

A photograph of the Texas State Capitol building in Austin, Texas. The image shows the iconic dome with the Statue of Liberty on top, the classical portico with columns, and the Texas state flag flying on a pole to the right. The sky is clear and blue.

2022-23

**VICTORIES OF THE  
88TH TEXAS LEGISLATURE  
★  
REGULAR SESSION**

*Texas* ★ *Public*  
**POLICY FOUNDATION**

**B**ecause of the generous investment of our donors and fellow patriots, Texas made tremendous progress during the 88th Texas Legislature’s regular session. Altogether, Texas passed 76 pieces of legislation that align with TPPF recommendations and position Texas for continued prosperity and flourishing. These victories range from leading the nation in creating new tools for parents to protect their children from the harms of online activity to creating a more business-friendly regulatory environment.

In this booklet, we highlight the hard-won victories from the regular session of 2023 that were made possible by decades of principled research, leadership, and coalition building. These victories are not just victories for us, but rather are victories for all Americans as we work to make Texas and America the freest places on Earth. While we celebrate these victories, our work remains unfinished, and we continue to work tirelessly for even more victories in the special sessions.



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# BORDER SECURITY

- ★ **Prosecuting Mexican Cartels (House Bill 4635):** The Texas Racketeering Act allows Texas to aggressively prosecute organized crime, including drug and human trafficking cartels and street gangs, and it provides for civil actions, remedies, and enforcement for racketeering and unlawful debt collection.

# CHILD AND FAMILY WELFARE

- ★ **Banning Gender Modification for Minors (Senate Bill 14):** Protects children and their families from experimental and potentially harmful “transgender” medical procedures by banning doctors from giving children cross-sex hormones and puberty blockers and performing sex change-related surgeries.
- ★ **Reforming Foster Care (Senate Bill 593):** Requires the Health and Human Services Commission (HHSC) and Department of Family and Protective Services (DFPS) to bring in a third party to do a complete evaluation of our child welfare licensing and regulatory landscape with the directive to streamline and simplify it so that Texas can increase the number of foster homes, adoptive homes, and child welfare service providers while prioritizing child safety.
- ★ **Expanding Community-Based Care (House Bill 1):** Expands community-based care (a proven transformation of the foster care system first advanced by TPPF in 2017) to add more locations throughout the state and increase the number of children served by community-based organizations.
- ★ **Eliminating Hidden Foster Care (Senate Bill 614):** Limits the amount of time families can be placed in so-called voluntary “safety placements” that coerce parents into giving up their rights and lack court oversight. The bill requires the state to notify parents of their rights and keep and report data on these arrangements.
- ★ **Increasing Family Reunification Services (House Bill 793):** Makes it easier for children in foster care to safely return home by expanding the availability of required service options for families involved in the foster care system. This legislation reduces unnecessary regulatory barriers and allows families to get the help they need and reunite with their children more quickly.

- ★ **Prohibiting Anonymous Abuse Reporting (House Bill 63):** Prevents anonymous reporting of child abuse and neglect. Anonymous reporting is frequently weaponized for nefarious purposes and creates obstacles for Child Protective Services to follow up and gather quality evidence for the case. Child Protective Services will keep reporters' identities confidential, protecting them from potential retaliation.
- ★ **Child Protective Services Omnibus Reform (House Bill 730):** A comprehensive reform package that includes ending hidden foster care reform, requiring Child Protective Services to notify families of their rights in connection with an investigation at first contact, and restricting Child Protective Services from reopening an investigation to change findings to 60 days, among others.
- ★ **Consolidating Services for Texan Families (Senate Bill 24):** Dubbed "Thriving Texas Families," this takes all the supportive services directed towards families and expectant mothers that exist in multiple state agencies and consolidates them into one department within the Health and Human Services Commission to allow families access to the full array of support they might need with minimal bureaucracy. It also allows Texas to better assess the effectiveness of these services and ensure that Texan families are provided with the best pathway toward self-sufficiency.
- ★ **Prioritizing Family Unity (House Bill 1087):** Requires Child Protective Services to give a court specific details about efforts to keep a family together before it can recommend a separation.

