



89th Regular Session Legislative Update for Risk Pool Members

After each legislative session, the Texas Municipal League’s legal staff prepares the “final wrap up” edition of the [Legislative Update](#) newsletter. The task is monumental. Probably no other advocacy organization goes to the same lengths to quickly and accurately prepare summaries of every city-related bill that passed, and their [final version](#) is 90 pages.

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Risk Pool staff has taken the liberty of preparing this abbreviated version that includes bills of most interest to TML Risk Pool Members. You can read the actual bill text by clicking on the link, clicking on the “text” tab on that site, and viewing the “enrolled” version of a bill.

Special thanks to all at TML for their efforts on behalf of Texas cities and the Pool.

TML Risk Pool-Related Bills Passed

Public Safety and Emergency Management

H.B. 33 (McLaughlin/Flores) – Uvalde Strong Act: provides, among *many* other things, that:

1. no later than December 1, 2025, the Advanced Law Enforcement Rapid Response Training Center at Texas State University – San Marcos shall create a template for use by a local law enforcement agency or emergency medical services provider in evaluating and reporting on the agency’s or provider’s response to an active shooter incident at a primary or secondary school facility;
2. the center may collaborate with the Texas Division of Emergency Management (TDEM), the Department of Public Safety (DPS), the Sheriff’s Association of Texas, or the Texas Police Chiefs Association to develop the template;

3. the template must include detailed requirements as outlined in the bill;
4. the center shall develop a training program for peace officers and emergency medical services personnel for responding to active shooter incidents at primary and secondary school facilities based on detailed requirements in the bill; and
5. each city police department shall employ or appoint a public information officer who must obtain certification in emergency communications from TDEM, and complete continuing education on emergency communications;

(Effective September 1, 2025.)

H.B. 121 (King/Nichols) – School Safety Measures: provides, among other things, that: (a) a fire marshal or any officer, inspector, or investigator of a city who holds a permanent peace officer license is added to the definition of a peace officer under state law; and (b) the sheriff of a county with a total population of less than 350,000 in which a school district or open-enrollment charter school is located shall call and conduct a school safety meeting at least twice each calendar year, not less than three months apart, with certain school district employees and law enforcement personnel, including the police chief of a city police department in the county or the police chief's designee. (Effective immediately.)

H.B. 1593 (Campos/Middleton) – Firefighter Suicide Prevention Study: provides, among other things, that: (1) Texas Commission on Fire Protection (TCFP) shall establish an advisory committee to study the need to implement suicide prevention and peer support programs in fire departments in this state; and (2) not later than September 1, 2026, the advisory committee shall prepare and submit a report to the governor and the legislature which must: (a) provide an overview of suicide prevention and peer support groups in fire departments; (b) address possible licensing requirements and any confidentiality concerns; and (c) provide recommendations on: (i) the need for legislation to implement suicide and peer support groups in fire departments; (ii) whether to encourage local governments to develop local suicide prevention and peer support groups in fire departments; and (iii) specific programs to be implemented in this state. (Effective September 1, 2025.)

H.B. 1639 (Patterson/Alvarado) – Female Firefighter Cancer Study: directs the Texas Department of State Health Services, in collaboration with the Texas Commission on Fire Protection, to: (1) conduct a study on the increased incidence of cancer in female firefighters, focusing on cancers specific to women, including ovarian and breast cancer; and (2) prepare and submit a report regarding (1), above, to the legislature not later than September 1, 2026. (Effective September 1, 2025.)

H.B. 2128 (Spiller/Hagenbuch) – Rural Firefighting Study: requires that: (1) the Texas A&M Engineering Extension Service conduct a study of rural firefighting and technical rescue service capabilities and compare those capabilities with those of urban cities; (2) the study consider disparities in: (a) available funding for personnel and equipment; (b) the number of qualified candidates to fill new or vacant firefighting and rescue personnel positions; (c) opportunities for

affordable training for firefighting and rescue personnel; and (d) any other factor. (Effective immediately.)

