

Cybersecurity

[HB 3834](#) Cybersecurity Training

- A district must identify employees who use a computer to complete at least 25 percent of the employee's required duties and require them to annually complete a cybersecurity training program from a state certified provider selected by the District.
- The district must verify and report on the completion of the training and require periodic audits to ensure compliance.

[HB 4390](#) Data Breach Notification

- Expands the data breach notification requirement. Previously, in event of a data breach, the data owner was required to notify *as quickly as possible* any individual whose sensitive personal information was, or reasonably believed to have been, subject to the breach.
- Now the notification must occur “without unreasonable delay,” and no later than 60 days after the date the breach was determined to occur. Additionally, notice must be sent to the Attorney General if the breach involves at least 250 Texas residents.

Construction

[HB 985](#) Collective Bargaining on Public Works Contracts

- A district awarding a public work contract funded with state money (including debt) may not “prohibit, require, discourage, or encourage a contractor or sub from entering a contract with a collective bargaining organization relating to the project, or discriminate against a person’s involvement in (or refusal to enter) such an agreement.

[HB 1734](#) Proceeds from Construction Defect Litigation

- A district must notify the commission within 30 days of filing a construction defect claim related to a district facility financed with bonds. The notice must include the petition and a list of defects.
- The proceeds from such a claim must be used for repair, replacement, reimbursement for repair or replacement or other purpose approved by the commissioner.

[HB 1999](#) Construction Defect Claims

- Before bringing a construction defect claim regarding a public building or public work, the district must provide a written report to each contracted party identifying the defects, describing the physical condition of the building, and describing any maintenance or repairs to the building since initially occupied or used.
- The district must allow a contractor an opportunity to inspect and correct, or agree to correct the defect.

Contracting

[HB 793](#) Companies that Boycott Israel

- Amends the requirement to obtain certification a company will not boycott Israel by
 - Excluding sole proprietors from the requirements, and
 - Limiting the requirement to contracts
 - With companies who have 10 or more full-time employees and
 - With a value of \$100,000 or more.
- Practically speaking, revise your contract language to only apply to companies (not including sole proprietorships) employing 10 or more employees and contracts worth \$100,000 or more.

[HB 2868](#) Interior Design Services as Professional Services

- Adds “a person lawfully engaged in interior design” to the list of profession services in Chapter 2254.

- Notably, the person does not have to be registered as an interior designer.

[SB 22](#) Prohibition on Contracting with an Abortion Provider or Affiliate

- A district may not enter into a “taxpayer resource transaction” with an abortion provider or affiliate.
- A taxpayer resource transaction is a transaction in which the district provides the provider or affiliate “something of value derived from state or local tax revenue, regardless of whether the [district] receives something of value in return.”

[SB 65](#) – Disclosures related to Contracts for Lobbying Services

- Requires a Form 1295 disclosure form on contracts that would require a person to register as a lobbyist.
- Certain information regarding these contracts must also be published on the district’s website, including: execution date, contract term and any extensions, effective date, final amount of money paid in the previous fiscal year, and a list of all legislation advocated for, against, or on by any party or subcontractor to the contract.
- Also requires the district’s proposed budget to include a “line item indicating expenditures for directly or indirectly influencing or attempting to influence the outcome of legislation or administrative action.”

[SB 1793](#) Disclosure of Cooperative Purchasing Fees

- Clarifies the current requirement that a district who enters into a purchasing contract valued at \$25,000 or more under a cooperative must document any “contract-related fee,” applies only to fees “paid by the district.”

Facilities/Real Property

[HB 541](#) The Right to Express Breast Milk

- Clarifies a mother may breast-feed or express breast milk in any location the mother’s presence is authorized.

[HB 2496](#) Designation of Property as a Historical Landmark

- A municipality may not designate a property as a local historic landmark without the property owner’s consent (or a 3/4ths vote of the municipalities governing authority or commission.)

[HB 2845](#) Removal of Wind Power Facilities

- Requires a wind power facility agreement to include a provision that the Leasee will remove certain equipment and restore the property in the event the facility no longer generates electricity or is decommissioned.
- The bill also requires evidence of financial assurance the Leasee can secure removal of the facility.
- A purported waiver of this right in an agreement is void.

[HB 2263](#) Sale of Electric Power

- Effective January 1,, 2024, the tax a utility company pays on the gross receipts from the sale of electricity to a public school district in an incorporated city of more than 1,000 population is eliminated.
- The bill also permits the GLO, who may receiving oil, gas, and mineral royalties in-kind, to sell or convey natural gas generated from in-kind royalties to a public customer, including a school district.

