



Senator Brian Birdwell's Capitol Update (5-14-25)

Greetings from your Texas Capitol! We're down to the wire, and though the Legislature will not formally adjourn *sine die* until June 2nd; several critical deadlines for the passage of bills will arise in the next couple of weeks, so things are busy on all fronts. Many key issues remain unfinished; however, the House and Senate are working together to finish our important business and accomplish key objectives. Now, on to the Update...

Senate Concurs with House Amendments on the Texas Education Freedom Act (SB 2) and the Governor Signs into Law - Co Author

The Senate concurred with the House's Amendments to Senate Bill 2 by Senator Creighton (R-Conroe), establishing an education savings account (ESA) program that gives parents a broader choice to direct their child's education. Funded by general revenue, the program does not reduce funding for public schools. Eligible students include those currently enrolled in public, private, or homeschool settings, as well as students entering kindergarten or pre-K for the first time. If demand exceeds available funding, the program will use a multi-layer lottery system that prioritizes siblings of current ESA students, and returning ESA students, as well as students with disabilities, or from low-income households who previously attended public school. Under SB 2, homeschool students may receive \$2,000 annually. Students attending accredited private schools may receive 85% of statewide average state + local funding (approximately \$10,000) + full special-ed entitlement (capped at \$30,000 total). The law includes strong measures to ensure eligibility verification, financial oversight, and program compliance, while also preserving the independence of families and education providers in their instructional and religious practices. On May 3, 2025, Governor Abbott signed Senate Bill 2 (SB 2) into law.



Based on my experience as the Chair of the Special Committee to Recommend Rules of Procedure for Court of Impeachment and my continued review of impeachment law, I identified inadequacies that require attention and reform. CSSB 2051 & SJR 68, seek to not only address those issues, but also aid future legislators when compelled to conduct the impeachment process. Pictured here presenting this legislation before the Senate where both bills passed unanimously.

Senate Bill 31 (Life of the Mother Act) Passes Senate - Co Author

Senate Bill 31 by Senator Hughes (R-Mineola), clarifies current law to provide guidance to physicians when they treat a pregnant woman who is at risk of death or substantial impairment of a major bodily function by clearly defining “life-threatening.” This bill, which is designed to provide legal clarity for doctors in rare cases when a mother’s life is threatened, is supported by Texas Right to Life, Texas Alliance for Life, and other pro-life groups. I thank Sen. Hughes and Lt. Gov. Patrick for their continued passionate defense of life.

Senate Joint Resolution 37 Insuring Only Citizens Vote in Elections Passes Texas House and Will Head to Voters this November.

My proposed constitutional amendment, SJR 37, will state that non-citizens of the United States may not vote in any election within the State of Texas. Now that this has affirmatively passed the Legislature, it shall be submitted to Texas voters as a ballot proposition, on your November general election ballot this year. I want to thank Rep. Noble for sponsoring and passing the legislation in the House, as well as Speaker Burrows and the other 100 House members who voted for this critical constitutional amendment.



La Vega High School's Volunteer Income Tax Assistance and Tax Counseling for the Elderly program came to visit the Capitol on April 23rd. I was happy to get to meet them and recognize their great program with a resolution on the Senate floor.

Legislation I Authored/ Sponsored That Have Made it to the Governor's Desk

In the last Capitol Update I provided you with a breakdown of all of the legislation I have been working on that have passed the Senate this session (similar to the one below). I wanted to take a moment to update you on those bills that have made it through both Chambers and are now awaiting the Governor's signature (or in the case of the Joint Resolutions, have been sent to the Secretary of State for certification).

- **[SB 870](#)** – Allowing for a Uniformed School Marshall to Duty Belt Carry (House Sponsor – Rep. Shelby Slawson)
- **[SB 879](#)** – Closed-Loop Geothermal Injection Well Permits Cleanup (House Sponsor – Rep. Drew Darby)
- **[SB 1145](#)** – Produced Water Land Application Regulation Consolidation (House Sponsor – Rep. Brooks Landgraf)
- **[SB 1147](#)** – Interstate Mining Compact Commission Withdrawal (House Sponsor – Rep. Paul Dyson)

- [**SB 1197**](#) – Prohibition of Drones over Spaceports (House Sponsor -Rep. Charlie Geren)
- [**SB 1759**](#) – Oil & Gas Emergency “Good Samaritan” Liability (House Sponsor – Rep. Paul Dyson)
- [**SB 2204**](#) – Exempting Water Assistance Fund, Water Loan Assistance Fund, and Rural Water Assistance Fund (which have higher, more precise, standards) from Texas Grant Management Standards (TGMS) (House Sponsor – Rep. Caroline Fairly)
- [**SJR 37**](#) – Constitutional Amendment to Ban Non-Citizen Voter (House Sponsor – Rep. Candy Noble)
- [**HB 206**](#) – Prohibiting Cash Bond Requirements for the Construction of Pipelines (House Author – Rep. Tom Craddick)
- [**HJR 98**](#) – Companion legislation to my SJR 54. Renewing the 2017 (SJR 2 (85R)) Call for a Convention of States Under Article V of the United States Constitution (House Author – Rep. Cody Vasut)

Senate Passes SB 217 & SB 586 Establishing Historic Texas Cemetery Designations

Cemeteries are among Texas' most cherished historic resources. Cemeteries are of cultural, religious, and historic interest and, for decades, state policy has favored the protection of Texas' historic cemeteries. The Texas Historical Commission (THC) indicates that at least approximately 14,000 cemeteries exist in Texas. Preservation and documentation of these cemeteries is a necessary part of the preservation of the cultural patrimony of the Lone Star State. Nevertheless, across the state, cemeteries are frequently threatened by increasing development and urbanization. This issue is something I heard from several constituents over the interim and I wanted to highlight it here. SB 586 by Sen. Royce West (D-Dallas) creates a program at Texas Historical Commission (THC) to recognize historical cemeteries that are at least 50 years old (unless THC makes an exception based on significance) and worthy of recognition and preservation for the cemetery's historical associations. SB 217, also by Sen. West, creates the Historic Freedmen's Cemetery Designation for cemeteries that contain the graves of freed slaves.