H.B. 2217 (Wharton/Hagenbuch) – Bullet-Resistant Vehicle Components Grant: provides, among other things, that: (1) the governor’s Criminal Justice Division shall establish and administer a grant program to provide financial assistance to a law enforcement agency to purchase and install motor vehicles used by peace officers of the law enforcement agency in discharging the officers’ official duties with bullet-resistant windshields, side windows, rear windows, and door panels; and (2) a law enforcement agency receiving a grant must, as soon as practicable after spending the grant money, provide to the criminal justice division proof of purchase and installation, as applicable, of bullet-resistant windshields, side windows, rear windows, or door panels. (Effective September 1, 2025.)

H.B. 3000 (King/Perry) – Ambulance Service Providers Grant: provides, among other things, that: (1) the comptroller shall establish and administer the rural ambulance service grant program to support the state purpose of ensuring adequate ground ambulance services by providing financial assistance to qualified rural ambulance service providers in qualified counties; (2) not later than the 30th day after the first day of a qualified county’s fiscal year, the county, on behalf of a qualified rural ambulance service provider, may submit a grant application to the comptroller; (3) a county may only submit one application each fiscal year; (4) if a county is awarded a grant under the program, the provider is ineligible to receive additional grant funds under the program from another qualified county in the same fiscal year; (5) a qualified county awarded a grant may use or authorize the use of the grant money only to purchase ambulances, including necessary accessories and modifications, as provided by comptroller rule; and (6) a qualified county awarded a grant may not reduce the budget of the qualified rural ambulance service provider for the county’s next fiscal year following the fiscal year of the grant award. (Effective September 1, 2025.)

H.B. 3732 (A. Martinez/Alvarado) – Fire Department Standards: provides that: (1) a fire department may request an extension from the Texas Commission on Fire Protection (TCFP) to comply with minimum standards related to protective clothing, self-contained breathing apparatuses, personal alert safety systems, incident management systems, personnel accountability systems, and fire protection personnel operating procedures; (2) TCFP shall grant a request for an extension if the fire department provides evidence TCFP finds sufficient to justify the extension; (3) TCFP must adopt rules necessary to implement (2), above; and (4) this extension authority expires on September 1, 2027. (Effective immediately.)

H.B. 4264 (Hefner/J. Hinojosa) – Peace Officer Grant Program: provides that: (1) the governor’s Criminal Justice Division may establish a grant program for the public purpose of fostering the professional development of peace officers employed in this state; (2) to be eligible for a grant, a person must: (a) hold a master proficiency certificate issued by the Texas Commission on Law Enforcement (TCOLE); (b) be employed on a full-time basis as a peace officer by a law enforcement agency; and (c) meet any other eligibility criteria established by the criminal justice division; (3) only the following persons may apply for a grant: (a) a law enforcement agency on behalf of an employee of the agency who meets the eligibility criteria for a grant; or (b) a person who meets the eligibility criteria for a grant with the consent of the person’s employing law enforcement agency; (4) the criminal justice division may award a grant only to a law enforcement

agency, and the law enforcement agency may use the money only to increase the compensation of the employee who applied for the grant or for whom the agency applied for the grant; (5) if the grant program is established, the criminal justice division shall establish procedures for: (a) processing grant applications in addition to any other application procedures; (b) evaluating grant applications; and (c) monitoring the use of a grant awarded under the program and ensuring compliance with any condition of a grant; (6) the criminal justice division shall award grants in an amount equal to \$6,500 for each award; and (7) a grant may not be awarded to the same person more than one time. (Effective September 1, 2025.)

H.B. 4464 (M. González/Schwertner) – Emergency Management Workers’ Compensation: provides, among other things, that: (1) service with Texas Task Force 1, an intrastate fire mutual aid system team, or a regional incident management team by a local government employee member who is activated is considered to be in the course and scope of the employee’s regular employment with the political subdivision; (2) the average weekly wage computation for members of state military forces does not apply to Texas Task Force 1 members, intrastate fire mutual aid system team members, and regional incident management team members; and (3) for purposes of workers’ compensation coverage, service with Texas Task Force 1, an intrastate fire mutual aid system team, or a regional incident management team, as applicable, by an employee is: (a) considered to be in the course and scope of the employee’s regular employment; and (b) included in workers’ compensation coverage provided for employees of political subdivisions as opposed to coverage as a state employee. (Effective September 1, 2025.)