[SB 1376](#) Elimination of Requirements Imposed on School Districts

- This bill revises a number of education related statutes. Relevant provisions include the following.
- Section 2.02 expands the exemption for small districts from the requirement to establish a recycling program. TCEQ is now required to exempt districts with fewer than 10,000 students from the program without the need for identifying a hardship. Previously the exemption applied only to district with 5,000 students who demonstrated a hardship. Additionally, larger districts may request an exemption if they demonstrate a hardship exists.

- Section 2.03 expands the exemption for districts from the requirement to give preference during the purchasing process to products made of recycled materials. The Water Commission is now required to exempt districts with fewer than 10,000 students from the program without the need for identifying a hardship. Previously the exemption applied only to district with 5,000 students who sought an exemption. Additionally, larger districts may request an exemption if compliance creates a hardship.
- District are no longer required to comply with the mandate to purchase cost-effective, energy-efficient light bulbs in instructional facilities.

Transportation

[HB 771](#) Use of Wireless Devices on Buses and in School Zones

- Amends current law regarding using a wireless communication device while operating a motor vehicle within a school crossing zone to provide the local authority enforcing the zone must either post the required signs or *approve the posting of signs by a school district*.
- The local authority must pay for the signs unless an agreement is entered (presumably with the district) providing otherwise.
- Also provides a school bus operator must not use a wireless communication device with a minor passenger on the bus unless the bus is stopped, is used in a manner similar to a two-way radio, or is used in the performance of the operator's duties as a bus driver.

[HB 3163](#) Parking for Persons with Disabilities

- Accessible parking spaces must now include the international symbol of access painted on the parking space, the words "No Parking" on any adjacent access aisle, and a sign indicating accessible parking with "a statement regarding the potential consequences of illegally parking [] in the space."

Safety

[HB 5](#) Debris Removal

- Requires TDEM to develop a catastrophic debris management plan and model guide for political subdivisions. Also, in coordination with FEMA, TDEM must publish a model contract for debris removal to be used by political subdivisions and include debris removal services on a state cooperative.

[HB 1152](#) Excessive Prices During Disaster

- Expands unlawful deceptive trade practices to include taking advantage of a disaster (defined to include declarations by the Governor or president) by charging an exorbitant or excessive price for lodging, building materials, or construction tools. The law already included fuel, food, medicine, or another necessity.

[SB 11](#) School Safety and Mental Health Promotion

- Among a number of other provisions, the bill requires the Commissioner to adopt rules to ensure building standards for instructional facilities (and other district and OECS facilities) provide a secure and safe environment. These should include best practices for design and construction of new facilities as well as renovation and retrofitting of existing facilities. Sections 1 and 24.
- Requires parental notification, as soon as possible, to each student assigned to the campus, or regularly uses the facility in the event of a bomb threat or terroristic hreat relating to the campus or facility. Section 13.
- Requires the board of each district to establish a "threat assessment and safe and supportive school team," "to serve at each campus of the district." The team is responsible for developing and implementing the Safe and Supportive School Program developed by TEA and the Texas School Safety Center;
- The bill makes a number of changes to EOPs and safety and security audits, including:
 - The EOP must also address prevention;

- EOP must address training for employees, including substitutes;
- EOP must ensure employees have classroom access to communications devices (including cell phones) in order to reach emergency services;

Firearms

[HB 1143](#) Parking in School Parking Lot with Firearm

- The law currently provides the District may not prohibit a person with a license to carry from transporting or storing a firearm or ammunition out of plain view in a locked private vehicle in the district parking lot. This bill makes clear a district may not “regulate the manner in which the [firearm] is stored in the vehicle.”

HB 1791 Carrying a Handgun on Government Property

- Expands the current law preventing a district from posting notice of trespass in a location a license holder is not prohibited by law from carrying. Now the district is subject to a complaint and potential penalty if the district “take[s] any action” that “states or implies” a license holder is not permitted to carry, unless the license holder is not permitted to carry under the Penal Code or “other law.”

Miscellaneous Bills

[HB 1325](#) Production and Regulation of Hemp

- Decriminalized hemp, which is defined as any part of Cannabis sativa L. with a THC concentration of not more than .3%.

[SB 21](#) Cigarettes, E-Cigarettes, and Tobacco Products

- Raises the legal age to buy or use cigarettes, e-cigarettes, or tobacco products to 21, or 18 with a valid military ID.