Pictured here with my colleagues Sen. Hancock and Sen. Miles with the group in town for “Donate Life Texas Day”

Legislation I Authored That Have Passed the Senate

In the past Capitol Updates I provided you with a thorough breakdown of all of the legislation I have filed this session. I wanted to take a moment to update you on the several bills I authored that have made it through the Senate since the last [Capitol Update](#) and are now over in the House of Representatives. As well as which representative will be shepherding it through their chamber.

- [**SB 39**](#) – Brings Longstanding Held Case Law Into Texas Statute Making Commercial Motor Vehicle Collision Lawsuits Fair for Plaintiffs and Defendants and Uniform Across the State (House Sponsor – Rep. Jeff Leach)
- [**SB 872**](#)– Aims to Deter the Theft of Firearms from Vehicles by Increasing the Offense to a Third-Degree Felony (House Sponsor – Rep. David Cook)
- [**SB 876**](#) – Renames the Newly Finished Cresson By-Pass Between Johnson and Hood Counties After Former Cresson Mayor Bob Cornett (House Sponsor – Rep. Shelby Slawson)
- [**SB 1242**](#) – Fixes 2013 Oversight and Allows the Texas State Technical College (TSTC) to Proceed with Capital Projects or Purchases of Any Land or Facilities without the Approval from the Texas Higher Education Coordinating Board (House Sponsor – Rep. Terry Wilson)
- [**SB 1754**](#) – Prohibits Local Tax Abatements for Wind and Solar Facilities (House Sponsor – Rep. Ellen Troxclair)
- [**SB 1756**](#) – Closes a Loophole Being Abused and Limits Cities to one Qualified Hotel and Convention Center Project and/or Project Financing Zone without Legislative Consideration (House Sponsor – Rep. Tom Craddick)
- [**SB 1757**](#) – Creates an Enhanced Control Permit for Rock Crushing Facilities and Quarries (House Sponsor – Rep. Brooks Landgraf)
- [**SB 2050**](#) – Aligns Lithium-Ion and Other Types of Batteries Disposal with Lead-Acid Batteries in Statute (House Sponsor – Rep. Drew Darby)
- [**SB 2052**](#) – Codifies Texas Supreme Court Ruling that in Certain Suits Affecting the Parent-Child Relationship a Parent Acts in the Best Interest of a Child (House Sponsor – Rep. Cody Vasut)
- [**SB 2199**](#) – Increases the Penalty for Overloading an Oversize/ Overweight Vehicle Transporting Fuel or Other Hazardous Material to a Second-Degree Felony (House Sponsor – Pending)
- [**SB 2200**](#) – Increases the Penalty for an Off-Route Oversize/ Overweight Vehicle Transporting Fuel or Other Hazardous Material to a Second-Degree Felony (House Sponsor – Pending)
- [**SB 2201**](#) – Updates Current Law Relating to Intelligence Databases for Combinations, Criminal Street Gangs, and Foreign Terrorist Organizations (House Sponsor – Rep. Charlie Geren)
- [**SB 2203**](#) – Requires an Administrative Law Judge within the State Office of Administrative Hearings to Certify Scope of Discovery Issues to the Texas Commission on Environmental Quality Commissioners (House Sponsor – Rep. Drew Darby)
- [**SB 2779**](#) – Stops Inappropriate Uses of Hotel Occupancy Tax (HOT) Revenue by Certain Cities (House Sponsor -Rep. Matt Morgan)
- [**SB 2781**](#) – Allows for a Maximum Threshold on Certain Texas Ethics Commission Rulings to be Twice the Amount of the Contribution or Expenditure in Question (House Sponsor -Rep. Matt Shaheen)

- [**SB 2782**](#) – Requires the Texas Ethics Commission to Develop Rules Related to Discovery Control Plans Based on the Texas Rules of Civil Procedure to Ensure the Agency Investigates and Resolves Complaints in a Timely Manner (House Sponsor – Rep. Oscar Longoria)
- [**SB 2785**](#) – Requires DFPS to Provide County or District Attorney Notice Whenever DFPS Receives a Report of Abuse or Neglect (House Sponsor – Rep. Gary VanDeaver)
- [**SJR 59**](#) – Establishing an Endowment for the Texas State Technical College (House Sponsor – Rep. Stan Lambert)



I had the opportunity to host my friend State Sen. Robert Erbele of North Dakota at the Texas Capitol. I have known Sen. Erbele for over a decade and have been able to visit him in his district and State Capitol. He was in Texas for a graduation at Texas A&M and made the drive over to Austin to visit. Pictured here with Lt. Gov. Patrick who is presenting him with a certificate naming him an honorary Texan!

As always, I hope our Capitol Update is 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](#). If you missed any of my previous Capitol Updates and want to read them too, you can find them [here](#)! You can also follow us on Twitter and Facebook, or keep in touch with legislative happenings via www.capitol.texas.gov or via my Senate [website](#).

Thanks for your interest!

God bless,

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