

AN ACT

relating to certain required reports or information received or prepared by state agencies and other governmental entities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Articles 2.305(b) and (d), Code of Criminal Procedure, are amended to read as follows:

(b) An entity described by Subsection (a) that investigates the alleged commission of an offense under Chapter 20A, Penal Code, or the alleged commission of an offense under Chapter 43, Penal Code, which may involve human trafficking, shall submit to the attorney general a report in the manner and form prescribed by the attorney general containing the following information:

(1) the offense being investigated, including a brief description of the alleged prohibited conduct;

(2) regarding each person suspected of committing the offense and each victim of the offense:

(A) the person's:

(i) age;

(ii) gender; and

(iii) race or ethnicity, as defined by Article 2.132; and

(B) the case number associated with the offense and the person suspected of committing the offense;

(3) the date, time, and location of the alleged

1 offense;

2 (4) the type of human trafficking involved, including:

3 (A) forced labor or services, as defined by  
4 Section 20A.01, Penal Code;

5 (B) causing the victim by force, fraud, or  
6 coercion to engage in prohibited conduct involving one or more  
7 sexual activities, including conduct described by Section  
8 20A.02(a)(3), Penal Code; or

9 (C) causing a child victim by any means to engage  
10 in, or become the victim of, prohibited conduct involving one or  
11 more sexual activities, including conduct described by Section  
12 20A.02(a)(7), Penal Code;

13 (5) if available, information regarding any victims'  
14 service organization or program to which the victim was referred as  
15 part of the investigation; and

16 (6) the disposition of the investigation, if any,  
17 regardless of the manner of disposition.

18 (d) The attorney general may [~~shall~~] enter into a contract  
19 with a university that provides for the university's assistance in  
20 the collection and analysis of information received under this  
21 article.

22 SECTION 2. Section 71.0353, Government Code, is amended to  
23 read as follows:

24 Sec. 71.0353. TRAFFICKING OF PERSONS INFORMATION. (a) As a  
25 component of the official monthly report submitted to the Office of  
26 Court Administration of the Texas Judicial System, a district court  
27 or county court at law shall report the number of cases filed for

1 the following offenses:

- 2 (1) trafficking of persons under Section 20A.02, Penal
- 3 Code;
- 4 (2) prostitution under Section 43.02, Penal Code; and
- 5 (3) compelling prostitution under Section 43.05,
- 6 Penal Code.

7 (b) A district or county court at law shall provide a copy of  
8 the report required under Subsection (a) to the attorney general.

9 SECTION 3. Sections 402.034(g) and (h), Government Code,  
10 are amended to read as follows:

11 (g) Not later than December 1 of each even-numbered year,  
12 ~~[beginning with the year following the year the council submits a~~  
13 ~~strategic plan to the legislature under Subsection (c)(2),]~~ the  
14 council shall submit to the legislature a ~~[an annual]~~ report  
15 detailing the progress of the strategic plan's implementation. The  
16 ~~[annual]~~ report must include:

17 (1) a description of the level of participation in the  
18 strategic plan by each agency represented on the council and how the  
19 implementation of the strategic plan serves to coordinate the  
20 programs and services described by Subsection (f)(1) and achieve  
21 the goals described by Subsection (f)(2)(B); and

22 (2) an update of the inventory of programs and  
23 services described by Subsection (f)(1) and how each program or  
24 service furthers the goals of the strategic plan.

25 (h) The office of the attorney general shall make available  
26 on the office's Internet website the strategic plan and the report  
27 ~~[annual reports]~~ required under Subsection (g).

1 SECTION 4. Sections 403.0147(b) and (c), Government Code,  
2 are amended to read as follows:

3 (b) Not later than December 31 of each even-numbered year,  
4 the comptroller shall submit a report to the legislature that  
5 identifies for each state agency:

6 (1) each program the state agency is statutorily  
7 required to implement for which no appropriation was made for the  
8 preceding state fiscal year, along with a citation to the law  
9 imposing the requirement; and

10 (2) the amount and source of money the state agency  
11 spent, if any, to implement any portion of the program described by  
12 Subdivision (1) during the preceding state fiscal year.

