

# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, THIRD CALLED SESSION

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## PROCEEDINGS

FIRST DAY — MONDAY, SEPTEMBER 20, 2021

In obedience of the proclamation of His Excellency, Greg Abbott, Governor of the State of Texas, convening the 87th Legislature, Third Called Session, to meet in special session at Austin, Texas, the seat of government, on this the 20th day of September 2021, the members of the House of Representatives assembled in the hall of the House of Representatives, and at 10:22 a.m. the house was called to order by the Honorable Dade Phelan, speaker.

The roll of the house was called and a quorum was announced present (Record 1).

Present — Mr. Speaker(C); Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Cook; Cortez; Craddick; Cyrier; Darby; Dean; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Geren; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Absent, Excused — Gervin-Hawkins; Morales Shaw; Thierry.

Absent — Campos; Collier; Crockett; Davis; Deshotel; Johnson, J.D.

The invocation was offered by Representative K. King as follows:

Heavenly Father, thank you for your many blessings. Thank you for the opportunity to serve in this body. Lord, we come to you this morning and ask that you grant us wisdom, strength, and compassion as we start this third special session. God, we also ask for your protection on each of us and our families as we continue to travel in order to fulfill our duties. Your word tells us in Psalm 121:7-8: The Lord will keep you from harm. He will watch over you your whole life. The Lord will watch over your coming and going both now and forever.

Lord, we thank you for that. Finally, Lord, we ask that you touch each of our hearts so that the way we conduct our business and the way we treat each other is pleasing in your sight. In Jesus' name we ask all these things. Amen.

The chair recognized Representative K. King who led the house in the pledges of allegiance to the United States and Texas flags.

#### **LEAVES OF ABSENCE GRANTED**

The following members were granted leaves of absence for today because of important business:

Gervin-Hawkins on motion of Minjarez.

Morales Shaw on motion of Perez.

The following member was granted leave of absence for today because of illness:

Thierry on motion of Neave.

#### **PROCLAMATION BY THE GOVERNOR OF THE STATE OF TEXAS**

The chair laid before the house and had read the following proclamation by the governor:

TO ALL TO WHOM THESE PRESENTS SHALL COME:

I, GREG ABBOTT, GOVERNOR OF THE STATE OF TEXAS, by the authority vested in me by Article III, Sections 5 and 40, and Article IV, Section 8, of the Texas Constitution, do hereby call an extraordinary session of the 87th Legislature, to convene in the City of Austin, commencing at 10 a.m. on Monday, September 20, 2021, for the following purposes:

To consider and act upon the following:

Legislation relating to the apportionment of the State of Texas into districts used to elect members of the Texas House of Representatives, the Texas Senate, the State Board of Education, and the United States House of Representatives.

Legislation providing appropriations from the American Rescue Plan Act of 2021 (ARPA), Pub. L. No. 117-2.

Legislation identical to Senate Bill 29 as passed by the Texas Senate in the 87th Legislature, Regular Session, disallowing a student from competing in University Interscholastic League athletic competitions designated for the sex opposite to the student's sex at birth.

Legislation regarding whether any state or local governmental entities in Texas can mandate that an individual receive a COVID-19 vaccine and, if so, what exemptions should apply to such mandate.

Legislation similar to Senate Bill 474 as passed by the 87th Legislature, Regular Session, but that addresses the concerns expressed in the governor's veto statement.

Such other subjects as may be submitted by the Governor from time to time after the session convenes.

The Secretary of State will take notice of this action and will notify the members of the legislature of my action.

IN TESTIMONY WHEREOF, I have hereto signed my name and have officially caused the Seal of State to be affixed at my Office in the City of Austin, Texas, this the 7th day of September 2021.

/s/Greg Abbott  
Governor of Texas

(SEAL)

Attested by:

/s/Joe A. Esparza

Deputy Secretary of State

(Campos and Davis now present)

### RECESS

Representative Metcalf moved that the house recess until 10 a.m. Thursday, September 23.

The motion prevailed.

The house accordingly, at 10:36 a.m., recessed until 10 a.m. Thursday, September 23.

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### ADDENDUM

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#### **PROCLAMATION BY THE SPEAKER CREATION OF HOUSE SELECT COMMITTEE ON YOUTH HEALTH AND SAFETY**

The speaker submitted the following proclamation:

Pursuant to Rule 1, Section 16(b), Rules of the House of Representatives, I, Dade Phelan, Speaker of the House of Representatives, hereby create the House Select Committee on Youth Health and Safety.

**SECTION 1. PURPOSE, COMPOSITION, JURISDICTION, AND DURATION.** (a) The committee is created to provide a cross-jurisdictional forum for the examination and consideration of issues that broadly affect the health, safety, and rights of Texas youth.

(b) The committee shall have 11 members, with jurisdiction over all matters pertaining to:

(1) improving the ability of federal, state, and local governmental entities to address the needs of Texas youth through, among other things, expanded coordination between all programs and systems that serve youth and their families, including child protective services, mental health services, educational institutions, and the juvenile justice system;

(2) the allocation and use of state resources to preventative and rehabilitative services that address the primary challenges facing Texas youth placed in the juvenile justice system, including the redirection of those resources as necessary to ensure effectiveness and efficiency;

(3) the impact of COVID-19 on the mental health needs of Texas youth and identification of effective treatment strategies;

(4) the expansion of prevention efforts and the strengthening of service systems to permit the behavioral health challenges faced by Texas youth to be addressed closer to their homes, including efforts and systems that permit youth to remain in their classrooms and stay out of institutionalized healthcare and juvenile justice systems; and

(5) programs, services, and governmental action focused on the rehabilitation of youthful offenders, including considerations related to developmental factors that impact a youth's entry into the justice system.

(b) The committee shall issue a report before the 88th Legislature convenes on any studies conducted on matters within the committee's jurisdiction.

(c) The committee expires on the date the 88th Legislature convenes.

**SECTION 2. MEMBERSHIP.** The following members are appointed to the House Select Committee on Youth Health and Safety:

J.M. Lozano, Chair  
Ann Johnson, Vice-chair  
Steve Allison  
David Cook  
Harold Dutton  
James Frank  
Stephanie Klick  
Jeff Leach  
Eddie Morales  
Victoria Neave  
Toni Rose

/s/Dade Phelan  
Speaker of the House of Representatives