S.B. 34 (Sparks/King) – Wildfires: provides, among other things, that: (1) the Texas A&M Forest Service and West Texas A&M University shall jointly conduct a study to determine the status and condition of fuel loading in wildfire risk zones in this state and the corresponding risk of wildfire to the residents, homes, businesses, and ecology of this state; (2) the Texas A&M Forest Service shall create and maintain a comprehensive database that shows in real time the statewide inventory of firefighting equipment available for use in responding to wildfires; (3) the database must: (a) include a description of the type of firefighting equipment each fire department in this state has available for use in responding to wildfires; (b) include contact information for the fire department with the equipment; (c) be searchable by location and equipment type; and (d) be accessible by all fire departments in this state and allow each fire department to update the database information regarding the fire department’s available equipment; and (4) at least ten percent of appropriations for a state fiscal year from the fund for the purpose of providing assistance to volunteer fire departments under the program is allocated for volunteer fire departments located in areas of this state the service determines are at high risk for large wildfires. (Effective September 1, 2025.)

S.B. 767 (Sparks/Fairly) – Firefighting Equipment Database: requires: (1) the Texas A&M Forest Service (TFS) to create and maintain a comprehensive database that shows in real time the statewide inventory of firefighting equipment available for use in responding to wildfires; (2) the database to: (a) include a description of the type of firefighting equipment each fire department in the state has available for use in responding to wildfires; (b) include contact information for the fire department that has the equipment; (c) be searchable by location and equipment type; and (d) be accessible by all fire departments in the state and allow each fire department to update the information in the database regarding the equipment the fire department has available; (3) TFS to assist fire departments that provide equipment information to the database annually or as soon as

practicable after any change in the availability of the department's firefighting equipment; and (4) TFS to use an electronic notification system to remind fire departments, at least once each calendar year, to update the availability of the department's firefighting equipment. (Effective September 1, 2025.)

S.B. 868 (Sparks/King) – Volunteer Fire Department Assistance Program: provides that: (1) at least ten percent of appropriations for a state fiscal year from the Volunteer Fire Department Assistance Program fund is allocated for the purposes of providing assistance to volunteer fire departments in areas of the state defined as high risk for large wildfires by the Texas A&M Forest Service; and (2) if the amount of the assistance requested in a state fiscal year by eligible departments is less than the amount allocated, the remaining amount may be used for other types of requests for assistance. (Effective September 1, 2025.)

S.B. 1177 (Alvarado/Leach) – Fire Safety Inspections: provides that: (1) a fire safety inspection of a public or private school, including an open-enrollment charter school, required by a state or local law, rule, regulation, or ordinance must include an examination of each automated external defibrillator (AED) on the school campus to determine whether the AED is fully functional, which must include verifying that the AED's pads and battery have not expired and that the AED's status indicator light indicates that the device is ready for use; (2) a person who conducts a fire safety inspection must: (a) provide a written report of the inspection and any relevant paperwork pertaining to the findings of the inspection to: (i) the principal of the school and the superintendent of the applicable school district if the inspection is of a public school; or (ii) the director of the school if the inspection is of a private school; and (b) at the time the person provides the report, indicate on the report the method by which, and the time and date on which, the person provided the report to the appropriate person; (3) the report must be filed at the school campus to which the report relates and according to the year in which the inspection occurred; and (4) the minimum curriculum requirements established by the Texas Commission on Fire Protection must require training on conducting a fire safety inspection at a public or private school. (Effective September 1, 2025.)

S.B. 2570 (Flores/Guillen) – Less-Lethal Force Weapons: provides that a guard employed by a correctional facility or a peace officer who is engaged in the discharge of the guard's or officer's official duties is justified in using force with a less-lethal force weapon against another when and to the degree the person reasonably believes the force was necessary to accomplish the person's official duties as a guard or officer and if the person's use of the weapon is in substantial compliance with the person's training. (Effective September 1, 2025.)

