



89TH LEGISLATIVE SESSION CDCAT LEGISLATION BOOK

PREPARED BY: CDCAT LEGISLATION COMMITTEE

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A Letter From the President



**HON. SANDRA
ROBLEZ**

YOAKUM COUNTY DISTRICT CLERK

Dear CDCAT Members,

Legislative sessions are often fast-paced and unpredictable, especially as deadlines approach and lawmakers rush to push bills through before time runs out. As Mark Twain once quipped, *“No man’s life, liberty, or property are safe while the legislature is in session.”*

Whether you were boots on the ground at the Capitol or working tirelessly behind the scenes—reading bills, gathering data, and providing thoughtful feedback to the legislative team, your dedication has not gone unnoticed. Their work is crucial to our success.

To my Legislative Team, who have worked day and night, and who testified on behalf of our association: thank you. This Legislative Book is a testament to the hard work and dedication our Legislative Committee has put forward to provide the rest of the Clerk family with updated legislation impacting our day-to-day operations. We had one of the most successful Legislative sessions, while also having the most significant number of bills filed. Your efforts have made a considerable impact, and we should all be proud of what we have achieved.

As CDCAT President, I have seen firsthand how legislation impacts our association. The most important lesson? To win a battle, you must work as a team. Our players know the strategies—how each bill moves, when to take the shot, and what our next play should be to move the ball toward success. Moving forward, I encourage you to reach out to the Legislative Committee when you come across a problem that you believe all clerks are facing. Your collaboration is not just appreciated; it is integral to our success.

When we work together, we win together.

A handwritten signature in black ink that reads "Sandra Roblez". The signature is written in a cursive, flowing style.

A Letter From the Immediate Past President

**HON. JOHN
WARREN**

DALLAS COUNTY CLERK



Dear CDCAT Members,

I would describe the Legislative Session as a high-speed and intense roller-coaster. The County and District Clerk's Association, fortunately, is familiar with roller-coaster rides. The term roller-coaster means going through many sudden or extreme changes in a short time. The 89th Texas Legislative Session was no different.

As president of the County and District Clerk's Association during the 89th Session, I was fortunate to have an exceptional team of both district and county clerks to serve on our legislative committee. This outstanding group of clerks, being subject matter experts in all aspects of clerks' business processes and knowledgeable of the statutes that guide our official responsibilities, are collaborators with established relationships with lawmakers across the State. These relationships were critical to the success of clerks during the 89th Session.

In the 89th legislative Session, the clerk's association had a higher number of bills filed than in the past. We were able to get much of our legislation passed. By providing testimony at both House and Senate committee hearings, we learned that lawmakers across the State supported our business efficiency legislation.

The 89th Legislative Session has been very rewarding as clerks collaborated with other local elected officials, lawmakers, and other business associations to improve the lives of all citizens of this great State. I am honored to have helped lead this effort and very grateful to the Legislative Chairs and their committee for their support in making this a successful legislative session. I am also thankful to the Texas Association of Counties (TAC), our external lobbyist, and General Counsel for providing resources to research previous legislation, as well as statutory impact both upstream and downstream of clerk operations and those agencies with whom we work.

Lastly, in addition to my legislative committee colleagues, I also want to thank our House members and Senators who sponsored and supported our bills that ultimately became law! To all of you, I am eternally grateful!

A handwritten signature in blue ink, appearing to be "J. Warren".

Thank You

A SPECIAL THANK YOU TO THE LEGISLATIVE CHAIRS AND COMMITTEE WHO CONTRIBUTED TO THE PREPARATION OF THIS BOOK.



HON. PATTI HENRY
Chambers County
District Clerk,
Legislative Chair



HON. JENNIFER FOGG
Rockwall County Clerk,
Legislative Chair



HON. LAURA ROGERS
Sherman County
Combo Clerk,
Legislative Chair



HON. SHARENA GILLILAND
Parker County District
Clerk, Legislative Co-
Chair



HON. MARY LOUISE NICHOLSON
Tarrant County Clerk,
Legislative Co-Chair

A BIG THANK YOU TO OUR LEGISLATIVE PARTNERS WHO GUIDED US THROUGH THIS SESSION.

NANETTE FORBES, CDCAT LEGISLATIVE CONSULTANT, TEXAS ASSOCIATION OF COUNTIES.

KIRSTEN MILLS, CDCAT LEGISLATIVE CONSULTANT, TEXAS ASSOCIATION OF COUNTIES.

KEVIN STEWART, CDCAT LEGAL COUNSEL.

JAY WILLIAMSON, GOVERNMENT RELATIONS CONSULTANT.

Civil Liability

<u>S.B. 40</u>	Senate Author: Huffman
Effective Date: 09/01/2025	House Sponsor: Smithee

Relating to the use by a political subdivision of **public funds to pay bail bonds**; authorizing injunctive relief.

Summary: **Amends Chapter 140, Local Government Code by adding Section 140.014.** The county cannot spend public funds to pay a nonprofit organization that accepts and uses donations from the public for a defendant's bail bond. A taxpayer is entitled to appropriate injunctive relief and reasonable attorney's fees and costs.

<u>S.B. 1362</u>	Senate Author: Hughes
Effective Date: 9/1/2025	House Sponsor: Hefner

Relating to prohibiting the recognition, service, and enforcement of extreme risk protective orders; creating a criminal offense.

Summary: **Amends Title 1, Code of Criminal Procedure by adding Chapter 7C. Prohibition on Recognition, Service, and Enforcement of Extreme Risk Protective Orders.** This law prohibits executive orders from restricting Texans' rights to keep and bear arms. A federal statute, order, rule, or regulation attempting to implement or enforce an extreme risk protective order against a person in this state that infringes on the person's right of due process, keeping or bearing arms, or free speech protected by the U.S. Constitution or the Texas Constitution is unenforceable.



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<u>H.B. 1193</u>	House Author: Manuel
Effective Date: 9/1/2025	Senate Sponsor: Johnson

Relating to the confidentiality of certain information on a marriage license, an application for a marriage license, and a declaration of informal marriage.

Summary: This will change the application within the Records Management System. The Records Management System will need to be updated to include a checkbox on the application form, allowing either applicant to select:

1. “Yes, please keep identifying information on this form confidential,” in response to a statement related to victim status.
2. If selected, the County Clerk may not publicly disclose any personally identifiable information (PII) of either applicant—except their names—and may only release a copy of the application or license containing PII to the named applicant or their legal representative.

Amends Section 2.402(b) of the Family Code to update the declaration form for informal marriage by adding a new checkbox that allows either party to request confidentiality of their identifying information. **Adds Section 2.406 in the Family Code**, prohibiting county clerks from publishing or releasing personally identifying information (other than names) if confidentiality is requested. **Amends Section 194.004 of the Health and Safety Code** to restrict the Vital Statistics Unit from releasing identifying details from informal marriage records to anyone other than the parties or their legal representatives.

<u>H.B. 1522</u>	House Author: Gerdes
Effective Date: 9/1/2025	Senate Sponsor: Kolkhorst

Relating to the notice of a meeting held under the open meetings law.

Summary: **Amends Government Code, Section 551.043** to require public meeting notices to be posted at least three business days in advance. This replaces the previous 72-hour requirement. **It adds a new rule: if a meeting involves discussion or adoption of a budget, the notice must include either a physical copy of the proposed budget or a link to the budget on the government's homepage.** Additionally, for budget meetings involving taxing units, a taxpayer impact statement must be included. This statement should show, for a median-valued homestead property, a comparison of current and projected property tax bills in dollars. It should compare the bill for the current fiscal year to an estimate for the upcoming year if:

1. The proposed budget is adopted; and
2. For a taxing unit as defined by Section 1.04 of the Tax Code (other than an ISD), a balanced budget funded at the no-new revenue tax rate calculated under Chapter 26, Tax Code, is adopted. These requirements do not apply to governing boards of a general academic

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teaching institution or of a university system under Section 551.1281.

<u>H.B. 2025</u>	House Author: Tepper
Effective Date: 9/1/2025	Senate Sponsor: Hughes

Relating to the filing for record of a plat, replat, or amended plat or replat of a subdivision of real property or a condominium.

Summary: Amends the Property Code Section 12.002(e) and 82.051(f) to remove the requirement that a plat, replat, or amended plat or replat of a subdivision of real property or a condominium must have attached to it a tax receipt issued by the collector for each taxing unit with jurisdiction of the property indicating that the taxes imposed by the taxing unit for the current year have been paid or, if the taxes for the current year have not been calculated, a statement from the collector for the taxing unit indicating that the taxes to be imposed by that taxing unit for the current year have not been calculated.

<u>H.B. 4063</u>	House Author: Ordaz
Effective Date: 9/1/2025	Senate Sponsor: Zaffirini

Relating to the filing and release of record of a unilateral memorandum of contract concerning residential property.

Summary: **Creates Property Code, Section 12.020** to establish procedures and requirements for filing, notifying, contesting, and releasing a unilateral memorandum of contract related to residential property, and limits its legal effect unless properly filed and contested, ultimately allowing property owners to clear title if no valid objection is made within 45 days. If a contradicting affidavit is filed within that 45-day period, the owner's affidavit does not operate as a release of record, so the claimed rights remain on the public record. Anyone who records the Unilateral Memorandum of Contract has requirements that include: 1. Providing the County Clerk with the mailing address of the person and a certificate of mailing that complies with the law and not later than the date the person files the Memorandum with the County Clerk, send a copy of the Memorandum and a letter notifying the owner of the property of the filing of the Memorandum by registered or certified mail, return receipt requested to the address of the property and any mailing address shown for the owner on the recorded Memorandum in the real property records for the property or in the records of the appraisal district that the property is located in. Any owner of the residential property that receives this notification or otherwise has a notice of a recorded Unilateral Memorandum of Contract concerning the property that may be recorded in the real property records of the county that the property is located in: 1. An affidavit that complies with the law; and 2. A certificate of mailing that complies with the law. An owner of a residential property who files the affidavit in accordance with the law shall send a copy of the



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filed affidavit and a letter notifying the person who filed the Unilateral Memorandum of Contract of the affidavit's filing. The letter and the copy of the affidavit must be sent by registered or certified mail, return receipt requested, to 1. The address provided to the County Clerk by the person who filed the Memorandum of Contract, and 2. The address of any other person referenced in the Memorandum other than the property owner. An affidavit filed serves as a release of record of a contract, option or right asserted to exist by the Unilateral Memorandum of Contract referenced in the affidavit; and after the affidavit is recorded; The Memorandum does not count as legal notice that there is a contract or a right related to the property; require anyone to investigate or ask questions about the property, or affect the legality of a sale or a mortgage made to a buyer or lender who pays fair value. However, an affidavit recorded DOES NOT serve as a release of the record of a contract, option, or right asserted to exist by a Unilateral Memorandum of Contract filed for recording under the law with respect to a purchaser or mortgagee of the residential property that acquires the purchaser's or mortgagee's interest from the owner if, not later than the 45th day after the date a certificate of mailing was recorded, the person who filed the Memorandum files for recording in the County Clerk's Office a contradicting affidavit asserting: 1. The affidavit or certificate of mailing is untrue or another reason exists as to why the Memorandum serves as a valid notice of record of a contract for the purchase of an interest in the residential property, for an option to purchase an interest in the property, for a right of first refusal or first offer to purchase an interest in the property, or for a right to match any offer to purchase any interest in the property. For self-help purposes, the form for the Certificate of Mailing of the Notice of the filed Unilateral Memorandum of Contract, the Affidavit for Release of the Unilateral Memorandum of Contract, and the Certificate of Mailing of the Affidavit for Release of the Unilateral Memorandum of Contract are provided in the law. Also, there are clarifications regarding "IF" a Unilateral Memorandum of Contract is filed for recording on or after September 1, 2025, and it doesn't comply with the law related to remedies.

<u>H.B. 4202</u>	House Author: Swanson
Effective Date: Immediate	Senate Sponsor: Zaffirini

Relating to the proof of identity of a person making an acknowledgment of a written instrument.

Summary: **Amends Civil Practice and Remedies Code, Section 121.005(a)** to clarify that a notarial officer may only acknowledge a written instrument if they have satisfactory evidence of the signer's identity. Acceptable evidence includes: A current state or federal government-issued photo ID, a credible witness who is either personally known to the officer or properly identified with a valid ID, or a valid foreign passport (only in residential real estate transactions).

Accepted forms of identification for having notarial services performed include the following:

- Current and Valid (United States Only) Federal or State Government issued driver's license
- Current and Valid (United States Only) Federal or State Government issued identification card



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- (United States Only) Military Identification Card
- Current (with photograph and signature) United States Green Card issued by the U.S. Citizenship and Immigration Service with photograph and signature
- Valid U.S. passport

<u>H.B. 4350</u>	House Author: Capriglione
Effective Date: Immediate	Senate Sponsor: Zaffirini

Relating to the omission or redaction of certain personal information from certain real property records.

Summary: **Amends Property Code Section 11.008 by amending Subsection (j) and adding Subsection (k)** to include a peace officer, as described in the Code of Criminal Procedure Article 2A.001, which requires the county clerk shall omit or redact from an instrument described by this section that is available in an online database made public by the county clerk, or by a provider with which the county commissioners court contracts to provide the online database: a social security number, driver's license number, and residence address of the peace officer (person having power or authority under Article 2A.002, Code of Criminal Procedure). It also requires a County Clerk, or provider with which the County Commissioners Court contracts, who omits or redacts information from an instrument in accordance with the law, to display on the internet website of the online database in which the document is available to the public, a clear and conspicuous specific statement that indicates:

1. In accordance with state law, information has been redacted from certain instruments in the database; and
2. The online database does not constitute the official repository of real property records and may not reflect the complete or unaltered contents of those records as maintained in the official real property records.

<u>H.B. 4466</u>	House Author: Hickland
Effective Date: 9/1/2025	Senate Sponsor: Zaffirini

Relating to the restrictions on the fee assessed for issuance of certain birth records.

Summary: **Amends Health and Safety Code, Section 191.0046, by adding subsection (g).** The Local Registrar or State Registrar shall issue a certified copy of a birth certificate without a fee on the request of a County or a Child Welfare Board appointed by the Commissioners Court under Family Code Section 264.005

- If the request is related to a suit affecting the parent-child relationship filed by a governmental entity under Family Code Subtitle E, Title 5.



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<u>H.B. 5534</u>	House Author: Wilson
Effective Date: 9/1/2025	Senate Sponsor: Schwertner

Relating to the electronic posting of notices and agendas for meetings of the commissioners court of a county.

Summary: **Amends Local Government Code, Section 82.051(b) and Government Code, Section 551.049.** A county clerk may post an official and legal notice, including the agenda for a meeting of the commissioners court, by electronic display instead of posting a physical document. An electronic display of information posted under this section using a device described by Subsection (a)(1) must meet the location, time, and accessibility requirements provided by law for the posting of the notice. An electronic display of information posted under this section on a county's public Internet website must meet the time requirements provided by law for the posting of the notice.

<u>S.B. 16</u>	Senate Author: West
Effective Date: 12/41/2025, except for Section 4 takes effect 1/1/2026	House Sponsor: Dyson

Relating to real property theft and real property fraud; establishing recording requirements for certain documents concerning real property; creating the criminal offenses of real property theft and real property fraud and establishing a statute of limitations, restitution, and certain procedures with respect to those offenses.

Summary: **Amends Code of Criminal Procedure Title 1 by adding Chapter 5C** regarding Procedures for Real Property Theft and Fraud 5C.001 Information to be included in the Judgement or Order for the 2 new offenses. 5C.002 requires the Judgment to be recorded with the County Clerk. **Code of Criminal Procedure Chapter 42** is amended by adding Article 42.0376 regarding Restitution. **Amends Government Code Section 51.901** and outlines what a County Clerk shall do if an individual advises the County Clerk that a document or instrument that purports to convey an interest in real property that was filed for recording after 1.1.26 is fraudulent then the County Clerk shall provide law enforcement with jurisdiction where the property is located notice of the allegation and the photo ID information provided to the County Clerk by the person who presented the document/instrument to the County Clerk for recording. **Local Government Code 191.010 is amended** to state that the County Clerk shall require a person presenting a document in person for recording of real property records to present a photo ID to the Clerk, and the Clerk shall copy the photo ID or record information from the photo ID. **Penal Code Chapter 31 is amended** by adding Section 31.23 regarding disabled individuals, elderly individuals, nonpossessory interests, owners, transfer definitions, when someone commits an offense, and what the offenses are. **Penal Code Chapter 32 Subchapter D is amended** by adding Section 32.60 regarding real property fraud, deception, disabled individuals, elderly individuals, and document meanings. It explains when a person commits the offense and the



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degree of the offense.

