

TEXAS COUNSELING ASSOCIATION

89TH Legislative Session

End of Session Bill Report and Analysis

August 5, 2025

There were many questions that had yet to be answered as the 89th legislative session began on January 14, 2025. One question was answered quickly when Dustin Burrows (R-Lubbock) was elected speaker. Speaker Burrows' election gave rise to other questions about pressing measures such as school vouchers, school funding, and social issues. In the end, the House agreed to pass most of the conservative priority bills proposed by the Senate.

Mental health is a tricky topic to discuss in the legislature. Many members care about the issue, but an increasing number are hostile towards or do not trust mental health services. As a result, TCA often found itself on the defense against bills which sought to change professional counselor roles and legislators who did not understand or care about the duties of professional counselors to care for students and clients.

TCA's top priority was the passage of the Interstate Counseling Compact. Unfortunately, important legislators have outright opposition to compacts. TCA ran smack into some of those concerns last session and took steps in the interim to properly prepare alternative avenues for the Compact's passage this year. However, anti-compact sentiment appears to have taken hold in the legislature, and once again, the cosmetology compact was the only occupational licensure compact to pass this session. It was vetoed by Gov. Abbott.

Despite this, TCA still managed to celebrate some major victories. School counselors will receive a mandated raise for the 2025-26 school year with funds included in House Bill 2. In addition, professional counselors saw victories in workforce recruitment, student loan relief, and college training.

89th Session Bills

By the end of the regular session, TCA was tracking 727 bills. Below are the highlights and lowlights of that final list, by their significance to professional counselors:

Bills We Supported That Passed:

HB 2 by Chairman Buckley (R-Salado) and Chairman Creighton (R-Conroe):

Governor Abbott has signed HB 2 into law, which confirms that school counselors will receive a raise! HB 2 is a large school finance bill which provides public education with an additional \$8.5 billion in funding, about half of which will fund teacher recruitment and retention. The version that passed the House provided support staff, including school counselors, with raises in addition to funding teacher pay raises, but the Senate took out the support staff raises. After outcry from multiple education groups, including TCA, the Support Staff Allotment was added to the final version that a House-Senate conference committee agreed on. The Support Staff Allotment dedicates an additional \$45 for each student in adjusted average attendance, to be used for the 2025-2026 school year to increase the salaries provided to non-administrative staff other than teachers, including school counselors, librarians and nurses. It will be important to advocate to your local school boards to ensure that school counselors receive these raises!

SB 646 by Sen. West (D-Dallas) and Rep. Aicha Davis (D-Dallas):

This bill was among TCA's highest priorities. SB 646 improves the Mental Health Professionals Loan Repayment Program in multiple ways. It allows school counselors and LPC-Associates to join the Mental Health Loan Repayment Program, adds schools as an eligible workplace, and increases the loan repayment award amounts by \$20,000 per person for each profession. This bill was sailing towards passage until debate on the House floor. Members of the Texas House made untrue accusations about school counselors which placed the bill in jeopardy. However, the bill secured passage at the last minute.

SB 207 by Sen. Paxton (R- McKinney) and Rep. Leo Wilson (R-Galveston):

A refile of a TCA priority bill from last session, SB 207 mandates that schools grant excused absences for a student attending a mental health appointment. Sen. Paxton and Rep. Leo Wilson were able to carry the bill through the legislature this time without opposition.

SB 1401 by Sen. West (D-Dallas) and Rep. Aicha Davis (D-Dallas):

Creates the Mental Health Professions Pipeline Program which higher education facilities may opt into. The Program encourages participating institutions to develop pipeline programs for providing a clear, guided pathway for public junior college students to transfer to a participating university to seek a bachelor's or advanced degree, leading to licensure and practice in a mental health field, including professional counseling.

SB 2587 by Sen. Zaffirini (D-Laredo) and Rep. Guillen (R-Rio Grande City):

This is an omnibus bill which deals mainly with criminal background checks, but Sen. Zaffirini included a small provision in the bill which changes the language in Section 503.308 of the Occupations Code from a “temporary” to “associate” license, which means that LPC Associate licensure has finally been recognized in statute.