## CRIMINAL JUSTICE

- ★ **Preventing Rogue Prosecutors (House Bill 17):** Prohibits prosecutors from categorical non-enforcement of certain crimes. It classifies this violation as misconduct, which allows for the removal of the prosecutor.
- ★ **"No Kids in Cuffs" (Senate Bill 133):** Prohibits children under 10 from being handcuffed or pepper sprayed.
- ★ **Repealing Juvenile Curfew (House Bill 1620):** Repeals antiquated juvenile curfew laws to reduce over-incarceration of minors.

- ★ **Accounting Juvenile Criminal Justice Resources (Senate Bill 1727):** Creates a task force to develop geographical maps that show resource gaps for juvenile justice.

## EDUCATION

- ★ **Ending Diversity, Equity, and Inclusion Programs (Senate Bill 17):** Closes Diversity, Equity, and Inclusion (DEI) offices at Texas colleges and universities, ends mandatory DEI training, and ensures that no job applicant at a state institution of higher education is required to sign a statement affirming their support of any political doctrine in order to be hired. This legislation helps to reinvigorate the principles of open inquiry and free speech in the state's institutions of higher learning.
- ★ **Increasing Curricular Transparency and Quality (House Bill 1605):** Empowers parents by improving access to curriculum and assignments, creating an opt-in program for districts to use standardized materials, and establishing a procedure for parents to trigger an audit of the content to ensure its rigor.
- ★ **Expanding Parent-Directed Funding for Special Needs (HB 1926):** Empowers parents to find the best supplemental services for special education needs by extending the life of the successful Supplemental Special Education Services parent-directed grant program.
- ★ **Creating Paid Apprenticeship Opportunities (House Bill 1391/ House Bill 1859):** Provides an alternative path to licensure through the completion of a career education program rather than the current 2,000–4,000 hours of on-the-job training at a reduced or nonexistent wage.
- ★ **Aligning Funding to Career Outcomes (House Bill 3287):** Expands the operation of the Texas State Technical College, which utilizes an outcomes-based funding model, in new areas of the state.
- ★ **“Know Before You Go” (House Bill 8/House Bill 2920):** Included in the community college finance bill, language from HB 2920, dubbed “Know Before You Go,” creates a portal high school students and parents can use to assess the cost of obtaining a particular college degree and the potential professional earnings from having that degree.
- ★ **Reforming Tenure (Senate Bill 18):** Eliminates tenure at public universities and colleges in Texas.

- ★ **Ensuring Quality Library Materials (House Bill 900):** Offers parents greater transparency and respect in school libraries by recognizing parents as the primary decision-makers in a child's access to library materials. Prohibits vendors from providing sexually explicit materials to schools.
- ★ **Preventing Charter School Discrimination (House Bill 1707):** Removes a barrier to providing more seats in great schools by prohibiting local governments from discriminating against charter schools. Cities cannot regulate charters with laws that do not apply to ISDs.
- ★ **Expanding Charter Schools (House Bill 2102):** This small but important law was specifically requested by charter school leaders we spoke with: school leaders will have three years, rather than 18 months, to launch new schools. This will help them start strong on Day 1.
- ★ **Offering Choices to Law Enforcement Families (House Bill 1959):** Under this law, a police officer may select the ISD school of their choice for their child.

## ELECTION INTEGRITY

- ★ **Promoting Election Integrity (House Bill 1243):** Makes it a felony to engage in illegal voting, thereby promoting free and fair elections in Texas.
- ★ **Reforming Election Recount Petition Deadlines (Senate Bill 825):** Changes the Election Code to ensure that the deadline for submitting a petition for an initial recount cannot fall on a weekend or state holiday by extending it to the following regular business day.
- ★ **Creating Interstate Voter Registration Crosscheck Program (Senate Bill 1070):** Removes Texas from the Electronic Registration Information Center (ERIC).
- ★ **Standardizing Vote-by-Mail Procedures (Senate Bill 1599):** Standardizes certain vote-by-mail ballot procedures, including a voter's ability to correct certain defects and actions taken by early voting clerks, early voting ballot boards, and signature verification committees.



- ★ **Placing Guardrails on Ballot Scan System Use (Senate Bill 1661):** Prohibits a central counting station from purchasing or using a ballot scanner unless that scanner is only capable of using a storage device that can only be used once.
- ★ **Abolishing County Election Administrator Positions (Senate Bill 1750):** Abolishes election administrators in counties with a population over one million. The duties would be transferred to the elected tax assessor-collector and county clerk.
- ★ **Establishing Oversight on County Elections (Senate Bill 1933):** Creates greater oversight of election problems by allowing certain state officials to investigate issues.