<u>S.B. 53</u>	Senate Author: Zaffirini
Effective Date: 9/1/2025	House Sponsor: Flores

Relating to the certain notice and filing requirements in court proceedings involving persons with mental illness.

Summary: **Amends Health and Safety Code, Sections 571.013 and 571.014(c)** to allow a notice to be given by personal delivery by a constable or sheriff of the county. A person may file a paper with the county clerk using reproduced, photocopied, or electronically transmitted paper copies of the original signed copies of the paper. A person who files a reproduced, photocopied, or electronically transmitted paper must maintain possession of the original signed copies of the paper and on request shall make the original paper available for inspection by the parties or the court. It eliminates the 72-hour deadline for submitting the originals.

Section 571.014(d), Health and Safety Code is repealed.

<u>S.B. 65</u>	Senate Author: Zaffirini
Effective Date: Immediate	House Sponsor: Leo-Wilson

Relating to the adoption of uniform rules for hours of work for certain county employees.

Summary: **Amends Local Government Code, Section 157.021(a)** by lowering the population threshold from 355,000 to 265,000 to allow the Commissioners Court to adopt and enforce uniform rules regarding the hours of work of department heads, assistants, deputies, and other employees whose compensation is set or approved by the Court.

<u>S.B. 384</u>	Senate Author: Flores
Effective Date: 9/1/25	House Sponsor: Orr

Relating to making a donation to the operation game thief fund when applying for a hunting or fishing license.

Summary: **Amends Subchapter C, Chapter 12, Parks and Wildlife Code by adding Section 12.207**, which allows the Hunting or Fishing Applicant (upon applying) to donate to the Operation Game Thief Fund for the following amounts: \$1, \$5, \$10, or \$20. The Department must deposit the donation no later than the 14th day of each month into the Operation Game Thief Fund. Prior



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to depositing the funds, the Department may deduct an amount equal to the reasonable expenses incurred for developing and administering this change, not to exceed three percent of the amount deposited.

<u>S.B. 503</u>	Senate Author: Perry
Effective Date: 9/1/2025	House Sponsor: Guillen

Relating to the establishment of an electronic registry of livestock marks and brands.

Summary: Summary: **Amends Agriculture Code, Sections 144.001(a), 144.041(a), (c), (f) and (h) while adding subsection (i), 144.042, 144.044(a) and (d), and 161.002(a). Adds Chapter 144, Subchapter D to the Agriculture Code.**

As soon as practicable after the effective date of this Act, the **Texas Animal Health Commission shall adopt rules necessary to implement the changes** to Chapter 144, Agriculture Code, as amended by this Act.

- The County Clerk shall make and keep an electronic record of the marks and brands of each person who applies to the Clerk for recording of a mark or a brand for cattle or horses.
- Not later than the 30th day after the County Clerk receives the record relating to cattle or horses, the Clerk shall deliver an electronic copy of the record to the Texas Animal Health Commission.
- The Clerk must maintain an electronic record of the earmark, brand, tattoo, electronic device, or other type of mark.
- A person required to record an earmark, brand, tattoo, electronic device, or other type of mark may authorize an agent to record the mark, but the authorization must be in writing.
- When recording a mark, electronic device, tattoo, ~~or~~ brand, or other generally accepted identification method, the person recording the mark ~~county clerk~~ shall note the date on which the mark, electronic device, tattoo, ~~or~~ brand, or other generally accepted identification method is recorded.
- In addition, the person recording a mark, electronic device, tattoo, ~~or~~ brand, or other generally accepted identification method shall designate the part of the animal on which the mark, electronic device, tattoo, ~~or~~ brand, or other generally accepted identification method is to be placed.
- Not later than six months after September 1 of 2031 and every 10th year thereafter, each person who owns livestock mentioned in this chapter shall have that person's marks and brands recorded or rerecorded with the county clerk, regardless of whether the marks or brands have been previously recorded.
- Not later than the 30th day after the date a county clerk receives a record relating to cattle or horses under this section, the clerk shall deliver an electronic copy of the record to the Texas Animal Health Commission as described by Section 144.102(d).



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- The Animal Health Commission shall establish and maintain the searchable registry of marks and brands on its publicly available internet website.

- A. The registry may not provide any PII of a person associated with the recording to the public.
- B. The commission shall establish a process for law enforcement to access the registry and obtain, for law enforcement purposes, personal identifying information of a person associated with a recorded mark or brand.
- C. The commission shall adopt rules and procedures to implement this section, including a process for a person to record a mark or brand with a county clerk through an electronic method, in a form and manner prescribed by the commission; and a county clerk to deliver to the commission an electronic record of a mark or brand that has been recorded with the county clerk, including any records of a mark or brand that was recorded with the county clerk before the establishment of the electronic registry.
- D. A person is subject to this chapter as the caretaker of an animal and is presumed to control the animal if the person: is the owner or lessee of the pen, pasture, or other place in which the animal is located and has control of that place; exercises care or control over the animal; or has recorded a mark or brand for the animal under Chapter 144.

<u>S.B. 647</u>	Senate Author: West
Effective Date: 9/1/2025	House Sponsor: Anchía

Relating to the filing or recording of documents or instruments conveying or purporting to convey an interest in real or personal property.

Summary: Amends Government Code, Section 51.901(a), (c), and (d) and added Subsections (c-1), (d-1), and (d-2). Amends Civil Practice and Remedies Code, Section 12.003(b). If a clerk of the supreme court, clerk of the court of criminal appeals, clerk of a court of appeals, district clerk, county clerk, district and county clerk, or municipal clerk has a reasonable basis to believe in good faith that a document or instrument previously filed or recorded or offered or submitted for filing or for filing and recording is fraudulent, the clerk is required to take certain action. Authorizes a county clerk who, in good faith, files or records, or refuses to file or record, a document or instrument creating a lien against or asserting a claim to or an interest in real or personal property immunity from liability and suit arising out of the filing, recording, or refusal to file or record the document or instrument. The changes in law made by this Act apply only to a document or instrument conveying or purporting to convey an interest in real or personal property filed, recorded, or offered for filing or recording on or after the effective date of this Act. A document or instrument conveying or purporting to convey an interest in real or personal property filed, recorded, or offered for filing or recording before the effective date of this Act is governed by the law in effect on the day the document or instrument was filed, recorded, or offered for filing or recording, and the former law is continued in effect for that purpose.



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<u>S.B. 1547</u>	Senate Author: Zaffirini
Effective Date: Immediate	House Sponsor: Orr

Relating to fees charged by County clerks for certain property records.

Summary: **Amends Local Government Code, Sections 118.011(a) and (e).** A county clerk shall collect the following fees for services rendered to any person that is an electronic copy of an electronic document, except for real property records: which means Marriage Licenses, DBA’s Cattle Brand copies, judicial probate, criminal, civil (non-property) court filings: for each document up to 10 pages in length, \$1; for each page or part of a page of a document over 10 pages, \$0.10; A county clerk who provides a copy in a format other than paper of a record maintained by the clerk, including real property records, shall provide the copy and charge a fee in accordance with Sections 552.231 and 552.262, Government Code. This means that we will have to be prompted to charge for “real property records” due to the AG fee schedule, which is due to Responding to Requests for Information That Require Programming or Manipulation of Data.

The Bulk Data Requests as follows:

Public Information Cost Estimate Model

Pursuant to section 552.2615 of the Public Information Act (the PIA), chapter 552 of the Government Code, **if a request for information under the PIA will result in charges of *more than \$40*, a governmental body must send a cost estimate to the requestor before doing any work on the request.**

To assist governmental bodies in writing cost estimates that comply with section 552.2615, the Open Records Division of the Office of the Attorney General provides the following Public Information Cost Estimate Model. Please be aware, however, that to use this Public Information Cost Estimate Model most efficiently, you should be familiar with the cost rules under the Public Information Act. THE ACCURACY OF THE ESTIMATE GENERATED BY THIS PROGRAM IS DEPENDANT UPON THE ACCURACY OF THE INFORMATION ENTERED BY THE USER. For any questions or suggestions regarding the Public Information Cost Estimate Model, or any other cost-related issues, please contact our toll-free Cost Hotline at 1-888-OR COSTS (1-888-672-6787). For all other questions related to the Public Information Act, please contact our toll-free Open Government Hotline at 1-877-OPEN TEX (1-877-673-6839).

For additional Information please refer to:

<https://www.texasattorneygeneral.gov/open-government/governmental-bodies/charges-public-information>

You can also refer to the Texas Administrative Code Title 1, Part 3, Chapter 70, Rule 70

https://texas-sos.appianportalsgov.com/rules-and-meetings?chapter=70&interface=VIEW_TAC&part=3&title=1



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S.B. 1547 amends current law relating to fees charged by county clerks for certain property records.

SB 1547 – Effective Immediately Relating to fees charged by county clerks for certain property records. If the format of the services is in an electronic format for property records, then we must follow the AG’s fee schedule but if it is in paper format we still follow the \$1.00 fee schedule IDENTIFIED IN LGC 118.011. In 2023 Senator Zaffirini passed S.B. 1612 to make various administrative updates for district courts. The bill, however, included language allowing county clerks to charge \$0.10 per page for electronic copies of real property records. This fee significantly exceeds the actual cost of production and conflicts with existing laws that regulate public records fees. Specifically, current law limits fees to the actual cost of producing records and ensures charges reflect only the necessary work and expenses required for public information requests, preventing excessive fees.

The passage of S.B. 1612 has created a legal conflict by contradicting these existing cost limitations, allowing an unintended overcharge for electronic copies. To correct this issue, S.B. 1547 would remove the additional charge for electronic copies of real property records, restoring the original intent of the law. This change would ensure that fees remain fair, reasonable, and aligned with the actual cost of providing public records.

S.B. 1547 amends current law relating to fees charged by county clerks for certain property records.

SECTION 1. Sections 118.011(a) and (e), Local Government Code, are amended to read as follows:

(a) A county clerk shall collect the following fees for services rendered to any person:

(1) Personal Property Records Filing (Sec. 118.012):

(A) for the first page..... \$ 5.00;

(B) for each additional page or part of a page on which there are visible marks of any kind..... \$ 4.00;

(2) Real Property Records Filing (Sec. 118.013):

(A) for the first page..... \$ 5.00;

(B) for each additional page or part of a page on which there are visible marks of any kind..... \$ 4.00;

(C) for all or part of each 8-1/2" X



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14" attachment or rider..... \$ 4.00;

(D) for each name in excess of five names that has to be indexed in all records in which the document must be indexed \$ 0.25;

(3) Certified Papers (Sec. 118.014):

(A) for the clerk's certificate..... \$ 5.00;

(B) printed on paper, plus a fee for each page or part of a page..... \$ 1.00;

(C) that is a paper document converted to electronic format, for each page or part of a page..... \$1;

(D) that is an electronic copy of an electronic document:

(i) for each document up to 10 pages in length..... \$1;

(ii) for each page or part of a page of a document over 10 pages..... \$0.10;

(4) Noncertified Papers (Sec. 118.0145):

(A) printed on paper, for each page or part of a page..... \$ 1.00;

(B) that is a paper document converted to electronic format, for each page or part of a page..... \$1;

(C) that is an electronic copy of an electronic document, except for real property records:

(i) for each document up to 10 pages in



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length..... \$1;

(ii) for each page or part of a page of a document over 10 pages..... \$0.10;

(5) Birth or Death Certificate (Sec. 118.015) same as state registrar;

(6) Bond Approval (Sec. 118.016)..... \$ 3.00;

(7) Marriage License (Sec. 118.018)..... \$60.00;

(8) Declaration of Informal Marriage (Sec. 118.019) \$25.00;

(9) Brand Registration (Sec. 118.020)..... \$ 5.00;

(10) Oath Administration (Sec. 118.021)..... \$ 1.00.

(e) A county clerk who provides a copy in a format other than paper of a record maintained by the clerk, including real property records, shall provide the copy and charge a fee in accordance with Sections 552.231 and 552.262, Government Code.

This means that we will have to be prompted to charge for “real property records” due to the AG fee schedule which are due to Responding to Requests for Information That Require Programming or Manipulation of Data.

CDCAT General Counsel Analysis:

First, the bill does not impact paper copies. Second, for electronic copies (pre-SB 1547) deeds are \$1.00 for up to ten pages, then \$0.10 per page after that. The law (post-SB1547) says to use Section 552.262 Government Code. That section, specifically (b), requires the AG to prescribe the method for computing charges for electronic and other kinds of media.

The AG’s rules for calculating the costs of information are at [70.3](#). The first piece of the calculation for electronic copies is at (d), which is the labor charge. It’s \$15/hour for “the actual time to locate, compile, manipulate data, and reproduce the requested information.” The second piece of the equation is at (e), the overhead charge. This is optional for the governmental body to apply, but if they do, it should be 20% of the labor charge.



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So here is how this plays out in practice. Let's say someone requests an electronic copy of a deed. Let's assume locating that deed, formatting it for email, and the sending takes ten minutes. The calculation is as follows:

Labor: 15 (hourly) / 6 (ten minutes) = 2.50

Overhead: 2.50 (labor) / 5 (20%) = .50

Total: \$3.00

Using that same formula, if the labor only takes five minutes, you have:

Labor: 1.25

Overhead: .25

Total: \$1.50

All taken together, the only thing that's changing is that instead of charging based on page numbers for electronic real property records, you're going to be charging based on time. My assumption is that most jurisdictions will set some reasonable average for how long the "labor" takes for an individual deed (e.g. five or ten minutes) and just charge that amount across the board.

<u>S.B. 1760</u>	Senate Author: Zaffirini
Effective Date: 9/1/2025	House Sponsor: Thompson

Relating to guardianships for persons who are incapacitated; changing a fee.

Summary: **Amends Estates Code, Sections 1023.002(c), 1023.004(a), 1023.005(c), 1023.006(a), (b), (c), (d), (e), and (g), 1023.0071, 1105.157 (a) and (d) and adding Subsection (d-1), 1151.051, 1156.052(a) and (b), 1163.003(a), 1203.006, 1204.105 by adding Subsection (h), 1204.151, 1204.152, 1251.005(a),** This clarifies the process that Guardians must follow when transferring Guardianships between different Counties.

- This allows the sureties on the bond to be cited by a qualified delivery method for a show-cause hearing.
- The clerk will create a transfer certificate and a certified index of the transferred documents, which will include any papers previously received on transfer from another county.
- The transfer filing fee is \$80, which is not to be sent to the state, it goes into the general fund (**CDCAT will fix that in the next Legislative Session**).
- It clarifies that the Guardian may deposit their own cash with the court registry. The Clerk shall issue a receipt, and the record of deposit must be attached to the Guardian's bond. The record must be in a specific form identified in the Senate Bill.
- The Guardian of the person must notify the Court if the Ward dies or is admitted to a medical facility for acute care for 3 or more days.
 1. The duty to notify the Court not later than the 30th day after the date of the Ward's residence or address changes.

County Clerks

2. The duty to notify the Court not later than the 30th day after the date of a change in the Guardian’s residence, address, phone number, or any other information used by the Court to contact the Guardian.
 - Minor children or Incapacitated Adult Children must be considered when deciding to order money from a Ward’s Estate. The Court requires copies of the notices sent along with proof of delivery receipts for each notice.
 - Requires the Guardian of the Estate to attach a receipt, invoice, or proof of payment to each Annual Account, and an official statement that covers the date that the accounting period ends issued by each bank or depository where the money on hand of the Estate or Ward is deposited or the securities or other assets are held for safekeeping and a bill of sale, contract, or other agreement evidencing the sale of personal property of the Estate or Ward during the Accounting period.
 - Requires the Court to order the cancellation of the letters issued to the guardian when a Guardian applies to resign and has fully complied with the Court orders.
 - If the Guardian is under bond, it also requires the Court to order the discharge and release of the sureties on the Guardian’s bond.
 - There are new requirements for the Guardian of the Estate to file an affidavit, sworn to by the Guardian, or a certificate signed by the Guardian’s attorney, stating specific information.
 - There are additional steps when the Court is discharging a Guardian and there is no remaining Estate Property, which includes the Court entering an Order canceling the letters issued to the Guardian of the Estate.
 - When an Application for Temporary Guardianship is filed, the Clerk must issue a citation to be served personally.

