

Capitol Update (2-18-25)

Greetings from your Texas Capitol! It's a busy time for us here at the statehouse in Austin. Governor Abbott has declared seven "emergency items" which affords the Legislature the ability to consider legislation related to them immediately, and the Senate is already actively working on them. Additionally, we are about a month out from the bill filling deadline and legislators are actively filing new bills each day. We'll get into all of that and more in this edition of our Capitol Update.



My wife, Mel, Comptroller Hegar, and I during the State of the State Address

Gubernatorial Emergency Items

At his biennial State of the State address on February 2, 2025, Governor Greg Abbott shared his outlook on the challenges facing Texas and where we are heading as a state, as well as the steps he believes necessary to keep Texas moving successfully forward. In addition to discussing pivotal issues such as property tax relief, water infrastructure investment, and the thriving Texas economy, Gov. Abbott announced seven "emergency items"—these formal declarations allow for the Legislature to waive the 60-day prohibition on hearing legislation and to immediately consider these issues. Below I have included the emergency items and information from the Governor's press releases:

- **Property Tax Relief** – Governor Abbott asked the Legislature to further secure property tax relief and stop local taxing authorities from raising property taxes without voters' approval. Several pieces of legislation have been filed relating to property tax reform and relief, including SB 4 and SJR 2 (more information below) which were both passed on the Senate floor on Thursday, Feb. 13th.
- **Texas-Sized Investments in Water** – As people and businesses continue to flock to our state, Texas must invest in new, innovative water projects to tap into new water supplies and repair existing pipelines to save billions of gallons of water each year. By investing in sustainable long-term water infrastructure, we can ensure the Texas economic miracle continues and improve the livelihood of Texans for generations.

- **Teacher Pay Raise** – Teachers play a key role in the success of Texas students and our state. They educate the next generation of entrepreneurs, scientists, and leaders, shaping the future of our state and country. Texas must fund and support our teachers to ensure students across the state receive a high-quality education.
- **Expand Career Training** – By 2030, more than 60% of jobs in Texas will require education or training beyond a high school diploma. However, less than 40% of Texas students are attaining a degree or workforce training within six years of graduating high school. More Texans need the skills that lead to a better job and a bigger paycheck. Governor Abbott has asked the Texas Legislature to expand career training to provide the education and training needed to develop a highly-skilled workforce and prepare Texans for in-demand, good-paying jobs.
- **School Choice** – To provide every Texas family with the opportunity to choose the best education path for their child, Governor Abbott has asked the Legislature this session to establish an Education Savings Account program with universal eligibility for all Texas schoolchildren and appropriate \$1 billion for the program to parents to choose the best education for their child, ensure participation is entirely voluntary for families and schools, and increase public school choice opportunities by increasing funding for open-enrollment charter school facilities, expanding virtual education options, and improving access to inter- and intra-district transfer. The Senate passed our School Choice Bill, SB 2 by Senator Creighton (R- Conroe), on Feb. 5th (more information below).
- **Bail reform** – Activist judges have too often set bail at shockingly low amounts, letting repeat offenders back on the streets and endangering the lives of innocent Texans. Texas must keep dangerous criminals behind bars. This session, Governor Abbott has asked the Texas Legislature to pass constitutional amendment to require judges to deny bail for violent offenders and require that bail be denied if an offender is accused of capital murder or a sexual offense of a child. On Wednesday, February 12th, the Senate Criminal Justice Committee heard several priority bills related to this important issue, [SJR 1](#), [SJR 5](#), [SB 9](#), and [SB 40](#), all authored by Senator Huffman (R- Houston). I look forward to the work ahead as these bills come to the Senate floor in the coming weeks.
- **Creation of the Texas Cyber Command** – As cybersecurity threats continue to increase in significance and sophistication, Texas must lead the nation in safeguarding critical infrastructure from hackers and hostile foreign actors. China, Iran, Russia, and other foreign enemies could cripple our power, water, and transportation systems with online attacks. The Governor would like the Texas Cyber Command to be headquartered in San Antonio where it can leverage the expertise and resources of The University of Texas at San Antonio, including surrounding state, local, and federal partners. The Texas Cyber Command would work in partnership and collaborate with all state universities and Regional Security Operation Centers, as well as local, state, and federal agencies to strengthen the state's cybersecurity mission.

Newly Authored Legislation

My team and I are continuing to file pieces of important legislation. Here are some examples of the legislation I have filed since the last update and all can be found online [here](#):

[SJR 53](#) - While the Texas Legislature can consider and act upon any legislative matter during a regular session, the Legislature may only act upon certain topics determined by the Governor during a special session. In other words, the Legislature has a "limited scope" during a special session. SJR 53 will allow the Legislature to consider legislation on any subject during a special session called by the Governor in addition to the subjects that the Governor has designated in the proclamation, if 2/3rds of the body agrees to do so. If the Governor calls a special session and puts items A, B, and C on the call, the Legislature may also consider D or E at its discretion. I filed this legislation last session (88R - 2023) as SJR 63.