## ENERGY

- ★ **Ensuring Grid Reliability (House Bill 1500):** Reforms policies governing Texas' electric grid, including a reliability requirement for new power plants and a mandate that the Public Utility Commission study the effect of allocating reliability costs to existing variable generators. This is the market reform that Texas badly needs to keep the lights on and will be a first-of-its-kind program that we hope other states will model.
- ★ **Helping Texas Avoid EPA Authoritarianism (House Bill 4932):** Requires the Texas Commission on Environmental Quality to include the effect of foreign sources of emissions when evaluating whether Texas has attained emissions goals, which will help Texas cities avoid draconian EPA restrictions on air emissions limits.
- ★ **Combatting Energy Discrimination by Insurance Companies (Senate Bill 833):** Prohibits insurance companies from including anti-energy Environmental, Societal, and Governance (ESG) considerations in determining property and casualty insurance rates.
- ★ **Preventing Local Government Regulation of Greenhouse Gas (Senate Bill 784):** Gives the state the ability to preempt greenhouse gas emissions standards set by local governments.

- ★ **Banning Small Engine Bans (Senate Bill 1017):** Prevents local governments from banning small gas engines, such as lawnmowers.
- ★ **Limiting Local Government Climate Activism (Senate Bill 1860):** Requires any climate regulations in city charters to undergo a state review process.

## HEALTHCARE

- ★ **Increasing Price Transparency (Senate Bill 490):** Requires healthcare providers that require payments from a patient after providing services to submit a written, itemized bill of the alleged costs of each service to the patient.
- ★ **Allowing Association Health Plans (House Bill 290):** Allows individuals and small groups to form an association for the purpose of spreading risk, similar to other large group plans. Due to the distributed risk, large group plans enjoy lower rates and better benefits. These benefits may be enjoyed by independent contractors and gig workers alike who choose to form or join an association.
- ★ **Extending Postpartum Care for Medicaid Mothers (House Bill 12):** Extends post-partum care for up to 12 months for mothers in the Medicaid program.
- ★ **Allowing Wholesale Importation of Prescription Drugs (House Bill 25):** Allows Texans access to affordable medications by allowing the importation of prescription medications from Canada.
- ★ **Establishing Rural Medicine Pilot (House Bill 617):** Establishes a pilot program to provide emergency medical services instruction and emergency prehospital care instruction through telemedicine or telehealth services for rural area trauma facilities.
- ★ **Lowering Healthcare Costs (House Bill 711):** Restores market competition and empowers employers to lower the cost of healthcare for their workers by prohibiting anti-competitive clauses in contract language.
- ★ **Streamlining Medicaid Prescription Medication Access (House Bill 1283):** Streamlines how prescriptions and medications are made available to the Medicaid population.



- ★ **Eliminating Step Therapy (House Bill 1337):** Eliminates the use of step therapy by insurance companies, which often requires patients to undergo a series of failed treatments before accessing the care recommended to them by their physicians.
- ★ **Improving Medicaid Mother Outcomes (House Bill 1575):** Improves health outcomes for pregnant women and their children by establishing a case management program for children and pregnant women. This program authorizes Medicaid to provide case management for nonmedical needs that will improve health outcomes for pregnant women and their children.
- ★ **Encouraging Responsible Healthcare Shopping (House Bill 2002):** Allows for out-of-pocket credits to go towards patient's deductible and encourages responsible shopping within the healthcare marketplace.
- ★ **Stopping Medicaid Expansion:** Successfully pushed back against efforts to expand Medicaid in this session while championing reforms to Medicaid to better serve beneficiaries.

## SAFETY NET

- ★ **Creating Occupational Licensure Pathways (House Bill 3743):** Helps inmates reentering society find employment by allowing them to earn occupational licenses just before their release.
- ★ **Streamlining Safety Services (Senate Concurrent Resolution 26):** Calls on Congress to amend the Workforce Innovation and Opportunity Act to allow all states to combine certain government workforce and human services. This will create "one door" for beneficiaries to open access to all needed services.
- ★ **Launching One Door Pilot Program (Senate Bill 2315):** Creates a task force to determine the best way to consolidate workforce and human service programs into "one door" to streamline how benefits are accessed and delivered.