HCR 29 by Rep. Janie Lopez (R-San Benito) and Sen. Zaffirini (D-Laredo):

This resolution recognizes April as Counseling Awareness Month for the next ten years. Sponsored in the Senate by Sen. Zaffirini (D-Laredo).

Bills We Opposed That Passed:

SB 2 by Chairman Creighton (R-Conroe) and Chairman Buckley (R-Salado):

SB 2 creates a school voucher program in Texas. After a contentious debate, the bill passed through the House almost along party lines, with all Democrats and two Republicans, Rep. Dade Phelan and Rep. Gary VanDeaver, in opposition. TCA, like many groups who represent educators, vehemently opposes school vouchers. The cost to the state in the first biennium will be \$1 billion, with costs expected to skyrocket as the program continues.

SB 12 by Chairman Creighton (R-Conroe) and Rep. Leach (R-Allen):

SB 12 started off as a DEI ban in public schools but ended up containing a flurry of parental rights and other hot-button issues when it finally passed. It requires the State Board of Education and the State Board for Educator Certification, as appropriate, to review and revise as necessary the following: school counseling frameworks and standards; educator

practices and professional conduct principles; and any other student services personnel guidelines, standards, or frameworks. TCA will be heavily involved in those review processes. In addition, it contains a watered-down version of the language regarding parental consent for “psychological or psychiatric testing” which was in other bills like SB 400. However, professionals like school counselors may still perform their duties if a parent gives written consent at the beginning of each school year.

SB 37 by Chairman Creighton (R-Conroe) and Rep. Shaheen (R-Plano):

This bill will limit faculty senates' authority, expand university system regents' control over hiring and instruction, and regulate higher education curriculum and degrees. Each public university system's board of regents will be able to create committees to review curriculum that could reject any course that is seen as ideologically charged or doesn't align with workforce demand. TCA is concerned with the impact this may have on counselor education programs.

HB 229 by Rep. Troxclair (R-Marble Falls) and Sen. Middleton (R-Galveston):

The bill defines “female” and “woman” across the government code as an individual whose biological reproductive system is developed to produce ova and defines “male” and “man” as individuals whose systems are developed to fertilize the ova of a female. Intersex people are mentioned but not designated as a third sex. This bill seeks to harm the transgender community, and TCA opposed it as it creates a barrier for those encountering adversity.

HB 4623 by Rep. Little (R-Lewisville) and Sen. Paxton (R-McKinney):

Limits the liability of public schools for their employees' sexual misconduct or failure to report suspected child abuse or neglect. The school is only liable if it was grossly negligent or reckless, or engaged in intentional misconduct in hiring, supervising, or employing the guilty professional school employee. The bill also limits damages to \$500,000 per claimant.

Bills We Wanted to Pass That Didn't:

SB 498 by Sen. Sparks (R-Midland) and Rep. Goodwin (D-Austin):

After making it through the House last session, TCA was optimistic that the Interstate Counseling Compact would pass this session. To bolster our efforts, we joined with other occupational organizations also trying to pass compacts to form a Compact Coalition. We succeeded in getting the Counseling Compact referred to the Business and Commerce Committee, a different Senate Committee than last session. However, that was the only promising news about the Counseling Compact all session. Once again, the cosmetology compact was the only occupational compact which passed the legislature, and was vetoed by the Governor. The few compact bills that passed the House and failed in the Senate had contentious committee hearings with more opposition than in previous sessions. The Texas legislature appears to have settled on an anti-compact sentiment, which makes the passage of interstate compacts difficult.

HB 1716 by Rep. Darby (R-San Angelo) and Sen. Sparks (R-Midland):

Rep. Darby has become a champion of this bill allowing Associate-level mental health practitioners to bill Medicaid for their services. The bill had widespread support among the mental health community, with many organizations supporting it. Much like last session, HB 1716 sailed through the House but hit a roadblock in the Senate where it was referred to the Health and Human Services Committee and never received a hearing.

