regional Judges Seminar	November 12-14, 2025	Austin Southpark Hotel
New Clerks Seminar	December 8-12, 2025	DoubleTree by Hilton Hotel Austin
New Judges Seminar	December 8-12, 2025	DoubleTree by Hilton Hotel Austin
South Central Regional Clerks Seminar	January 7-9, 2026	Embassy Suites by Hilton San Marcos Hotel
South Central Regional Judges Seminar	January 7-9, 2026	Embassy Suites by Hilton San Marcos Hotel
Clerks Level III Assessment Clinic	January 20-23, 2026	Austin Southpark Hotel
Gulf Coast Regional Clerks Seminar	February 2-4, 2026	Moody Gardens Hotel
Gulf Coast Regional Judges Seminar	February 2-4, 2026	Moody Gardens Hotel
Houston Metro Clerks Seminar	February 17-19, 2026	DoubleTree by Hilton Houston Greenway Plaza
Houston Metro Judges Seminar	February 17-19, 2026	DoubleTree by Hilton Houston Greenway Plaza
Teen Court Workshop	February 23-24, 2026	Georgetown Municipal Court / Fairfield Inn & Suites by Marriott
Juvenile Case Managers Seminar	March 2-4, 2026	Westin San Antonio North
Prosecutors Seminar	March 2-4, 2026	Westin San Antonio North
North Texas Regional Clerks Seminar	March 25-27, 2026	DoubleTree by Hilton Dallas Near the Galleria
North Texas Regional Judges Seminar	March 25-27, 2026	DoubleTree by Hilton Dallas Near the Galleria
Municipal Traffic Safety Initiatives Conference	April 1-3, 2026	Hyatt Regency Conroe
Panhandle Regional Clerks Seminar	April 28-30, 2026	Overton Hotel and Conference Center
Panhandle Regional Judges Seminar	April 28-30, 2026	Overton Hotel and Conference Center
Virtual Panhandle Regional Clerks Seminar	April 28-30, 2026	TMCEC Online Learning Center
Virtual Panhandle Regional Judges Seminar	April 28-30, 2026	TMCEC Online Learning Center
South Texas Regional Clerks Seminar	May 11-13, 2026	Omni Corpus Christi
South Texas Regional Judges Seminar	May 11-13, 2026	Omni Corpus Christi
Court Administrators Seminar	June 2-4, 2026	Hyatt Regency Conroe
Prosecutors Seminar	June 2-4, 2026	Hyatt Regency Conroe
West Texas Regional Clerks Seminar	June 22-24, 2026	DoubleTree by Hilton Abilene Downtown
West Texas Regional Judges Seminar	June 22-24, 2026	DoubleTree by Hilton Abilene Downtown
New Clerks Seminar	July 13-17, 2026	DoubleTree by Hilton Hotel Austin
New Judges Seminar	July 13-17, 2026	DoubleTree by Hilton Hotel Austin
Impaired Driving Symposium	August 12-13, 2026	The Bevy Hotel Boerne

Check out tmcec.com/calendar for more information including dates for the four-hour virtual clinics!

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TMCEC

To provide high quality judicial education, technical assistance, and the necessary resource materials to assist municipal court judges, court support personnel, and prosecutors in obtaining and maintaining professional competence.

Mark Your Calendar!

National Night Out
October 7, 2025
Municipal Courts Week
November 3-7, 2025

National Night Out and Municipal Courts Week bring Texas communities together to recognize the important role the judicial system plays in promoting public safety. They are also an ideal time to promote traffic safety!

National Night Out is a fun-filled evening dedicated to building trust and partnerships between law enforcement and the neighborhoods they serve. Music, food, games, safety demonstrations, and meet-and-greets with court personnel, police officers, firefighters, and public officials are common features of a successful National Night Out event.

Municipal Courts Week is a time to recognize the essential role municipal courts play in promoting safety, justice, accountability, and public trust.

Need Materials? Through funding from the Texas Department of Transportation, TMCEC has a limited supply of traffic safety items and resources available! Get your requests in as early as possible! Visit tmcec.com/mtsi/resources-municipal-courts/ to explore available materials.

Check out TMCEC's webpages dedicated to these events for more information:
tmcec.com/mtsi/national-night-out/
tmcec.com/mtsi/municipal-courts-week/