Estates Code Section 1023.008 is repealed.

<u>S.B. 1839</u>	Senate Author: Zaffirini
Effective Date: 9/1/2025	House Sponsor: Dutton

Relating to the delivery of records, including a will, in probate proceedings transferred to other courts.

Summary: **Amends Estates Code Section 33.105(a) and adds Subsection (a-1).** Clarifies original papers to be transferred by a qualified delivery method, the original will, or the paper copy of the will offered under Section 256.156 to prove a will that cannot be produced in Court as applicable. If applicable, the applicant who requested to transfer a probate proceeding shall pay the cost of delivery.



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<u>S.B. 1940</u>	Senate Author: Hughes
Effective Date: 9/1/2025	House Sponsor: VanDeaver

Relating to authorizing a beneficiary designation that transfers a manufactured home classified as personal property at the owner's death.

Summary: **Amends Estates Code, Subtitle C, Title 2 by adding Chapter 116, amends Section 122.001(1), amends Occupations Code Subchapter E, Chapter 1201 by adding Section 1201.2135.** The Beneficiary Designations for Certain Manufactured Homes has a new definition section, and clarifies this chapter applies only to a manufactured home classified as personal property under Property Code 2.001, Authorizes a Beneficiary Designation, the Effect of the Beneficiary Designation at Owner’s or Last Surviving Owner’s Death, refers to Creditor Claims, Allowances in Lieu of Exempt Property and Family Allowances. (Basically a “Transfer on Death Deed” for a mobile home.) The Manufactured Housing Division (TDHCA) is working on adding an election check box on the SO application to be able to choose ‘YES’ if a person wishes to add a beneficiary, or beneficiaries. An affidavit will be created and made available on their website by September 1, which will need to be used. The beneficiary will be shown on the Statement of Ownership when it is printed.

- Link to Texas Department of Housing and Community Affairs: <https://www.tdhca.texas.gov/mhd>



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<u>H.B. 16</u>	House Author: Leach
Effective Date: See Note at End	Senate Sponsor: Hughes

Relating to the operation and administration of and practices and procedures related to proceedings in the judicial branch of state government, including court security, court documents and arrest warrants, document delivery, juvenile boards, constitutional amendment election challenges, record retention, youth diversion, court-ordered mental health services, and the powers of the Texas Supreme Court, jurors, and the special prosecution unit; increasing a criminal penalty; authorizing fees.

Summary: HB 16 is the omnibus judicial bill that consolidates statutory changes related to the creation of new courts, judicial administration, and changes to jurisdiction. [S.B. 1](#) (General Appropriation Bill) includes a total of \$3.2 million to fund this legislation.

Article 1. District Courts, District Clerks, and District Attorneys

Adds new responsibility for Clerks in certain Judicial Districts to amend:

Sec. 24.591. 451st Judicial District (Kendall County)

The district clerk serves as clerk of a district court in all criminal and civil matters, including family matters, except the county clerk serves as clerk of a district court in Class A and Class B misdemeanor cases, juvenile matters, probate matters, and guardianship matters. Each clerk shall establish a separate docket for a district court.

Sec. 24.60043. 498th Judicial District (Kendall County)

The district clerk serves as clerk of a district court in all criminal and civil matters, including family matters, except the county clerk serves as clerk of a district court in Class A and Class B misdemeanor cases, juvenile matters, probate matters, and guardianship matters. Each clerk shall establish a separate docket for a district court.

Article 2. Statutory County Courts.

Amends Government Code 22.004 (h-1), 25.0003, and 25.0007(c). Increases the jurisdiction of statutory county courts from \$250,000 to \$325,000, allowing these courts to take on more cases, thereby relieving the caseload of district courts.

Amends Government Code 25.007(c) to require a jury composed of 12 members in a civil case pending in a statutory county court when the controversy exceeds \$325,000 unless all of the parties agree to a jury composed of a lesser number.

Amends Government Code 25.00212. Designates the Comptroller of Public Accounts of the State of Texas as the entity responsible for distributing excess contribution fund payments, ensuring that statutory probate courts receive the additional funding they are entitled to and need.



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Sec. 25.0062 (b). Aranas County Court at Law Provisions

The district clerk serves as clerk of a county court at law in felony cases, in family law cases and proceedings, and in civil cases in which the matter in controversy exceeds \$325,000. The county clerk serves as clerk of a county court at law in all other cases. The district clerk shall establish a separate docket for a county court at law. The commissioners court shall provide the deputy clerks, bailiffs, and other personnel necessary to operate a county court at law.

Article 3. Municipal Court Provisions

Municipal only

Article 4. Visiting Judges

Adds that a former or retired justice of an appellate court can be assigned as a visiting judge to a statutory probate court, a county court, or any statutory court involving probate matters. Clarifies that the Texas Rules of Civil Procedure relating to recusal and disqualification of judges apply to a statutory probate court judge, and the presiding judge has the authority to rule on motions of recusal or disqualification. Authorizes a former or retired district, statutory county court, or appellate court judge or justice assigned to sit in a constitutional county court in the Texas-Mexico border region to receive additional compensation from the state if the presiding judge of the judicial region certifies that exigent circumstances require the assignment, and the funds have been appropriated. It also allows for a judge, in the same circumstance, to conduct a proceeding, other than a trial, or perform a judicial action authorized by law from any location in this state using videoconference, teleconference, or other available electronic means if authorized to do so by the assignment order. Allows a visiting judge who has been assigned as a mentor to receive compensation for doing so. Adjusted the tiered salary for visiting judge to appropriately match their years of service (they are currently compensated at a daily rate based on the lowest tier, 0-4 years of experience, but visiting judges are required to have a comparable years of service as the retired judge or justice on the retired judge's or justice's last day of service in judicial office to serve as a visiting judge).

Article 5. Masters, Magistrates, and Associate Judges

County Specific

Article 6. Juvenile Boards

County Specific

Article 7. Court Administration

Amends Code of Criminal Procedure Article 45A.302 to allow a judge granting deferred adjudication to impose a **special expense fee** on the defendant not to exceed the amount of the fine that could be imposed as punishment for the offense. The judge must require that the amount

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of the fee be credited toward the payment of any fine imposed by the judge as punishment for the offense.

Amends Code of Criminal Procedure 45A.302. Correctly classifies a fee that was previously labeled a fine; current law has a defendant paying a fine in a deferred disposition when they should be paying a fee.

Code of Criminal Procedure Article 102.0061 is amended to overturn the fee repeal in SB 1667 (fees in Expunction Proceedings). **This replaces Article 102.006 as of January 1, 2026.** The costs of expunction are the same as those for a civil action: \$350 in district court and \$100 in municipal court. The fees can be waived if the person is acquitted and the petition is filed within 30 days after acquittal or after successful completion of a mental health court program, a veterans' treatment program, or if the court waives the fees.

Amends Code of Criminal Proceeding to add Subsection Art. 102.017 (e-1). Commissioners Court shall consider the recommendations provided by a court security committee under Section 74.0922, Government Code, when spending court security funds.

Amends Government Code 22.110. Includes training requirements relating to elder abuse and neglect for judges. Allows for the exemption from additional training requirements if the judge or judicial officer does not hear cases involving family violence, sexual assault, trafficking of persons, or child abuse and neglect.

Amends Government Code 22.216 and 22.220. Provides clarity on the jurisdiction of the 15th Court and adds it to the definition of "statewide court". Also adds language to stagger the terms of the Justices to ensure they are not all up for reelection concurrently. Finally, it adds justices of the 15th court to the definition of "statewide judicial office".

Amends Government Code Section 51.303 (b) to move the placement of our requirement to accept an application for a protective order filed under Chapter 82, Family Code. Subsection (d) requires **paper records** to include a reference in the minutes opposite each name on which the judgment is entered. Subsection (f) requires **electronic case records** to be searchable by each party's name, case number, and the date of the record.

Amends Government Code 51.903. No filing fee for contesting a fraudulent lien under Civil Practice and Remedies Code 12.005.

Amends Government Code 71.0354. Requires the Texas Judicial Council to develop rules for prosecuting attorneys (district attorneys, county attorneys, and criminal district attorneys) regarding the volume and types of cases that go through their offices, the number of missed indictment deadlines that led to release, and the number of out-of-county offenses committed by defendants released from their jurisdiction to the Council.

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Amends Government Code 72.083. Makes changes to the performance metrics specifically for probate courts, as clearance rates are not accurate measures for guardianship and mental health cases, where a case may be intentionally left open for years.

Amends Government Code 74.091. Permits an elected administrative judge to continue the position beyond the specified term length of two years until their term as a district judge is finished and allows the regional administrative presiding judge to have the deciding vote when the election of an administrative judge does not have a clear winner. Allows counties to compensate the administrative district judge for the additional duties, based on the number of district courts in each county.

Amends Government Code 74.092 and 74.0922. Adds a representative of each constable's office in the county and a judge from each of the district courts, county courts, and justice courts in the county to the court security committee and requires the committee to meet at least once annually and make recommendations to the county commissioners court, including on allocations of the court security budget.

Amends Government Code 74 and creates Subchapter D-1. Creates a judicial court leadership conference for district judges, administrative district judges, and regional presiding judges to receive training on court budgets, operational funding, and court activities and statistics.

Amends Local Government Code 118.011(a) (6) to increase the **Bond Approval fee** from \$3.00 to \$5.00 (effective January 1, 2026).

Amends Local Government Code 135.101 (a) (2) to remove the appeal fee from the local fees (fixes an error from the 88th session when the state portion of the fee was repealed but not the local portion).

Amends Local Government Code 135.101. Directs the Office of Court Administration to conduct a study on digital court reporting and submit a report no later than Oct. 1, 2026, to the Legislative and Executive Branch.

Article 8. Copies Certified by Clerks

Government Code adds Section 51.3033 for district clerks and 51.503 for combo clerks. Local Government Code 191.0041 added for county clerks.

Sec. 51.3033. CERTIFIED COPIES. A certified copy made of an original document on file in a district clerk's office must include:

(1) on each page of the copy:

(A) the clerk's signature or initials;

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(B) the district court seal; or

(C) a unique document certification and paginated page number; and

(2) on the final page of the copy:

(A) the clerk's attestation certifying that the copy is a true and correct copy of the original document filed in the clerk's office;

(B) the number of pages copied; and

(C) the date the copy was issued.

Note: The clerk's signature must appear on the clerk's attestation stamp. If you do not have room on the back page of the document, add a blank page and place it there; then, add that page to the total number of pages.

FOR THE COUNTY CLERKS - We realize there is an error in Section 8.03,

(i) the commissioners court seal on a copy of a document that is not a court document; or

(ii) the court seal on a copy of a court document;

We should have separated the commissioners' court records from the records of real and personal property. Please continue to use the correct stamp, and we will address this issue in the next session.

Amends Civil Practice and Remedies Code 30.015. Adds language to help clerks distinguish parties in a suit and information that needs to be provided, such as the last three digits of the party's social security number and driver's license, unless it involves a tax suit.

Amends Civil Practice and Remedies Code, Section 30.015, to add business courts resulting from HB 40.

(a) In a civil action filed in a district court, a county court, a statutory county court, a statutory probate court, or the business court, each party or the party's attorney must provide the clerk of the court with written notice of the party's

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name, the party's [and] current residence or business address,
and for a party who is an individual:

(1) the last three digits of the party's social
security number; or

(2) the last three digits of the party's Texas
driver's license.

SECTION 9.03. Section 30.015(b), Civil Practice and Remedies Code, is amended to read as follows:

(b) Unless the party is the defendant in a tax suit, the
[The] notice required by Subsection (a) may not be required from any party or party's attorney if the [such] party has not appeared or answered in the civil action.

Note: We discussed expanding this to all debt collection in the future.

Amends Code of Criminal Procedure Art. 43.09, 45A.251, 45A.254, 45A.459, 45A.460, 102 to raise the jail credit from \$100 to \$150. Changes to 43.09, 45A.254, 45A.459 apply to a defendant who performs community service to discharge fines or costs on or after the effective date of this Act, regardless of whether the offense for which the fines or costs were imposed occurred before, on, or after that date.

Amends Family Code 6.4035(e) to allow a digital signature on a waiver.

Amends Government Code Section 22.220 and adds Section (e):

(a) Section 23.303, Government Code, as added by S.B. 293, Acts of the 89th Legislature, Regular Session, 2025, and effective September 1, 2025, is amended by amending Subsections (a) and (b) and adding Subsection (b-1) to read as follows:

(a) The business court, a district court, or a statutory county court shall, with respect to a motion for summary

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judgment:

(1) set the motion for a hearing by ~~[hear]~~ oral argument ~~[on the motion]~~ or by submission on a date ~~[consider the motion without oral argument]~~ not later than:

(A) the 60th ~~[45th]~~ day after the date ~~[the response to]~~ the motion was filed; or

(B) the 90th day after the date the motion was filed:

(i) if the court's docket requires a hearing on a date later than the 60th day after the date the motion was filed;

(ii) on a showing of good cause; or

(iii) if the movant consents; and

(2) file with the clerk of the court and provide to the parties a written ruling on the motion not later than the 90th day after the date the motion was heard ~~[argued]~~ or considered.

(b) The ~~[If a motion for summary judgment is considered by a court described by Subsection (a) without oral argument, the]~~ court shall record in the docket the date the motion was heard or considered ~~[without argument]~~.

(b-1) Subsections (a) and (b) do not apply to a motion for summary judgment that is withdrawn.

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Note: Applies only to a motion for summary judgment filed on or after the effective date of this Act.

Amends Government Code Section 406.026 to add the allowance of electronic signatures to Title 1 as well as Title 5.

Amends Property Code, Section 21.049; Tax Code, Section 34.03; Transportation Code, Section 521.243. The following codes replace requiring certified or registered United States mail, return receipt requested, with “a delivery method described under Rule 21A, Texas Rules of Civil Procedure”.

Article 10. Youth Diversion

Amends Code of Criminal Procedure Articles 45A.253(b), 45A.501, 45A.504, 45A.510(a), 45A.512(a), Family Code Sections 53.01(b-1). Revises youth diversion laws by providing definitions allowing diversion once every 12 months, permitting multiple offenses from the same episode in a single diversion, and eliminating mandatory post-trial diversion for contested charges. It expands the tolling of statutes of limitations during diversion and caps the court administrative fee at \$50. Juvenile cases involving children in general residential operations (GROs) must be referred to community juvenile services if eligible for deferred prosecution. The bill also requires GRO staff to receive crisis response training and mandates juvenile boards to prioritize diversion over prosecution or detention for these children, while tracking related data.

Amends Family Code 82.004. Clarifies that applications for Orders of Protective Custody may be submitted in either the county in which the patient was apprehended under an Emergency Detention Order or the county in which the patient is located and receiving treatment. Applicant to submit a separate affidavit containing confidential information.

Article 11A & 11B. Court-Ordered Mental Health Services

Health and Safety Code Sections 574.011(a) and (b) as amended by [S.B. 1164](#) 89th Regular Session and effective 9.1.25 are amended to remove from the certificate of medical examination for mental illness: evidence in the inability to recognize symptoms or appreciate the risks and benefits of treatment and in the absence of inpatient mental health treatment, the examined person is likely to suffer serious risk of harm or to inflict serious harm on another person.

Health and Safety Code Section 574.034(a) and (d) as amended by [S.B. 1164](#) 89th Regular Session and effective 9.1.25 are amended to remove from the allowance of a judge to order from clear and convincing evidence by the judge or jury : evidencing an inability to recognize symptoms or to appreciate the risks and benefits of treatment and in the absence of court ordered temp inpatient metal health services is likely to suffer serious risk of harm or to inflict serious harm on another person. It also states that the evidence must include expert testimony, and unless waived, evidence of a recent overt act or a continuing pattern of behavior that tends to confirm the proposed patient’s inability to recognize symptoms or appreciate the risks and benefits of treatment.