SB 51 by Sen. Zaffirini (D-Laredo) and Rep. Romero (D-Fort Worth):

This is a bill which would fix multiple regulatory issues for BHEC and create opportunities for license reciprocity. Sen. Zaffirini and Rep. Romero have carried this bill for multiple sessions. In each of the last two sessions this bill came close to final passage, but it didn't even receive a hearing in either house this session. However, one small piece of this legislation, putting LPC Associate licensure into statute, passed in SB 2587, as noted above.

HB 3024 by Rep. Mary Gonzalez (D-Clint):

This bill would have expanded the reporting requirements of the 80/20 rule. Schools would have been required to report the average number of hours a school counselor spent implementing a comprehensive school counseling program and the hours spent on non-counseling duties.

HB 1122 by Rep. Janie Lopez (R-San Benito) and Sen. Johnson (D-Dallas):

TCA has long supported enacting school counselor ratios in public schools. We were lucky to have a partner in this issue with Rep. Janie Lopez, a former school counselor. Unfortunately, the high cost of implementing school counselor ratios often makes the idea a non-starter in the legislature. However, Rep. Lopez was able to secure a hearing for this bill in the House Public Education Committee which ensures that at least those committee members are aware of the need for smaller school counselor: student ratios.

HB 1129 by Rep. Janie Lopez (R-San Benito):

Rep. Lopez also filed a bill that would have added multiple mental health professionals, including LPCs and school counselors, to the Homes for Texas Heroes program, which provides low-interest home mortgage loans. This bill never received a hearing.

Bills We Opposed That Didn't Pass:

SB 400 by Sen. Kolkhorst (R-Brenham):

A refile from last session, this bill would have required parental consent for anything which could be considered a psychological or psychiatric test, including anything embedded in an academic lesson. TCA and our school counselors feared that this would have a chilling effect on the ability of a school counselor to provide the required in-classroom guidance curricula. This bill advanced through the Senate but was not passed by the House. A watered-down version of this bill was implemented in SB 12, above.

[HB 497](#) by Rep. Patterson (R-Frisco):

This bill would have required written parental consent before a student could be provided with behavioral or mental health services or treatment. In addition, parental consent would be required before a student could have informational materials on contraceptives, family planning, human sexuality, or mental health. This bill progressed to the House floor where it was killed on a point of order by Rep. James Talarico (D-Austin).

[HB 1660](#) by Rep. Bucy (D-Austin):

This bill sought to help with the shortage of school psychologists by requiring BHEC to adopt rules providing for the issuance of a school psychologist license to a person who has been employed by a school district as an educational diagnostician, an occupational therapist, a school counselor, a social worker, a special education teacher or a speech language pathologist. TCA opposed this bill as it could have exacerbated the existing shortages for other mental health professionals and created confusion regarding the listed professions and their scope of practice and credentials. This bill did not receive a hearing.

[SB 1322](#) by Rep. Hagenbuch (R-Denton):

Would have established the Texas Higher Education Accreditation Commission (THEAC), an independent body composed of members appointed by state leadership and administratively attached to the Texas Higher Education Coordinating Board. TCA feared that this bill would interfere with accreditation of counseling programs.

[HB 2258](#) by Rep. Toth (R-Conroe):

Would have allowed a child's parents to sue anyone who causes or contributes to the social transitioning of a minor, including mental health professionals.

[SB 810](#) by Sen. Hughes (R-Mineola) and Rep. Cain (R-Deer Park):

Would have prevented public schools from punishing employees who refused to use a student's or colleague's preferred pronouns.

HB 3411 by Rep. Schatzline (R-Fort Worth):

Sought to prohibit a public school teacher from supporting a student's gender transition including a student's use of pronouns, a chosen name, or clothing choices.

HB 4311 by Rep. Toth (R-Conroe):

Would have required mental health professionals, including professional counselors, to receive coursework and continuing education on "reintegration therapy", a widely debunked form of therapy seeking to "reintegrate" people who chose to de-transition.

HB 5019 by Rep. Capriglione (R-Southlake):

Attempted to bar professional organizations like TCA from providing continuing education at conferences for school counselors. Banned school districts from deducting professional organization dues from employee paychecks.

HB 5158 by Rep. Shofner (R-Nacogdoches):

Would have barred political subdivisions such as school districts from paying dues or fees to, or sending employees to conferences of, a professional organization which supports DEI.