13 (c) A state agency shall provide to the comptroller not  
14 later than September 30 of each even-numbered year information  
15 necessary for the comptroller to prepare the report required by  
16 this section. The comptroller may prescribe the form and content of  
17 the information a state agency must provide.

18 SECTION 5. Section 404.094(a), Government Code, is amended  
19 to read as follows:

20 (a) Fees, fines, penalties, taxes, charges, gifts, grants,  
21 donations, and other funds collected or received by a state agency  
22 under law shall be deposited in the treasury, credited to a special  
23 fund or funds, and subject to appropriation only for the purposes  
24 for which they are otherwise authorized to be expended or  
25 disbursed. A deposit shall be made at the earliest possible time  
26 that the treasury can accept those funds, but not later than the  
27 third business day after the date of receipt. However, if an agency

1 determines that for seasonal or other extraordinary reasons  
2 deposits cannot be made by the third business day after the date of  
3 receipt, the agency shall provide written notice of the  
4 determination to the state auditor and comptroller with an  
5 explanation of the circumstances that require the delay. If the  
6 state auditor finds that an agency has not complied with this  
7 subsection, the state auditor shall make an estimate of any  
8 resulting financial loss to the state, taking into consideration  
9 compliance costs that would have been additionally incurred by the  
10 agency, and report the amount on the state auditor's Internet  
11 website [~~to the legislative audit committee, the governor, and the~~  
12 ~~comptroller~~].

13 SECTION 6. Section [531.02492](#)(b), Government Code, is  
14 amended to read as follows:

15 (b) The commission shall electronically publish on the  
16 commission's Internet website a biennial report and, on or before  
17 the date the report is due, shall notify the governor, the  
18 lieutenant governor, the speaker of the house of representatives,  
19 the comptroller, [~~the Legislative Budget Board,~~] and the  
20 appropriate legislative committees that the report is available on  
21 the commission's Internet website. The report must address the  
22 efforts of the health and human services agencies to provide health  
23 and human services to children younger than six years of age. The  
24 report may contain recommendations by the commission to better  
25 coordinate state agency programs relating to the delivery of health  
26 and human services to children younger than six years of age and may  
27 propose joint agency collaborative programs.

1 SECTION 7. Section 531.0998, Government Code, is amended by  
2 adding Subsection (g) to read as follows:

3 (g) The report may be consolidated with any other report  
4 relating to the same subject matter the commission is required to  
5 submit under other law.

6 SECTION 8. Section 531.108(e), Government Code, is amended  
7 to read as follows:

8 (e) Not later than October 1 of each year, the [The]  
9 commission shall submit to the governor and Legislative Budget  
10 Board an annual report on the results of computerized matching of  
11 commission information with information from neighboring states,  
12 if any, and information from the Texas Department of Criminal  
13 Justice. The report may be consolidated with any other report  
14 relating to the same subject matter the commission is required to  
15 submit under other law.

16 SECTION 9. Section 2054.077(b), Government Code, is amended  
17 to read as follows:

18 (b) The information security officer of a state agency shall  
19 prepare or have prepared a report, including an executive summary  
20 of the findings of the biennial report, not later than June 1  
21 [October 15] of each even-numbered year, assessing the extent to  
22 which a computer, a computer program, a computer network, a  
23 computer system, a printer, an interface to a computer system,  
24 including mobile and peripheral devices, computer software, or data  
25 processing of the agency or of a contractor of the agency is  
26 vulnerable to unauthorized access or harm, including the extent to  
27 which the agency's or contractor's electronically stored

1 information is vulnerable to alteration, damage, erasure, or  
2 inappropriate use.