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Health and Safety Code Sections 573.035(a) and (e) as amended by [S.B. 1164](#) 89th Regular Session and effective 9.1.25 is amended to remove from the judge ordering a proposed patient to receive court-ordered extended inpatient mental health services only if the jury or the judge if the right to a jury is waived finds from clear and convincing evidence of the inability to recognize symptoms or appreciate the risks and benefits of treatment and in the absence of court-ordered extended inpatient mental health services is likely to suffer serious risk of harm or to inflict serious harm on another person. Removes the evidence of expert testimony and evidence of a recent overt act or continuing pattern of behavior that tends to confirm the proposed patient's inability to recognize symptoms or appreciate the risks and benefits from treatment.

Article 12. Powers of the Supreme Court

Amends Government Code Section 22.004 to remove the Texas Supreme Court's authority to repeal laws governing civil procedure by rule under Government Code sec. 22.004(c), and instead would establish that all laws and parts of laws governing practice and procedure in civil actions enacted before May 15, 1939, would be repealed, except that no laws or parts of laws would be superseded until the Supreme Court adopted a rule that governed the subject matter of the law or part of a law. The Supreme Court would have to file with the Secretary of State a list of each law that had been superseded, rather than a list of each law that had been repealed or modified.

Article 13. Jurors

This section amends [HB 2637](#), passed during the regular session, as follows:

Code of Criminal Procedure Article 19A.105(b) is word play, replaces [claim an exemption] with may be exempted.

Government Code Section 62.107(c) requires a clerk that receives notification of a permanent age exemption to notify the district clerk instead of the [secretary of state].

Government Code Section 62.108 (e) requires a clerk that receives notification of the rescission of a permanent age exemption to notify the district clerk instead of the [voter registrar].

Government Code Section 62.109 requires the district clerk to be authorized by the local administrative district judge or the county jury plan, to permanently or for a specific period, exempt for mental or physical impairment or an inability to communicate in the English language.

Note: All changes take effect on the effective date of this Act.

Article 14. Special Prosecution Unit

Amends Government Code Sections 41.311, 41.312, 41.313, 41.314. Expands authority so that any attorney serving on a special prosecution unit can represent that state in specified cases, not just prosecuting attorneys. It grants immunity from liability for good faith actions to board members, executives, the chief, counselors, and other unit staff, with courts required to dismiss related claims. The attorney general must defend these individuals upon request, with the unit of

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persons not liable for costs. If found immune, the person must be awarded court costs and attorney fees.

Article 15. Miscellaneous Judicial, Court, and Records Provisions

Protected Status. The following are now included in the list of protected individuals in all codes addressed in this article:

A current or former county clerk, district clerk, or county and district clerk, or a current or former employee of the office of a county clerk, district clerk, or county and district clerk or municipal court personnel, a current or former employee whose duties relate to court administration, including a court clerk, court coordinator, court administrator, juvenile case manager, law clerk or staff attorney or a family member of a any of these people.

Election Code 13.0021 (b). Additional Registration Information from...; 253.152 (7). Definitions. The registrar of the county shall omit the residence address of an applicant from the registration.

Government Code 92.001. Definitions of At-risk individual includes “court clerk” and covered information includes-home address; phone numbers for personal use; email address; social security number; driver’s license number; bank account, credit card, or debt card information; drivers license plate; identity of a child under 18; date of birth; day care attendance, address, schedules or routes taken; employment information, name and address of employer, schedules, or routes taken; photographs or videos that reveal any of the above, see entire code. (Already in statute).

Government Code 552.117. Exception: Confidentiality of Certain Addresses, Telephone Numbers, Social Security Numbers, and Personal Family Information. Is exempt from 552.0215 Right of Access to Certain Information after 75 Years.

Government Code 552.1175. Exception: Confidentiality of Certain Personal Identifying Information of Peace Officers and Other Officials Performing Sensitive Governmental Functions.

The above sections include the following changes:

Except as provided by a Subsection, all documents filed with a county clerk and all documents filed with a district clerk are exempt from this section.

New Subsection A county clerk of district clerk on request of a person to whom this section applies shall redact information that relates to the person posted on an Internet website by the clerk; or an entity with which the county contracts for the provision or maintenance of the Internet website. (Create a form)

Penal Code, Section 42.07. Harassment. Class A misdemeanor if committed against a person the actor knows is a court employee, and state jail felony if the actor has been previously convicted under this section, or a third-degree felony if a judge has previously been convicted under this section.

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Tax Code, Section 25.025. Confidentiality of Certain Home Address Information. The individual chooses to restrict public access on a prescribed form.

Transportation Code, Section 521.121. General Information on Driver's License. The department shall establish a procedure to change the address on your license to the courthouse address upon your request. They have until November 1, 2026, to present a plan to the legislature for accomplishing this.

Amends Local Government Code, Section 615.003, so any county may build and operate a parking lot near the courthouse.

Effective Date: This Act takes effect December 4, 2025, except Sections 2.11, 2.12, 9.10, and 9.22, and Articles 4 and 11B take effect immediately; Sections 1.12, 1.13, 1.14, and 1.16 take effect December 1, 2025; Sections 1.05, 1.06, 1.11, 1.27(b), 7.02, and 12.09 take effect January 1, 2026; Sections 1.09, 1.10, 1.15, 1.17, and 1.19 take effect September 1, 2026; Section 1.18 takes effect October 1, 2026; Sections 1.01 and 1.02 take effect January 1, 2027; Section 1.22 takes effect September 1, 2028; Sections 1.23, 1.24, 1.25, and 1.26 take effect January 1, 2029; and Article 11A has no effect.

<u>H.B. 1610</u>	House Author: Leach
Effective Date: 4/1/2027	Senate Sponsor: Johnson

Relating to the nonsubstantive revision of certain provisions of the Code of Criminal Procedure, including conforming amendments.

For informational purposes only. No action by a clerk is required in this bill.

Summary: A nonsubstantive recodification of certain portions of the Texas Code of Criminal Procedure and related codes, fully reorganizing existing statutes without altering their legal meaning or effect.

Article 1: Restates and relocates laws into four newly created chapters:

- **Chapter 5A** – *Preventing, Investigating, and Prosecuting Family Violence*
- **Chapter 9A** – *Trade, Business, or Occupation Injurious to Public Health*
- **Chapter 49A** – *Death Inquests*
- **Chapter 50A** – *Fire Inquests*

These chapters bring together related procedural statutes (formerly in Articles 5, 9, 49, 50) under organized headings and clearer numbering.

Article 2: Conforming amendments in other codes (e.g., Family Code, Health & Safety Code, Penal Code) to ensure consistency with the newly recodified chapters—without creating substantive legal change.

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Article 3: Repeals the prior **Chapters 5, 9, 49, and 50** of the Code of Criminal Procedure to avoid duplication.

Article 4 – General Provisions:

- Establishes statutory authority under Art. III § 43 of the Texas Constitution for codification-only bills.
- Confirms the Code Construction Act applies.
- Clarifies that references to former sections should be read as references to their recodified counterparts.

Explicitly states that *no substantive changes* to the law are intended.

<u>H.B. 4081</u>	House Author: Vasut
Effective Date: 9/1/2025	Senate Sponsor: Hughes

Relating to the sealing of certain documents alleged to contain trade secrets.

Summary: **Amends Civil Practice and Remedies Code Chapter 134A by adding Section 134A.0065.** Establishes a transparent, structured process for sealing trade secret-containing documents in Texas litigation and protects business confidentiality while preserving public access when trade secret claims are unsubstantiated. If someone files a document that they believe contains trade secrets, either their own or someone else’s, they must file a notice, provide a detailed explanation in an affidavit, and deliver the document in a sealed envelope to the court. Others involved in the case must be notified. If a person claims trade secret protection, they must submit an affidavit within 14 days explaining what the secret is and why it qualifies. During this time, the document stays sealed. If no affidavit is submitted on time, the document becomes public. However, if everything is filed correctly, the court treats the document as sealed unless someone successfully challenges it. Anyone, including outside parties, can later request that the court unseal the document, and the court must hold a hearing to determine if the information truly qualifies as a trade secret. If not, the document or the non-confidential parts may be released.

<u>H.B. 4996</u>	House Author: Dyson
Effective Date: 9/1/2025	Senate Sponsor: Flores

Relating to the increasing the criminal penalty for the offense of refusal to execute the release of a fraudulent lien or claim.

Summary: **Amends the Penal Code, Section 32.49(c).** An offense under this section is a Class A misdemeanor, except that the offense is a felony of the third degree if the owner of the real or personal property subject to the fraudulent lien or claim is a person the actor knows is a public



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servant.

<u>S.B. 9</u>	Senate Author: Huffman
Effective Date: See Note at End	House Sponsor: Smithee

Relating to the confinement or release of defendants before trial or sentencing, including regulating charitable bail organizations, and the conditions of and procedures for setting bail and reviewing bail decisions.

Summary: Bail Reform Bill. **This bill amends the Code of Criminal Procedure (CCP).** Defendants placed in pretrial intervention programs must be reported to the state database within 10 days by the prosecutor or the pretrial services department. Clerks must report the closing of the case to OCA. Pretrial intervention is now reportable to DPS. The OCA will promulgate a bail bond form that must be reported within 48 hours after the time bail is set.

Magistrates:

Section 5. Magistrates can no longer issue bail to defendants with felonies if they are currently on bail for or have been convicted of or are on probation for another felony. Bail must be considered by the judge in the previous case. The court, **district clerk**, and prosecutors **will receive notice of the charge**. Magistrates can no longer post bail on murder, aggravated kidnapping, or assault.

Section 7. Magistrates can no longer release a defendant on a personal bond if the defendant is charged with any offense involving violence; or murder as a result of manufacture or delivery of a controlled substance; terroristic threat (Class A misdemeanor or higher; violation of court orders or conditions of bond in a family violence, child abuse or neglect, sexual assault, indecent assault, stalking, or trafficking case; unlawful possession of a firearm.

Section 10. A magistrate may not reduce the amount or conditions of bond set by a district court, including the judge of a district court in another county.

Section 11. For felony charges, the magistrate shall ensure that the defendant appears before them and considers the public safety report.

District judges:

Section 6. District judges can modify any bail decisions made by a magistrate in which they have jurisdiction over the case, regardless of whether the defendant has been previously indicted, or a case filed by complaint and information. The **district clerk** will notify district judges of requests to review a bail decision **no later than the next business day** after being filed by the state prosecutor. If the judge modifies a bail decision for a defendant who is not in custody, a **summons must be issued to the defendant**.



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Section 9. A judge or magistrate can change the bond at any time if they find it defective, excessive, or insufficient, or for any good reason, regardless of whether the defendant has been previously released under Article [17.151](#) (Release because of Delay).

Section 12. If a defendant is adjudged guilty after entering a plea on a second-degree felony or higher and sentenced to prison, the court shall order the defendant to be taken into custody until the defendant is sentenced. (In other words, they cannot be released to get their affairs in order before sentencing).

Section 13. An affirmative finding of fact must be included in the judgment.

Section 14. In offenses punishable as a Class B misdemeanor or higher, upon disposition of the case, the judge shall make an affirmative finding of fact and enter it in the judgment or dismissal order if the judge determines that the defendant willfully failed to appear after the defendant was released from custody for the offense.

SECTION 1. Chapter 16, Code of Criminal Procedure, is amended by adding Article 16.24 to read as follows:

Art. 16.24. REPORTING OF CONDITIONS OF PRETRIAL INTERVENTION PROGRAM. As soon as practicable but not later than the 10th business day after the date a defendant enters a pretrial intervention program, the attorney representing the state, or the attorney's designee who is responsible for monitoring the defendant's compliance with the conditions of the program, shall enter information relating to the conditions of the program into the appropriate database of the statewide law enforcement information system maintained by the Department of Public Safety or modify or remove information, as appropriate.

Clerks duties as presented in the Pretrial Diversion Reporting Guidance published by the OCA August 2025.

*New case filed - **Memorandum Regarding Defendant's Entry into Pretrial Diversion** - Report to OCA as "disposed" under the mapping "placed on deferred adjudication" - CJIS reporting as CDN 330 (pending) and CPN 381 (pretrial*

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diversion).

*PTD compliance hearings - PTD officer to report to clerk all **compliance hearings** - Report to OCA as "additional court activity-case review hearings".*

*PTD completed successfully - PTD gets **Order of Dismissal** - no OCA reporting, only CJIS CDN 305 (dismissed).*

*PTD unsuccessful - state file a "**Motion to Revoke**" - report to OCA as "motion to revoke" (reopening event) then dispose of the case as you would a normal case.*

SECTION 2. Article 17.021, Code of Criminal Procedure, is amended by amending Subsection (b) and adding Subsections (c-1), (h), (h-1), and (i) to read as follows:

(b) The public safety report system must:

- (1) state the requirements for setting bail under Article 17.15 and list each factor provided by Article 17.15(a);
- (2) provide the defendant's name and date of birth or, if impracticable, other identifying information, the cause number of the case, if available, and the offense for which the defendant was arrested;
- (3) provide information on the eligibility of the defendant for a personal bond;
- (4) provide information regarding the applicability of any required or discretionary bond conditions;
- (5) provide, in summary form, the criminal history of the defendant, including information regarding ~~any~~:
 - (A) previous misdemeanor or felony convictions;
 - (B) pending charges;

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(C) any previous sentences imposing a term of confinement;

(D) any previous convictions or pending charges for:

(i) offenses that are offenses involving violence as defined by Article 17.03; or

(ii) offenses involving violence directed against a peace officer; ~~and~~

(E) previous failures of the defendant to appear in court following release on bail;

(F) whether the defendant is currently on community supervision, parole, or mandatory supervision for an offense;

(G) whether the defendant is currently released on bail or participating in a pretrial intervention program and any conditions of that release or participation;

(H) outstanding warrants for the defendant's arrest that have been entered into the National Crime Information Center database or the Texas Crime Information System established under Section 411.0541, Government Code, including a warrant issued under Article 42A.751 of this code or Section 508.251, Government Code; and

(I) any current protective orders, as defined by Section 72.151, Government Code, for which the defendant is the subject; and

(6) be designed to collect and maintain the information provided on a bail form submitted under Section 72.038, Government Code.

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(c-1) On request by an attorney representing the state, the office shall provide to the attorney access to the public safety report system for the purpose of allowing the attorney to access a bail form submitted to the office under Section 72.038, Government Code.

(h) The public safety report system must be configured to allow a county or municipality to integrate the jail records management system and case management systems used by the county with the public safety report system.

(h-1) The office may provide grants to reimburse counties and municipalities for costs related to integrating the systems described by Subsection (h). The office is not required to provide a grant under this subsection unless the office is appropriated money for that purpose. This subsection expires August 31, 2027.

(i) The office may modify the public safety report system to incorporate technological advances to the system's features regarding notices and to any other processes the office determines will enhance the system's availability to protect the public.

Note: Articles 17.021(c-1), (h), and (h-1) of this section effective January 1, 2026. Article 17.021 (i) of this section effective April 1, 2026.

SECTION 3. Article 17.022, Code of Criminal Procedure, is amended by adding Subsection (g) to read as follows:

(g) In the manner described by this article, a magistrate may order, prepare, or consider a public safety report in setting bail for a defendant

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who is not in custody at the time the report is ordered, prepared, or considered.

SECTION 4. The heading to Article 17.027, Code of Criminal Procedure, is amended to read as follows:

Art. 17.027. RELEASE ON BAIL OF DEFENDANT CHARGED WITH FELONY OFFENSE [~~COMMITTED WHILE ON BAIL~~].