Utilities

S.B. 1967 (J. Hinojosa/A. Martinez) – Flood Infrastructure Fund: provides that: (1) the water loan assistance program fund may be used by the Texas Water Development Board (TWDB) to provide grants to drainage districts for water supply projects, including projects that contain a flood control component; (2) the TWDB may not disqualify a drainage district from receiving a grant under (1), above, because the district does not: (a) have historical data about water use; (b) provide retail water service to consumers; or (c) have a certificate of convenience and necessity under which it provides retail water or wastewater service; (3) in prioritizing projects for the State Water

Implementation Fund for Texas, the TWDB must also at least consider the following criteria, among other things, whether the project is a water supply project that contains a flood control component, regardless of whether the applicant holds a certificate of convenience and necessity under which it provides retail water or wastewater service; and (4) a “flood project” for the Flood Infrastructure Fund means a drainage, flood mitigation, or flood control project, including construction of multi-purpose flood mitigation and drainage infrastructure projects that control, divert, capture, or impound floodwater, stormwater, agricultural runoff water, or treated wastewater effluent and treat and distribute the water for the purpose of creating an additional source of water supply. (Effective September 1, 2025.)

Disaster Recovery

H.B. 3010 (Ashby/Nichols) – Rural Infrastructure Disaster Recovery Program: provides that: (1) the Texas Division of Emergency Management (TDEM) shall establish and administer a rural infrastructure disaster recovery program designed to provide financial assistance in the form of grants to rural communities located in a disaster area for the purpose of rebuilding and repairing critical infrastructure damaged by a disaster; and (2) a political subdivision is eligible to apply to the TDEM for a grant under the bill if the political subdivision is: (a) a county: (i) that: (A) has a population of less than 100,000; (B) has a gross domestic product of less than \$2 billion; (C) has a poverty rate greater than 15 percent; and (D) is located wholly or partly in a disaster area; and (ii) for which the total dollar amount of damages resulting from the disaster, as shown in an assessment of damages prepared after the disaster, exceeds the amount equal to ten percent of the state and local sales and use taxes collected in the county during the state fiscal year preceding the year in which the disaster occurs; or (b) a political subdivision other than a county that is wholly or partly located in a county described by (2)(a), above. (Effective September 1, 2025.)

Personnel

H.B. 35 (Thompson/West) – First Responder Peer Support Network: among other things: (1) establishes a peer support network program for emergency medical services personnel and firefighter first responders; (2) tasks the Texas Division of Emergency Management to develop and administer the network described in (1), above, for certain personnel in urban and rural jurisdictions, including peer-to-peer support, suicide prevention training, technical assistance, and identifying, retaining, and screening participating licensed mental health professionals, and connecting first responders with clinical resources at no cost to the first responders; and (3) provides that information relating to a first responder’s participation in the peer support network program or services is confidential and not subject to disclosure under the Public Information Act. (Effective September 1, 2025.)

H.B. 198 (Bumgarner/Parker) – Cancer Screenings: provides, among other things, that: (1) a city that employs firefighters shall offer an occupational cancer screening to each firefighter at no cost in the fifth year of the firefighter’s employment, and once every year following the initial screening; (2) the occupational cancer screening must be confidential, and in addition to testing for cancer, include: (a) a urine test; (b) a pulmonary function test; (c) an electrocardiogram; (d) an infectious disease screening; (e) a breast cancer screening; (f) a blood test; and (g) subject to (3) below, a chest x-ray; (3) a firefighter is eligible to receive a chest x-ray during the screening once

every five years; (4) the Texas Commission on Fire Protection (TCFP) shall adopt rules establishing minimum standards for the screening using standards developed by the National Fire Protection Association (NFPA); and (5) a city that employs firefighters is not required to offer a screening in (1) above, if the city offers an annual occupational medical examination under a plan submitted to the TCFP no later than February 1 of each year that is endorsed by a physician and is in substantial compliance with standards developed by the NFPA. (Effective June 1, 2026.)