3 SECTION 10. Section 2054.515(b), Government Code, is  
4 amended to read as follows:

5 (b) Not later than December 1 of the year in which a state  
6 agency conducts the assessment under Subsection (a) or the 60th day  
7 after the date the agency completes the assessment, whichever  
8 occurs first, the agency shall report the results of the assessment  
9 to:

- 10 (1) the department; and  
11 (2) on request, the governor, the lieutenant governor,  
12 and the speaker of the house of representatives.

13 SECTION 11. Section 2054.516(a), Government Code, is  
14 amended to read as follows:

15 (a) Each state agency implementing an Internet website or  
16 mobile application that processes any sensitive personal or  
17 personally identifiable information or confidential information  
18 must:

19 (1) submit a biennial data security plan to the  
20 department not later than June 1 [~~October 15~~] of each even-numbered  
21 year to establish planned beta testing for the website or  
22 application; and

23 (2) subject the website or application to a  
24 vulnerability and penetration test and address any vulnerability  
25 identified in the test.

26 SECTION 12. Section 2054.5192(e), Government Code, is  
27 amended to read as follows:

1 (e) A contractor required to complete a cybersecurity  
2 training program under this section shall verify completion of the  
3 program to the contracting state agency. The person who oversees  
4 contract management for the agency shall:

5 (1) not later than August 31 of each year, report the  
6 contractor's completion to the department; and

7 (2) periodically review agency contracts to ensure  
8 compliance with this section.

9 SECTION 13. The heading to Section 2310.052, Government  
10 Code, is amended to read as follows:

11 Sec. 2310.052. EVALUATION[~~, REPORT~~].

12 SECTION 14. Section 103.013(f), Health and Safety Code, is  
13 amended to read as follows:

14 (f) Not later than November 1 of each even-numbered year,  
15 each state agency affected by the state plan, other than a state  
16 agency represented on the council, shall report to the council, the  
17 Legislative Budget Board, and the Governor's Office of Budget and  
18 Planning:

19 (1) information determined under Subsection (e); and

20 (2) each deviation from the council's proposed plan,  
21 including an explanation for the deviation.

22 SECTION 15. Sections 533A.006(a) and (b), Health and Safety  
23 Code, are amended to read as follows:

24 (a) The executive commissioner shall submit a report to the  
25 Texas Medical Board not later than 30 days after the last day of a  
26 month during which any allegation is received by the commission  
27 that a physician employed by or under contract with the commission



1 in relation to services provided under this title has committed an  
2 action that constitutes a ground for the denial or revocation of the  
3 physician's license under Section 164.051, Occupations Code. The  
4 report must be made in the manner provided by Section 154.051,  
5 Occupations Code.

6 (b) The department shall provide to the Texas Medical Board  
7 a printed and electronic copy of any report or finding relating to  
8 an investigation of an allegation reported to that board.

9 SECTION 16. Section 534.068(f), Health and Safety Code, is  
10 amended to read as follows:

11 (f) The department shall annually submit to the governor[~~7~~  
12 ~~Legislative Budget Board,~~] and Legislative Audit Committee a  
13 summary of the significant findings identified during the  
14 department's reviews of fiscal audit activities.

15 SECTION 17. Section 578.008, Health and Safety Code, is  
16 amended to read as follows:

17 Sec. 578.008. USE OF INFORMATION[~~7~~ ~~REPORT~~]. [~~(a)~~] The  
18 department shall use the information received under Sections  
19 578.006 and 578.007 to analyze, audit, and monitor the use of  
20 electroconvulsive therapy, psychosurgery, pre-frontal sonic sound  
21 treatment, or any other convulsive or coma-producing therapy  
22 administered to treat mental illness.