SECTION 5. Article 17.027, Code of Criminal Procedure, is amended by amending Subsection (a) and adding Subsections (a-1), (a-2), (a-3), (c), and (d) to read as follows:

(a) Notwithstanding any other law:

(1) if a defendant is taken before a magistrate for [~~charged with~~] committing an offense punishable as a felony while released on bail [~~in a pending case~~] for another offense punishable as a felony and the subsequent offense was committed in the same county as the previous offense, the defendant may be released on bail only by:

(A) the court before whom the case for the previous offense is pending; or

(B) another court designated in writing by the court described by Paragraph (A); and

(2) if a defendant is taken before a magistrate for [~~charged with~~] committing an offense punishable as a felony while released on bail for another [~~pending~~] offense punishable as a felony and the subsequent offense was committed in a different county than the previous offense, electronic notice of the charge must be [~~promptly~~] given to the individual designated

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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, for purposes of the court specified by Subdivision (1) [~~for purposes of reevaluating the bail decision,~~] determining whether any bail conditions were violated~~[7]~~ or taking any other applicable action such as an action described by Subsection (a-1).

(a-1) If a defendant is taken before a magistrate for committing an offense punishable as a felony while released on bail for another offense punishable as a felony, the court before which the case for the previous offense is pending **shall consider whether to revoke or modify the terms of the previous bond or to otherwise reevaluate the previous bail decision.**

(a-2) A magistrate appointed under Chapter 54, Government Code, may not release on bail a defendant who:

(1) is charged with committing an offense punishable as a felony if the defendant:

(A) was released on bail, parole, or community supervision for an offense punishable as a felony at the time of the instant offense;

(B) has previously been finally convicted of two or more offenses punishable as a felony and for which the defendant was imprisoned in the Texas Department of Criminal Justice; or

(C) is subject to an immigration detainer issued by United States Immigration and Customs Enforcement; or

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(2) is charged with committing an offense under the following provisions of the Penal Code:

(A) Section 19.02 (murder);

(B) Section 19.03 (capital murder);

(C) Section 20.04 (aggravated kidnapping); or

(D) Section 22.021 (aggravated sexual assault).

(a-3) An order granting bail signed by a magistrate appointed under Chapter 54, Government Code, must include the names of each individual who appointed the magistrate and state that the magistrate was appointed by those individuals.

(c) The local administrative district judge for each county shall designate an individual to receive electronic notices under Subsection (a) (2). The county shall ensure that the name and contact information of the individual designated to receive notices under this subsection are included in the public safety report system developed under Article 17.021.

(d) An individual designated under Subsection (c) who receives an electronic notice under Subsection (a) shall promptly provide the notice to the court specified by Subsection (a) (1), to the **district clerk**, and to the attorney representing the state and the defendant's attorney, if known, in the pending case for the offense for which the defendant was initially released on bail. A notice provided under this subsection does not constitute an ex parte communication.

*Articles 17.027 (c) and (d) of this section **effective January 1, 2026**. Article 17.027 (a) and (a-1) of this section effective*

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April 1, 2026.

SECTION 6. Chapter 17, Code of Criminal Procedure, is amended by adding Article 17.029 to read as follows:

Art. 17.029. REVIEW OF BAIL DECISION. (a) This article applies only to a bail decision:

(1) regarding a defendant charged with or arrested for an offense punishable as a felony; and

(2) that was made under Article 17.028 by the magistrate of a court that does not have jurisdiction to try the offense with which the defendant is charged.

(b) Notwithstanding any other law, a district judge in any county in which the offense for which the person was arrested will be tried or in any county in which the charge for that offense will be filed has jurisdiction to modify a bail decision to which this article applies, 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.

(c) The local administrative judge for each county shall establish a procedure for the **district clerk** to notify each district judge in the county that the **district clerk** received a request to review a bail decision under this article.

(d) A district judge must review a bail decision as soon as practicable but not later than the next business day after the date a request to review the bail decision is filed with the **district clerk** by

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an attorney representing the state.

(e) A district judge reviewing a bail decision under this article shall comply with Article 17.09 and shall consider the facts presented and the rules established by Article 17.15(a) in setting the defendant's bail.

(f) If a district judge modifies a bail decision under this article to increase the amount of bail or to require additional conditions of bail for a defendant who is not in custody, the judge shall:

(1) issue a summons for the defendant to appear before the judge; and

(2) give the defendant a reasonable opportunity to appear before issuing a warrant for the defendant's arrest.

SECTION 7. Articles 17.03(a) and (b-2), Code of Criminal Procedure, are amended to read as follows:

(a) Except as otherwise provided by this chapter [~~Subsection (b) or (b-1)~~], a magistrate may, in the magistrate's discretion, release the defendant on personal bond without sureties or other security.

(b-2) Except as provided by Articles 15.21, 17.032, 17.033, and 17.151, a defendant may not be released on personal bond if the defendant:

(1) is charged with:

(A) an offense involving violence; or

(B) an offense under:

(i) Section 19.02(b) (4), Penal Code (murder as a result of manufacture or delivery of a controlled substance in Penalty Group 1-B);

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(ii) Section 22.07, Penal Code (terroristic threat), if the offense is punishable as a Class A misdemeanor or any higher category of offense;

(iii) Section 25.07, Penal Code (violation of certain court orders or conditions of bond in a family violence, child abuse or neglect, sexual assault or abuse, indecent assault, stalking, or trafficking case); or

(iv) Section 46.04(a), Penal Code (unlawful possession of firearm); or

(2) while released on bail, parole, or community supervision for an offense involving violence, is charged with committing:

(A) any offense punishable as a felony; or

(B) an offense under the following provisions of the

Penal Code:

(i) Section 22.01(a) (1) (assault);

(ii) Section 22.05 (deadly conduct); or

(iii) [~~Section 22.07 (terroristic threat); or~~

~~-(iv)] Section 42.01(a) (7) or (8) (disorderly conduct involving firearm).~~

SECTION 8. Articles 17.071(a), (f), (h), and (k), Code of Criminal Procedure, are amended to read as follows:

(a) In this article:

(1) "Charitable [,"charitable] bail organization" means a person who accepts and uses donations from the public to deposit money

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with a court in the amount of a defendant's bail bond. The term does not include:

(A) [~~1~~] a person accepting donations with respect to a defendant who is a member of the person's family, as determined under Section 71.003, Family Code; or

(B) [~~2~~] a nonprofit corporation organized for a religious purpose.

(2) "Office" means the Office of Court Administration of the Texas Judicial System.

(f) Not later than the 10th day of each month, a charitable bail organization shall submit to the office and [~~7~~] to the sheriff of each county in which the organization files an affidavit under Subsection (e), a report that includes the following information for each defendant for whom the organization paid a bail bond in the preceding calendar month:

(1) the name of the defendant;

(2) the cause number of the case;

(3) each charge for which the bond was paid;

(4) the category of offense for each charge for which the bond was paid;

(5) the amount of the bond paid;

(6) the county in which the applicable charge is pending, if different from the county in which the bond was paid;

(7) [and

[~~4~~] any dates on which the defendant has failed to appear in

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court as required for the charge for which the bond was paid; and

(8) whether a bond forfeiture has occurred in connection with the charge for which the bond was paid.

(h) If the office has reason to believe that a charitable bail organization may have paid one or more bonds in violation of this article, the office shall report that information to the sheriff of the county in which the suspected violation occurred. The sheriff of that [a] county may suspend a charitable bail organization from paying bail bonds in the county for a period not to exceed one year if the sheriff determines the organization has paid one or more bonds in violation of this article and the organization has received a warning from the sheriff in the preceding 12-month period for another payment of bond made in violation of this article. The sheriff shall report the suspension to the office [~~Office of Court Administration of the Texas Judicial System~~].

(k) Not later than December 1 of each year, the office [~~Office of Court Administration of the Texas Judicial System~~] shall prepare and submit, to the governor, lieutenant governor, speaker of the house of representatives, and presiding officers of the standing committees of each house of the legislature with primary jurisdiction over the judiciary, a report regarding the information submitted to the office under Subsections (f) [~~(f-1)~~] and (h) for the preceding state fiscal year.

SECTION 9. Section 3, Article 17.09, Code of Criminal Procedure, is amended to read as follows:

Sec. 3. Provided that whenever, during the course of the action,

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and regardless of whether the defendant has been previously released under Article 17.151, the judge or magistrate in whose court such action is pending finds that the bond is defective, excessive or insufficient in amount, or that the sureties, if any, are not acceptable, or for any other good and sufficient cause, such judge or magistrate may, either in term-time or in vacation, order the accused to be rearrested, and require the accused to give another bond in such amount as the judge or magistrate may deem proper. When such bond is so given and approved, the defendant shall be released from custody.

SECTION 10. Chapter 17, Code of Criminal Procedure, is amended by adding Article 17.092 to read as follows:

Art. 17.092. REDUCTION IN AMOUNT OR CONDITIONS OF BOND PROHIBITED IN CERTAIN CIRCUMSTANCES. A magistrate described by Articles 2A.151(5)-(14) may not reduce the amount or conditions of bond set by the judge of a district court, including the judge of a district court in another county.

SECTION 11. Article 17.21, Code of Criminal Procedure, is amended to read as follows:

Art. 17.21. BAIL IN FELONY. (a) In cases of felony, when the accused is in custody of the sheriff or other officer, and the court before which the prosecution is pending is in session in the county where the accused is in custody, the court shall fix the amount of bail, if it is aailable case and determine if the accused is eligible for a personal bond; and the sheriff or other peace officer, unless it be the police of

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a city, or a jailer licensed under Chapter 1701, Occupations Code, is authorized to take a bail bond of the accused in the amount as fixed by the court, to be approved by such officer taking the same, and will thereupon discharge the accused from custody. The defendant and the defendant's sureties are not required to appear in court.

(b) Notwithstanding Subsection (a), before releasing on bail a defendant charged with an offense punishable as a felony, a magistrate shall 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 12. Chapter 27, Code of Criminal Procedure, is amended by adding Article 27.20 to read as follows:

Art. 27.20. CONFINEMENT BEFORE SENTENCING ON PLEA OF GUILTY OR NOLO CONTENDERE FOR CERTAIN OFFENSES. If a defendant is adjudged guilty after entering a plea of guilty or nolo contendere for an offense listed in Article 42A.054(a) punishable as a felony of the second degree or any higher category of offense and for which the defendant is not eligible for community supervision under Article 42A.055 as provided by Article 42A.056, the court shall order that the defendant be taken into custody and confined until the defendant is sentenced.

SECTION 13. Article 42.01, Code of Criminal Procedure, is amended by adding Section 17 to read as follows:

Sec. 17. In addition to the information described by Section 1, the

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judgment must reflect affirmative findings entered pursuant to Article 42.0195.

SECTION 14. Chapter 42, Code of Criminal Procedure, is amended by adding Article 42.0195 to read as follows:

Art. 42.0195. FINDING REGARDING FAILURE TO APPEAR. In the disposition of a criminal case involving any offense punishable as a Class B misdemeanor or any higher category of offense, the judge shall make an affirmative finding of fact and enter the affirmative finding in the judgment or dismissal order in the case if the judge determines that the defendant wilfully failed to appear after the defendant was released from custody for the offense. The affirmative finding must include the number of times the defendant failed to appear for the offense.

SECTION 15. Article 44.01, Code of Criminal Procedure, is amended by amending Subsections (a) and (g) and adding Subsections (f-1) and (f-2) to read as follows:

(a) The state is entitled to appeal an order of a court in a criminal case if the order:

(1) dismisses an indictment, information, or complaint or any portion of an indictment, information, or complaint;

(2) arrests or modifies a judgment;

(3) grants a new trial;

(4) sustains a claim of former jeopardy;

(5) grants a motion to suppress evidence, a confession, or an admission, if jeopardy has not attached in the case and if the prosecuting

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attorney certifies to the trial court that the appeal is not taken for the purpose of delay and that the evidence, confession, or admission is of substantial importance in the case; ~~[or]~~

(6) is issued under Chapter 64; or

(7) grants bail, in an amount considered insufficient by the prosecuting attorney, to a defendant who:

(A) is charged with an offense under any of the following sections of the Penal Code:

(i) Section 19.02 (murder);

(ii) Section 19.03 (capital murder);

(iii) Section 22.02 (aggravated assault) if:

(a) the offense was committed under Subsection (a) (1); or

(b) the defendant used a firearm, club, knife, or explosive weapon, as those terms are defined by Section 46.01, Penal Code, during the commission of the assault;

(iv) Section 20.04 (aggravated kidnapping);

(v) Section 29.03 (aggravated robbery);

(vi) Section 22.021 (aggravated sexual assault);

(vii) Section 21.11 (indecent with a child);

(viii) Section 20A.02 (trafficking of persons); or

(ix) Section 20A.03 (continuous trafficking of persons); or

(B) is charged with an offense punishable as a felony

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and was released on bail for an offense punishable as a felony at the time the instant offense was committed.

(f-1) In an appeal filed under Subsection (a) (7), a court of appeals shall:

(1) conduct a de novo review of all issues presented;

(2) expedite the appeal; and

(3) issue an order not later than the 20th day after the date the appeal is filed.

(f-2) In an appeal filed under Subsection (a) (7), a court of appeals may:

(1) affirm or modify the bail amount set by the court; or

(2) reject the bail amount set by the court and remand the case to the court, with or without guidance, for modification of the bail amount.

(g) If the state appeals pursuant to this article and the defendant is on bail, the defendant [~~he~~] shall be permitted to remain at large on the existing bail. If the defendant is in custody, the defendant [~~he~~] is entitled to reasonable bail, as provided by law, unless the appeal is from an order which would:

(1) terminate the prosecution, in which event the defendant is entitled to release on personal bond; or

(2) grant bail in an amount considered insufficient by the prosecuting attorney, in which event the defendant shall be held in custody during the pendency of the appeal.

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SECTION 16. Article 56A.051(a), Code of Criminal Procedure, is amended to read as follows:

(a) A victim, guardian of a victim, or close relative of a deceased victim is entitled to the following rights within the criminal justice system:

(1) the right to receive from a law enforcement agency adequate protection from harm and threats of harm arising from cooperation with prosecution efforts;

(2) the right to have the magistrate consider the safety of the victim or the victim's family in setting the amount of bail for the defendant.

(3) if requested, the right to be informed in the manner provided by Article 56A.0525:

(A) by the attorney representing the state of relevant court proceedings, including appellate proceedings, and to be informed if those proceedings have been canceled or rescheduled before the event; and

(B) by an appellate court of the court's decisions, after the decisions are entered but before the decisions are made public;

(4) when requested, the right to be informed in the manner provided by Article 56A.0525:

(A) by a peace officer concerning the defendant's right to bail and the procedures in criminal investigations; and

(B) by the office of the attorney representing the state concerning:

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(i) the general procedures in the criminal justice system, including general procedures in guilty plea negotiations and arrangements, restitution, and the appeals and parole process; and

(ii) whether the defendant has fully complied with any conditions of the defendant's bail;

(5) the right to provide pertinent information to a community supervision and corrections department conducting a presentencing investigation concerning the impact of the offense on the victim and the victim's family by testimony, written statement, or any other manner before any sentencing of the defendant;

(6) the right to receive information, in the manner provided by Article 56A.0525:

(A) regarding compensation to victims of crime as provided by Chapter 56B, including information related to the costs that may be compensated under that chapter and the amount of compensation, eligibility for compensation, and procedures for application for compensation under that chapter;

(B) for a victim of a sexual assault, regarding the payment under Subchapter G for a forensic medical examination; and

(C) when requested, providing a referral to available social service agencies that may offer additional assistance;

(7) the right to:

(A) be informed, on request, and in the manner provided by Article 56A.0525, of parole procedures;

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(B) participate in the parole process;

(C) provide to the board for inclusion in the defendant's file information to be considered by the board before the parole of any defendant convicted of any offense subject to this chapter; and

(D) be notified in the manner provided by Article 56A.0525, if requested, of parole proceedings concerning a defendant in the victim's case and of the defendant's release;

(8) the right to be provided with a waiting area, separate or secure from other witnesses, including the defendant and relatives of the defendant, before testifying in any proceeding concerning the defendant; if a separate waiting area is not available, other safeguards should be taken to minimize the victim's contact with the defendant and the defendant's relatives and witnesses, before and during court proceedings;

(9) the right to the prompt return of any of the victim's property that is held by a law enforcement agency or the attorney representing the state as evidence when the property is no longer required for that purpose;

(10) the right to have the attorney representing the state notify the victim's employer, if requested, that the victim's cooperation and testimony is necessary in a proceeding that may require the victim to be absent from work for good cause;

(11) the right to request victim-offender mediation

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coordinated by the victim services division of the department;

(12) the right to be informed, in the manner provided by Article 56A.0525, of the uses of a victim impact statement and the statement's purpose in the criminal justice system as described by Subchapter D, to complete the victim impact statement, and to have the victim impact statement considered:

(A) by the attorney representing the state and the judge before sentencing or before a plea bargain agreement is accepted; and

(B) by the board before a defendant is released on parole;

(13) for a victim of an assault or sexual assault who is younger than 17 years of age or whose case involves family violence, as defined by Section 71.004, Family Code, the right to have the court consider the impact on the victim of a continuance requested by the defendant; if requested by the attorney representing the state or by the defendant's attorney, the court shall state on the record the reason for granting or denying the continuance; and

(14) if the offense is a capital felony, the right to:

(A) receive by mail from the court a written explanation of defense-initiated victim outreach if the court has authorized expenditures for a defense-initiated victim outreach specialist;

(B) not be contacted by the victim outreach specialist unless the victim, guardian, or relative has consented to the contact by providing a written notice to the court; and

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(C) designate a victim service provider to receive all communications from a victim outreach specialist acting on behalf of any person.