H.B. 331 (Patterson/J. Hinojosa) – Disease Presumption: this bill: (1) removes the requirement that a firefighter, peace officer, or emergency medical technician who suffers an acute myocardial infarction or stroke must have been engaging in a situation or participating in a training exercise that involved “nonroutine” stressful or strenuous physical activity involving fire suppression, rescue, hazardous material response, emergency medical services, or other emergency response activity for the disease presumption to apply; (2) adds law enforcement to the list of emergency response activities listed in (1), above; and (3) expands the duration from which the acute myocardial infarction or stroke must have occurred to not later than eight hours after the end of a shift in which the firefighter, peace officer, or emergency medical technician was engaging in the activity described in (1), above. (Effective immediately.)

H.B. 4144 (Turner/Middleton) – Supplemental Income Benefits: provides that: (1) a governmental entity shall provide to a firefighter or peace officer who retires from a fire department or law enforcement agency with at least 50 firefighters or peace officers, a critical-illness supplemental income benefit or comparable health benefit plan coverage if the firefighter or peace officer is diagnosed with certain types of cancer or acute myocardial infarction or stroke not later than the third anniversary of the date the firefighter or peace officer retires; (2) the value of the supplemental income benefit shall be the lesser of: (a) the firefighter’s or peace officer’s final year salary; or (b) \$100,000; (3) a governmental entity providing a supplemental income benefit may provide the benefit in a lump sum payment or equal payments over three consecutive months; (4) not later than September 1 of each year ending in a five, the commissioner of insurance by rule shall adjust the amount described in (2), above, by an amount equal to the percentage increase, if any, in the consumer price index for the preceding ten years; and (5) the above provisions do not apply to a political subdivision that provides a firefighter or peace officer who retires from the political subdivision a health benefit plan that is comparable in coverage and cost to the retiree as the health benefit plan the political subdivision provided to the retiree on the day before the date the retiree retired. (Effective September 1, 2025.)

Purchasing

S.B. 1173 (Perry/Spiller) – Competitive Bidding Threshold: among other things: (1) increases the threshold at which competitive bidding is required for city purchases from \$50,000 to \$100,000; and (2) increases the threshold at which a city must contact at least two historically underutilized businesses to an expenditure of more than \$3,000 but less than \$100,000. (Effective September 1, 2025.)

Cybersecurity/AI

H.B. 149 (Capriglione/Schwertner) – Artificial Intelligence: among other things: (1) provides that a government agency that makes available an artificial intelligence (AI) system that is intended to interact with consumers must disclose to each consumer, before or at the time of interaction, that the consumer is interacting with an AI system; (2) prohibits a government agency from using an AI system for certain social scoring purposes; (3) prohibits a government entity from developing or deploying an AI system with biometric identifiers of individuals and the gathering of images or other media for the purpose of uniquely identifying a specific individual, if doing so, would infringe, constrain, or otherwise chill any right guaranteed under state or federal law; (4) provides that the limitations described in (2) and (3), above, only apply to government entities using AI systems to constrain civil liberties, not any AI system developed or deployed for commercial purposes; (5) provides that state law regarding the use of AI systems supersedes and preempts any such ordinance, resolution, rule, or other regulation adopted by a political subdivision; (6) establishes the Texas Artificial Intelligence Council (TAIC); (7) provides for the membership, powers, and duties of the TAIC; and (8) provides that the TAIC shall conduct training programs for state agencies and local governments on the use of AI systems. (Effective January 1, 2026.)

H.B. 150 (Capriglione/Parker) – Cyber Training: among other things: (1) establishes the Texas Cyber Command (TCC) as a state agency; (2) directs the TCC to perform certain duties, including developing cybersecurity best practices and minimum standards for governmental entities, develop and providing cybersecurity training to state agencies and local governmental entities, and offer cybersecurity resources to state agencies and local governmental entities; (3) requires each elected or appointed official and employee of a local governmental entity who has access to the entity's information resources or information resources technologies to annually complete a state-certified cybersecurity training program; (4) requires a local governmental entity to verify and report on the entity's compliance with (3), above, to TCC, and periodically audit such compliance; and (5) allows a governmental entity or the governing body's designee to deny an employee or official access to the entity's information resources or information resources technologies who do not complete the annual training described in (3), above. (Effective September 1, 2025.)