23 [~~(b)~~ ~~The department shall file annually with the governor~~  
24 ~~and the presiding officer of each house of the legislature a written~~  
25 ~~report summarizing by facility the information received under~~  
26 ~~Sections 578.006 and 578.007. If the therapy is administered by a~~  
27 ~~private physician on an outpatient basis, the report must include~~

1 ~~that information but may not identify the physician. The~~  
2 ~~department may not directly or indirectly identify in a report~~  
3 ~~issued under this section a patient who received the therapy.]~~

4 SECTION 18. Section 22.0292(d), Human Resources Code, is  
5 amended to read as follows:

6 (d) Not later than October 1 of each year, the [The]  
7 commission shall submit to the governor and the Legislative Budget  
8 Board an annual report on the operation and success of the  
9 information matching system required by this section. The report  
10 may be consolidated with any other report relating to the same  
11 subject matter the commission is required to submit under other  
12 law.

13 SECTION 19. Section 101A.107, Human Resources Code, is  
14 amended to read as follows:

15 Sec. 101A.107. REPORT ON UNIT COSTS. The department shall  
16 file with the Legislative Budget Board and the Governor's Office of  
17 Budget, Planning, and Policy a report that clearly identifies in a  
18 state fiscal year the unit cost of each service, other than services  
19 related to community service volunteering and subsidized  
20 employment services, provided by an area agency on aging. The  
21 report must be filed annually [~~twice each year~~] on or before the  
22 date specified by the Legislative Budget Board. The report must be  
23 in the form required by the Legislative Budget Board.

24 SECTION 20. Section 161.079(g), Human Resources Code, is  
25 amended to read as follows:

26 (g) The department shall analyze the data reported under  
27 Subsection (f) and collected from the form under Subsection (d)

1 ~~[and shall submit a report not later than December 1 of each~~  
2 ~~even-numbered year to the governor and the Legislative Budget Board~~  
3 ~~that summarizes the data analysis].~~

4 SECTION 21. Section 1305.502(a), Insurance Code, is amended  
5 to read as follows:

6 (a) Not later than December 1 of each even-numbered year,  
7 the [The] group shall develop and issue an [annual] informational  
8 report card that identifies and compares, on an objective basis,  
9 the quality, costs, health care provider availability, and other  
10 analogous factors of workers' compensation health care networks  
11 operating under the workers' compensation system of this state with  
12 each other and with medical care provided outside of networks.

13 SECTION 22. The heading to Section 413.0515, Labor Code, is  
14 amended to read as follows:

15 Sec. 413.0515. REPORTS OF ~~[PHYSICIAN AND]~~ CHIROPRACTOR  
16 VIOLATIONS.

17 SECTION 23. Sections 504.053(c) and (d), Labor Code, are  
18 amended to read as follows:

19 (c) If the political subdivision or pool provides medical  
20 benefits in the manner authorized under Subsection (b)(2), the  
21 following do not apply:

22 (1) Sections 408.004 and 408.0041, unless use of a  
23 required medical examination or designated doctor is necessary to  
24 resolve an issue relating to the entitlement to or amount of income  
25 benefits under this title;

26 (2) Subchapter B, Chapter 408, except for Section  
27 408.021;

1 (3) Chapter 413, except for Section 413.042; and

2 (4) Chapter 1305, Insurance Code, except for Sections  
3 [~~1305.501~~], 1305.502[~~7~~] and 1305.503.

4 (d) If the political subdivision or pool provides medical  
5 benefits in the manner authorized under Subsection (b)(2), the  
6 following standards apply:

7 (1) the political subdivision or pool must ensure that  
8 workers' compensation medical benefits are reasonably available to  
9 all injured workers of the political subdivision or the injured  
10 workers of the members of the pool within a designed service area;

11 (2) the political subdivision or pool must ensure that  
12 all necessary health care services are provided in a manner that  
13 will ensure the availability of and accessibility to adequate  
14 health care providers, specialty care, and facilities;

15 (3) the political subdivision or pool must have an  
16 internal review process for resolving complaints relating to the  
17 manner of providing medical benefits, including an appeal to the  
18 governing body or its designee and appeal to an independent review  
19 organization;

20 (4) the political subdivision or pool must establish  
21 reasonable procedures for the transition of injured workers to  
22 contract providers and for the continuity of treatment, including  
23 notice of impending termination of providers and a current list of  
24 contract providers;