[SB 1145](#) – Although the Texas Commission on Environmental Quality (TCEQ) has regulatory authority for the discharge of treated produced water (wastewater generated during oil and gas extraction) into surface waters, the Railroad Commission of Texas (RRC) currently has administrative authority for land application permits for produced water. This legislation would transfer the land application permitting authority from RRC to TCEQ to consolidate permitting for both the discharge of treated produced water on surface waters and land application. Consolidating the regulatory and permitting authority under one agency, which has more experience in land application permits and water quality standards, will increase government efficiency and create better regulatory certainty within the industry.

SB 1146 - Orphaned wells are inactive, non-compliant wells that have been inactive for a minimum of 12 months and the responsible operator's Organizational Report (Form P-5) has been delinquent for more than 12 months. This usually happens when an operator's business goes bankrupt. When a well is orphaned, the State assumes the liability of the well in perpetuity. If a new operator takes over a lease or mineral estate on which an orphaned well is located, they would be required take on the liability to plug the well, even though they never owned the well nor orphaned the well. SB 1146 would allow operators in good standing who own interest in a current oil and gas lease or mineral estate of a tract of land on which an orphaned well is located to pay the state or a well plugger approved and contracted by the Railroad Commission (RRC) to plug or re-plug a well without taking on the liability of the well. This would relieve some of the financial burden on the state, and help in areas where unplugged orphaned wells might prevent new production.

SB 1147 - When Texas lignite coal production was on the rise in the 1970s, the state joined the Interstate Mining Compact Commission and created the Texas Mining Council to oversee Texas' role in the compact. At the time, the IMCC's advocacy was beneficial for maintaining a voice in federal regulatory matters pertaining to the coal mining industry and drawing down federal funds for coal production. Due to the significant decline in lignite coal production in the State of Texas and the significant discrepancies in the IMCC membership dues formula, a membership in the IMCC is no longer beneficial to Texas' interests. In fact, Texas can join other advocacy associations that have no dues while receiving the same or more benefits. The bill would abolish the Texas Mining Council and withdraw the State of Texas from the Interstate Mining Compact.

SB 1242 - In 2013, the Texas Higher Education Coordinating Board (THECB) underwent Sunset review. The Sunset Commission recommended that with additions to THECB's statutory duties, it was important to change the makeup of its governing board, alter or eliminate certain programs under its purview, and revise its responsibilities. That session I carried SB 215 (83R), the THECB Sunset bill, which among the recommendations from the Sunset Commission, included removing the requirement for THECB to approve capital projects for public higher education institutions. Due to an oversight, Texas State Technical College (TSTC) was not relieved from the requirement in this legislation, which occurred because TSTC is included in a different part of the Education Code than the other public higher education institutions. This oversight wasn't found until this past summer when THECB noticed the requirement was still in the TSTC section of statute. This bill will correct the section to the intent of the 2013 bill.

SB 1243 - In 2011, Acton Municipal Utility District (AMUD) and Johnson County Special Utility District (JCSUD) together purchased the Surface Water Advanced Treatment System (SWATS) plant from the Brazos River Authority. In order to accomplish this two party ownership, legislation was passed in the Texas Legislature to allow for the creation of the Brazos Regional Public Utility Agency (BRPUA). Since the consolidation AMUD has now purchased JCSUD's interest in the plant, and is now the sole owner, giving them the capacity to provide enough water to serve their growing customer base for many years to come. Since AMUD is now the sole owner of the SWATS plant assets, the BRPUA as an entity is no longer needed, and now exists as an extra layer of government. In order to increase government efficiency and decrease administrative costs, dissolving BRPUA would integrate those operations within the AMUD organization. In drafting the original dissolution legislation, some legal issues arose in which BRPUA cannot be dissolved because it's not a Special Utility District or a unit of government that is provided for in the Constitution. This legislation will allow for the dissolution of a public utility agency into a public entity, but only if the public entity is the only remaining participant in the public utility agency, allowing for better governmental efficiency.

Senate Passes [SB 2 \(Creighton\)](#), the Texas Education Freedom Act

As I outlined above, the Governor's emergency declarations allow for the Legislature to waive the 60-day prohibition on hearing legislation and to immediately consider these issues. My colleagues and I got to work quickly after the Governor's State of the State, passing Senate Bill 2 just three days later. SB 2, by Sen. Brandon Creighton, establishes an education savings account (ESA) program that gives parents a broader choice to direct their child's education. The ESA program will be administered by the comptroller and its estimated capacity is 100,000 students, depending on the number of parents who apply for and are accepted into the program once it becomes law. ESAs will be distributed to students until the allocated one billion dollars is depleted. Eligibility is universal, but up to 80% of available positions will be filled through a lottery for students who have previously attended public school and are either from low-income households earning under \$161,000 per year or have a disability. This ensures that students from low-income backgrounds and those requiring special education services are prioritized. The remaining 20% of spots will be filled through a lottery as well for students who are not within these criteria.