H.B. 3112 (Tepper/Perry) – Cybersecurity Measures: provides that: (1) a governmental body is not required to conduct an open meeting to deliberate a cybersecurity measure, policy or contract solely intended to protect a critical infrastructure facility located in the jurisdiction of the governmental body; (2) information is excepted from public disclosure under the Public Information Act if it is information that relates to: (a) a cybersecurity measure, policy, or contract solely intended to protect a critical infrastructure facility located in the jurisdiction of the governmental body; (b) coverage limits and deductible amounts for insurance or other risk mitigation coverages acquired for the protection of information technology systems, critical infrastructure, operational technology systems, or data of a governmental body or the amount of money set aside by a governmental body to self-insure against those risks; (c) cybersecurity incident information reported pursuant to state law; and (d) network schematics, hardware and software configurations, or encryption information or information that identifies the detection, investigation, or response practices for suspected or confirmed cybersecurity incidents if the disclosure of such information would facilitate unauthorized access to: (i) data or information, whether physical or virtual; or (ii) information technology resources, including a governmental body's existing or proposed information technology system; (3) a governmental body may disclose

information made confidential by (2), above, to comply with applicable state or federal law or a court order; and (4) a governmental body that discloses information under (3), above, must provide notice of the required disclosure to the person or third party who owns the critical infrastructure facility or, not later than the fifth business day before the information is required to be disclosed, or in the event immediate disclosure is required, notifying in writing the person or third party as soon as practicable but not later than the fifth business day after the information is disclosed, and retain all existing labeling on the information being disclosed describing such information as confidential or privileged. (Effective immediately.)

H.B. 3512 (Capriglione/Blanco) – Artificial Intelligence Training: among other things, provides that: (1) local government employees and elected and appointed officials who have access to a local government computer system or database and the use of a computer to perform at least 25 percent of the employee's or official's required duties must complete a certified artificial intelligence (AI) training program; (2) the governing body of a local government may select the most appropriate certified AI training program for employees and officials to complete; (3) the Department of Information Resources, in consultation with the cybersecurity council and interested persons, shall, among other things, annually certify at least five AI training programs for state and local government employees and update standards for maintenance of certification by the AI training programs; and (4) to apply for a criminal justice related state grant, a local government must submit with the grant application a written certification of the local government's compliance with certified AI training. (Effective September 1, 2025.)

H.B. 5331 (Dean/King) – Security Incident Notifications: provides that contract language in a cybersecurity insurance contract or other contract for goods or services prohibiting or restricting a state agency or local government's compliance with or otherwise circumventing state laws requiring notification of cybersecurity incidents to the Texas Department of Information Resources is void and unenforceable. (Effective immediately.)

S.B. 1964 (Parker/Capriglione) – Artificial Intelligence: among other things: (1) requires local governments to complete a review of the deployment and use of a heightened scrutiny artificial intelligence system and provide the review to the Department of Information Resources (DIR); (2) directs DIR to: (a) establish an artificial intelligence system code of ethics for use by state agencies and local governments that procure, develop, deploy, or use a heightened scrutiny artificial intelligence system; (b) develop minimum risk management and governance standards for the deployment, procurement, and use of heightened scrutiny artificial intelligence systems by a state agency or local government; (c) develop training materials for state and local government employees and the general public on the use of artificial intelligence systems; (d) provide resources to local governments to advise on the management of heightened scrutiny artificial intelligence system procurement and deployment, data protection measures, and employee training; and (e) establish accountability measures and risk management guidelines for state agencies and local governments; (3) requires that each state agency and local government that deploys or uses an artificial intelligence systems that the public directly accesses or that is a controlling factor in any decision that has a material legal or similarly significant effect on the provision, denial, or conditions of a person's access to a governmental service include a standardized notice on all related applications, Internet websites, and public computer systems; and (4) establishes an online

complaint system on the attorney general's Internet website that allows a person to report a complaint relating to artificial intelligence systems. (Effective September 1, 2025.)

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