SECTION 17. Section 72.038, Government Code, is amended by adding Subsections (b-1) and (c-1) and amending Subsection (c) to read as follows:

(b-1) A person who, under the authority of a standing order related to bail, releases on bail a defendant who is charged with an offense punishable as a Class B misdemeanor or any higher category of offense shall complete the form required under this section.

(c) The person setting bail, an employee of the court that set the defendant's bail, or an employee of the county in which the defendant's bail was set must, on completion of the form required under this section, promptly but not later than 48 [72] hours after the time the defendant's bail is set provide the form electronically to the office through the public safety report system.

(c-1) The office shall provide to the elected district attorney in each county an electronic copy of the form submitted to the office under Subsection (c) for each defendant whose bail is set in the county for an offense involving violence, as defined by Article 17.03, Code of Criminal Procedure. An elected district attorney shall provide an e-mail address to the office for the purpose of receiving a form as provided by this subsection.

SECTION 18. Section 51A.003(b), Human Resources Code, is amended to read as follows:

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(b) The notice adopted under this section must include the following in both English and Spanish:

(1) a statement that it is a criminal offense for any person, including a member of the family or former member of the family, to cause physical injury or harm to a victim or to engage in conduct constituting stalking, harassment, or terroristic threat toward a victim;

(2) a list of agencies and social organizations that the victim may contact for assistance with safety planning, shelter, or protection;

(3) contact information for:

(A) the National Domestic Violence Hotline;

(B) victim support services at the Department of Public Safety; and

(C) the commission's family violence program; and

(4) information regarding the legal rights of a victim, including information regarding:

(A) the filing of criminal charges and obtaining a protective order or a magistrate's order for emergency protection; ~~and~~

(B) the ability of a tenant who is a victim of family violence to vacate a dwelling and terminate a residential lease; and

(C) 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.

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<u>S.B. 387</u>	Senate Author: Zaffirini
Effective Date: 9/1/2025	House Sponsor: Landgraf

Relating to bond requirements for certain judges.

Summary: **Amends Government Code Sections 25.0006(a-1) and (a-4), and 26.001(a).** The bond increased to not less than \$500,000 for a Constitutional County Court Judge presiding over guardianship proceedings as defined by Estates Code Section 1002.015, removing the population threshold.

<u>S.B. 441</u>	Senate Author: Hinojosa, J.
Effective Date: 9/1/2025	House Sponsor: Lalani

Relating to criminal and civil liability related to sexually explicit media and artificial intimate visual material; creating a criminal offense; increasing a criminal penalty.

Summary: **Amends Chapter 98B, Civil Practice and Remedies Code and Section 21.165, Penal Code** to create a new offense code and **new civil case type under Civil - Injury or Damage - Artificial Media - Sexually Explicit.**

98B.008. Confidential Identity in Certain Actions. The victim may use a pseudonym and the absence of any other identifying information, including address, telephone number, and social security number in all documents filed. **Records are to be kept in a confidential manner only available to the judge, party to the suit, atty’s representing, and authorized personnel by written court order specific to that person.**

<u>S.B. 693</u>	Senate Author: West
Effective Date: 9/1/2025	House Sponsor: Anchia

Relating to notaries public; creating a criminal offense; authorizing a fee.

Summary: **Amends Section 406.006, Government Code,** regarding qualifications as it relates to completing educational requirements established under Section 406.023, including new notaries and for reappointments. **Adds Section 406.091** related to the offense of a notarization for a person who does not personally appear. **Amends Section 406.014 by adding Subsection (g)** to require a notary public to retain the records until the 10th anniversary of the date of the notarization. The Secretary of State is required to adopt rules establishing educational requirements for appointments



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and continuing education requirements. The change in law made by this Act applies only to an application for a notary public appointment or reappointment submitted on or after January 1, 2026. An application submitted before January 1, 2026, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

<u>S.B. 836</u>	Senate Author: Paxton
Effective Date: 9/1/2025	House Sponsor: Hull

Relating to victims of sex offenses, sex-based human trafficking offenses, or acts of a sexual nature and to the confidentiality of or restrictions on the availability of certain property, material, or information regarding those victims, offenses, or acts.

Summary: Amends the Code of Criminal Procedure Articles 38.435, 38.451(a), 39.152, 39.153, 56A.403(a) and (d), 58.102, 58.103; adds Article 39.153. Discovery of Property or Material from Forensic Medical Examination Performed on Victim of Sexual Assault or other Sex Offense. Adds Section 21.014 Government Code. Electronic Transmission of Court Proceedings in Certain Cases Prohibited. Amends several chapters to protect forensic evidence of sex offenses. It expands CCP 38.435 to include all sex offenses and prohibits the court from making available or allowing to be made available for copying or dissemination to the public any property or material related to or derived from evidence, including a visual image or a recording made as part of the examination. **The evidence shall be under seal of the court on the conclusion of the hearing or proceeding. The court must issue an order lifting the seal upon a finding that it is in the best interest of the public.**

The court shall enter a protective order that prohibits copying or dissemination of material of this nature that is produced in discovery to the defendant or the defendant's attorney under Article 39.14. If the material is not offered or admitted to evidence, it must be returned to the state or destroyed at the time of final disposition of the case.

A pseudonym may be used by the victim in police reports and in all public files and records related to the offense. The victim must complete a form and return it to the law enforcement agency investigating the offense. Once filed, the victim may not be required to disclose the victim's name, address, and telephone number in connection with the investigation or prosecution of the offense.

<u>S.B. 1120</u>	Senate Author: J. Hinojosa
Effective Date: 9/1/2025	House Sponsor: Johnson



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Relating to rights of a victim, guardian of a victim, or close relative of a deceased victim in certain criminal cases involving family violence, sexual or assaultive offenses, stalking, or a violation of a protective order or condition of bond and to the duration of certain protective orders.

Summary: **Amends the Code of Criminal Procedure Article 56A.001 by adding Subdivision 4-a, and amending Subdivision 7, Article 56A.051, Subsection a and adding Subsection d, amending Articles 56A.052(a), (c), and (d), amending Chapter 56A, Subchapter B by adding Article 56A.0521, amends Article 56A.501, amends Family Code Section 85.001 (d), amends Family Code Section 85.025 by adding Subsections(a-2), (a-3), and (a-4) and amended Subsections (b-1) and (c).** Strengthens and clarifies victims' rights under the Texas Code of Criminal Procedure in cases involving family violence, sexual or assaultive offenses, stalking, or violations of protective orders or bond conditions. It broadens the legal definition of "family violence" to include offenses like aggravated assault, injury to a child or elderly person, and stalking within domestic relationships, ensuring consistency with the Penal Code. The bill also explicitly includes victims of these offenses—along with guardians and close relatives of deceased victims within the scope of protective legal rights. Additionally, SB 1120 expands the definition of "victim" to cover those harmed by stalking or violations of protective orders, ensuring they receive the same procedural protections.

<u>S.B. 1333</u>	Senate Author: Hughes
Effective Date: 9/1/2025	House Sponsor: Leach

Relating to the unauthorized entry, occupancy, sale, rental, lease, advertisement for sale, rental, or lease, or conveyance of real property, including the removal of certain unauthorized occupants of a dwelling; creating criminal offenses; increasing a criminal penalty; authorizing a fee.

Summary: **Amends Penal Code Section 28.03 (b), adds 6 (B) (i) (ii), amends Penal Code Subchapter D, Chapter 32 by adding Sections 32.56 and 32.57, and amends Property Code Title 4 by adding Chapter 24B.** Clarifies that the property owner has a right to request the removal from their property if a person unlawfully entered and is occupying their property without the owner's consent and is not a family member or a current or former tenant of the property owner, to protect the tenant/landlord's existing statute. Provides a clear pathway for the sheriff's or constable's office involvement as a first step: The property owner is required to file an affidavit with the sheriff's or constable's office, testifying the occupant has no legal right to be there and they've directed the person to leave the property, and the person has not done so. The sheriff's or constable's office is required to verify that the complainant is the record owner of the property before proceeding with the removal process. The sheriff's or constable's office is required to contact the person accused of squatting, give notice of the complaint, and recover the property. It allows the property owner to recover damages between \$1,000 and \$300,000 if the property was damaged or destroyed by the squatter(s).



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<u>S.B. 1335</u>	Senate Author: Zaffirini
Effective Date: 9/1/2025	House Sponsor: Landgraf

Relating to decedents estates.

Summary: **Amends Estates Code Section 306.007, amends Section 361.052 by amending Subsection (a) and adding Subsection (a-1), amends Section 362.012, 362.013, 405.007 (b), and 405.009 (a).** Provides that letters testamentary or of administration issued under the court's seal by the clerk of the court that granted the letters are sufficient evidence of the appointment and qualification of the personal representative of an estate and the date of qualification. Authorizes the court to remove a personal representative on the court's own motion, after the personal representative has been notified by a qualified delivery method to answer at a time and place set in the notice or the complaint of an interested person, after the personal representative has been cited by personal service to answer at a time and place set in the notice. Requires the court, if, on final settlement of the estate, none of the estate remains in the representative's possession, to enter an order. Requires the court to enter an order specifying the actions described by Sections 362.012(1) (relating to an order discharging a personal representative from the representative's trust), (2), and (3) and declaring the estate closed when certain conditions are met. Authorizes the court, if all the property in the estate is ordered distributed by the court and the estate is fully administered, to also order the independent executor to file a final account with the court and to enter an order closing the administration, canceling the letters issued to the personal representative, and terminating the power of the personal representative, rather than independent executor, to act as independent executor or independent administrator. Provides that the closing of an independent administration by filing of a closing report or notice of closing estate terminates the power and authority of the independent executor, including the independent administrator, and cancels the letters issued to the personal representative, but does not relieve the independent executor or administrator, as applicable, from liability for any mismanagement of the estate or from liability for any false statements contained in the report or notice. Authorizes any distributee, at any time after an estate has been fully administered and there is no further need for an independent administration of the estate, to file an application to close the administration; and authorizes the court, after citation of the independent administrator or other independent executor, as applicable, and on hearing, to enter an order.

<u>S.B. 1448</u>	Senate Author: Hughes
Effective Date: 9/1/2025	House Sponsor: Hayes

Relating to the decedent's estates and other matters involving probate courts.

Summary: **Amends Estates Code, Section 33.105 Subsection (a) and adding Subsection (a-1), amending Subchapter B, Chapter 51 by adding 51.057, adding Subsection (c) to Section 256.156, amending Section 256.202, 309.051 (a), 309.052, 452.006 (c), 453.003(a),**



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Government Code 80.002 (b). Section 403.060 of the Estates Code has been repealed. This requires the Clerk to deliver the original will or a copy of the will by a qualified delivery method to prove that a will that cannot be produced in court. The applicant is required to pay any applicable fees for the delivery of the will. If a citation or notice is required to be served in a probate proceeding on a person who is now deceased but survived the decedent who is the subject of the proceeding, the citation or notice must be served on a personal representative of the estate, or each distributee if the personal representative has been discharged or if the independent executor has filed a closing report or a notice of closing of the estate, or there is no administration of the estate ordered by the court if specific items occur including a will being admitted as a muniment title, no necessity found for administration in a judgment in a proceeding declaring heirship under Chapter 202 or the court approves a Small Estate Affidavit under Chapter 205. The changes include service by publication, appointment of an attorney ad litem, and service of the citation. The changes impact the copy of a will that cannot be produced, including a copy of a self-proving affidavit, which is sufficient to make the will self-proved if it meets the form and content requirements - See [H.B. 3421](#).

S.B. 1537	Senate Author: Zaffirini
Effective Date: Immediate	House Sponsor: Smithee

Relating to the appointment of an interpreter in a criminal proceeding.

Summary: **Amends Code of Criminal Procedure, Article 38.30** to include in any criminal proceeding, when a motion for appointment of interpreter is filed by any party or on motion of the court and the court determines a person charged or a witness doesn't understand/speak English, then the interpreter must be appointed per GC 57.002. Subject to GC 570.002.

S.B. 1666	Senate Author: Zaffirini
Effective Date: 9/1/2025	House Sponsor: Metcalf

Relating to the **payment of restitution**.

Summary: **Amends Government Code, Section 493.035 and 508.322.** The Department of Criminal Justice (TDCJ) will send restitution payments to the clerk of the court with the last known address of the victim. TDCJ will post on its website the contact information for a department where the clerk may make inquiries regarding a transferred restitution payment. Information provided to the clerk of a court by TDCJ is confidential and not subject to disclosure under Chapter 552 (PIA). Unclaimed funds can be escheated to the Comptroller by the 3rd anniversary date of either the initial restitution payment or the last contact with the victim.

- **An interim study has been requested to rebuild the restitution process.**



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<u>S.B. 1734</u>	Senate Author: West
Effective Date: 9/1/2025	House Sponsor: Bhojani

Relating to status of certain documents or instruments purporting to convey title to or an interest in real property.

Summary: **Amends Government Code Section 51.901(c), Subchapter J, Chapter 51, by adding Section 51.9035 regarding action on Fraudulent Conveyance by creating a Petition for Judicial Review of Document or Instrument Purporting to Convey Title to or an Interest in Real Property.**

- The District Clerk may not collect a filing fee for filing a petition under this section.
- This law also created the Judicial Finding of Fact and Conclusion of Law regarding a document or Instrument Purporting to Convey Title to or an Interest in Real Property.
- Property Code Subchapter A Chapter 5 is amended by adding Sections 5.0206 and 5.0207 **related to the Owner’s Affidavit Regarding Purported Conveyance of Title or Interest, and the Effect of Certain Court Findings on Purported Conveyance of Title or Interest.**
- This provides a self-help opportunity for victims of property fraud. A document is presumed to be fraudulent and may be considered as invalid/fraudulent if it is filed by or on behalf of an inmate, person has been convicted of a crime under Title 7 or 8 of the Penal Code related to document, the doc is associated with an owner's affidavit and certificate of mailing filed in accordance with the Property Code and no timely controverting affidavit was filed. Identifies that an appellate court shall expedite the review of a court's finding. The District Judge enters an appropriate finding, which will be filed in the OPR. The findings are to be sent to the movant and the person who filed the instrument within 7 days.

<u>S.B. 2373</u>	Senate Author: Johnson
Effective Date: 9/1/2025	House Sponsor: Capriglione

Relating to financial exploitation or financial abuse using artificially generated media or phishing communications; providing a civil penalty; creating a criminal offense.

Summary: Adds Section 100B.002, Civil Practice and Remedies Code and Chapter 32, Penal Code is amended by adding Section 32.56 to create a new offense and **new civil case type** under Civil - Injury or Damage - **of Artificial Media - Financial Exploitation.**

100B.004. Confidential Identity in Action for Dissemination of Certain Communications. The victim may use a pseudonym and the absence of any other identifying information, including



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address, telephone number, and social security number in all documents filed. **Records are to be kept in a confidential manner only available to the court, party to the action, atty's representing, and authorized personnel by written court order specific to that person.**

<u>S.B. 2938</u>	Senate Author: Menendez
Effective Date: 9/1/2025	House Sponsor: Romero

Relating to the verification of the veteran status of inmates and prisoners.

