

## **BILL ANALYSIS**

S.B. 1901  
By: Huffman  
Appropriations  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The bill sponsor has informed the committee that the Texas Opioid Abatement Fund Council was created to ensure that money recovered through statewide opioid settlement agreements is allocated fairly and spent to remediate the opioid crisis using efficient, cost-effective, and evidence-based methods. S.B. 1901 seeks to establish a conflict of interest provision applicable to council members and to clarify and strengthen the administration of the council by revising current law relating to the administration of the Texas Opioid Abatement Fund Council and the opioid abatement trust fund.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Opioid Abatement Fund Council in SECTION 2 of this bill.

### **ANALYSIS**

S.B. 1901 amends the Government Code to revise provisions relating to the administration of the Texas Opioid Abatement Fund Council. The bill establishes that the voting members of the council serve for staggered six-year terms, with the terms of four or five members, as applicable, expiring on February 1 of each odd-numbered year. The bill requires the voting members of the council, at the first meeting of the council that is held on or after the bill's effective date, to draw lots to determine which four members will serve a term expiring February 1, 2027, which four members will serve a term expiring February 1, 2029, and which five members will serve a term expiring February 1, 2031.

S.B. 1901 requires a council member to recuse himself or herself from participating in the review, discussion, deliberation, or vote on an application for an award under the statewide opioid settlement agreement if the council member knows that the council member or a person who is related to the council member within the first degree of affinity or consanguinity has a professional or financial interest in an entity that is directly receiving or applying to receive money from the council. The council by rule may adopt additional conflict of interest standards to implement this provision or to comply with provisions relating to standards of conduct and conflict of interest provisions. The bill repeals the provision establishing that, to approve any decision or opioid abatement strategy, at least four applicably appointed regional members and at least four of the following applicably appointed members must approve the decision or strategy:

- a current or retired health care professional holding or formerly holding an applicable license with significant experience in treating opioid-related harms;

- a hospital district employee; or
- a member of a law enforcement agency who has experience with opioid-related harms.

S.B. 1901 authorizes the Texas Treasury Safekeeping Trust Company to reallocate to the council statewide opioid settlement agreement money that was distributed or should have been distributed to counties or municipalities to address opioid-related harms in those communities if a county or municipality does not deposit the money before the second anniversary of the date on which the money was distributed or submits in writing to the trust company a document indicating that the municipality or county affirmatively forfeits or refuses to accept the money.

S.B. 1901 repeals Section 403.509(c) of the Government Code.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.