# TAXES, SPENDING, AND LOCAL GOVERNMENT

- ★ **Establishing Regulatory Consistency (House Bill 2127):** Harmonizes disparate local ordinances across the state by precluding cities and counties from adopting or enforcing excessive and inconsistent regulations unless expressly allowed by state law. The field preemption measure applies to eight different codes, including agriculture, business & commerce, finance, insurance, labor, property, occupations, and natural resources.
- ★ **Allowing Third-Party Review of Development Plans and Permits (House Bill 14):** Allows private property owners to use state-licensed third parties to review development plans and permits if a municipality exceeds reasonable deadlines. The bill promises to speed up the development process using market-based mechanisms.
- ★ **Limiting Extraterritorial Jurisdiction (Senate Bill 2038):** Allows extraterritorial jurisdiction (ETJ) residents to use newly established petition or election procedures to seek release from municipal control.
- ★ **Increasing Self-Governance through Disannexation Voting (House Bill 3053):** Allows select communities to hold an election on the question of disannexation if they were unfairly captured during a particular time period (March 2, 2015 – December 1, 2017).
- ★ **Improving the Unused Tax Rate Increment Concept (Senate Bill 1999):** Changes how local governments may roll over the unused increment rate of a taxing unit from a percentage to a fixed dollar amount.
- ★ **Increasing Tax Rate Transparency (Senate Bill 1998):** Improves transparency by requiring the submission of forms showing how tax rates are calculated.
- ★ **Sunset Municipal Building Permit Fees (House Bill 1922):** Requires cities to abolish building permit fees after a decade or to affirmatively reauthorize them before sunset.
- ★ **Defining Allowable Uses for Nonvoter Approved Debt Instruments (House Bill 4082):** Defines what tax anticipation notes (TANs) and certificates of obligation (COs) can be used for and prohibits their use for certain projects, like stadiums, arenas, convention centers, and more.

- ★ **Protecting the Will of Voters (Senate Bill 2035):** Prohibits TANs and COs from being used to pay for projects that were rejected by voters in the previous five years.
- ★ **Clarifying Emergency Service District Roles (Senate Bill 1794):** Clarifies the role and responsibilities of an emergency services district.
- ★ **Creating Database of Appraisal Protests (House Bill 796):** Requires appraisal districts to create an online database of appraisal protests.
- ★ **Eliminating Vehicle Safety Inspections (House Bill 3297):** Eliminates the yearly requirement that passenger vehicles pass a safety inspection.
- ★ **Protecting Property Owners (Senate Bill 929):** Requires a municipality to notify someone if the use requirement for their property changes and to pay them if the change prevents the owner's use of the property.

## TECHNOLOGY

- ★ **Creating a Digital Bill of Rights (House Bill 4):** Texas now has the strongest consumer data privacy protections in the country. It creates new digital rights, such as deletion, correction, and opting out of data collection.
- ★ **Protecting Children Online (House Bill 18):** Parents have new comprehensive rights to protect their children from online predators and unscrupulous data collection firms, such as controlling online activity, access, account creation, and time online. It also creates a responsibility for providers to prevent harm to children.
- ★ **Protecting Minors from Online Sexual Material (House Bill 1181):** Requires sexually explicit adult websites to verify the ages of its users and prohibits minors from accessing pornographic websites.
- ★ **Expanding Rural Broadband (House Bill 9/ House Joint Resolution 125):** Prepares Texas to make historic investments in rural broadband expansion to better facilitate access to online education and telehealth if it is approved by the voters.

- ★ **Monitoring Broadband Investment (House Bill 1238):** Creates oversight of broadband investments to ensure they are targeted, prudent, and cost-effective.
- ★ **Creating Artificial Intelligence Advisory Council (House Bill 2060):** Establishes an advisory council to study the use of automation and artificial intelligence in state government and will explore a digital code of ethics.
- ★ **Creating A Data Broker Registry (Senate Bill 2105):** Creates a registry of third-party data collectors and brokers to improve oversight and protect Texans from the unethical and nefarious use of their data.”
- ★ **Criminalizing Nonconsensual “Deepfake” Pornography (Senate Bill 1361):** Prohibits the creation of nonconsensual sexually explicit “deepfake” videos. Deepfake videos are doctored to make it appear that someone is doing or saying something that never happened.