Summary: Amends several codes to ensure the veteran status of the defendant is determined by the sheriff and included in the pen pack. **Information only.**

Court Costs & Fees

H.B. 2282	House Author: J. Lopez
Effective Date: 9/1/2025	Senate Sponsor: Perry

Relating to the amount of reimbursement fee paid by a defendant for a peace officer's services in executing or processing an arrest warrant, capias, or capias pro fine.

Summary: **Amends Code of Criminal Procedure Article 102.011 (a) (2)**, raising the fee for executing or processing an issued arrest warrant, capias, or capias pro fine from \$50 to \$75 for peace officers.



District Clerks

<u>S.B. 227</u>	Senate Author: West
Effective Date: 9/1/2025	House Sponsor: Rose

Relating to the application review process for certain delayed birth certificates

Summary: **Amends Health and Safety Code Section 192.025 by adding Subsections (f) and (g).** The state registrar can't reject an application for a delayed birth certificate just because some of the supporting documents have inconsistent or conflicting information. Instead, the registrar will assess the application as a whole and decide whether it demonstrates, based on the weight of the evidence, who the person is and where they were born. In making that decision, the registrar must consider whether any evidence raises real doubts about where the person was born, whether a valid driver's license or ID is included, and whether there's a sworn statement from someone who personally knows the applicant. Additionally, if someone was born before January 1, 1971, and their birth certificate meets the other requirements, the registrar must register it, even if only one parent's identity can be clearly confirmed—only that parent's name will be listed on the certificate.

<u>S.B. 1667</u>	Senate Author: Zaffirini
Effective Date: 9/1/2025	House Sponsor: Orr

Relating to the procedures for the expunction of arrest records and files; authorizing a fee.

Summary: **Amends Code of Criminal Procedure (CCP), Article 55A.203 adds Subsection (d), 55A.253 (a) and adds Subsection (b) and (c), 55A.254 (a) an adds Subsections (a-1), (d), (e), (f), and (g), 55A.256 (c) and adds Subsection (c-1), Subchapter G, Chapter 55A amended by adding Article 55A.3025, 55A.351 (a), (b), and (c) and adds Subsections (b-1), (b-2), and (b-3), 55A.352, 55A.353, 55A.356 (c) and adds Subsection (c-1).** If an email address is supplied for the agency, the \$15 fee is not charged and delivery of the notice and order is sent by email or electronic delivery. Charge \$25 per agency for each that requires certified mailing of the notice/order. The district clerk must post on their website a list of local agencies, typically including their mailing and email addresses, although they are not liable if the list is not a comprehensive listing of every agency. The district clerk must keep the final order and any amended orders (if applicable) and disclose them only to the petitioner upon presentation of a valid ID. The district clerk must maintain any mental health documents that would trigger NICS reporting and disclose them only to the DPS or FBI for the purpose of an audit of those records.

Code of Criminal Procedure, Articles 55A.356 and 102.006 are repealed. *

Note: CCP, Article 102.006 Fees in Expunction Proceedings - is the \$1 and \$2 fee plus postage for certified mailings. This money is generated by the increase from \$15 to \$25 per agency charge for sending certified copies.

- **Addressed in Special Session Court's Omnibus Bill- [H.B. 16](#)**



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<u>H.B. 2715</u>	House Author: Curry
Effective Date: Immediate	Senate Sponsor: Middleton

Relating to the removal from office of certain officers of political subdivision.

Summary: **Amends Section 87.015 (c), 87.0151(a) and (b), and 87.018 (f) of the Local Government Code** to direct a petition for removal of an officer (elected official) to be addressed to the presiding judge of the administrative judicial region for assignment to a district judge and district attorney in another county.

Note: This expands the administrative regional judge's authority from just prosecuting attorneys to all elected officials named in a removal petition.

Section 87.018 TRIAL (d) (County Attorney represents) and (e) (District Attorney represents) are repealed.

<u>H.B. 3512</u>	House Author: Capriglione
Effective Date: 9/1/2025	Senate Sponsor: Blanco

Relating to artificial intelligence training programs for certain employees and officials of state agencies and local governments.

Summary: **Amends Government Code, Sections 2054.5191(a), (a-1), (b), (c), and (e)** to require that local government employees and elected or appointed officials, who access a local government computer system or database and use a computer for at least 25 percent of their duties, complete a certified artificial intelligence training program annually under Section 2054.5193. Compliance is reported with the yearly Cybersecurity training verification and is subject to periodic audits.

<u>H.B. 4219</u>	House Author: Capriglione
Effective Date: 9/1/2025	Senate Sponsor: Zaffirini

Relating to a governmental body's response to a request for public information.

Summary: **Amends Government Code, Section 552.221 (f) and (g), 552.301(b), and Chapter 552 Subchapter H by adding 552.328.** This ensures that governmental bodies respond to public information requests within 10 business days. They must either provide the information, cite a prior determination, or request a decision from the attorney general. If no responsive information exists or if information is withheld under a previous determination, the requester must be notified in writing within the same timeframe. A new enforcement mechanism allows requestors to file a



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complaint with the attorney general if the governmental body fails to comply. Consequences for noncompliance include mandatory training, waived fees, and stricter deadlines for withholding information.

<u>H.B. 5081</u>	House Author: Leach
Effective Date: 9/1/2025	Senate Sponsor: Creighton

Relating to the protection of personal identifying information of certain individuals in the judicial system; creating a criminal offense.

Summary: **This bill creates a new chapter in Subtitle H, Title 2, Government Code, adding Chapter 92, named "Protection of Personal Identifying Information of At-Risk Individuals,"** which includes a judge, a court clerk, and an employee of a state court. "State court" includes district court or business court, a county court, constitutional county court, statutory county court, or statutory probate court, a justice court, or municipal court. **This covers elected clerks, their staff, and immediate family members.** This bill outlines what is included and what is not included. Pay close attention to Sec. 92.002 regarding the Prohibited Dissemination of Covered Information - it mentions property records under section 15, UCC Filings and Tax Liens in section 15, as well as any other records maintained by a governmental entity evidencing title to, or any lien, judgment, or other encumbrance on real or personal property. The duty to remove the covered information after receiving a written request is also addressed in Section 92.003. There are Civil remedies and criminal offenses.

<u>S.B. 293</u>	Senate Author: Huffman
Effective Date: See Note at End	House Sponsor: Leach

Relating to the discipline of judges by the State Commission on Judicial Conduct, notice of certain reprimands, judicial compensation and related retirement benefits, and the reporting of certain judicial transparency information; authorizing an administrative penalty.

Summary: **Amends Government Code Sections 22.302(a), 23.303, 33.001, and 33.0211. Raises district judge salaries** from \$140,000 to \$175,000—Texas's first judicial pay increase in over a decade—and enhances judicial discipline and transparency provisions through the State Commission on Judicial Conduct. Because legislative pensions are tied to judicial pay, the immediate increase also boosts legislators' retirement benefits until 2030; after that, the Texas Ethics Commission gains authority to oversee pension adjustments.

The OCA will establish a judicial directory that contains contact information, including email addresses, for each judge in the state and provide the commission with access to the directory for the purpose of providing judges with written notice, which will be sent via email. There are added requirements related to District Court judges submitting to the presiding judge of the administrative judicial region which the judges court sits; not later than July 20 or January 20,



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information for the preceding 6 month period in which the judge attests to: the number of hours the judge presided over the judges court in the courthouse or another court facility and the number of hours the judge performed judicial duties other than those described in the new law including the number of hours the judge performed case-related duties, performed administrative tasks, and completed continuing education. The judge of each administrative judicial region is required to submit the information in the manner prescribed by the Supreme Court. Government Code Section 15 Section 73.003(e) was amended related to discretion of a chief justice and the court to which a case is transferred to being able to hear oral argument through use of the teleconferencing technology per Section 22.302 removing the court and the parties or attorneys participating in oral argument from any location using teleconferencing technology. There are references related to the District Judge who serves as a local Administrative District Judge under section 74.091. There is also a reference to Government Code 814.103 and the retirement annuity amount. Beginning 8.31.2030, & every 5th anniversary of this date, the Texas Ethics Commission is required to consider an equitable increase in the dollar amount on which the standard service retirement annuity is based, and the Texas Ethics Commission shall develop, adopt, and make public the methodology for adjusting the dollar amount not later than 9.1.2026. Please note Government Code Section 834.102 regarding the increase in the state base salary being paid to a District Judge as set by the General Appropriations Act in accordance with Section 659.012 by the 89th Legislature Regular Session, 2025, not applying to a service retirement annuity computed if the retiree on whose service the annuity is based retired before 9.1.2025. See amended GC 837.103 for amended Subsections(b) and (c) and adding Subsections (b-1), (c-1), and (c-2) regarding a retiree who resumes full-time service as a judicial officer other than by assignment per Section 837.101. **Section 840.1025(b), Government Code, is amended** to increase the percentage of the contribution to 9.5%.

Subchapter D, Chapter 23, Government Code is amended by adding Section 23.303. Procedures Related to Motions for Summary Judgment; Annual Report.

1. The business court, a district court, or a statutory county court shall, with respect to a motion for summary judgment:
 - (1) hear oral argument on the motion or consider the motion without oral argument **not later than the 45th day** after the date the response to the motion was filed; and
 - (2) file with the clerk of the court and provide to the parties a written ruling on the motion **not later than the 90th day** after the date the motion was argued or considered.
- (b) If a motion for summary judgment is considered by a court described by Subsection (a) without oral argument, **the court shall record in the docket** the date the motion was considered without argument.
- (c) A clerk of the court described by Subsection (a) **shall report** the court's compliance with the times prescribed by this section to the OCA **not less than once per quarter** using the procedure the office prescribes for the submission of reports under this subsection.

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Note: The OCA will prepare an annual report on compliance. Information related to the definition of official misconduct was added, including requirements regarding timelines, false complaints, investigations, and statute of limitations. Note that this section's provisions, specifically concerning official misconduct, apply only to a motion for summary judgment filed before the effective date of this act.

Effective Date: Not later than March 1, 2026, to implement the provisions discussed in the previous section, the Texas Supreme Court and the Texas Court of Criminal Appeals shall adopt rules necessary to implement Section 22.302(a), Government Code, as amended by this Act, and Section 23.303, Government Code, as added by this Act.

<u>S.B. 1062</u>	Senate Author: Kolkhorst
Effective Date: Immediate	House Sponsor: Smithee

Relating to the type of newspaper required for publication of public notices.

Summary: **Amends Government Code Section 2051.0441(b) and adds Subsection (b-1)**, allowing government entities to publish notices in digital newspapers. Subsection (b-1) permits publication in a digital newspaper if it has an audited paid-subscriber base, has operated for at least three years, has staff in the entity's jurisdiction, reports local events and government activities, provides general news to residents, and updates news at least once weekly.

- This section applies only to notices by a government entity or representative in a county with a population between 30,000 and 42,000 that borders the Red River, or in counties lacking a newspaper as described by Section 2051.044.

Elections

<u>H.B. 493</u>	House Author: Shaheen
Effective Date: 9/1/2025	Senate Sponsor: Hughes

Relating to ineligibility to serve as a poll watcher.

Summary: **Amends the Election Code 33.006 (b) and 33.035** to prohibit an individual convicted of an election-related first- or second-degree felony from serving as a poll watcher.

<u>H.B. 521</u>	House Author: Guillen
Effective Date: 9/1/2025	Senate Sponsor: Paxton

Relating to accommodating voters with a disability; creating a criminal offense.

Summary: **Amends Election Code 61.003 (a), 64.009 (a), 64.0322 (a), and 85.036 (a)** related to curbside voting procedures and voter assistance to require a 20-foot boundary and the display of this restriction. Requires the voter to sign an oath stating that the voter needs assistance or accommodations.

Requires that an election officer asks a person who provides assistance whether the person has assisted seven or more voters during early voting. If the person has assisted seven or more voters during early voting, the person must complete a form provided by the election officer for submission to the Secretary of State. Creates a Class A misdemeanor if the person intentionally fails to complete the required form.

<u>H.B. 640</u>	House Author: Bumgarner
Effective Date: 9/1/2025	Senate Sponsor: Parker

Relating to the office hours of an election authority during an election period.

Summary: **Amends Election Code, Section 31.122(b)** definition of “regular business day” to allow all city, county, and other political subdivisions to close during an election period if a holiday falls on a weekday.

<u>H.B. 677</u>	House Author: DeAyala
Effective Date: 9/1/2025	Senate Sponsor: Bettencourt

Relating to the restrictions on political activities of a county elections administrator.



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Summary: **Amends Election Code 31.035 (a)** to prohibit a County Elections Administrator from holding another office or position appointed by an elected official.

<u>H.B. 1661</u>	House Author: Vasut
Effective Date: 9/1/2025	Senate Sponsor: Bettencourt

Relating to election supplies and the conduct of elections; creating criminal offenses; increasing criminal penalties.

Summary: **Amends Election Code 51.005 (a), 51.008, 51.010 (c), 51.011 (b), and 61.007 (b)** to require election officials to supply each precinct with enough ballots and to respond promptly to additional ballot requests. Creates a Class A misdemeanor for intentionally failing to do so. Raises penalties for certain election-related offenses, including obstructing supply distribution and revealing results early. Counties using countywide polling places are exempt from ballot quantity limits.

<u>H.B. 3909</u>	House Author: Hickland
Effective Date: 9/1/2025	Senate Sponsor: Zaffirini

Relating to the use of a wireless communication device at a polling place.

Summary: **Amends Election Code, Section 61.014 (a) and (e)** to prohibit a person from using a wireless communication device within a room in which voting is taking place, rather than within 100 feet of a voting station. The Secretary of State must require presiding judges to post a clear notice outside voting rooms that wireless communication devices are prohibited.

<u>H.B. 5115</u>	House Author: Shaheen
Effective Date: 9/1/2025	Senate Sponsor: Hughes

Relating to the penalty for the crime of election fraud; increasing a criminal penalty.

Summary: **Amends Election Code 276.013 (a) and (b)** and creates new election fraud offenses for knowingly or intentionally counting invalid votes, altering a report to include invalid votes, refusing to count valid votes, or altering a report to exclude valid votes. Increases the associated penalties to a second-degree felony or, for elected officials acting in their official capacity, a first-degree felony.

Section 276.013(c) and 276.014, Election Code, is repealed.

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<u>S.B. 54</u>	Senate Author: Hughes
Effective Date: 12/4/2025	House Sponsor: Shaheen

Relating to election procedures regarding accepting a voter with a residence address that is not current and the immediate effect of a voter's registration after the registrar's receipt of certain change of address notices.

Summary: **Repeals Election Code Sections 15.025(e) and 63.0011(b) and (c)**, which were amended during the Regular Legislative Session by [S.B. 2217](#). The repeal removes provisions permitting registered voters who have relocated within their county to vote based on their new residence. The change would revert to a 30-day period instead of taking effect immediately.

<u>S.B. 827</u>	Senate Author: Parker
Effective Date: 9/1/2025	House Sponsor: DeAyala

Relating to the audit of an election using an electronic voting system.

Summary: **Amends Election Code, Sections 127.201, 127.302 (a) (a-1), (b), and (c)** to require the general custodian of election records to manually count at least 1% of the election day polling and 1% of the early voting locations, rather than precincts, or at least 3 locations of each type, whichever is greater, where electronic voting systems were used. Requires the custodian to conduct a manual count of all the races in at least 1% of the precincts where mail ballots were cast and counted using automatic tabulating equipment, or in three such precincts, whichever is greater. Requires the manual count to be conducted within 72 hours after polls close and completed by the 21st day after Election Day. Amends procedures regarding early voting ballot board members, timelines for counts in risk-limiting audits, the selection of additional precincts for counting, and redefines eligibility requirements for watchers.

<u>S.B. 985</u>	Senate Author: Bettencourt
Effective Date: 9/1/2025	House Sponsor: Hayes

Relating to the combination of certain election precincts.