25 (5) the political subdivision or pool shall provide  
26 for emergency care if an injured worker cannot reasonably reach a  
27 contract provider and the care is for medical screening or other

1 evaluation that is necessary to determine whether a medical  
2 emergency condition exists, necessary emergency care services  
3 including treatment and stabilization, and services originating in  
4 a hospital emergency facility following treatment or stabilization  
5 of an emergency medical condition;

6 (6) prospective or concurrent review of the medical  
7 necessity and appropriateness of health care services must comply  
8 with Article 21.58A, Insurance Code;

9 (7) the political subdivision or pool shall continue  
10 to report data to the appropriate agency as required by Title 5 of  
11 this code and Chapter 1305, Insurance Code; and

12 (8) a political subdivision or pool is subject to the  
13 requirements under Sections [~~1305.501~~] 1305.502[~~7~~] and 1305.503,  
14 Insurance Code.

15 SECTION 24. Section 1001.023(b), Transportation Code, is  
16 amended to read as follows:

17 (b) The chair shall:

18 (1) preside over board meetings, make rulings on  
19 motions and points of order, and determine the order of business;

20 (2) represent the department in dealing with the  
21 governor;

22 (3) report to the governor on the state of affairs of  
23 the department at least quarterly;

24 (4) report to the board the governor's suggestions for  
25 department operations;

26 (5) report to the governor on efforts, including  
27 legislative requirements, to maximize the efficiency of department

1 operations through the use of private enterprise;

2 (6) periodically review the department's  
3 organizational structure and submit recommendations for structural  
4 changes to the governor and~~[,]~~ the board~~[, and the Legislative~~  
5 ~~Budget Board]~~;

6 (7) designate at least one employee of the department  
7 as a civil rights officer of the department and receive regular  
8 reports from the officer or officers on the department's efforts to  
9 comply with civil rights legislation and administrative rules;

10 (8) create subcommittees, appoint board members to  
11 subcommittees, and receive the reports of subcommittees to the  
12 board as a whole;

13 (9) appoint a member of the board to act in the absence  
14 of the chair and vice chair; and

15 (10) serve as the departmental liaison with the  
16 governor and the Office of State-Federal Relations to maximize  
17 federal funding for transportation.

18 SECTION 25. The following provisions are repealed:

- 19 (1) Section 201.0227(d-1), Agriculture Code;
- 20 (2) Section 447.010(j), Government Code;
- 21 (3) Chapter 2061, Government Code;
- 22 (4) Section 2165.303(b), Government Code;
- 23 (5) Section 2310.052(b), Government Code;
- 24 (6) Section 104.026(c), Health and Safety Code;
- 25 (7) Section 161.502(d), Health and Safety Code;
- 26 (8) Section 533A.062(e), Health and Safety Code;
- 27 (9) Section 22.015, Human Resources Code;

- 1           (10) Section [1305.501](#), Insurance Code;
  - 2           (11) Section [2053.012](#), Insurance Code;
  - 3           (12) Sections [405.0025](#)(b) and (c), Labor Code;
  - 4           (13) Section [408.030](#), Labor Code;
  - 5           (14) Section [413.0515](#)(a), Labor Code;
  - 6           (15) Section [203.154](#)(a), Occupations Code;
  - 7           (16) Section [452.159](#), Occupations Code;
  - 8           (17) Section [223.042](#)(f), Transportation Code; and
  - 9           (18) Section [228.012](#)(c), Transportation Code.
- 10       SECTION 26. This Act takes effect September 1, 2021.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 800 passed the Senate on April 9, 2021, by the following vote: Yeas 31, Nays 0; May 27, 2021, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 28, 2021, House granted request of the Senate; May 29, 2021, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 800 passed the House, with amendments, on May 25, 2021, by the following vote: Yeas 145, Nays 1, one present not voting; May 28, 2021, House granted request of the Senate for appointment of Conference Committee; May 30, 2021, House adopted Conference Committee Report by the following vote: Yeas 145, Nays 0, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor