



END-OF-SESSION REPORT

Texas Legislature 2023



INTRODUCTION

At the start of the 2023 Legislative Session, Governor Greg Abbott began his eighth year as Governor of Texas. He outlined his legislative goals in the annual State of the State address in February 2023, naming the following legislative priorities: public health initiatives, stopping the border crisis, election integrity, abortion restrictions, education, and building upon the state's economic opportunity. Texas' Legislative Sessions occur only every two years, making this the first session since 2021.

The Texas House of Representatives has 150 seats – 86 Republican and 64 Democratic, and the Senate has 31 seats – 19 Republican and 12 Democratic. With this balance and Abbot as Governor, all three levels of the Texan government are majority Republican-controlled.

Before the session began in January, the Republican majority shared its Legislative Priorities: Protect our Elections, Secure the Border, Ban

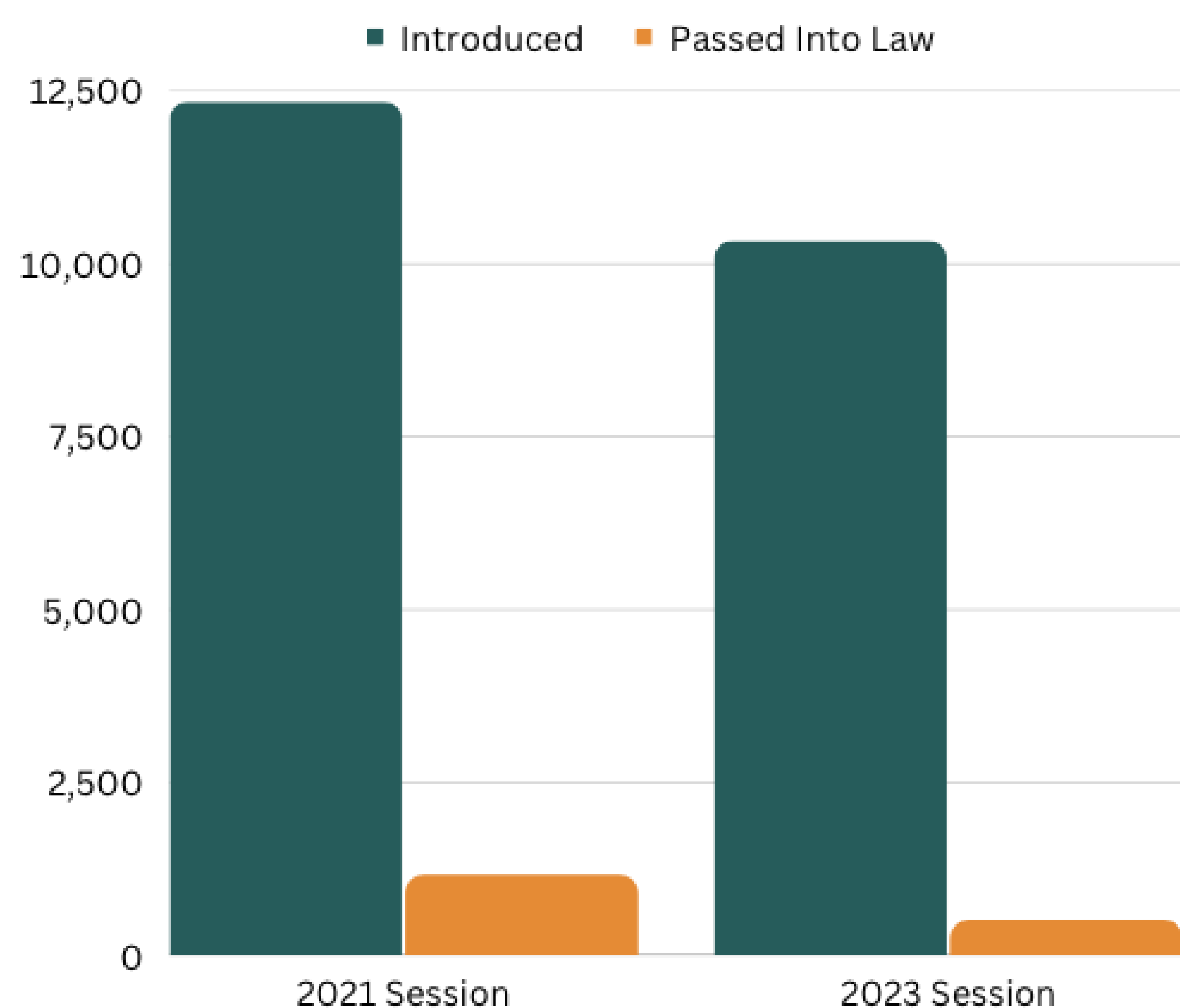
Gender Modification of Children, Stop Sexualizing Texas Kids, Ban Democrat Chairs, Abolish Abortion in Texas, Defend Our Gun Rights, and Defend Parental Rights and Educational Freedom.

KEY 2023 SESSION DATA

Throughout this year's Legislative Session, which took place from January 10–May 29, Texas passed 512 bills out of the 10,322 introduced that focused on economic investments, education, and healthcare. During the 2021 session, Texas passed into law 1,139 out of 12,235 introduced bills that focused on economic investments, education, public health, appropriations, and crime policy.

TRENDS IN TEXAS

In 2022, the political party makeup of the federal government fluctuated from the Democrats controlling all three levels to a split government (Republican-controlled House and a Democrat-controlled Senate and Executive Branch). When a split of this



Bills introduced vs. passed into law in Texas, 2021 legislative session compared to 2023.

nature occurs, federal legislation is less likely to pass, so the pressure was on for states to meet their parties' legislative goals. In Texas, four key issues dominated the Legislature's focus:

1. The rights of transgender individuals
2. Abortion access
3. Equity in education
4. Gun control

LEGISLATION TARGETING THE TRANSGENDER COMMUNITY

The Texas legislature introduced 44 bills targeting transgender individuals, from their access to healthcare to their participation in sports, making it one of the top six states in the country negatively impacting the community's rights. With dozens of bills introduced, only one bill has been passed into law.

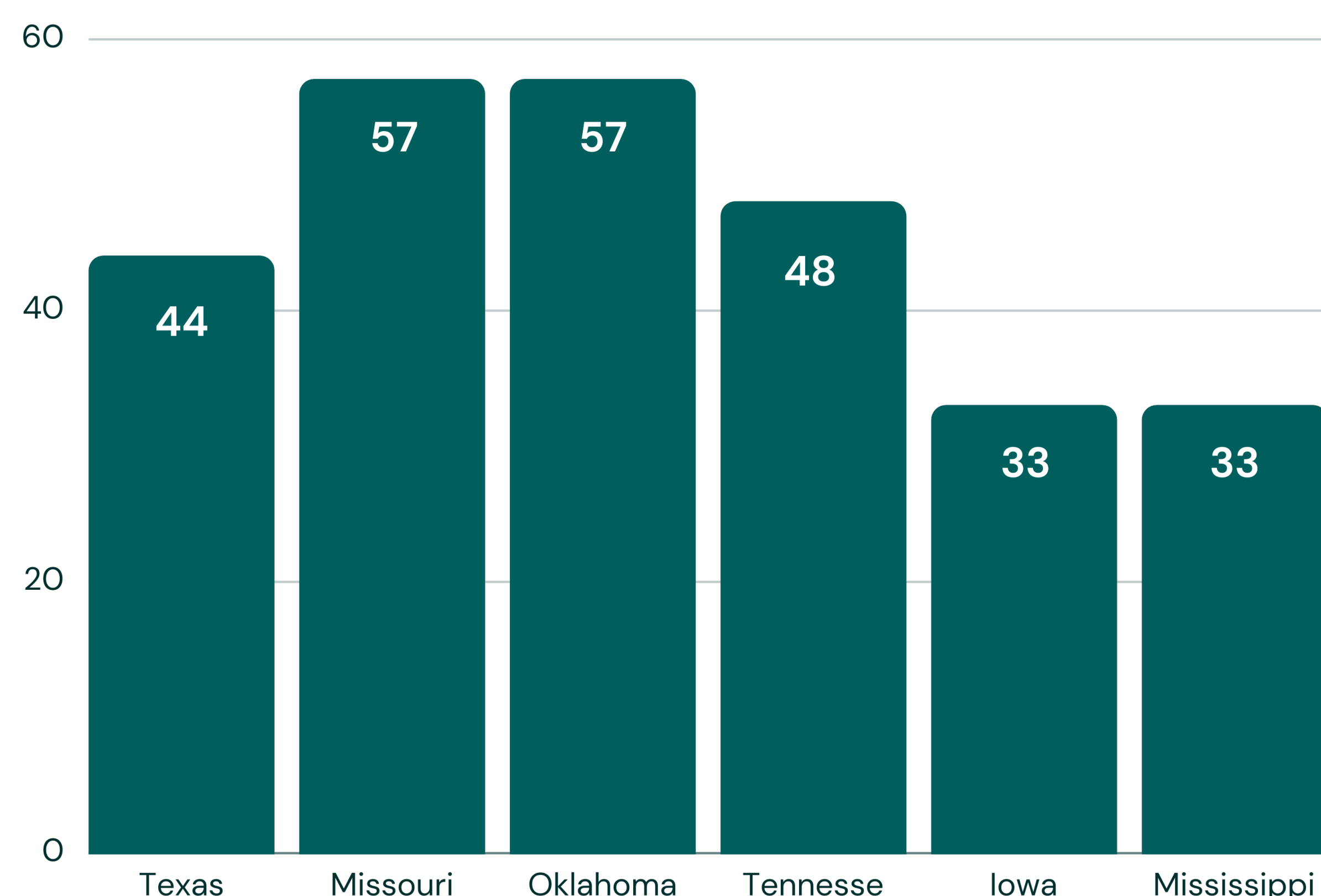
Two weeks before the end of the Texas

Legislative Session, the House and Senate passed SB 14, which prohibits doctors in Texas from providing gender-affirming care, including treatments for gender transitioning, gender reassignment, and gender dysphoria, to Texans under the age of 18. This bill will become effective on September 1, 2023. Texans receiving gender-affirming healthcare will be forced to stop all treatments, resulting in adverse impacts on the physical and mental health of trans youth. With the passage of SB 14, Texas is the geographically largest state to pass a bill targeting healthcare for the transgender community, impacting an immense population of the trans community in the United States.

Additionally, SB 1029 made an immense impact on the news and legislative cycle this year in Texas. The bill, if it had passed, would have made nearly all forms of gender-affirming care illegal in Texas, affecting both trans youth and trans adults. It would further ban the public funding of gender-affirming medical services and allow medical professionals who provide this care to be targeted with civil lawsuits.

The graph below outlines how Texas has

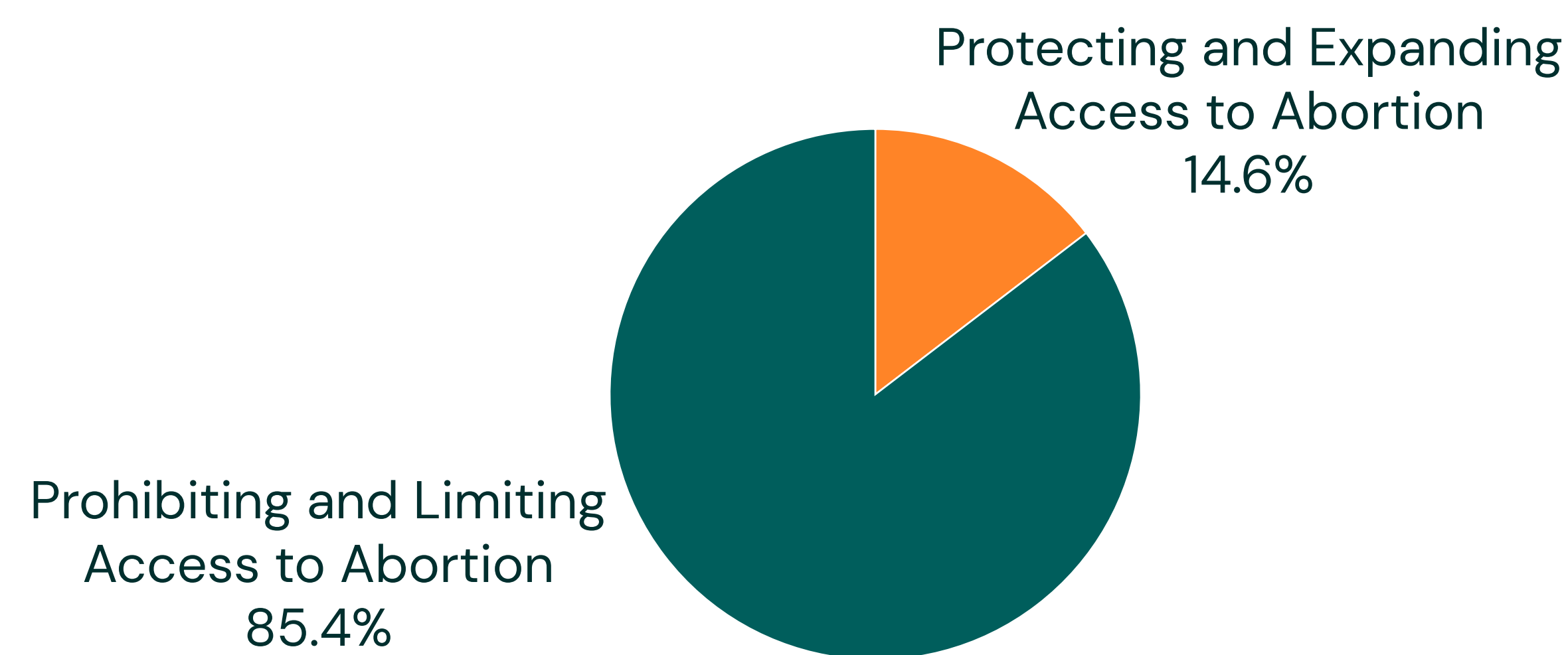
compared to other states regarding anti-trans legislation during the 2023 session.



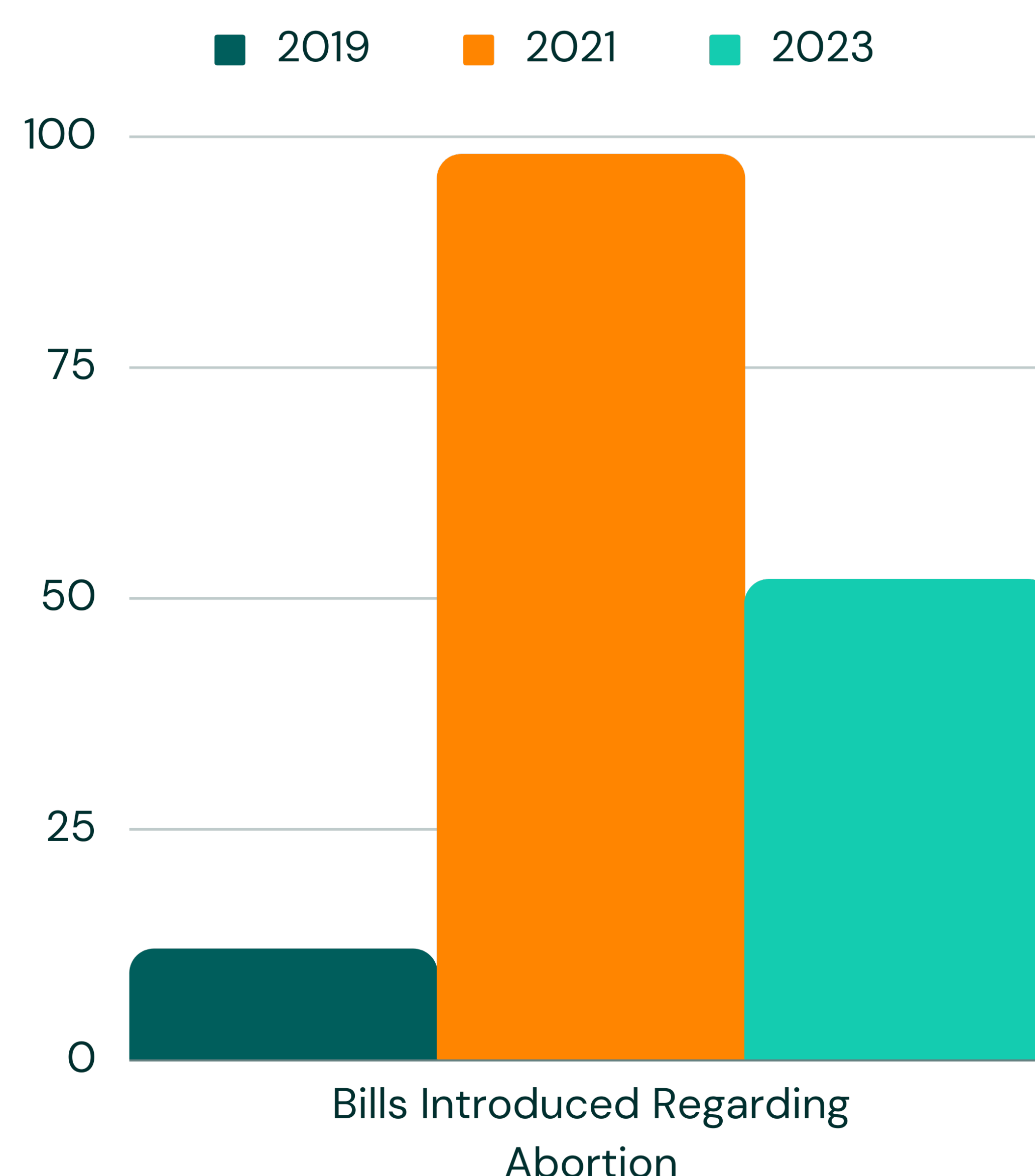
LEGISLATION TARGETING ABORTION

In the past three legislative sessions in Texas, 164 bills regarding abortion have been introduced. Of the 164, 140 aim to prohibit or limit access to abortion and reproductive rights, while only 24 aim to protect or expand access. Abortion after the detection of a fetal heartbeat was made illegal in Texas in 2021 by the passage of SB 8, the Texas Heartbeat Act, as a “trigger law”. A trigger law is unenforceable until federal regulations allow the law to be enforceable; in this case, when *Dobbs v. Jackson Women’s Healthcare Organization’s* Supreme court opinion was decided in 2022. SB 8 was the first of its kind in the US, giving private citizens the right to sue individuals who “aid or abet” an abortion.

In 2019, 12 bills were implemented regarding abortion. Last session in 2021, 98 bills were introduced in Texas leading



up to the *Dobbs v. Jackson Women’s Healthcare Organization* Supreme Court decision, which removed the constitutional right to abortion and provided that states may make their own decisions regarding abortion restrictions or expansions. In this legislative session, 52 additional bills were introduced regarding abortion.



Despite the dozens of bills regarding abortion that have been introduced during this year’s session, only one bill has passed, HB 1575, which established an Alternatives to Abortion Program in Texas.

The nine previous laws that have gone into effect, all prohibiting or limiting access to abortion, were passed during

the 2021 session, and one during 2023.

LEGISLATION TARGETING EDUCATIONAL EQUITY

Texas legislators have introduced 24 bills threatening equity in K-12 education: 11 in 2021 and 13 in 2023. This follows months-long discussions regarding Republican initiatives to prevent critical race theory from being taught in public schools, which was successfully passed in 2021 with SB 3. In 2023, the Texas House introduced HB 1607, which would remove critical race theory from being taught or trained within higher education institutions in the state, building on the momentum from the previous session.

LEGISLATION IMPACTING GUNS

In recent years, Texas has introduced legislation that increases the availability of guns to its citizenry, including HB 1927 in 2021, which allows Texans to openly carry a handgun without a permit.

This session, there has been movement on gun regulations with the introduction of SB 728. The bill has passed both chambers, and, if signed by the Governor, would require clerks to report the information of Texans 16 and older to the Department of Public Safety, which reports to the FBI's National Criminal Background Check system. This bill is likely in response to the tragic mass shooting at Robb Elementary School, perpetrated by a teenager in March of 2022.

CONCLUSION

Overall, the Texas State Representatives' legislative agenda outlined at the start of the session was met, though there were very few bills that made it through the legislative chambers to become law (only 4.6%). There was already significant progress in 2021 in legislation around abortion and education, but the 2023 session expanded regulations to more areas of state institutions. Legislation around guns and immigration did not make significant progress and are largely in the same position they were at the start of the session in January 2023. On the last day of their Legislative Session – Governor Abbott called for a special session to begin immediately, focusing on immigration, Border Control and Taxation.

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