Summary: **Amends the Election Code 42.0051** to address an unintended consequence from SB 924 from the 88th Legislative Session that affected elections across the state. Reinstates the ability for counties with fewer than 3,000 registered voters in election precincts to combine other election precincts to prevent unnecessary expenses during a general, special, or primary election. Counties that do not participate in the Countywide Polling Place Program may also combine precincts if an alternative polling location cannot be secured.



Elections

<u>S.B. 2166</u>	Senate Author: Parker
Effective Date: 9/1/2025	House Sponsor: Shaheen

Relating to testing of voting tabulation equipment.

Summary: **Amends Election Code, Sections 127.091, 127.092, 127.093, 127.094(b), 127.096(a), 127.099, 127.100(a), 129.021, 129.023, 129.0231, and 129.024** related to the testing of voting tabulation equipment. Amends timelines related to testing requirements of automatic tabulating equipment to require public testing for every election. Mandates rules to test the logic and accuracy of electronic pollbook systems. Clarifies and introduces new responsibilities for the testing, handling, and inspection of materials. Requires that materials must be sealed and can only be opened for testing, criminal investigations, or public review after the election results are certified as final. The Secretary of State is directed to prescribe training materials and testing guidelines.

Election Code, Section 127.096(a-1), Election Code, is repealed.

<u>S.B. 2216</u>	Senate Author: Hughes
Effective Date: 9/1/2025	House Sponsor: Pierson

Relating to security of election system equipment.

Summary: **Amends Election Code 123.034 and 129.051** to strengthen the security of election system equipment by requiring that voting system equipment be stored in a locked room. Requires each unit to be sealed, use of electronic storage media to be documented by the polling place, and documentation of any seal removal, including who accessed the equipment and for what purpose.

<u>S.B. 2217</u>	Senate Author: Hughes
Effective Date: 9/1/2025	House Sponsor: Shaheen

Relating to certain election practices and procedures.

Summary: **Amends Election Code Section 15.025 (a) and (e), 31.014 (a), 63.0011 (b) and (c), 65.057, 66.005 and 66.006, Section 121.003, 125.0635, 127.1302, and 127.133** to specify that a voter's registration becomes effective immediately upon the registrar's receipt of notice of the voter's change of address, provided the voter changes residence within the same county. Adds requirements for electronic voting devices, including a provision authorizing officials to redact information on documents to maintain the confidentiality of voters' ballots. Standardizes the



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reporting and reconciliation process, requiring the posting of results on the county's website. Requires counties to submit reports on reconciliations of votes, electronic voting systems, polling places with optical scanners, and election systems that use a central accumulator.

<u>S.B. 2753</u>	Senate Author: Hall
Effective Date: See Note at End	House Sponsor: Isaac

Relating to the integration of early voting by personal appearance and Election Day voting, including the manner in which election returns are processed and other related changes.

Summary: **Amends Election Code, Section 12.004(d), 19.004(a), 42.0051, 43.0015, 61.002(a), 62.005, 65.002(a), 65.014(b), 65.016(a) and (b), 66.0021, 66.0021(b), 67.004(b) and (b-1), 67.017(a), 84.032(c), 85.001(a) and (e), 85.005(a), (b), and (c), Sections 85.007(a) and (b), 85.032, 85.033, 85.071, 87.021, 87.022, 87.0241(b), 87.103, 87.104, 87.1231, 87.129, 102.003(b), 127.131(a), and 172.124(a).** to combine early voting and Election Day into one continuous in-person voting period. Mandates a 12-day voting period, requiring that polling places be open for nine hours during the first eight days, and for 12 hours during the last four days, except for the last Sunday, on which polling places must be open for nine hours. Require each polling place used during early voting to also be used as a polling place on Election Day. Election results for early voting and Election Day are reported together as voting in person, with ballot-by-mail results reported separately. Requires counties to post the total number of votes cast for each candidate or measure at each polling location. Adds requirements for the delivery of the key by the custodian and procedures for handling and transporting both voted and unvoted ballots during early voting and Election Day.

On or before Aug. 1, 2027, the Secretary of State is required to publish a report in the Texas Register affirming that the Secretary of State has consulted with county election officials and is confident that counties are fully prepared to implement these changes.

Effective Date: This act takes effect Sept. 1, 2025, but the changes in law made by this act apply only to an election ordered on or after the date the Secretary of State publishes the report mandated by the bill on or after Aug. 1, 2027.

The following provisions of the Election Code are repealed: Chapter 103; Sections 43.007(i), 85.006, 85.008, 85.064(d); 85.068, 87.023, 87.024, 113.004(c), and 129.057.

<u>S.B. 2964</u>	Senate Author: Hughes
Effective Date: 9/1/2025	House Sponsor: Bucy

Relating to an opportunity to correct certain defects in an early voting ballot voted by mail.

Elections

Summary: **Amends Election Code, Section 86.011, (d) (e), (f), (g), (h), (i), (j), and (k)** to require the clerk to send notice of a defect and a corrective action form to the voter within two days of discovery of a defect in the carrier envelope for a mail ballot. Requires the Secretary of State to develop the form. Allows the clerk to notify a voter of a defect by phone or email if there is not a reasonable amount of time to correct the defect by mail before the election.

Family

<u>H.B. 793</u>	House Author: Thompson
Effective Date: 9/1/2025	Senate Sponsor: Zaffirini

Relating to the confidentiality of certain personal information of an applicant for or a person protected by a protective order.

Summary: **Amends Family Code Sections 82.011, 85.007, and 87.004** to require courts to keep the mailing address and county of residence of protective order applicants confidential from the respondent. Courts would also have to exclude other identifying information upon request and must inform and specifically ask protected persons or their adult family members about this right during hearings. Any updated address or phone number filed by a protected person must also be kept confidential. Applicants seeking confidentiality must still provide the court with their address, county of residence, and a designated person to receive related court documents, along with that person's address.

<u>H.B. 1734</u>	House Author: Orr
Effective Date: 9/1/2025	Senate Sponsor: Zaffirini

Relating to the transfer of court files in a suit affecting the parent-child relationship in which continuing, exclusive jurisdiction is transferred.

Summary: **Amends Family Code 155.207 (a) (4) Transfer of Court Files -** to restrict the documents transferred in these case types to only the pleadings in the pending proceeding instead of all papers filed in the case.

(g) (4) a copy of the pleadings in the pending proceeding and any other document specifically requested by a party [original papers filed in the transferring court];

Effective date: September 1, 2025. Applies to orders of transfer rendered on or after this date.

<u>H.B. 1973</u>	House Author: Cook
Effective Date: 9/1/2025	Senate Sponsor: Zaffirini

Relating to proof of the identity of a child's parents in a suit affecting the parent-child relationship.

Summary: **Amends Family Code Section 102.008 by adding (c-1)** instructs the petitioner to file a certified copy of the child's birth certificate as a separate document that the clerk will keep under seal or confidential. If they don't submit it, don't worry about it. The court will request it from them.



Family

<u>S.B. 1403</u>	Senate Author: West
Effective Date: 9/1/2025	House Sponsor: Dutton

Relating to the administration of the Title IV-D agency, the powers and duties of the Title IV-D agency regarding the collection, modification, and enforcement of child support, and to certain procedures for cases and orders relating to the Title IV-D agency.

Summary: **Family Code, Section 201.1045. Amended by adding (e) Section 30.012 (b), Civil Practice and Remedies Code**, does not apply to a proceeding conducted using remote communication under this section.

The Title IV-D agency may cease child support enforcement services against an obligor for child support arrearages if the obligee is confined in a local, state, or federal jail or prison for an offense constituting an act of family violence committed against a child covered by the child support order.

Family Code, Section 232.1015 is amended. Title IV-D agency may adjust child support orders based on the obligor's net resources during incarceration. The clerk of the court may collect the fee authorized by a Title IV-D case upon the filing of an administrative adjustment order.

Family Code, Section 231.121, requires the Title IV-D agency to ensure that all brochures published by the agency are available to the public on the agency's website and upon the request of the clerk of the district court.

<u>S.B. 1404</u>	Senate Author: West
Effective Date: 9/1/2025	House Sponsor: Dutton

Relating to requirements for certain orders and judgments rendered in a suit affecting the parent-child relationship.

Summary: **Amends several sections of the Family Code, Section 105.006 adds Subsections (c-1), (c-2), and (i); 106.002 adds Subsection (c), and 157.167 adds Subsection (a-1).** Prohibits the disclosure of party information through a court order and requires the party to provide an email address for inclusion in the final order, allowing the party to receive notice and service of process via the electronic filing system. Clerks may send notices using this email address.

In rendering a judgment for attorney's fees or expenses, the court shall render that judgment separate from any judgment confirming the amount of arrearages under Section 157.263.

Family

<u>S.B. 1559</u>	Senate Author: Zaffirini
Effective Date: 9/1/2025	House Sponsor: Thompson

Relating to conflicts between a protective order and certain other orders and to the **transfer of a protective order.**

Summary: **Amends the Family Code, Chapters 81 and 85**, concerning protective orders. **Makes transfer of protective orders mandatory:** *Before or during* a divorce or custody proceeding: If someone has a protective order and later files for divorce or a suit affecting parent-child relations, the court **must** (no longer “may”) transfer that order to the family court handling those matters. *After* a final custody order is issued, if a protective order is also issued, it **must** be transferred to the court with continuing jurisdiction. **Removes the discretionary “finding” requirement:** Previously, courts could transfer protective orders *only* if they made a specific finding as required by Section 85.064(c). SB 1559 **repeals that subsection**, eliminating the discretionary hurdle. **Clarifies order of law:** A new Section 81.012 adds that while a protective order is valid, it **prevails** over any conflicting divorce or child-custody order. **Streamlines notice on orders:** Protective orders must now include bolded, clear language alerting parties that “during the time...this order is valid and subject to transfer, the order prevails over any other order...if conflict arises.”

<u>S.B. 1923</u>	Senate Author: West
Effective Date: 9/1/2025	House Sponsor: A. Davis

Relating to the modification of certain orders providing for the support of a child.

Summary: **Amends Family Code 156.409. Change in Physical Possession.** Amends (a), (a-1), and (b) and adds Subsection (c). Adds and allows the person to have physical possession of the child for at least six months, the right to receive, hold, or disburse money for the benefit of the child. This allows the parent to enter into an agreement with the person who has physical possession of the child for these purposes. A respondent can be ordered under Chapter 105 to provide the court and the state case registry with the respondent’s current mailing address or e-mail address and may be served in this manner on a motion for modification. Applies to a motion for modification or order filed on or after September 1, 2025.

Jury

<u>H.B. 2637</u>	House Author: DeAyala
Effective Date: 9/1/2025	Senate Sponsor: Hughes

Relating to the practice and procedures for summoning prospective grand jurors and petit jurors and the exemption of certain persons from grand jury and petit jury service.

Summary: **Amends Code of Criminal Procedures Article (CCP) 19A and Government Code (GC), Chapter 62** concerning grand jury disqualification to match petit jury disqualification. It separates convictions for misdemeanor theft and felony theft for cleaner reporting to the Secretary of State. It eliminates the reporting requirements to the voter registrar that have no connection to voting. It separates disqualifications from exemptions when reconstituting the jury wheel. And cleans up wording throughout for clarification purposes.

CCP 19A.101 and GC 62.102 - Jury Qualifications. In both codes, (7) is now only misdemeanor theft, and (8) has not been convicted of a felony.

The following lists should be sent to the voter registrar in both grand and petit juries:

1. Not a citizen.
2. Non-resident (except for counties with a population of less than 1,000).
3. Not qualified to vote.
4. Felony conviction.

The following lists should be sent to the prosecuting attorney in both grand and petit juries:

1. Not a citizen.
2. Misdemeanor and Felony convictions.
3. Under indictment

The following lists should be sent to the Secretary of State by the district clerk for both grand and petit juries:

1. Not a citizen;
2. Non-resident;
3. Not qualified to vote;
4. Convicted of misdemeanor theft or a felony;
5. Under indictment.
6. Over 75 age exemption.

The district clerk is responsible for maintaining a list of individuals who have claimed a temporary or permanent exemption due to a physical or mental impairment or inability to comprehend English, and for keeping them off the jury wheel. Follow the Texas State Archives Commission guidelines under District Clerk-Part 8: Jury Records (temporary exemption = 1-year, permanent exemption = AV or permanent electronic retention).

Jury

<u>H.B. 4749</u>	House Author: Landraf
Effective Date: 9/1/2025	Senate Sponsor: Sparks

Relating to reconstitution of the petit jury wheel and the grand juror and petit juror qualifications and juror summoning in certain counties.

Summary: **Amends Code of Criminal Procedures Article (CCP) 19A. and Government Code (GC), Chapter 62** to allow grand jurors and petit jurors to be summoned in a county with a population of less than 1,000, if that person is a resident of a county contiguous to and within the same judicial district as the summoning county.

Juvenile

<u>S.B. 2776</u>	Senate Author: A. Hinojosa
Effective Date: 9/1/2025	House Sponsor: Lujan

Relating to the disclosure of certain information by the Texas Juvenile Justice Department.

Summary: **Amends the Human Resource Code, Section 244.003**, to modify the disclosure of information by the Texas Juvenile Justice Department. The bill introduces a new subsection (c) to Section 244.003, which allows the department to disclose personally identifiable information about individuals who were committed to the department, provided they meet certain criteria. Specifically, the individual must be at least 18 years old, have been discharged from commitment, and have given consent for the disclosure. The department is also required to ensure that no information is disclosed without consent and that the information is only used for the purpose for which consent was granted.

Probate, Guardianship & Mental Health

<u>H.B. 3376</u>	House Author: Capriglione
Effective Date: 9/1/2025	Senate Sponsor: Zaffirini

Relating to the training on Alzheimer's disease, dementia, and related disorders for certain guardians.

Summary: **Government Code Section 155.203(b) has been amended.** A new Texas law requires proposed guardians to complete pre-appointment training and undergo background checks, and mandates ongoing dementia-related training for guardians of older adults or those with cognitive disorders, with implementation scheduled for September 2026.

<u>H.B. 3421</u>	House Author: Hayes
Effective Date: 9/1/2025	Senate Sponsor: Hughes

Relating to decedents' estates and other matters involving probate courts.

Summary: **Estates Code Section 33.105 has been amended by amending Subsection (a) and adding Subsection (a-1).** Updates probate procedures by requiring electronic transfer of case records, clarifying will and inventory requirements, streamlining the duties of personal representatives and surviving spouses, mandating timely notice filings, and ensuring certain changes apply only to future or pending cases as of the law's effective date. This adds the delivery of the original will, or a paper copy of the will, to be delivered by a qualified delivery method. Establishes that the person requesting the transfer shall pay the cost of delivery. Look at Estates Code 256.156(c) being added regarding the copy of the will that cannot be produced in court that includes a copy of the self-proving affidavit being sufficient to make the will self-proved if the self-proving affidavit meets the form and content requirements under Subchapter C, Chapter 251. Section 256.202 is amended regarding the custody of the probated will by clarifying that the original will, or a paper copy of a will, will be provided under Section 25.156. Section 309.051(a) and 309.052 are amended to state that the inventory and list of claims must state whether the decedent was married at the time of the decedent's death, and if the decedent was married at the time of the decedent's death, to specify which portion of the property if any is separate property and which if any is community property. Section 452.006(c) is amended to state that not later than the 7th day after the date the letters of temporary administration are issued, the appointee shall file



Probate, Guardianship & Mental Health

with the court proof of service of the notice required by law in the manner provided by Section 51.103(b). The Statutory Probate Court has been added to the courts.

<u>S.B. 746</u>	Senate Author: Zaffirini
Effective Date: 9/1/2025	House Sponsor: Thompson

Relating to guardianship matters.

Summary: **Amends Estates Code Section 102.013, 1054.0511(a), 1054.054(b), 1054.056(a)** related to the Guardian ad litem, meaning a person appointed by a court to represent the best interests of an incapacitated person or a proposed ward. Amended Estates Code Section 1055.001(b) related to a person who has the interest that is averse to a proposed ward or incapacitated person, not being permitted to file an application to create a guardianship or for the appointment of a guardian or file a motion or complaint to request the removal of a guardian or contest the request for removal of a guardian.



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