

Did the Legislature Pass that Bill?

A Preliminary Recap of Key Children's Bills from
the 2023 Texas Legislative Session



This recap provides a preliminary list of the significant children's bills that passed and those that did not during the 2023 Texas legislative session. We will publish an updated and more thorough legislative recap following the June 18th deadline for the Governor to veto bills. This preliminary recap covers the following four issue areas:

[Children's Mental Health](#)[Child Protection](#)[Early Learning](#)[Maternal & Child Health](#)

CHILDREN'S MENTAL HEALTH

Status as of May 29, 2023. The Governor may veto bills until June 18, 2023.

* Indicates a bill aligns with a recommendation of the Texas School Readiness Dashboard.

PASSED

Support Children

HB 1211 by Rep. Guillen

Extends eligibility for the Loan Repayment Program for Mental Health Professionals to include licensed specialists in school psychology.

HB 2059 by Rep. Price

Expands eligibility of individuals who can participate in the state's mental health first aid training program, including youth, first responders, and military service members and veterans who want to participate.

HB 2100 by Rep. Price

Similar to SB 804 by Sen. Schwertner
Also passed as an amendment to SB 532

Extends eligibility for the Loan Repayment Program for Mental Health Professionals to include mental health professionals working in every Local Mental Health Authority and state hospital.

SB 26 by Sen. Kolkhorst

Develops a Quality Incentive Payment Program for local mental health providers; requires audits for Local Mental Health Authorities and Local Behavioral Health Authorities; and establishes an Innovation Matching Grant Program to help community-based mental health programs provide early intervention and treatment for children and families.

SB 532 by Sen. West

Similar to HB 1551 by Rep. Anchia

Reduces the number of years (from five to three) required for a person to participate in the state's Mental Health Professional Loan Repayment Program and requires public universities to share information about mental health services on campus.

Impact Children

SB 798 by Sen. Middleton

Similar to HB 5006 by Rep. Buckley

Eliminates the requirement of 2 years of classroom teaching experience before becoming a certified school counselor.

SB 850 by Sen. Blanco

Adds Educational Service Centers to the Texas Child Mental Health Care Consortium.

SB 1727 by Sen. Schwertner

Continues the functions of the Texas Juvenile Justice Department (TJJD) for two more years, setting up another Sunset review for the 2025 session, and makes additional juvenile justice policy changes.

Raises Concerns

HB 3 by Rep. Burrows

Takes the positive step of requiring district employees who interact with students to complete Mental Health First Aid training but also pushes campuses to provide an armed guardian on school campuses and only marginally increases school safety funding for districts. As a result, the bill makes it even harder for districts to use a portion of the school safety funding for mental health strategies.

DID NOT PASS

Support Children

HB 15 by Rep. S. Thompson

Would have created a Texas Mental Health and Brain Research Institute.

HB 98 by Rep. Moody *

Similar to SB 113 by Sen. Menéndez

Would have allowed schools to seek Medicaid reimbursement under the School Health and Related Services (SHARS) program for mental health services provided to students enrolled in Medicaid.

HB 340 by Rep. S. Thompson

Would have required health insurance plans to cover mental health services for serious emotional disturbance of a child.

HB 1898 by Rep. Jetton

Similar to SB 1365 by Sen. Hinojosa

Would have established a grant program to fund children's hospitals' delivery of mental and behavioral health services.

<p>HB 1157 by Rep. Lozano Similar to SB 891 by Sen. Zaffirini, SB 1101 by Sen. Paxton, and HB 2881 by Rep. Plesa</p>	<p>Would have allowed for excused absences from school for students to attend mental health care appointments.</p>
<p>HB 1167 by Rep. Romero Similar to SB 47 by Sen. Zaffirini</p>	<p>Would have streamlined the licensing process for professional counselors, social workers, and other mental health professionals and updated standards for qualified mental health professionals that seek licensure reciprocity in Texas.</p>
<p>HB 1248 Rep. Guillen</p>	<p>Would have extended eligibility for the Homes for Texas Heroes home loan program to include social workers.</p>
<p>HB 1358 by Rep. Harless</p>	<p>Would have added bullying prevention to school campus improvement plans.</p>
<p>HB 1502 by Rep. Plesa</p>	<p>Would have required trauma-informed care training for certain judges and attorneys.</p>
<p>HB 1571 by Rep. Lozano *</p>	<p>Would have allowed schools to seek Medicaid reimbursement under the SHARS program for health-related services, including mental health services, provided to students enrolled in Medicaid.</p>
<p>HB 1879 by Rep. Darby</p>	<p>Would have allowed licensed marriage and family therapist associates, licensed master social workers, and licensed professional counselor associates under clinical supervision to be reimbursed through Medicaid while completing their clinical training.</p>
<p>HB 2237 by Rep. S. Thompson * Similar to SB 1384 by Sen. Miles</p>	<p>Would have created the Child First grant program, which would enable community organizations to provide early childhood mental health or prevention services for low-income, high-risk families.</p>
<p>HB 2337 by Rep. Oliverson</p>	<p>Would have required Medicaid coverage for certain intensive outpatient services and partial hospitalization services.</p>
<p>HB 2361 by Rep. Price</p>	<p>Would have allowed a Local Mental Health Authority to hire a person who is a licensed master social worker or who has been issued a licensed professional counselor associate license by the Texas State Board of Examiners of Professional Counselors if granted a waiver by the Health and Human Services Commission.</p>