SB 4/ SJR 2 – Increasing Homestead Exemption – Unanimously Passes Texas Senate

Senate Bill 4 and Senate Joint Resolution 2 by Sen. Bettencourt (R- Houston), priority bills of Lt. Governor Dan Patrick, passed with bipartisan support on the Senate Floor. SB 4 and SJR 2 provide meaningful reduction in school district property taxes to Texas homeowners by raising the Homestead Exemption from \$100,000 to \$140,000. The bills are now in the House for their input. If the bills remain as passed in the Senate, then homeowners will only pay property tax on the value of the home above the \$140,000 threshold for your local school district Maintenance and Operation (M&O) and Interest and Sinking (I&S) levies. SB 4 includes a hold-harmless provision, guaranteeing that the state will fully cover any ISD funding shortfalls resulting from the exemption increase. Additionally, SB 4 maintains its protections for over-65 and disabled homestead exemption owners. These bills, once in their final form as passed by both the House and Senate by 2/3rds vote, will then appear as a constitutional amendment on your November 2025 general election ballot. I will keep you up to date as these bills proceed through the legislative process.



Above on the left, I joined the delegation from Tarrant County in Austin for Tarrant County Days along with my colleagues from the Tarrant County delegation. Below, Feb. 6th was Hood County Day at the Capitol, I was excited to see folks from my hometown of Granbury and Hood County in Austin and host them with, Rep. Slawson.

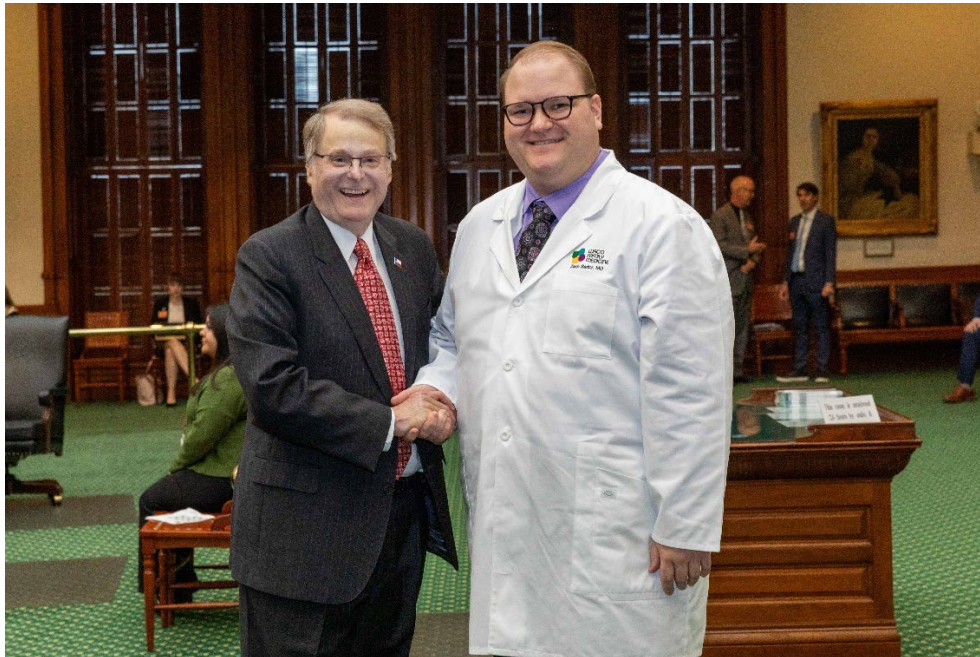


Honorary Pages, Pastors of the Day, Doctors of the Day, and Legislative Days

I wanted to take another opportunity to mention that the Senate provides a unique opportunity for young Texans to come to the Capitol for a day to be an Honorary Page. While here, the pages assist in making deliveries to various Senate offices, have the opportunity to work on the Senate floor if the Senate is in session on the day of their visit, and get their photo taken with their respective Senator. If you would like more information on having your child be an Honorary Page, please contact Kirstee Bock in my Capitol office at 512-463-0122.

It's also my privilege to ask clergy from my district to come to Austin to serve as the "Pastor of the Day" to offer the invocation before the Senate and family practice physicians from my district to serve as the "Doctor of the Day" for the whole Capitol. On February 11th, Dr. Zachary Sartor of Waco (pictured below) served as Dr. of the Day.

And of course, I always feel grateful to see constituents from Senate District 22 at the Capitol—students, citizens, and city and county leaders alike. Recently we had both Hood County Day and Tarrant County Days, as well as TSTC Day at the Capitol. Some of the upcoming legislative days from the district we have scheduled are Ellis and Hill Counties, the cities of Stephenville and Waco, and both Baylor and Tarleton Day as well. My staff and I appreciate your visits to the office; your input is extremely valuable and vital to the legislative process.



Pictured here with Dr. Zachary Sartor of Waco Family Medicine who served as the "Doctor of the Day" for the Legislature.

In closing, I want to thank you again for reading this update from 'Team Birdwell.' I hope you found it to be informative and that you'll share it with your friends, family and colleagues in Senate District 22, who may subscribe to the Capitol Update [by clicking here](#).

God Bless,

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