

By: Gervin-Hawkins

H.B. No. 1721

A BILL TO BE ENTITLED

1 AN ACT

2 relating to establishing a base wage for personal attendants under  
3 the community living assistance and support services (CLASS) waiver  
4 program.

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

6 SECTION 1. Chapter 546, Government Code, as effective April  
7 1, 2025, is amended by adding Subchapter J-1 to read as follows:

8 SUBCHAPTER J-1. COMMUNITY LIVING ASSISTANCE AND SUPPORT SERVICES  
9 (CLASS) WAIVER PROGRAM

10 Sec. 546.0473. BASE WAGE FOR PERSONAL ATTENDANTS. (a)  
11 Notwithstanding Section 62.051 or 62.151, Labor Code, or any other  
12 law, a personal attendant providing personal assistance services to  
13 a recipient under the community living assistance and support  
14 services (CLASS) waiver program must be paid a base wage:

15 (1) for the state fiscal biennium beginning September  
16 1, 2025, equal to an amount that is not less than the greater of:

17 (A) \$15 an hour; or

18 (B) the federal minimum wage under Section 6,  
19 Fair Labor Standards Act of 1938 (29 U.S.C. Section 206); and

20 (2) for each subsequent state fiscal biennium, equal  
21 to the greater of:

22 (A) the adjusted base wage determined in  
23 accordance with Subsection (b); or

24 (B) the federal minimum wage under Section 6,

1 Fair Labor Standards Act of 1938 (29 U.S.C. Section 206).

2 (b) On August 1 of each odd-numbered year, the commission  
3 shall determine the adjusted base wage applicable under Subsection  
4 (a)(2)(A) for the next state fiscal biennium by increasing the base  
5 wage being paid under Subsection (a) during that month by the  
6 percentage increase, if any, in the Consumer Price Index for Urban  
7 Wage Earners and Clerical Workers (CPI-W), published by the Bureau  
8 of Labor Statistics of the United States Department of Labor for the  
9 24-month period ending the July 31 preceding that date. The  
10 commission shall compute the adjusted base wage to the nearest  
11 cent.

12 SECTION 2. If before implementing any provision of this Act  
13 a state agency determines that a waiver or authorization from a  
14 federal agency is necessary for implementation of that provision,  
15 the agency affected by the provision shall request the waiver or  
16 authorization and may delay implementing that provision until the  
17 waiver or authorization is granted.

18 SECTION 3. This Act takes effect September 1, 2025.