<p>HB 2404 by Rep. A. Johnson Similar to SB 2278 by Sen. Blanco</p>	<p>Would have required Medicaid coverage for functional family therapy services.</p>
<p>HB 2557 by Rep. Buckley Similar to SB 1100 by Sen. Paxton</p>	<p>Would have added Texas to the Licensed Professional Counselors Compact, which aims to remove obstacles to licensed professional counselors practicing interstate via telehealth or physically moving between states and obtaining another state's license.</p>
<p>HB 2638 by Rep. A. Johnson Similar to SB 2279 by Sen. Blanco</p>	<p>Would have required Medicaid coverage for multisystemic therapy services.</p>
<p>HB 3140 by Rep. K. King</p>	<p>Would have extended eligibility for the Teach for Texas Loan Repayment Assistance Program to include mental health professionals in public schools.</p>
<p>HB 3723 by Rep. Gerdes</p>	<p>Would have created the Rural Workforce Training Grant Program.</p>
<p>SB 948 by Sen. West Similar to HB 2451 by Rep. Allison</p>	<p>Would have created a mental health allotment to provide school districts with dedicated funding to support comprehensive student mental health initiatives, including to support salaries of a school counselor or school social worker.</p>

Raises Concerns

<p>SB 595 by Sen. Kolkhorst Similar to HB 1149 by Rep. Swanson and provisions of HB 890 by Rep. K Bell.</p>	<p>Would have required written parental consent before providing any psychiatric or psychological test, exam, or treatment — a requirement supported by advocates — but is defined in a broad manner to include regular surveys, check-ins, or screenings. It could have unintended consequences in mental health crisis situations, in routine staff conversations with students about their mood or well-being, and other scenarios.</p>
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CHILD PROTECTION

Status as of May 29, 2023. The Governor may veto bills until June 18, 2023.

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PASSED

Support Children

HB 3765 by Rep. Bucy

Ensures that children in foster care have appropriate luggage for moving their personal belongings.

SB 593 by Sen. Sparks

Similar to HB 1517 by Rep. Frank

Right-sizes state regulations for foster care providers to promote safety and avoid unnecessary burdensome rules.

SB 1379 by Sen. Parker

Similar to HB 2645 by Rep. Lujan

Helps youth develop greater financial independence when they age out of foster care by establishing a pilot program to help youth set up checking or savings accounts.

SB 1849 by Sen. Kolkhorst

Similar to HB 4236 by Rep. Noble

Improves data-sharing among state agencies and service providers regarding misconduct by former employees.

SB 1930 by Sen. Kolkhorst

Similar to HB 1972 by Rep. Campos and HB 2541 by Rep. Garcia

Ensures children in foster care spend more time with families rather than in facilities by enhancing legal representation while children are in facilities and requiring judges to actively monitor progress and the timeline for a swift return to families.

SB 2120 by Sen. Zaffirini

Provides legal representation and services to indigent parents or children named in a suit filed by DFPS.

Impact Children

HB 730 by Rep. Frank

Changes procedures for parents during an investigation or during a Parent Child Safety Placement.

HB 3462 by Rep. Noble

Standardizes the regulations governing the five HHSC ombudsman offices, including the DFPS ombudsman.

SB 24 by Sen. Kolkhorst

Transfers the state's Prevention and Early Intervention (PEI) program from DFPS to HHSC, removes evidence-based requirements for several PEI services, and codifies the state's existing Alternatives to Abortion program.

Raise Concerns

HB 63 by Rep. Swanson

Eliminates anonymous reporting of suspected child abuse or neglect.

HB 1087 by Rep. Hull

Requires DFPS petitions to include affidavits describing reasonable efforts made to prevent child removal. If reasonable efforts are lacking, the court is prohibited from terminating parental rights at the end of the trial, despite grounds for termination and the child's best interest. This will likely lead to more children being placed in long-term foster care with no opportunity for another permanent home.

DID NOT PASS

Support Children

HB 347 by Rep. Jarvis Johnson

Would have required law enforcement to find a caregiver for a child following a parent's arrest or incarceration, thereby reducing unnecessary CPS involvement with the child's family.

HB 811 by Rep. Meza

Similar to SB 673 by Sen. Zaffirini

Would have exempted medical providers, in certain circumstances, from reporting to DFPS a mother who has used a controlled substance during pregnancy.

HB 1323 by Rep. Talarico

Would have strengthened outreach about higher education opportunities for youth leaving foster care and streamlined access to the tuition and fee waiver.

HB 1342 by Rep. Wu

Similar to SB 1330 by Sen. Perry

Would have improved data sharing between DFPS and the Texas Juvenile Justice Department.

HB 1435 by Jarvis Johnson	Would have required county sheriffs to designate a family liaison officer to facilitate communication between prisoners and their families.
HB 1667 by Rep. Jetton	Would have changed CPS reporting requirements, creating greater opportunities to provide preservation services to families without an investigation.
HB 1680 by Rep. Howard	Would have allowed minors to consent to receiving home visiting services so that teen parents can access support for their new family.
HB 2066 by Rep. Cook Similar to SB 441 by Sen. Menéndez	Would have diverted youth in foster care away from the juvenile justice system by requiring DFPS-approved crisis response training for staff in foster care facilities, directing local juvenile justice boards to include children in foster care facilities in their existing diversion policies, and tracking how many youth are referred to the juvenile justice system.
HB 2108 by Rep. Allison Similar to SB 937 by Sen. Eckhardt	Would have expanded access to higher education tuition and fee waivers for adoptees by including adults who were adopted before 2009.
HB 2181 by Rep. Rose	Would have directed the Texas Department of Housing and Community Affairs to administer a youth and young adult homeless housing and services grant program.
HB 2481 by Rep. Garcia Similar to SB 137 by Sen. West	Would have provided access to counseling and a crisis management program to relatives or other designated caregivers and children in foster care.
HB 2794 by Rep. Lujan Similar to SB 2109 by Sen. Johnson	Would have allowed CASA programs to use state funding to serve on court-ordered services cases in addition to cases involving a suit affecting the parent-child relationship and clarified that judges may appoint a guardian ad litem in cases relating to certain court-ordered services.
HB 2822 by Rep. Garcia	Would have required the Texas Interagency Council for the Homeless to conduct a study and craft recommendations on the unique housing needs of youth who are aging out of foster care or exiting the juvenile justice system.

HB 2898 by Rep. Garcia	Would have classified suicide as a preventable death for purposes relating to the review and investigation of child fatalities.
HB 2996 by Rep. Zweiner	Would have allowed cities to require landlords to accept housing vouchers for youth experiencing homelessness.
HB 3189 by Rep. Garcia	Would have directed DFPS and other agencies to adequately inform potential relative and designated caregivers of a child of the minimum living standards used to evaluate the individual's home as a prerequisite to placing the child with that caregiver.
HB 4065 by Rep. Rose Similar to SB 2423 by Sen. Johnson	Would have required DFPS to include in its annual report data on suicide attempts by children in foster care and to provide notice to the parent of a child in foster care who attempts suicide.
HB 4905 by Rep. Campos Similar to HB 5030 by Rep. Frank	Would have ensured that DFPS may only co-parent a child (through joint managing conservatorship) when it is in the best interest of the child and DFPS has the resources to help address the child's needs.
SB 1853 by Sen. Kolkhorst *	Would have broadened the definition of groups or populations eligible for reimbursement under the Family First Prevention Services Act for services provided in Community Based Care.

Raise Concerns

HB 1229 by Rep. Harris Similar to SB 1165 by Sen. Birdwell	Would have ensured that current and prospective foster parents will not be required to provide a registry of weapons present in their home and that any information about such weapons will not be used against them by the state or by a child-placing agency.
SB 2591 by Sen. West	Would have eliminated judges' discretion in granting joint managing conservatorship, which is reserved for families who have exhausted resources seeking mental health care for their child. The bill may have increased the number of children with significant mental health needs who enter foster care without safe, suitable placements.

EARLY LEARNING

Status as of May 29, 2023. The Governor may veto bills until June 18, 2023.

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PASSED

Support Children

HB 1615 by Rep. Button

Codifies the Texas Workforce Commission's current program for supporting and expanding pre-k partnerships between child care providers and local school districts and adds a representative of the child care workforce to Local Workforce Development Boards, which oversee child care policy and funding.

SB 222 by Sen. Nichols *

Similar to HB 1580 by Rep. Metcalf

Provides paid family leave after birth or adoption for state employees participating in the Employees Retirement System of Texas.

SB 1145 by Sen. West

Similar to HB 3621 by Rep. Talarico

Allows municipalities or counties to exempt licensed child care facilities from property taxes collected by that taxing entity if at least 20% of their students receive subsidies. It will need to be approved by the voters in November 2023 before it takes effect.

SB 1327 by Sen. Blanco

Improves the availability of child care by allowing new directors to begin serving while giving them a 12-month grace period to complete the necessary education requirements.

Raises Concerns

HB 2729 by Rep. Harris

Removes education and certification requirements for pre-k teachers participating in pre-k partnerships between public school and private child care providers.

DID NOT PASS

Support Children

HB 11 by Rep. Dutton

Would have helped teachers offset the costs of receiving Bilingual and Special Education Certifications, provided free public pre-k to the children of public school teachers, and increased pre-k funding through the Early Education Allotment, among several other public education provisions in the bill.

HB 211 by Rep. M. González *

Would have improved services for children with disabilities or special needs in child care programs.

HB 940 by Rep. Dutton

Would have created a private child care task force to examine strategies to lower child care costs for working Texas families.

HB 1614 by Rep. Dutton *

Would have created a grant program to support and incentive pre-k partnerships between public schools and high-quality child care providers.

HB 1834 by Rep. S. Thompson *

Similar to SB 353 by Sen. Zaffirini

Would have ensured that child care funding for lower income neighborhoods, including in rural communities, matches the funding the state provides to higher income neighborhoods.

HB 1979 by Rep. Raney *

Similar to SB 1844 by Sen. Blanco

Would have updated regulations for Local Workforce Development Boards with the standards needed to maximize childcare funding, improve transparency, and enroll as many families as possible in high-quality childcare.

HB 2264 by Rep. Talarico

Would have supported the pipeline of child care educators by requiring a public junior college to award at least six semester credit hours or the equivalent to a student enrolled in the junior college who holds a Child Development Associate (CDA) credential.

HB 2604 by Rep. Morales-Shaw *

Would have provided 12 weeks of paid family leave after the birth or adoption of a child.

HB 3318 by Rep. Allen
Similar SB 1977 by Sen. Springer

Would have established full-day pre-k eligibility for four-year-olds receiving special education services if included in the student's Individualized Education Plan (IEP).

HB 3771 by Rep. Julie Johnson

Would have created a new voluntary partnership program between the State of Texas and private employers under which the state will match employer contributions to their employees' child care costs.

Support Emergent Bilingual Students

HB 1069 by Rep. Guerra

Would have established a Texas State Seal of Bilingualism and Biliteracy to recognize students graduating from Texas high schools with proficiency in English and another language.

HB 2147 by Rep. Garcia

Would have waived the fees for educators seeking a bilingual education certification, reducing the financial burden for educators to teach in dual language immersion programs.

HB 2164 by Rep. Guerra

Would have required TEA to create rules for a robust monitoring system for bilingual education and special language programs.

HB 2168 by Rep. Guerra

Would have created high school career technical education pathways for bilingual/ESL and Spanish language teachers with a scholarship program.

HB 3303 by Rep. Guerra

Would have addressed barriers to bilingual education certification by creating a new certification for 7th through 12th grade teachers and adjusting requirements for the certification exam so that candidates would only retest on the domains they did not master.

SB 442 by Sen. Menéndez

Would have required school districts to use 90% (rather than the current 55%) of the funding from their bilingual education allotment to support bilingual education, helping emergent bilingual students become strong readers and master both English and their home language.

MATERNAL AND CHILD HEALTH

Status as of May 29, 2023. The Governor may veto bills until June 18, 2023.

* Indicates a bill aligns with a recommendation of the Texas School Readiness Dashboard.

PASSED

Support Children

HB 12 by Rep. Rose *

Similar to SB 73 by Sen. Johnson and other bills

Allows moms to continue using their Medicaid health insurance for a full year after pregnancy.

HB 113 by Rep. Ortega

Similar to SB 74 by Sen. Johnson

Promotes the use of community health workers in more hospitals and health care settings by allowing Medicaid health plans to contract with community health workers and report expenses as a quality improvement cost.

HB 916 by Rep. Ordaz

Similar to SB 807 by Sen. Paxton

Requires Medicaid and private insurance to cover a full year supply of prescription contraception.

HB 1287 by Rep. Guillen

Similar to HB 1099 by Rep. Hernandez and SB 273 by Sen. Blanco

Modernizes the SNAP Vehicle Asset Test to keep families from having to choose between reliable transportation and food.

HB 1575 by Rep. Hull

Requires HHSC to adopt standardized assessment questions to screen for, identify, and aggregate data regarding the nonmedical health related needs of pregnant women eligible for Medicaid and the Alternatives to Abortion program.

HB 2727 by Rep. Price

Allows Medicaid reimbursement for home telemonitoring services for certain high-risk pregnancies, which can help a doctor and patient monitor blood pressure and other health measures while at home.

HB 2802 by Rose

Similar to SB 1127 by Sen. Blanco

Allows Medicaid health plans to text enrollees with updates and important information regarding renewal of benefits and eligibility changes.

SB 379 by Sen. Huffman

Similar to HB 300 by Rep. Howard and HB 1265 by Rep. Button

Exempts diapers, maternity clothes, baby wipes, and menstrual products from sales tax.

Impacts Children

HB 852 by Rep. Thierry

Updates the composition of the state's Maternal Mortality and Morbidity Review Committee by adding a second community member, requiring both community members to have experience in a relevant health care field, and adding a number of additional committee members from different health care specialties and perspectives.

Raise Concerns

HB 44 by Rep. Swanson

Removes state health funding, including Medicaid and CHIP funding, if a health provider declines to serve a potential patient because of refusal or failure to obtain certain immunizations or vaccines.

SB 14 by Sen. Campbell

Similar to HB 1686 by Oliverson

Prohibits gender-affirming care for minors, with exceptions for certain youth already in care.

DID NOT PASS

Support Children

HB 465 by Rep. Thierry

Would have established a pilot program to provide Medicaid coverage of doula services.

HB 663 by Rep. Thierry

Would have established a work group for the creation of an online maternal care data registry to aggregate data and to provide for the confidentiality and reporting of certain maternal mortality information.

HB 1288 by Rep. R. Lopez	Would have required private insurance to cover early childhood intervention Specialized Skills Training and case management.
HB 1571 by Rep. Lozano Similar to HB 2773 by Rep. Bucy and SB 2544 by Sen. Blanco	Would have allowed schools to seek Medicaid reimbursement under the School Health and Related Services (SHARS) program for health-related services provided to students enrolled in Medicaid.
HB 1578 by Rep. Allison Similar to SB 589 by Sen. Johnson	Would have defined health literacy, designated health literacy as a major statewide health concern, and required the statewide health coordinating council to establish an advisory committee on health literacy.
HB 1599 by Rep. Bucy * Similar to SB 550 by Sen. Johnson	Would have implemented an “express lane option” to improve access to Medicaid and CHIP health insurance for children who are already eligible but uninsured.
HB 1847 by Rep. Howard	Would have expedited the Texas Maternal Mortality and Morbidity Review Committee’s data analysis by allowing for the limited review of unredacted materials.
HB 2057 by Rep. Ortega	Would have provided Medicaid coverage for services provided by lactation consultants.
HB 2473 by Rep. Bucy Similar to SB 2115 by Sen. Flores	Would have made improvements to the Texas Information and Referral Network.
HB 2873 by Rep. Howard	Would have updated and consolidated reporting requirements for strategic plans that HHSC is currently tasked with developing to improve maternal health.
HB 2983 by Rep. Oliverson Similar to 1675 by Sen. Johnson	Would have helped Texans access healthy foods by creating a pilot program to implement food as medicine programs in Medicaid.
HB 3394 by Rep. Walle	Would have provided Medicaid coverage for doula services provided to a pregnant or postpartum recipient.
HB 4253 by Rep. Campos Similar to SB 1669 by Sen. Lamantia	Would have directed HHSC to study and make recommendations regarding the enrollment of eligible babies into children’s Medicaid.

SB 1458 by Sen. Miles

Similar to HB 4476 by Rep. Campos

Would have improved health coverage of uninsured babies by providing additional Medicaid enrollment information to new parents and reminding health providers they may use a mother's Medicaid identification number when a newborn does not have a separate Medicaid number yet.
