

HOUSE JOURNAL

EIGHTY-SEVENTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTY-FIRST DAY — THURSDAY, MAY 6, 2021

The house met at 10:22 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 782).

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; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; 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.D.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; 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; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Absent — Coleman.

The invocation was offered by Representative Noble as follows:

Lord, today we are so very blessed to be living in a nation whose foundations were established in prayer to you. We thank you for our forefathers who loved you and leaned on you for guidance. We thank you, Lord, for all the times our nation has recognized our very great need for your direction and intervention and for all the times you've answered those prayers. So today, I pray for our nation, our state, and on behalf of this body that you've called to serve you. May all of us who serve on this mission field of government understand that our nation's greatness comes only because of your unmerited favor, your mercy, and your grace. Help us turn fully to you. I pray that we would trust you, Lord, with all our hearts and that we wouldn't use our own wisdom but that we would

lean on you for understanding, and that in all our ways we would acknowledge you, and that you would make clear our way to do your will. And in Jesus' name I pray. Amen.

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

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 16).

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List Nos. 1 and 2.)

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for today because of important business in the district:

Coleman on motion of Herrero.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 9).

ADDRESS BY REPRESENTATIVE HOWARD

The chair recognized Representative Howard who addressed the house, speaking as follows:

Between a very difficult day yesterday and what's going to be a very difficult day today, I really want to take an opportunity to thank you for being my family over these past two years. It was two years ago on Thursday during session—this date two years ago—that I got the news, as I was leaving the house floor at 11-something that night, I got the news that my husband had had a cardiac arrest. I spent that first week in the hospital while he was on life support. I had a lot of my friends from this body offer a lot of support to me. Some even came to the the hospital—I'm not mentioning any names, but Mr. Charlie Geren. And then we spent a long, long time on this very difficult journey. Six months of my husband being in a residential rehab in Irving and me driving back and forth several days every week to be there to help with his care. And when you have a

brain injury, which he had as a result of the cardiac arrest, there's all kinds of things to deal with. If you haven't done it, Ms. T has, I know, a bill on brain health—please support this, you guys. It's a tough, tough journey.

After six months, even though he wasn't really in a position to come home, it was the end of any kind of extensions of insurance. You know how that goes. And I had all that struggle, which a lot of people have to deal with. I brought him home to Austin and got him into an outpatient rehab program where I was hoping to have a little bit of time with them taking care of him while I could do a little bit of work. Unfortunately, because of the behavioral issues associated with the brain injury, I was required to be there all the time. So I was basically a 24/7 caregiver. I eventually got some help with some home health people who were wonderful and came into our home. And then COVID hit, and we had to stop those things.

In the midst of all that, because of my husband not working anymore and everything else that was involved, our home of 40-something years I had to sell and downsize and find a home where I could take care of my husband on one floor, with a big roll-in bathroom that I had to work out and all the things you have to do when you're having to take care of a family member who can't care of themselves. I had to pack up that house of memories. I had to figure out how to get rid of things. And I had to do this all on my own because of COVID. So we got moved and had more challenges, of course, there. We got the home health to come for a while, then went into palliative care, and then into hospice. Thankfully, that didn't take long. My husband died in our bedroom in our new home. My children were able to be there and be with their dad before they came and took him. This is not a journey I would wish on anyone, but my journey is not unique, as you know. It's something that affects Texans all over this state. And we are in a position to do all kinds of things to help people go through these very, very difficult journeys.

We also have some great people out there. And you are some of those great people I'm talking about. I was so buoyed and supported throughout this whole thing by my legislative family. Despite any of our differences, you only gave me love. I heard from so many of you, and I just wanted to take this opportunity. Because of COVID, we didn't have a memorial service either. You know, this is the weirdest thing people have gone through that have lost loved ones. You can't hug people. You can't have people around, you know, doing what you normally do where you have all the remembrances. That didn't happen. So my three kids and I, we had this wonderful person who bought our home and allowed us to go back over there to the ravine in our backyard and scatter some ashes. I will even mention his name—Perry Minton, thank you so much.

I just didn't want this session to pass without telling you, my legislative family, how much you mean to me and how much you meant to me through this whole thing supporting me. And we've got to remember those things as we have these big battles on this floor. And I want the world out there to know that despite how much we talk negatively with one another, how much the campaigns have negative rhetoric, we actually like each other. We actually love each other here. And we actually support each other. This is a family. So just let me have this opportunity to say thank you for all you've done for me. And I'm going to need

you as we move forward. Because I've got to tell you, once this session's over—this has been kind of a savior for me because I've been so busy, I haven't been able to reflect on my aloneness. So I'm going to continue to need you, and I hope I'm there when you need help from me as well. So thank you to my family.

REMARKS ORDERED PRINTED

Representatives Moody and Leach moved to print remarks by Representative Howard.

The motion prevailed.

CSHB 1348 - VOTE RECONSIDERED

Representative Leman moved to reconsider the vote by which **CSHB 1348** failed to pass to engrossment by Record No. 778 on May 5.

The motion to reconsider prevailed.

CSHB 1348 ON SECOND READING

(by **Deshotel, Cain, Middleton, Dutton, and J.D. Johnson**)

The chair laid before the house, on its second reading and passage to engrossment,

CSHB 1348, A bill to be entitled An Act relating to the applicability of certain laws to open-enrollment charter schools.

CSHB 1348 was read second time on May 5 and failed to pass to engrossment, as amended, by Record No. 778.

Representative Deshotel moved to postpone consideration of **CSHB 1348** until 11:30 a.m. today.

The motion prevailed.

REMARKS ORDERED PRINTED

Representative Bucy moved to print remarks by Representative Zwiener and Representative J.E. Johnson on **CSHB 1280** on May 5.

The motion prevailed.

(Goldman in the chair)

HB 4671 - PERMISSION TO INTRODUCE

Representative A. Johnson requested permission to introduce and have placed on first reading **HB 4671**.

Permission to introduce was granted by (Record 783): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero;

Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; 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; Meyer; Meza; Middleton; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Coleman.

Absent — Bell, C.; Clardy; Gervin-Hawkins; Metcalf; Minjarez; Schaefer.

STATEMENTS OF VOTE

When Record No. 783 was taken, I was temporarily out of the house chamber. I would have voted yes.

Gervin-Hawkins

When Record No. 783 was taken, my vote failed to register. I would have voted yes.

Metcalf

MAJOR STATE CALENDAR SENATE BILLS THIRD READING

The following bills were laid before the house and read third time:

SB 8 ON THIRD READING

(Slawson, Burrows, Klick, Cain, Leach, et al. - House Sponsors)

SB 8, A bill to be entitled An Act relating to abortion, including abortions after detection of an unborn child's heartbeat; authorizing a private civil right of action.

SB 8 was passed by (Record 784): 83 Yeas, 64 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman(C); Guillen; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker.

Absent, Excused — Coleman.

Absent — Herrero.

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

The following bills were laid before the house and read third time:

**SB 1265 ON THIRD READING
(Ellzey - House Sponsor)**

SB 1265, A bill to be entitled An Act relating to the eligibility of the National Hot Rod Association Fall Nationals at the Texas Motorplex for funding under the Major Events Reimbursement Program.

SB 1265 was passed by (Record 785): 105 Yeas, 35 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bell, C.; Bernal; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Krause; Kuempel; Lambert; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sherman; Stephenson; Swanson; Talarico; Thierry; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, K.; Biedermann; Bonnen; Cain; Cason; Dean; Hefner; Holland; King, P.; Landgraf; Leach; Metcalf; Middleton; Murr; Noble; Oliverson; Patterson; Paul; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Thompson, E.; Tinderholt; Toth; Vasut; White; Wilson.

Present, not voting — Mr. Speaker; Goldman(C); Harless.

Absent, Excused — Coleman.

Absent — Anderson; Capriglione; Crockett; Frank; Morales Shaw; Thompson, S.

STATEMENTS OF VOTE

When Record No. 785 was taken, I was in the house but away from my desk. I would have voted yes.

Anderson

When Record No. 785 was taken, I was shown voting yes. I intended to vote no.

Craddick

When Record No. 785 was taken, I was in the house but away from my desk. I would have voted yes.

Crockett

When Record No. 785 was taken, I was in the house but away from my desk. I would have voted no.

Frank

When Record No. 785 was taken, I was in the house but away from my desk. I would have voted yes.

Morales Shaw

When Record No. 785 was taken, I was shown voting yes. I intended to vote no.

Swanson

SB 726 ON THIRD READING (Leman - House Sponsor)

SB 726, A bill to be entitled An Act relating to establishing actual progress for the purposes of determining the right to repurchase real property from a condemning entity.

SB 726 was passed by (Record 786): 112 Yeas, 30 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cole; Cook; Cortez; Craddick; Cyrier; Darby; Dean; Deshotel; Dominguez; Ellzey; Fierro; Frank; Frullo; Gates; Geren; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Middleton; Moody; Morrison; Muñoz; Murphy; Murr; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Price; Raney; Raymond; Rogers; Rose;

Sanford; Schaefer; Schofield; Shaheen; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; VanDeaver; Vasut; Vo; White; Wilson; Wu.

Nays — Anchia; Beckley; Canales; Collier; Crockett; Davis; Dutton; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Johnson, J.E.; Lopez; Martinez Fischer; Meza; Minjarez; Morales, C.; Morales, E.; Neave; Ordaz Perez; Ortega; Ramos; Reynolds; Rodriguez; Romero; Rosenthal; Sherman; Shine; Turner, J.; Zwiener.

Present, not voting — Mr. Speaker; Goldman(C); Perez.

Absent, Excused — Coleman.

Absent — Campos; Morales Shaw; Slaton; Walle.

STATEMENTS OF VOTE

When Record No. 786 was taken, I was in the house but away from my desk. I would have voted no.

Campos

When Record No. 786 was taken, I was shown voting yes. I intended to vote no.

Darby

When Record No. 786 was taken, I was shown voting yes. I intended to vote no.

Goodwin

When Record No. 786 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

When Record No. 786 was taken, I was shown voting yes. I intended to vote no.

Rose

When Record No. 786 was taken, I was in the house but away from my desk. I would have voted yes.

Slaton

When Record No. 786 was taken, I was shown voting no. I intended to vote yes.

Zwiener

LEAVE OF ABSENCE GRANTED

Pursuant to a previous motion, the following member was granted leave of absence temporarily for today to attend a meeting of the Conference Committee on **SB 1**:

Capriglione on motion of Goldman.

SB 315 ON THIRD READING**(Hunter, S. Thompson, Jetton, Thierry, and Shaheen - House Sponsors)**

SB 315, A bill to be entitled An Act relating to restrictions on the age of persons employed by or allowed on the premises of a sexually oriented business; creating a criminal offense.

SB 315 was passed by (Record 787): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Coleman.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Goodwin; Raney; Turner, C.; Zwiener.

STATEMENT OF VOTE

When Record No. 787 was taken, I was in the house but away from my desk. I would have voted yes.

Goodwin

SB 1774 ON THIRD READING**(Canales - House Sponsor)**

SB 1774, A bill to be entitled An Act relating to the conveyance of certain real property by certain navigation districts.

SB 1774 was passed by (Record 788): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick;

Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Coleman.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Anderson; Goodwin; Raney; Slaton.

STATEMENTS OF VOTE

When Record No. 788 was taken, I was in the house but away from my desk. I would have voted yes.

Anderson

When Record No. 788 was taken, I was in the house but away from my desk. I would have voted yes.

Goodwin

When Record No. 788 was taken, I was in the house but away from my desk. I would have voted yes.

Slaton

SB 1118 ON THIRD READING (Wilson - House Sponsor)

SB 1118, A bill to be entitled An Act relating to the creation and administration of the On-The-Ground Conservation Program by the State Soil and Water Conservation Board.

SB 1118 was passed by (Record 789): 143 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Clardy; Cole; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero;

Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Cason.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Coleman.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Collier; Raney.

STATEMENT OF VOTE

When Record No. 789 was taken, I was in the house but away from my desk. I would have voted yes.

Collier

MAJOR STATE CALENDAR HOUSE BILLS THIRD READING

The following bills were laid before the house and read third time:

HB 4492 ON THIRD READING (by Paddie)

HB 4492, A bill to be entitled An Act relating to securitizing costs associated with electric markets; granting authority to issue bonds.

Representative Paddie moved to postpone consideration of **HB 4492** until 12 p.m. today.

The motion prevailed.

HB 9 ON THIRD READING (by Klick, Allison, Shaheen, Harless, Price, et al.)

HB 9, A bill to be entitled An Act relating to the criminal punishment and conditions of community supervision for the offense of obstructing a highway or other passageway; increasing a criminal penalty.

HB 9 was passed by (Record 790): 90 Yeas, 55 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Cason; Clardy; Cole; Cook; Craddick; Cyrier; Darby; Dean; Dutton; Ellzey; Frank; Frullo; Gates; Geren;

González, J.; Guerra; Guillen; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson; Wu.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Fierro; Gervin-Hawkins; González, M.; Goodwin; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Zwiener.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Coleman.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Raney.

STATEMENT OF VOTE

When Record No. 790 was taken, I was shown voting yes. I intended to vote no.

Wu

HB 1925 ON THIRD READING

(by Capriglione, Harless, Lucio, Geren, P. King, et al.)

HB 1925, A bill to be entitled An Act relating to prohibitions on camping in a public place; creating a criminal offense.

HB 1925 was passed by (Record 791): 88 Yeas, 56 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Canales; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Guillen; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; Turner, J.; VanDeaver; Vasut; Vo; White; Wilson.

Nays — Allen; Anchia; Beckley; Bowers; Bucy; Campos; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Turner, C.; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Coleman.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Raney; Thompson, S.

STATEMENTS OF VOTE

When Record No. 791 was taken, I was shown voting yes. I intended to vote no.

Bernal

When Record No. 791 was taken, I was shown voting no. I intended to vote yes.

Lucio

When Record No. 791 was taken, I was in the house but away from my desk. I would have voted no.

S. Thompson

When Record No. 791 was taken, I was shown voting yes. I intended to vote no.

Vo

HB 492 ON THIRD READING (by Wu, Moody, P. King, and White)

HB 492, A bill to be entitled An Act relating to the issuance of a warrant authorizing the use of a no-knock entry by a peace officer.

HB 492 was passed by (Record 792): 143 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Ellzey.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Coleman.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Raney; Thompson, S.

STATEMENTS OF VOTE

When Record No. 792 was taken, I was shown voting no. I intended to vote yes.

Ellzey

When Record No. 792 was taken, I was in the house but away from my desk. I would have voted yes.

S. Thompson

HB 1280 ON THIRD READING

(by Capriglione, Klick, Noble, Hunter, Bonnen, et al.)

HB 1280, A bill to be entitled An Act relating to prohibition of abortion; providing a civil penalty; creating a criminal offense.

HB 1280 was passed by (Record 793): 81 Yeas, 61 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Cason; Clardy; Cook; Craddock; Crier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Guillen; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales,

C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Coleman.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Lucio; Raney; Raymond; Thompson, S.

STATEMENTS OF VOTE

When Record No. 793 was taken, I was in the house but away from my desk. I would have voted no.

Raymond

When Record No. 793 was taken, I was in the house but away from my desk. I would have voted no.

S. Thompson

GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

The following bills were laid before the house and read third time:

HB 3034 ON THIRD READING (by Campos)

HB 3034, A bill to be entitled An Act relating to the establishment of a statewide homelessness data system.

HB 3034 was passed by (Record 794): 78 Yeas, 56 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Craddick; Crockett; Davis; Deshotel; Dominguez; Fierro; Gates; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, P.; King, T.; Klick; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Meyer; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Perez; Ramos; Raymond; Reynolds; Rose; Rosenthal; Sanford; Schofield; Sherman; Talarico; Thierry; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Button; Cain; Cason; Clardy; Cook; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Geren; Harris; Hefner; Holland; Hull; King, K.; Krause; Kuempel; Lambert; Landgraf; Leman; Metcalf; Middleton; Noble; Oliverson; Parker;

Patterson; Paul; Price; Romero; Schaefer; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker; Dutton; Goldman(C).

Absent, Excused — Coleman.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Anderson; Burrows; Huberty; Martinez Fischer; Meza; Murr; Raney; Rodriguez; Rogers; Stephenson; Thompson, S.

STATEMENTS OF VOTE

When Record No. 794 was taken, I was in the house but away from my desk. I would have voted no.

Anderson

When Record No. 794 was taken, I was in the house but away from my desk. I would have voted no.

Burrows

When Record No. 794 was taken, I was shown voting yes. I intended to vote no.

Craddick

When Record No. 794 was taken, I was shown voting yes. I intended to vote no.

Kacal

When Record No. 794 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 794 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 794 was taken, my vote failed to register. I would have voted yes.

Martinez Fischer

When Record No. 794 was taken, I was in the house but away from my desk. I would have voted no.

Murr

When Record No. 794 was taken, I was shown voting yes. I intended to vote no.

Paddie

When Record No. 794 was taken, I was in the house but away from my desk. I would have voted yes.

Rodriguez

When Record No. 794 was taken, I was shown voting no. I intended to vote yes.

Romero

When Record No. 794 was taken, I was in the house but away from my desk. I would have voted yes.

S. Thompson

HB 3915 ON THIRD READING
(by Goldman)

HB 3915, A bill to be entitled An Act relating to the designation of certain premises as critical load premises for electric service.

HB 3915 was passed by (Record 795): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Button; Cain; Campos; Canales; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Coleman.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Anderson; Burrows; King, P.; Raney.

STATEMENTS OF VOTE

When Record No. 795 was taken, I was in the house but away from my desk. I would have voted yes.

Anderson

When Record No. 795 was taken, I was in the house but away from my desk. I would have voted yes.

Burrows

HB 2261 ON THIRD READING
(by Wu)

HB 2261, A bill to be entitled An Act relating to the authority of a municipal management district to provide public education facilities and public education-related supplemental services.

Representative Wu moved to postpone consideration of **HB 2261** until 2 p.m. today.

The motion prevailed.

HB 4055 ON THIRD READING
(by Meza, et al.)

HB 4055, A bill to be entitled An Act relating to reporting and investigating certain cases of child abuse or neglect involving a pregnant woman's use of a controlled substance.

HB 4055 was passed by (Record 796): 92 Yeas, 50 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchia; Bailes; Beckley; Bernal; Biedermann; Bowers; Bucy; Burrows; Canales; Cason; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Frank; Gates; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, T.; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murphy; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Parker; Perez; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Sherman; Shine; Slaton; Stephenson; Swanson; Talarico; Thierry; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; Vo; Walle; White; Wu; Zwiener.

Nays — Anderson; Ashby; Bell, C.; Bell, K.; Bonnen; Buckley; Burns; Button; Cain; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frullo; Harless; Harris; Hefner; Holland; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Metcalf; Middleton; Morrison; Murr; Noble; Paddie; Patterson; Paul; Price; Schaefer; Shaheen; Slawson; Smith; Smithee; Spiller; Stucky; Thompson, E.; Toth; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker; Clardy; Goldman(C).

Absent, Excused — Coleman.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Campos; Geren; Raney.

STATEMENT OF VOTE

When Record No. 796 was taken, I was shown voting present, not voting. I intended to vote no.

Clardy

HB 3131 ON THIRD READING

(by Cole)

HB 3131, A bill to be entitled An Act relating to the information required to be included in the certificate of formation of a filing entity.

HB 3131 was passed by (Record 797): 144 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Canales.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Coleman.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Raney.

(Capriglione now present)

HB 2628 ON THIRD READING

(by Thierry)

HB 2628, A bill to be entitled An Act relating to the administration and collection of motor vehicle sales and use taxes.

HB 2628 was passed by (Record 798): 141 Yeas, 0 Nays, 2 Present, not voting.

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

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Coleman.

Absent — Bonnen; Campos; Capriglione; Martinez Fischer; Raney; Rodriguez.

STATEMENTS OF VOTE

When Record No. 798 was taken, my vote failed to register. I would have voted yes.

Martinez Fischer

When Record No. 798 was taken, I was in the house but away from my desk. I would have voted yes.

Rodriguez

HB 3997 ON THIRD READING (by Bonnen)

HB 3997, A bill to be entitled An Act relating to the transfer of certain functions relating to state employee leave from the state auditor to the comptroller.

HB 3997 was passed by (Record 799): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Cason; Clardy; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.;

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; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wu; Zwiener.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Coleman.

Absent — Capriglione; Cole; Dean; Gates; Guerra; Moody; Raney; Wilson.

STATEMENTS OF VOTE

When Record No. 799 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dean

When Record No. 799 was taken, I was in the house but away from my desk. I would have voted yes.

Guerra

HB 3578 ON THIRD READING (by Guerra)

HB 3578, A bill to be entitled An Act relating to the payment methods for cigarette and tobacco products permit fees.

HB 3578 was passed by (Record 800): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddock; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller;

Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; Wilson; Wu.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Coleman.

Absent — Bailes; Capriglione; Raney; White; Zwiener.

STATEMENTS OF VOTE

When Record No. 800 was taken, I was in the house but away from my desk. I would have voted yes.

Bailes

When Record No. 800 was taken, my vote failed to register. I would have voted yes.

White

When Record No. 800 was taken, I was in the house but away from my desk. I would have voted yes.

Zwiener

HB 2743 ON THIRD READING (by Metcalf and Pacheco)

HB 2743, A bill to be entitled An Act relating to the salary of certain employees who transfer within a state agency.

HB 2743 was passed by (Record 801): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Coleman.

Absent — Raney.

HB 3474 ON THIRD READING
(by Thierry)

HB 3474, A bill to be entitled An Act relating to motor fuel taxes.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today and the remainder of the week because of illness:

Raney on motion of Harless.

HB 3474 - (consideration continued)

HB 3474 was passed by (Record 802): 126 Yeas, 19 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Sherman; Shine; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Cain; Cason; Hefner; Holland; Krause; Landgraf; Leach; Middleton; Murr; Oliverson; Patterson; Schaefer; Shaheen; Slaton; Slawson; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker; Clardy; Goldman(C).

Absent, Excused — Coleman; Raney.

STATEMENTS OF VOTE

When Record No. 802 was taken, I was shown voting present, not voting. I intended to vote no.

Clardy

When Record No. 802 was taken, I was shown voting yes. I intended to vote no.

Parker

HB 3134 ON THIRD READING**(by Cole)**

HB 3134, A bill to be entitled An Act relating to the methods by which the comptroller may provide notice of a hearing on the revocation or suspension, or of the revocation or suspension, of a permit or license.

HB 3134 was passed by (Record 803): 141 Yeas, 3 Nays, 2 Present, not voting.

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

Nays — Canales; Cason; Klick.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Coleman; Raney.

Absent — Campos; Lopez.

STATEMENT OF VOTE

When Record No. 803 was taken, I was shown voting yes. I intended to vote no.

Toth

HB 2287 ON THIRD READING**(by S. Thompson, Hunter, Dutton, Allen, Coleman, et al.)**

HB 2287, A bill to be entitled An Act relating to data collection and receipt of certain reports by and consultation with the Collaborative Task Force on Public School Mental Health Services.

HB 2287 was passed by (Record 804): 98 Yeas, 47 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bernal; Bowers; Buckley; Bucy; Burrows; Button; Campos; Canales; Cole; Collier; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Deshotel; Dominguez; Dutton; Fierro; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Kuempel; Lambert; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Sherman; Shine; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Ashby; Bell, C.; Bell, K.; Biedermann; Bonnen; Burns; Cain; Capriglione; Cason; Clardy; Cook; Dean; Ellzey; Frank; Gates; Harless; Harris; Hefner; Holland; King, P.; Klick; Krause; Landgraf; Leach; Metcalf; Middleton; Murr; Noble; Oliverson; Parker; Patterson; Paul; Rogers; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Smithee; Spiller; Swanson; Tinderholt; Toth; Vasut; White; Wilson.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Coleman; Raney.

Absent — Morrison.

STATEMENTS OF VOTE

When Record No. 804 was taken, I was shown voting yes. I intended to vote no.

Craddick

When Record No. 804 was taken, I was shown voting yes. I intended to vote no.

Stucky

HB 2954 ON THIRD READING

(by S. Thompson, Hunter, Dutton, Coleman, Allen, et al.)

HB 2954, A bill to be entitled An Act relating to a suicide prevention, intervention, and postvention program for certain public elementary schools.

HB 2954 was passed by (Record 805): 96 Yeas, 48 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Beckley; Bernal; Bowers; Buckley; Bucy; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cortez; Crockett; Darby; Davis; Deshotel; Dominguez; Dutton; Fierro; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Kuempel; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez

Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Sherman; Shine; Stephenson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Burns; Cain; Cason; Cook; Craddick; Cyrier; Dean; Ellzey; Frank; Gates; Harless; Harris; Hefner; Holland; Hull; King, P.; Klick; Krause; Lambert; Landgraf; Metcalf; Middleton; Murr; Noble; Oliverson; Patterson; Paul; Rogers; Schaefer; Shaheen; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tinderholt; Toth; Vasut; White; Wilson.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Coleman; Raney.

Absent — Jetton; Schofield.

STATEMENTS OF VOTE

When Record No. 805 was taken, I was shown voting yes. I intended to vote no.

Anderson

When Record No. 805 was taken, I was in the house but away from my desk. I would have voted yes.

Jetton

When Record No. 805 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 805 was taken, I was shown voting yes. I intended to vote no.

Leman

When Record No. 805 was taken, I was shown voting no. I intended to vote yes.

Stucky

HB 3615 ON THIRD READING (by P. King and Hernandez)

HB 3615, A bill to be entitled An Act relating to certain rates charged by and programs offered by municipally owned utilities.

HB 3615 was passed by (Record 806): 105 Yeas, 27 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Bowers; Buckley; Burns; Burrows; Button; Cain; Canales; Capriglione; Cason; Clardy; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Deshotel;

Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Middleton; Minjarez; Moody; Morales, C.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Price; Ramos; Raymond; Reynolds; Rogers; Rose; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Thompson, S.; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Beckley; Bernal; Bucy; Cole; Collier; González, J.; Goodwin; Hinojosa; Howard; Israel; Johnson, A.; Lopez; Meza; Morales, E.; Neave; Ordaz Perez; Perez; Rodriguez; Romero; Rosenthal; Sherman; Talarico; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Coleman; Raney.

Absent — Allen; Anchia; Biedermann; Campos; Crockett; González, M.; Johnson, J.D.; Klick; Ortega; Pacheco; Paul; Thierry; Tinderholt; Walle.

STATEMENTS OF VOTE

When Record No. 806 was taken, I was in the house but away from my desk. I would have voted yes.

Biedermann

When Record No. 806 was taken, I was in the house but away from my desk. I would have voted yes.

Campos

When Record No. 806 was taken, I was in the house but away from my desk. I would have voted no.

Ortega

When Record No. 806 was taken, I was in the house but away from my desk. I would have voted yes.

Paul

When Record No. 806 was taken, I was shown voting no. I intended to vote yes.

Perez

When Record No. 806 was taken, my vote failed to register. I would have voted yes.

Tinderholt

LEAVE OF ABSENCE GRANTED

Pursuant to a previous motion, the following member was granted leave of absence temporarily for today to attend a meeting of the Conference Committee on **SB 1**:

Capriglione on motion of Goldman.

HB 2256 ON THIRD READING

(by Guerra, Guillen, M. González, et al.)

HB 2256, A bill to be entitled An Act relating to creating a bilingual special education certification to teach students of limited English proficiency with disabilities.

(Speaker in the chair)

HB 2256 was passed by (Record 807): 113 Yeas, 30 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cortez; Craddick; Crockett; Cyrier; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Frank; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Kuempel; Lambert; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Bell, C.; Biedermann; Bonnen; Cain; Cason; Cook; Fierro; Frullo; Goldman; Harless; Hefner; King, P.; Krause; Landgraf; Leach; Metcalf; Murr; Noble; Patterson; Paul; Sanford; Schaefer; Shaheen; Slaton; Slawson; Swanson; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Darby; Klick; Schofield.

STATEMENTS OF VOTE

When Record No. 807 was taken, I was shown voting no. I intended to vote yes.

C. Bell

When Record No. 807 was taken, I was shown voting no. I intended to vote yes.

Fierro

When Record No. 807 was taken, I was shown voting yes. I intended to vote no.

Holland

When Record No. 807 was taken, I was shown voting yes. I intended to vote no.

Middleton

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES

Without objection, bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 3.)

HB 2301 ON THIRD READING (by Parker, Meyer, Shaheen, Raymond, and Rose)

HB 2301, A bill to be entitled An Act relating to a change of name for participants in the address confidentiality program administered by the office of the attorney general.

HB 2301 was passed by (Record 808): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; 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.D.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Ortega.

STATEMENT OF VOTE

When Record No. 808 was taken, I was in the house but away from my desk. I would have voted yes.

Ortega

HB 302 ON THIRD READING (by Collier)

HB 302, A bill to be entitled An Act relating to the prosecution of the offense of sexual assault.

HB 302 - REMARKS

REPRESENTATIVE NEAVE: Chair Collier, I want to thank you for bringing this legislation. This is an issue that so many of us care deeply about. And as I was reading your bill, I was thinking through the issue of sexual assaults on college campuses in particular and the impact on college students. I have heard from students. In fact, I visited the SMU campus—I don't remember if it was last session or before—and remember hearing some of these girls talk about going to a party, going to an event, and by the end of the night, they had not consented to sex and felt like they could not come forward. And so can you speak to how your legislation is going to help address this issue, to address sexual assault on college campuses?

REPRESENTATIVE COLLIER: Absolutely. In fact, I visited my local district attorney in Tarrant County and I talked about how with as many colleges as we have in our area, the number of reported sexual assaults is low. And she felt that we were missing some—there were not many reported—because she knows in her heart that there are more out there, but people aren't reporting them. So that's a concern because it's difficult right now for the DAs to prove these cases up. And that's why—let me tell you, Speaker Craddick—the Midland County district attorney came in and put in a card for this bill. The Tarrant County DA testified. Law enforcement was there in support of this bill. Because we need provisions in place that clearly explain when consent is lacking. That way, no one should be shamed. We should have more people stepping forward and let people know that Texas will not tolerate this type of rampant behavior impressed upon their victims. So we're going to send a signal with this bill that Texas will not tolerate sexual assault.

NEAVE: Absolutely, and that's what I think one of the great things about this Texas House is that it continues to take the lead, the State of Texas has taken the lead, on addressing sexual assault in our state. And your bill is going to add to that legacy of what we're doing right here in Texas. You know that on average there are about 18,000 rapes that are reported every single year. As you said, many individuals do not come forward, but certainly those that do, we want to make sure that the laws on the books are helping our prosecutors have all the tools that they need. Oftentimes, sexual assault perpetrators, unfortunately,

commit assault multiple times, and so I think your bill is going to help address that. So I just wanted to thank you for your work on this and for adding to the legacy of the Texas House addressing sexual assault.

COLLIER: And you know, we listened to what the district attorneys were saying. They need this legislation. And we heard from the victims who time and time again have said that justice has not been served in their cases. So we're going to provide justice.

REPRESENTATIVE MINJAREZ: Chair Collier, I first want to thank you for your bill. As a former prosecutor, I know there were problems with a number of cases that I had tried because of the circumstances that you're addressing in the bill. I want to make sure that we just lay out the three important aspects of your bill for the record.

COLLIER: Absolutely.

MINJAREZ: There are three areas that you talk about. One, where "the actor knows the other person is intoxicated" by a substance. Two, that "the actor knows that the other person has withdrawn consent" at some point. And then the third is regarding a caregiver situation. Can you just talk briefly about those three?

COLLIER: Sure. So the first one is when—and Representative Neave talked about college students—anyone that has become intoxicated by any substance and they're not capable of apprising the situation that they're in. So they don't have capacity to consent. That's how we define it in the law. Capacity—meaning that I had the mindset to consent, to agree with whatever act or document or whatever it is. And so this bill says if the perpetrator knows that the first party is intoxicated—whether they gave them something, served them a drink, overserved them, whatever the situation—this bill would give the prosecutors the ability to go after that perpetrator in that first situation. So that's what we're trying to do. We're trying to encourage people to report these cases of sexual assault. We want them to know you don't need to be blamed or shamed for anything because you weren't capable of giving consent. And so that's one situation. The other situation is when consent has been withdrawn. That happens. So we need to make sure that no means no. And that's what we're putting in statute. And then the last one is, again, when vulnerable populations are being cared for, and they should not be taken advantage of by their caregiver who's supposed to be there to protect them, not take advantage of them. So this is what is going to give these tools to the prosecutors to put the law down and strike the gavel on them to stop these perpetrators from continuing these acts of violence against their victims. So definitely, we're moving forward with this.

REMARKS ORDERED PRINTED

Representative Minjarez moved to print remarks between Representative Neave, Representative Collier, and Representative Minjarez on **HB 302**.

The motion prevailed.

HB 302 was passed by (Record 809): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; 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.D.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

HB 1824 ON THIRD READING
(by Price, Smith, Coleman, Rose, and Allison)

HB 1824, A bill to be entitled An Act relating to the continuity of services received by individuals receiving services at state hospitals and state supported living centers, the establishment of a pilot program to provide behavioral health or psychiatric services to certain residential care facility residents, and court orders for psychoactive medication for certain patients.

HB 1824 was passed by (Record 810): 141 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Shaheen; Sherman; Shine;

Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Biedermann; Cason; Schaefer; Slaton.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Johnson, J.D.

STATEMENT OF VOTE

When Record No. 810 was taken, I was shown voting yes. I intended to vote no.

Toth

HB 678 ON THIRD READING (by Cortez, Clardy, Price, et al.)

HB 678, A bill to be entitled An Act relating to the administration of a medication and the ordering and administration of an immunization or vaccination by a pharmacist.

HB 678 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE PATTERSON: Does this bill allow anyone to give a vaccine to a child without parental consent?

REPRESENTATIVE CORTEZ: No, this bill does not do that. In fact, Texas Family Code, Chapter 32, Sections 101 and 102, specifically require that parental consent be achieved and required before any child receives any sort of medical care or immunization no matter the location. So that's currently in the Texas Family Code right now. And I also have an example of a vaccine consent from H-E-B in Texas, homegrown H-E-B, and it talks about in the first line how the patient has to be at least 18 and if not, then the parent or guardian must sign off on that for the minor patient, or the legal guardian, or a person authorized under law of another state or a court order to consent for that child. This form has all of that. It is required no matter where the vaccine may be given.

PATTERSON: So if I'm understanding, what you're saying is that if you're at a doctor's office or a pharmacy or anywhere else, the parent or guardian would have to consent before the child received a vaccine.

CORTEZ: Absolutely. As I stated before, that's in Texas Family Code currently, and so that would not change by any means with this bill.

PATTERSON: What about outside of a medical facility? For example, in Denton County, we had Texas Motor Speedway set up as a mobile vaccine clinic. We set record numbers of vaccines given in a single day time and again. At TMS, would a parent still have to give consent for someone to give a vaccine to a child there?

CORTEZ: Yes, a parent would have to give consent whether it's at the location you talked about in Denton, whether it's at a back to school fair that we may be hosting in our communities where we offer backpacks and school supplies for children and then we also offer back-to-school vaccinations. That consent form would be required no matter the location.

REMARKS ORDERED PRINTED

Representative Patterson moved to print remarks between Representative Cortez and Representative Patterson on **HB 678**.

The motion prevailed.

HB 678 was passed by (Record 811): 137 Yeas, 7 Nays, 1 Present, not voting.

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

Nays — Bucy; Hull; Johnson, A.; Johnson, J.E.; Krause; Parker; Rogers.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Morrison; Stephenson.

STATEMENTS OF VOTE

When Record No. 811 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

When Record No. 811 was taken, I was in the house but away from my desk. I would have voted yes.

Stephenson

HB 4245 ON THIRD READING
(by Frullo)

HB 4245, A bill to be entitled An Act relating to municipal registration of vacant buildings in certain municipalities.

HB 4245 was passed by (Record 812): 116 Yeas, 27 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Sherman; Shine; Smith; Spiller; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Biedermann; Bonnen; Cain; Cason; Cyrier; Goldman; Hefner; Hull; Jetton; Krause; Leach; Leman; Metcalf; Middleton; Noble; Oliverson; Parker; Patterson; Schaefer; Shaheen; Slaton; Slawson; Swanson; Tinderholt; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Schofield; Smithee; Stephenson.

STATEMENTS OF VOTE

When Record No. 812 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 812 was taken, I was shown voting no. I intended to vote yes.

Biedermann

When Record No. 812 was taken, I was in the house but away from my desk. I would have voted yes.

Stephenson

HB 2577 ON THIRD READING
(by Kuempel)

HB 2577, A bill to be entitled An Act relating to the light-duty motor vehicle purchase or lease incentive program.

Amendment No. 1

Representative Goodwin offered the following amendment to **HB 2577**:

Amend **HB 2577** on third reading by striking SECTION 1 of the bill and substituting the following:

SECTION 1. Section 386.154, Health and Safety Code, is amended by adding Subsections (f), (g), and (h) to read as follows:

(f) A new motorcycle powered by an electric drive is eligible for a \$1,250 incentive if the vehicle:

(1) is a motorcycle as defined by Section 541.201, Transportation Code;

(2) was manufactured for use primarily on public streets, roads, and highways;

(3) has not been modified from the original manufacturer's specifications;

(4) has a maximum speed capability of at least 55 miles per hour;

(5) is propelled to a significant extent by an electric motor that draws electricity from a hydrogen fuel cell or from a battery that:

(A) has a capacity of not less than four kilowatt hours; and

(B) is capable of being recharged from an external source of electricity;

(6) was acquired on or after September 1, 2021, or a later date as established by the commission, by the person applying for the incentive under this subsection and for use or lease by that person and not for resale; and

(7) is not a motor-assisted scooter or pocket bike or minimotorbike as those terms are defined by Section 551.351, Transportation Code.

(g) The incentive under Subsection (f) is limited to 100 vehicles for the first state fiscal year of the biennium and 200 vehicles for the second state fiscal year of the biennium. This Subsection expires August 31, 2022.

(h) The incentive under Subsection (f) is limited to 500 vehicles each state fiscal biennium.

Amendment No. 1 was adopted.

HB 2577, as amended, was passed by (Record 813): 99 Yeas, 43 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bernal; Bowers; Bucy; Burns; Campos; Clardy; Cole; Collier; Cortez; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Kuempel; Lambert; Landgraf; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez

Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murphy; Murr; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Sherman; Shine; Smithee; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, K.; Biedermann; Bonnen; Buckley; Burrows; Button; Cain; Cason; Craddick; Cyrier; Frank; Gates; Goldman; Harless; Hefner; Hull; Jetton; King, P.; Klick; Krause; Leach; Leman; Metcalf; Middleton; Morrison; Noble; Oliverson; Parker; Patterson; Paul; Rogers; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Spiller; Swanson; Tinderholt; Toth; Vasut; White.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Canales; Cook; Harris; Wilson.

STATEMENTS OF VOTE

When Record No. 813 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 813 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

When Record No. 813 was taken, I was shown voting yes. I intended to vote no.

Hinojosa

When Record No. 813 was taken, I was shown voting yes. I intended to vote no.

Murr

When Record No. 813 was taken, I was shown voting yes. I intended to vote no.

Stucky

HB 3084 ON THIRD READING (by Larson)

HB 3084, A bill to be entitled An Act relating to the proposal by the Texas Water Development Board of a process to identify and evaluate multiregional water supply projects.

HB 3084 was passed by (Record 814): 135 Yeas, 10 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Cason; Clardy; Cole; Collier; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Cain; Cook; Hefner; Patterson; Schaefer; Slaton; Swanson; Tinderholt; Toth; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Wilson.

STATEMENT OF VOTE

When Record No. 814 was taken, I was shown voting yes. I intended to vote no.

Slawson

HB 2535 ON THIRD READING

(by Sanford, Burrows, Guillen, Bailes, and Spiller)

HB 2535, A bill to be entitled An Act relating to the appraisal for ad valorem tax purposes of real property that includes certain improvements used for the noncommercial production of food for personal consumption.

HB 2535 was passed by (Record 815): 141 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; 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.D.; 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; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Rodriguez; Rogers; Romero; Rose; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Rosenthal.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Bernal; Gervin-Hawkins; Morales Shaw; Reynolds.

STATEMENTS OF VOTE

When Record No. 815 was taken, I was temporarily out of the house chamber. I would have voted yes.

Gervin-Hawkins

When Record No. 815 was taken, I was temporarily out of the house chamber. I would have voted no.

Morales Shaw

When Record No. 815 was taken, I was in the house but away from my desk. I would have voted yes.

Reynolds

HB 2581 ON THIRD READING (by Kacal)

HB 2581, A bill to be entitled An Act relating to civil works projects and other construction projects of governmental entities.

Amendment No. 1

Representative Minjarez offered the following amendment to **HB 2581**:

Amend **HB 2581** on third reading, in added Section 2269.153(d), Government Code, by striking "40" and substituting "36.9".

Amendment No. 1 was adopted.

HB 2581, as amended, was passed by (Record 816): 143 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo;

Gates; Geren; Gervin-Hawkins; 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.D.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Bowers; Canales.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Ashby.

STATEMENTS OF VOTE

When Record No. 816 was taken, I was shown voting yes. I intended to vote no.

Crockett

When Record No. 816 was taken, I was shown voting yes. I intended to vote no.

Meza

When Record No. 816 was taken, I was shown voting yes. I intended to vote no.

Sherman

HB 237 ON THIRD READING (by Bernal, Neave, and Crockett)

HB 237, A bill to be entitled An Act relating to student access to certain academic records; authorizing a fee.

HB 237 was passed by (Record 817): 98 Yeas, 46 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bowers; Bucy; Burns; Burrows; Campos; Canales; Clardy; Cole; Collier; Cortez; Craddick; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.;

King, T.; Kuempel; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Slawson; Smithee; Stephenson; Swanson; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Anderson; Biedermann; Bonnen; Buckley; Button; Cain; Cason; Cook; Cyrier; Ellzey; Gates; Goldman; Harless; Harris; Hefner; Holland; Jetton; King, P.; Krause; Lambert; Landgraf; Leman; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Parker; Patterson; Paul; Perez; Price; Sanford; Schaefer; Schofield; Shaheen; Slaton; Smith; Spiller; Stucky; Thompson, E.; Tinderholt; Toth; Vasut; White.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Klick; Middleton.

STATEMENTS OF VOTE

When Record No. 817 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 817 was taken, I was in the house but away from my desk. I would have voted no.

Middleton

When Record No. 817 was taken, I was shown voting yes. I intended to vote no.

Slawson

When Record No. 817 was taken, I was shown voting yes. I intended to vote no.

Wilson

HB 2064 ON THIRD READING

(by Leach)

HB 2064, A bill to be entitled An Act relating to the amount of a hospital or physician lien on certain causes of action or claims.

HB 2064 was passed by (Record 818): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; 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.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C); Shine.

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Dominguez; Lozano.

HB 679 ON THIRD READING
(by Gervin-Hawkins, Moody, and Crockett)

HB 679, A bill to be entitled An Act relating to the standards for attorneys representing indigent defendants in certain capital felony cases.

HB 679 was passed by (Record 819): 126 Yeas, 20 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Cason; Clardy; Cole; Collier; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wu; Zwiener.

Nays — Ashby; Cook; Harris; Hefner; Holland; Jetton; Lambert; Landgraf; Leach; Murr; Noble; Oliverson; Patterson; Schaefer; Schofield; Shaheen; Stucky; Swanson; Tinderholt; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

STATEMENTS OF VOTE

When Record No. 819 was taken, I was shown voting no. I intended to vote yes.

Leach

When Record No. 819 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 819 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 819 was taken, I was shown voting yes. I intended to vote no.

Slawson

HB 2595 ON THIRD READING

(by Price, Smith, Allison, Meza, and Rose)

HB 2595, A bill to be entitled An Act relating to a parity complaint portal and educational materials and parity law training regarding benefits for mental health conditions and substance use disorders to be made available through the portal and otherwise; designating October as mental health condition and substance use disorder parity awareness month.

HB 2595 was passed by (Record 820): 122 Yeas, 24 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Biedermann; Cain; Cason; Cook; Gates; Harris; Hefner; Holland; Hull; Krause; Leman; Metcalf; Noble; Patterson; Sanford; Schaefer; Shaheen; Slaton; Slawson; Swanson; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

STATEMENT OF VOTE

When Record No. 820 was taken, I was shown voting yes. I intended to vote no.

Leach

HB 700 ON THIRD READING (by J.D. Johnson, Lopez, and Frank)

HB 700, A bill to be entitled An Act relating to the eligibility of foster children to receive college credit for completing the Preparation for Adult Living Program.

HB 700 was passed by (Record 821): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; 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.D.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

HB 3240 ON THIRD READING
(by Klick)

HB 3240, A bill to be entitled An Act relating to the composition of the Long-Term Care Facilities Council and rules related to and the imposition of administrative penalties against certain long-term care facilities.

HB 3240 was passed by (Record 822): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C); Reynolds.

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Davis; Guerra.

STATEMENTS OF VOTE

When Record No. 822 was taken, I was in the house but away from my desk. I would have voted no.

Davis

When Record No. 822 was taken, I was shown voting present, not voting. I intended to vote yes.

Reynolds

HB 1447 ON THIRD READING
(by Minjarez)

HB 1447, A bill to be entitled An Act relating to the use of remote technology when conducting probate or guardianship proceedings.

HB 1447 was passed by (Record 823): 145 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; 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.D.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Schaefer.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

STATEMENTS OF VOTE

When Record No. 823 was taken, I was shown voting no. I intended to vote yes.

Schaefer

When Record No. 823 was taken, I was shown voting yes. I intended to vote no.

Toth

HB 674 ON THIRD READING

(by Ramos, Beckley, J.E. Johnson, Ordaz Perez, et al.)

HB 674, A bill to be entitled An Act relating to informing the public about the availability of provisions in protective orders, including provisions regarding pets and other companion animals.

HB 674 was passed by (Record 824): 93 Yeas, 51 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Beckley; Bell, K.; Bernal; Biedermann; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Cason; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal;

King, T.; Klick; Lambert; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Shine; Spiller; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Ashby; Bailes; Bell, C.; Bonnen; Cain; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; King, K.; King, P.; Krause; Kuempel; Landgraf; Leman; Metcalf; Middleton; Morrison; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Rogers; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Smithee; Stephenson; Swanson; Tinderholt; Toth; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Larson; Meyer.

STATEMENTS OF VOTE

When Record No. 824 was taken, I was in the house but away from my desk. I would have voted yes.

Meyer

When Record No. 824 was taken, I was shown voting no. I intended to vote yes.

Paul

HB 2059 ON THIRD READING

(by Bucy)

HB 2059, A bill to be entitled An Act relating to the date of runoff elections.

HB 2059 was passed by (Record 825): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; 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.D.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond;

Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C); Ellzey.

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

HB 1802 ON THIRD READING
(by Dominguez, Klick, Burrows, Price, Moody, et al.)

HB 1802, A bill to be entitled An Act relating to a study on the use of alternative therapies for treating post-traumatic stress disorder.

HB 1802 was passed by (Record 826): 134 Yeas, 12 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Cason; Clardy; Cole; Collier; Cook; Cortez; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; 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; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Cain; Craddick; Harris; Hefner; Metcalf; Noble; Schaefer; Spiller; Thompson, E.; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

STATEMENTS OF VOTE

When Record No. 826 was taken, I was shown voting no. I intended to vote yes.

Cain

When Record No. 826 was taken, I was shown voting no. I intended to vote yes.

Harris

When Record No. 826 was taken, I was shown voting no. I intended to vote yes.

Metcalf

When Record No. 826 was taken, I was shown voting yes. I intended to vote no.

Paul

When Record No. 826 was taken, I was shown voting yes. I intended to vote no.

Tinderholt

When Record No. 826 was taken, I was shown voting no. I intended to vote yes.

Toth

When Record No. 826 was taken, I was shown voting no. I intended to vote yes.

Vasut

HB 1090 ON THIRD READING (by Bailes, White, and Rogers)

HB 1090, A bill to be entitled An Act relating to the appraisal for ad valorem tax purposes of real property that was erroneously omitted from an appraisal roll in a previous year.

HB 1090 was passed by (Record 827): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddock; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; 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.D.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller;

Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Allison.

HB 2306 ON THIRD READING
(by Fierro)

HB 2306, A bill to be entitled An Act relating to the denial of the registration of a motor vehicle based on certain information provided by a county to the Texas Department of Motor Vehicles.

HB 2306 was passed by (Record 828): 97 Yeas, 47 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cortez; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Lambert; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Perez; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Smith; Smithee; Stephenson; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu.

Nays — Ashby; Bucy; Burns; Cain; Cason; Cook; Craddick; Cyrier; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Hull; Jetton; King, P.; Krause; Kuempel; Landgraf; Leach; Leman; Metcalf; Middleton; Murr; Noble; Oliverson; Parker; Patterson; Paul; Price; Sanford; Schaefer; Shaheen; Slaton; Slawson; Spiller; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Vasut; White; Wilson; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Johnson, J.D.; Toth.

STATEMENT OF VOTE

When Record No. 828 was taken, I was in the house but away from my desk. I would have voted no.

Toth

HB 2375 ON THIRD READING

(by A. Johnson)

HB 2375, A bill to be entitled An Act relating to meals provided to jurors during deliberation of a civil case in certain district courts.

HB 2375 was passed by (Record 829): 139 Yeas, 6 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; 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.D.; 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.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Cason; Oliverson; Patterson; Sanford; Slaton; Toth.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Rodriguez.

STATEMENTS OF VOTE

When Record No. 829 was taken, I was shown voting yes. I intended to vote no.

Cain

When Record No. 829 was taken, I was shown voting yes. I intended to vote no.

Schaefer

When Record No. 829 was taken, I was shown voting yes. I intended to vote no.

Slawson

When Record No. 829 was taken, I was shown voting yes. I intended to vote no.

Vasut

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

SB 1259 ON SECOND READING (Smith - House Sponsor)

SB 1259, A bill to be entitled An Act relating to causes of action for withholding payments of the proceeds from the sale of oil and gas production.

SB 1259 was considered in lieu of **HB 3262**.

SB 1259 was read second time and was passed to third reading.

HB 3262 - LAID ON THE TABLE SUBJECT TO CALL

Representative Smith moved to lay **HB 3262** on the table subject to call.

The motion prevailed.

HB 3827 ON SECOND READING (by Wilson)

HB 3827, A bill to be entitled An Act relating to the municipal disannexation of certain areas formerly designated as a census designated place.

HB 3827 was read second time on April 28 and was postponed until 10 a.m. today.

Representative Wilson moved to postpone consideration of **HB 3827** until 7 p.m. today.

The motion prevailed.

SB 770 ON SECOND READING (Button and Guillen - House Sponsors)

SB 770, A bill to be entitled An Act relating to eligibility for job-training programs provided under the self-sufficiency fund.

SB 770 was considered in lieu of **HB 1791**.

SB 770 was read second time and was passed to third reading.

HB 1791 - LAID ON THE TABLE SUBJECT TO CALL

Representative Button moved to lay **HB 1791** on the table subject to call.

The motion prevailed.

SB 1126 ON SECOND READING
(Stucky - House Sponsor)

SB 1126, A bill to be entitled An Act relating to the establishment and administration of the Texas Woman's University System.

SB 1126 was considered in lieu of **HB 2705**.

SB 1126 was read second time.

Amendment No. 1

Representative Stucky offered the following amendment to **SB 1126**:

Amend **SB 1126** (house committee report) as follows:

(1) On page 1, lines 14 and 15, strike "such other institutions as may be assigned by specific legislative act" and substitute "any other institution assigned by law".

(2) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 107, Education Code, is amended by adding Section 107.47 to read as follows:

Sec. 107.47. REPORT ON TRANSITION OF BRANCH LOCATIONS TO COMPONENT INSTITUTIONS. (a) Not later than December 1, 2022, the system shall, using available funding, prepare and submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the chairs of the standing legislative committees with primary jurisdiction over appropriations or higher education a report on the transition of the Texas Woman's University branch locations at Dallas and Houston to component institutions of the system. The report must include:

(1) a strategy for each branch location to attain accreditation by the Southern Association of Colleges and Schools Commission on Colleges;

(2) a strategy for improvement and expansion of facilities, if needed, at each branch location that does not include the use of additional state funding;

(3) proposed degree programs to be offered by each branch location that will meet the requirements for approval by the Texas Higher Education Coordinating Board and the estimated additional state costs associated with those programs; and

(4) any anticipated increase in administrative costs associated with the transition, including any personnel costs required to attain accreditation described by Subdivision (1).

(b) This section expires January 1, 2023.

SECTION _____. Subchapters G and H, Chapter 107, Education Code, as added by this Act, apply beginning with the 2023-2024 academic year.

Amendment No. 1 was adopted.

SB 1126, as amended, was passed to third reading.

HB 2705 - LAID ON THE TABLE SUBJECT TO CALL

Representative Stucky moved to lay **HB 2705** on the table subject to call.

The motion prevailed.

**CSHB 3276 ON SECOND READING
(by Parker, Cain, and Schofield)**

CSHB 3276, A bill to be entitled An Act relating to the security of voted ballots.

CSHB 3276 was read second time on May 4 and was postponed until 10 a.m. today.

Representative Parker moved to postpone consideration of **CSHB 3276** until 10 a.m. tomorrow.

The motion prevailed.

**SB 2093 ON SECOND READING
(Swanson - House Sponsor)**

SB 2093, A bill to be entitled An Act relating to filing fees for certain candidates for office in primary elections.

SB 2093 was considered in lieu of **HB 1812**.

SB 2093 was read second time.

Amendment No. 1

Representative Swanson offered the following amendment to **SB 2093**:

Amend **SB 2093** (house committee report) as follows:

(1) On page 1, lines 2-3, strike "for office in primary elections" and substitute "considered for nomination by convention"

Amendment No. 1 was adopted.

SB 2093, as amended, was passed to third reading.

HB 1812 - LAID ON THE TABLE SUBJECT TO CALL

Representative Swanson moved to lay **HB 1812** on the table subject to call.

The motion prevailed.

RECESS

Representative Harris moved that the house recess until 1:45 p.m. today.

The motion prevailed.

The house accordingly, at 12:40 p.m., recessed until 1:45 p.m. today.

AFTERNOON SESSION

The house met at 2:44 p.m. and was called to order by the speaker.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 2).

**POSTPONED BUSINESS
(consideration continued)****SB 659 ON SECOND READING
(Craddick - House Sponsor)**

SB 659, A bill to be entitled An Act relating to disannexation of certain areas that do not receive full municipal services.

SB 659 was considered in lieu of **HB 1653**.

SB 659 was read second time.

SB 659 - POINT OF ORDER

Representative Howard raised a point of order against further consideration of **SB 659** under Rule 8, Section 10(b), of the House Rules. The point of order was sustained and the speaker submitted the following ruling:

**RULING BY THE SPEAKER
on Senate Bill 659**

Announced in the House on May 6, 2021

Representative Howard raises a point of order against further consideration of **SB 659** under Rule 8, Section 10(b), of the House Rules on the grounds that the bill is limited in application to one or more political subdivisions by means of artificial devices.

The bill provides a mechanism for areas subject to the bill's provisions to disannex from a municipality if the area has not received full municipal services. Ms. Howard argues that the suspect criteria is the language that applies the bill's provisions to an area that has not received full municipal services if the area was annexed for limited purposes before Subchapter F, Chapter 43, Local Government Code, was enacted. An area annexed for limited purposes under Subchapter F is not entitled to receive full municipal services. The chair cannot find a reasonable relationship between this criteria and the purpose of the bill. See 86 H. Jour. 4172-4173 (2019).

Accordingly, the point of order is well-taken and sustained, which precludes further consideration of the bill.

The ruling precluded further consideration of **SB 659**.

**HB 4272 ON SECOND READING
(by Klick)**

HB 4272, A bill to be entitled An Act relating to requirements for information contained in the immunization registry.

HB 4272 was read second time on May 5 and was postponed until 10 a.m. today.

Amendment No. 1

Representative Klick offered the following amendment to **HB 4272**:

Amend **HB 4272** (house committee printing) as follows:

(1) On page 1, line 5, strike "Section 161.007(a), Health and Safety Code, is" and substitute "Sections 161.007(a) and (a-1), Health and Safety Code, are".

(2) On page 2, between lines 9 and 10, insert the following:

(a-1) The written or electronic consent required by Subsection (a)(3) for an individual [~~younger than 18 years of age~~] is required to be obtained only one time. The written or electronic consent of the individual, or, for a minor child, the individual's parent, managing conservator, or guardian must be submitted to the department [~~before the individual's 18th birthday~~]. After consent is submitted, the individual's immunization information may be included in the registry [~~until the individual becomes 26 years of age~~] unless the consent is withdrawn in writing or electronically[~~, or renewed after the individual's 18th birthday as provided by Subsection (a-2)~~]. A parent, managing conservator, or guardian of a minor may provide the consent by using an electronic signature on the minor's birth certificate.

(3) On page 2, line 12, strike "and (f-3)" and substitute "(f-3), and (g)".

(4) Strike page 2, lines 17 through 22 and substitute the following:

(e) The [~~executive commissioner by rule shall determine the~~] period during which the information collected under this section must remain in the immunization registry following the end of the disaster is seven years[~~, public health emergency, terrorist attack, hostile military or paramilitary action, or extraordinary law enforcement emergency~~].

(5) On page 3, between lines 23 and 24, insert the following:

(g) Consent for inclusion in the immunization registry obtained under 161.007(a-1) shall meet the consent requirements of Subsection (f).

(6) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 161.00735(e), Health and Safety Code, is amended to read as follows:

(e) The [~~executive commissioner by rule shall determine the~~] period during which the information collected under Subsection (c) must remain in the immunization registry following the end of the disaster is seven years.

SECTION _____. Sections 161.007(a-2), (a-3), (a-4), (a-5), and (a-6), Health and Safety Code, are repealed.

Amendment No. 1 was adopted.

HB 4272, as amended, was passed to engrossment.

HB 3610 ON SECOND READING
(by Gervin-Hawkins, Sanford, and Middleton)

HB 3610, A bill to be entitled An Act relating to the applicability of certain laws to open-enrollment charter schools.

HB 3610 was read second time on May 5 and was postponed until 10 a.m. today.

Amendment No. 1

Representatives Allison and K. Bell offered the following amendment to **HB 3610**:

Amend **HB 3610** (house committee report) as follows:

(1) On page 1, lines 21 and 22, strike "after September 1, 2001".

(2) On page 2, line 4, strike "after September 1, 2001" and substitute "[~~after September 1, 2001~~]".

(3) On page 2, line 15, strike "after September 1, 2001" and substitute "[~~after September 1, 2001~~]".

(4) Add the following appropriately numbered SECTION to the bill and renumber the SECTIONS of the bill accordingly:

SECTION _____. The change in law made by this Act applies only to ad valorem taxes imposed in a tax year that begins on or after the effective date of this Act.

Amendment No. 1 was adopted.

A record vote was requested by Representative Toth.

HB 3610, as amended, failed to pass to engrossment by (Record 830): 66 Yeas, 76 Nays, 1 Present, not voting. (The vote was reconsidered on May 7, and **HB 3610** was further amended and was passed to engrossment by Record No. 843.)

Yeas — Allison; Anderson; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Buckley; Bucy; Burrows; Button; Cain; Campos; Cason; Craddick; Cyrier; Deshotel; Dominguez; Dutton; Ellzey; Frank; Frullo; Gates; Gervin-Hawkins; Goldman; Guillen; Hefner; Huberty; Hull; Hunter; Jetton; Johnson, J.D.; King, P.; Klick; Krause; Larson; Leach; Leman; Lozano; Lucio; Metcalf; Meyer; Middleton; Morrison; Murphy; Noble; Oliverson; Parker; Patterson; Paul; Raymond; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Spiller; Swanson; Talarico; Tinderholt; Toth; Vasut; White; Wilson; Wu.

Nays — Allen; Anchia; Ashby; Bailes; Beckley; Bowers; Burns; Clardy; Cole; Collier; Cook; Crockett; Darby; Davis; Dean; Fierro; Geren; González, J.; González, M.; Goodwin; Guerra; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Israel; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, T.; Kuempel; Lambert; Landgraf; Longoria; Lopez; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales Shaw; Muñoz; Murr; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Perez; Price; Ramos; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Smith; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Canales; Cortez; Minjarez; Morales, E.

STATEMENTS OF VOTE

When Record No. 830 was taken, my vote failed to register. I would have voted no.

Canales

When Record No. 830 was taken, I was shown voting yes. I intended to vote no.

J.D. Johnson

When Record No. 830 was taken, I was in the house but away from my desk. I would have voted no.

E. Morales

CSHB 1348 ON SECOND READING

(by Deshotel, Cain, Middleton, Dutton, and J.D. Johnson)

CSHB 1348, A bill to be entitled An Act relating to the applicability of certain laws to open-enrollment charter schools.

CSHB 1348 was read second time earlier today and was postponed until this time.

CSHB 1348 - POINT OF ORDER

Representative M. González raised a point of order against further consideration of **CSHB 1348** under Rule 4, Section 32(c)(1), (2), and (5), of the House Rules on the grounds that the bill analysis is materially misleading and the comparison section of the bill analysis is materially misleading.

(Holland in the chair)

The point of order was withdrawn.

Representative Deshotel moved to postpone consideration of **CSHB 1348** until 10 a.m. Sunday, June 27.

The motion prevailed.

(Speaker in the chair)

HB 4492 ON THIRD READING

(by Paddie)

HB 4492, A bill to be entitled An Act relating to securitizing costs associated with electric markets; granting authority to issue bonds.

HB 4492 was read third time earlier today and was postponed until this time.

Amendment No. 1

Representative Paddie offered the following amendment to **HB 4492**:

Amend **HB 4492** on third reading as follows:

(1) In SECTION 1 of the bill, in added Section 31.101(a), Utilities Code, between "as provided by Subchapter M, Chapter 39" and the period, insert ", to securitize costs not securitized under Subchapter D, Chapter 41".

(2) In SECTION 4 of the bill, at the end of added Section 39.601(a), Utilities Code, add "This subchapter and Subchapter D, Chapter 41, do not change, alter, or reduce the obligation of a market participant to timely and fully pay the debts or obligations of the market participant to the independent organization.".

(3) In SECTION 4 of the bill, at the end of added Section 39.601, Utilities Code, insert the following appropriately lettered subsection:

() The commission shall require that all market participants, including market participants not otherwise subject to this subchapter, pay or make provision for the full and prompt payment to the independent organization certified under Section 39.151 for the ERCOT power region of all amounts owed to the independent organization to qualify, or to continue to qualify, as a market participant in the ERCOT power region. The commission and the independent organization shall pursue collection in full of amounts owed to the independent organization by any market participant to reduce the qualifying costs that would otherwise be borne by other market participants or their customers.

(4) In SECTION 4 of the bill, in added Section 39.602, Utilities Code, insert the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly):

() "Load-serving entity" means a municipally owned utility, an electric cooperative, or a retail electric provider.

(5) In SECTION 4 of the bill, strike added Section 39.613, Utilities Code, and substitute the following:

Sec. 39.613. CUSTOMER CHARGES. All load-serving entities that receive offsets to specific uplift charges from the independent organization under this subchapter must adjust customer invoices to reflect the offsets for any charges that were or would otherwise be passed through to customers under the terms of service with the load-serving entity, including by providing a refund for any offset charges that were previously paid. An electric cooperative, including an electric cooperative that elects to receive offsets, shall not otherwise become subject to rate regulation by the commission and receipt of offsets does not affect the applicability of Chapter 41 to an electric cooperative.

(6) Strike SECTION 5 of the bill and substitute the following appropriately numbered SECTION:

SECTION _____. This Act takes effect on the date on which **SB 1580**, **HB 3544**, or other similar legislation of the 87th Legislature, Regular Session, 2021, relating to the use of securitization by electric cooperatives to address weather-related extraordinary costs and expenses becomes law.

Amendment No. 1 was adopted.

HB 4492, as amended, was passed by (Record 831): 129 Yeas, 15 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cook; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; 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; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Biedermann; Cain; Cason; Gervin-Hawkins; Hefner; Middleton; Parker; Slaton; Slawson; Swanson; Tinderholt; Toth; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Cortez; Dominguez.

STATEMENTS OF VOTE

When Record No. 831 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 831 was taken, I was shown voting yes. I intended to vote no.

Schaefer

When Record No. 831 was taken, I was shown voting yes. I intended to vote no.

Spiller

When Record No. 831 was taken, I was shown voting no. I intended to vote yes.

White

HB 2261 ON THIRD READING

(by Wu)

HB 2261, A bill to be entitled An Act relating to the authority of a municipal management district to provide public education facilities and public education-related supplemental services.

HB 2261 was read third time earlier today and was postponed until this time.

Amendment No. 1

Representative Wu offered the following amendment to **HB 2261**:

Amend **HB 2261** on third reading as follows:

(1) In amended Section 375.112(a)(1), Local Government Code, as amended by the amendment by Middleton, strike "facilities established for the exclusive use of persons that do not impose an ad valorem tax and do not receive money from this state" and substitute "after-school activities".

(2) In amended Section 375.112(a)(4), Local Government Code, between "education" and the underlined comma, insert "after-school activities".

A record vote was requested by Representative Holland.

Amendment No. 1 failed of adoption (not receiving the necessary two-thirds vote) by (Record 832): 79 Yeas, 64 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bernal; Bowers; Bucy; Burns; Campos; Clardy; Cole; Collier; Cortez; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Shine; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burrows; Button; Cain; Cason; Cook; Craddick; Cyrier; Ellzey; Frank; Frullo; Gates; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; King, P.; Klick; Krause; Kuempel; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Murr; Noble; Oliverson; Parker; Patterson; Paul; Price; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Canales; Goldman; Lambert.

STATEMENTS OF VOTE

When Record No. 832 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 832 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

When Record No. 832 was taken, I was shown voting no. I intended to vote yes.

Stucky

Representative Wu moved to postpone consideration of **HB 2261** until 10 a.m. Wednesday, June 1, 2022.

The motion prevailed.

**MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING**

The following bills were laid before the house and read second time:

**CSHB 6 ON SECOND READING
(by Cain, Schofield, Klick, Clardy, Jetton, et al.)**

CSHB 6, A bill to be entitled An Act relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses.

Representative Cain moved to postpone consideration of **CSHB 6** until 5 p.m. today.

The motion prevailed.

**CSHB 1900 ON SECOND READING
(by Goldman, Metcalf, Bonnen, Raymond, Button, et al.)**

CSHB 1900, A bill to be entitled An Act relating to municipalities that adopt budgets that defund municipal police departments.

Amendment No. 1

Representative Goldman offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (house committee report) as follows:

(1) On page 2, line 5, between the period and "This", insert the following:
This section applies to the budget adopted for the municipality's first fiscal year beginning on or after September 1, 2021, regardless of the date of adoption.

(2) On page 8, line 12, between "Act" and the period, insert ", regardless of the date of adoption".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Goldman offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (house committee report) as follows:

(1) On page 2, line 7, between "EXCEPTIONS." and "A", insert "(a)".

(2) On page 2, between lines 22 and 23, insert the following:

(b) For purposes of making a determination of whether a municipality is a defunding municipality under this chapter, a municipality's appropriation to the municipality's police department does not include any grant money received by the municipality during any fiscal year.

(3) On page 7, between lines 13 and 14, insert the following:

(d) For purposes of Subsection (a)(2), the amount of money appropriated for public safety and the amount of money spent by the municipality for public safety does not include any grant money received by the municipality during any fiscal year.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Dutton offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (house committee report) on page 1, lines 12 through 13, by striking "municipality with a population of more than 250,000", and substituting the following:

municipality:

(1) with a population of more than 250,000; and

(2) in which 35 percent or more of the police officers employed by the municipality reside

A record vote was requested by Representative Dutton.

Amendment No. 3 failed of adoption by (Record 833): 65 Yeas, 78 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schofield; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raymond; Rogers; Sanford; Schaefer; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Deshotel; Huberty; Murphy.

STATEMENTS OF VOTE

When Record No. 833 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 833 was taken, I was shown voting yes. I intended to vote no.

Middleton

When Record No. 833 was taken, I was shown voting yes. I intended to vote no.

Schofield

Amendment No. 4

Representative J.D. Johnson offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (house committee printing) as follows:

(1) On page 2, line 13, strike "or".

(2) On page 2, line 14, between "(2)" and "before", insert the following: for a fiscal year in which the municipality adopts a budget that is less than the budget for the preceding fiscal year, the reduction in the budget is due to changes in non-active duty personnel; or

(3)

(3) On page 3, line 9, strike "109.004(2)" and substitute "109.004(3)".

Amendment No. 4 failed of adoption.

Amendment No. 5

Representative J.D. Johnson offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (house committee printing) as follows:

(1) On page 2, line 21, strike "or".

(2) On page 2, line 22, between "(C)" and "another", insert the following: a major sporting event or other special event; or

(D)

(Capriglione now present)

Amendment No. 5 failed of adoption.

Amendment No. 6

Representative J.D. Johnson offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (house committee printing) as follows:

(1) On page 2, line 21, strike "or".

(2) On page 2, line 22, between "(C)" and "another", insert the following:
the municipality's decision to allocate an increased amount of money from the preceding fiscal year for public safety initiatives designed to:

(i) improve 9-1-1 call response;

(ii) prevent violent crime; or

(iii) direct veterans, children, or individuals in a mental health, family, or economic crisis to services designed to prevent crime; or

(D)

A record vote was requested by Representative J.D. Johnson.

Amendment No. 6 failed of adoption by (Record 834): 62 Yeas, 82 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Deshotel; Ellzey; Larson.

STATEMENTS OF VOTE

When Record No. 834 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 834 was taken, my vote failed to register. I would have voted no.

Ellzey

Amendment No. 7

Representative Martinez Fischer offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (house committee report) as follows:

(1) On page 5, line 1, strike "26.0444" and substitute "26.0444, 26.0445,".

(2) On page 5, between lines 24 and 25, insert the following:

Sec. 26.0445. TAX RATE ADJUSTMENT FOR MUNICIPAL PUBLIC SAFETY BUDGETED EXPENDITURES. (a) In this section:

(1) "Current fiscal year" means a municipality's fiscal year beginning in the tax year preceding the current tax year.

(2) "Preceding fiscal year" means a municipality's fiscal year ending in the tax year preceding the current tax year.

(3) "Public safety budgeted expenditures" means the amount of money appropriated by a municipality in the municipality's adopted budget for a fiscal year for the municipality's police department.

(b) If a municipality's public safety budgeted expenditures for the municipality's current fiscal year exceed the amount of those expenditures for the municipality's preceding fiscal year, the no-new-revenue maintenance and operations rate for the municipality is increased by the rate computed according to the following formula:

$$\frac{(\text{Current Fiscal Year's Public Safety Budgeted Expenditures} - \text{Preceding Fiscal Year's Public Safety Budgeted Expenditures})}{(\text{Current Total Value} - \text{New Property Value})}$$

(c) The municipality shall include a notice of the increase in the no-new-revenue maintenance and operations rate provided by this section, including a description and amount of public safety budgeted expenditures, in the information published under Section 26.04(e) and, as applicable, in the notice prescribed by Section 26.06 or 26.061.

A record vote was requested by Representative Martinez Fischer.

Amendment No. 7 failed of adoption by (Record 835): 67 Yeas, 78 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Clardy; Cole; Collier; Cortez; Crockett; Darby; Davis; Deshotel; Dominguez; Dutton; Fierro; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Shine; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Dean; Ellzey; Frank; Frullo; Gates; Goldman; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.;

Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Larson; Perez.

Amendment No. 8

Representative Cole offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (house committee printing) on page 9, between lines 24 and 25, by adding the following appropriately lettered subsection:

() Notwithstanding Subsection (b), the governing body of a municipally owned utility may increase rates and fees for the purpose of paying for weatherization of the municipally owned utility's generation, transmission, or distribution facilities to reduce the risk of power outages.

A record vote was requested by Representative Cole.

Amendment No. 8 failed of adoption by (Record 836): 58 Yeas, 82 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Herrero; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Muñoz; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Beckley; Huberty; King, T.; Lambert; Larson; Murphy; Walle.

STATEMENT OF VOTE

When Record No. 836 was taken, I was shown voting yes. I intended to vote no.

Reynolds

Amendment No. 9

Representative Herrero offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (house committee report) by adding the following appropriately numbered ARTICLE to the bill and renumbering the ARTICLES of the bill appropriately:

ARTICLE _____. RETIREMENT FUNDING REQUIREMENTS FOR
DEFUNDING MUNICIPALITIES

SECTION _____. Chapter 810, Government Code, is amended by adding Section 810.006 to read as follows:

Sec. 810.006. MINIMUM RETIREMENT FUNDING REQUIREMENTS FOR DEFUNDING MUNICIPALITIES. (a) In this section:

(1) "Defunding municipality" means a municipality that is considered to be a defunding municipality under Chapter 109, Local Government Code.

(2) "Public retirement system" has the meaning assigned by Section 802.001.

(b) This section applies only to a municipality that is:

(1) an employer of active members of a public retirement system administering a defined benefit plan; and

(2) a defunding municipality.

(c) Notwithstanding any other law and as soon as practicable after the date the criminal justice division of the office of the governor issues a written determination under Section 109.003(2), Local Government Code, with respect to a municipality, the municipality shall for the purpose of funding retirement benefits increase municipal contributions to a public retirement system in which its employees participate as members in a manner that ensures that the total amount the municipality and members contribute to the system for the fiscal year on which the determination is based is not less than the total amount the municipality and members of the system contributed to the system for the fiscal year immediately preceding the fiscal year on which the determination is based.

(d) A municipality subject to this section shall increase contributions in the manner provided by Subsection (c) for each fiscal year for which the municipality is considered a defunding municipality.

Amendment No. 9 was adopted.

REMARKS ORDERED PRINTED

Representative Wu moved to print all remarks on **CSHB 1900**.

The motion prevailed. [Please refer to the supplement to this journal for the text of the debate on **CSHB 1900**.]

A record vote was requested by Representative J.D. Johnson.

CSHB 1900, as amended, was passed to engrossment by (Record 837): 91 Yeas, 55 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Canales; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Martinez; Metcalf; Meyer; Middleton; Morales, E.; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Longoria; Lopez; Lucio; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales Shaw; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Ordaz Perez.

STATEMENT OF VOTE

When Record No. 837 was taken, my vote failed to register. I would have voted no.

Ordaz Perez

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 3).

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

CS SB 7 ON SECOND READING

(Cain, Schofield, Jetton, Klick, and Oliverson - House Sponsors)

CS SB 7, A bill to be entitled An Act relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses.

CSSB 7 was considered in lieu of **CSHB 6**.

CSSB 7 was read second time.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 4).

CSSB 7 - (consideration continued)

Amendment No. 1

Representative J. González offered the following amendment to **CSSB 7**:

Amend **CSSB 7** by striking the enacting clause.

REMARKS ORDERED PRINTED

Representative J.E. Johnson moved to print all remarks on **CSSB 7**.

The motion prevailed. [Please refer to the supplement to this journal for the text of the debate on **CSSB 7**.]

A record vote was requested by Representative Fierro.

Amendment No. 1 failed of adoption by (Record 838): 65 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Larson; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Huberty; White.

STATEMENTS OF VOTE

When Record No. 838 was taken, I was shown voting yes. I intended to vote no.

Geren

When Record No. 838 was taken, I was shown voting no. I intended to vote yes.

Guerra

When Record No. 838 was taken, I was shown voting no. I intended to vote yes.

Guillen

When Record No. 838 was taken, I was shown voting no. I intended to vote yes.

Raymond

When Record No. 838 was taken, I was in the house but away from my desk. I would have voted no.

White

Amendment No. 2

Representatives J.D. Johnson and Cain offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) on page 1, line 12, by striking "and preserve the purity of the ballot box".

CSSB 7 - POINT OF ORDER

Representative J. Turner raised a point of order against further consideration of **CSSB 7** under Rule 4, Section 32(c), of the House Rules on the grounds that the bill analysis is materially misleading.

HOUSE AT EASE

At 9:13 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 10:28 p.m.

The point of order was withdrawn.

Representative Cain moved to postpone consideration of **CSSB 7** until 11:30 p.m. today.

The motion prevailed.

**SB 1499 ON SECOND READING
(Wilson - House Sponsor)**

SB 1499, A bill to be entitled An Act relating to the municipal disannexation of certain areas formerly designated as a census designated place.

SB 1499 was considered in lieu of **HB 3827**.

SB 1499 was read second time.

Representative Wilson moved to postpone consideration of **SB 1499** until 11 p.m. today.

The motion prevailed.

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

The following bills were laid before the house and read second time:

**CSHB 3270 ON SECOND READING
(by Dutton, K. King, Huberty, Murphy, and Oliverson)**

CSHB 3270, A bill to be entitled An Act relating to public school organization, accountability, and fiscal management.

CSHB 3270 - POINT OF ORDER

Representative Allen raised a point of order against further consideration of **CSHB 3270** under Rule 4, Section 18, of the House Rules on the grounds that the committee minutes did not accurately reflect the proceedings of the committee. The point of order was withdrawn.

Amendment No. 1

Representative Dutton offered the following amendment to **CSHB 3270**:

Amend **CSHB 3270** (house committee printing) as follows:

(1) Strike page 2, line 16, through page 5, line 14, and substitute the following:

INVESTIGATIONS.

(a) The commissioner may authorize special [~~accreditation~~] investigations to be conducted:

(1) when excessive numbers of absences of students eligible to be tested on state assessment instruments are determined;

(2) when excessive numbers of allowable exemptions from the required state assessment instruments are determined;

(3) in response to complaints submitted to the agency with respect to alleged violations of civil rights or other requirements imposed on the state by federal law or court order;

(4) in response to established compliance reviews of the district's financial accounting practices and state and federal program requirements;

(5) when extraordinary numbers of student placements in disciplinary alternative education programs, other than placements under Sections 37.006 and 37.007, are determined;

(6) in response to an allegation involving a conflict between members of the board of trustees or between the board and the district administration if it appears that the conflict involves a violation of a role or duty of the board members or the administration clearly defined by this code;

(7) when excessive numbers of students in special education programs under Subchapter A, Chapter 29, are assessed through assessment instruments developed or adopted under Section 39.023(b);

(8) in response to an allegation regarding or an analysis using a statistical method result indicating a possible violation of an assessment instrument security procedure established under Section 39.0301, including for the purpose of investigating or auditing a school district under that section;

(9) when a significant pattern of decreased academic performance has developed as a result of the promotion in the preceding two school years of students who did not perform satisfactorily as determined by the commissioner under Section 39.0241(a) on assessment instruments administered under Section 39.023(a), (c), or (l);

(10) when excessive numbers of students eligible to enroll fail to complete an Algebra II course or any other advanced course as determined by the commissioner;

(11) when resource allocation practices as evaluated under Section 39.0821 indicate a potential for significant improvement in resource allocation;

(12) when a disproportionate number of students of a particular demographic group is graduating with a particular endorsement under Section 28.025(c-1);

(13) when an excessive number of students is graduating with a particular endorsement under Section 28.025(c-1);

(14) in response to a complaint submitted to the agency with respect to alleged inaccurate data that is reported through the Public Education Information Management System (PEIMS) or through other reports required by state or federal law or rule or court order and that is used by the agency to make a determination relating to public school accountability, including accreditation, under this chapter;

(15) when a school district for any reason fails to produce, at the request of the agency, evidence or an investigation report relating to an educator who is under investigation by the State Board for Educator Certification; or

(16) as the commissioner otherwise determines necessary.

(2) On page 19, line 20, strike "(10) [~~(14)~~]" and substitute "(14)".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Dutton offered the following amendment to **CSHB 3270**:

Amend **CSHB 3270** (house committee report) as follows:

(1) On page 2, line 8, strike "no" and substitute "an".

(2) On page 2, line 10, between "appealed" and the underlined period, insert "only if specifically authorized by this code or a rule adopted under this code".

(3) On page 6, line 18, between "(d)" and "~~Regardless~~", insert the following:

⋮

(g) Section 39A.301 applies to an action taken under Subsection (d)(1) in the same manner as that section applies to an action taken under Chapter 39A

(4) On page 7, lines 21-23, strike ", and a determination or decision made by the agency under this section is final and unappealable".

(5) On page 14, line 11, between "appealed" and the period, insert ", except as provided by Section 39A.301".

(6) Add the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumber subsequent SECTIONS of the ARTICLE accordingly:

SECTION 2.____. Section 39A.301, Education Code, is amended to read as follows:

Sec. 39A.301. REVIEW OF SANCTIONS BY STATE OFFICE OF ADMINISTRATIVE HEARINGS. (a) A school district or open-enrollment charter school must appeal under this section if the district or school [that] intends to challenge a decision by the commissioner under Section 39.003 or this chapter to:

(1) close the district or a district campus or the charter school;

(2) ~~or to~~ pursue alternative management of a district campus or the charter school; or

(3) appoint a board of managers to the district or school under Section 39A.202 [must appeal the decision under this section].

(b) A challenge under this section to a decision by the commissioner described by Subsection (a) is subject to review by the State Office of Administrative Hearings. Notwithstanding [under this section is under the substantial evidence rule as provided by Subchapter G,] Chapter 2001, Government Code:

(1) ~~the [The]~~ commissioner shall adopt procedural rules for a challenge under this section;

(2) [:

~~(c) Notwithstanding other law:~~

~~(1)~~ the State Office of Administrative Hearings shall conduct an expedited review of a challenge under this section;

(3) the administrative law judge shall uphold a decision by the commissioner described by Subsection (a) unless the judge finds the decision is arbitrary and capricious or clearly erroneous;

(4) in reviewing any discretionary decisions made by the commissioner, the administrative law judge may not substitute the judge's judgment for that of the commissioner;

(5) ~~(2)~~ the administrative law judge shall issue a final order not later than the 30th day after the date on which the hearing is finally closed;

(6) ~~(3)~~ the decision of the administrative law judge is final and may not be appealed; and

(7) ~~(4)~~ the decision of the administrative law judge may set an effective date for an action under this section.

(7) On page 17, line 18, between "code" and the underlined period, insert the following:

, except that funds may be used for an action or proceeding that is specifically authorized by a provision of this code or a rule adopted under this code and that results in a final and unappealable decision, order, or determination

(8) Add the following appropriately numbered SECTION to ARTICLE 3 of the bill and renumber subsequent SECTIONS of the ARTICLE accordingly:

SECTION 3. _____. Section 39A.203, Education Code, is repealed.

(9) Add the following appropriately numbered SECTION to ARTICLE 4 of the bill and renumber subsequent SECTIONS of the ARTICLE accordingly:

SECTION 4. _____. Sections 39A.256(a) and (b), Education Code, are amended to read as follows:

(a) A board of managers appointed for an open-enrollment charter school ~~[or a campus of an open-enrollment charter school]~~ under this chapter or Chapter 12 has the powers and duties prescribed by Section 39A.201(b), if applicable, and Sections 39A.201(a), 39A.202, ~~[39A.203,]~~ and 39A.206(b).

(b) Except as otherwise provided by this subsection, the board of managers for an open-enrollment charter school ~~[or a campus of an open-enrollment charter school]~~ may not serve for a period that exceeds the period authorized by law for a board of managers appointed for a school district. A board of managers appointed to wind up the affairs of a former open-enrollment charter school or campus serves until dissolved by the commissioner.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Dutton offered the following amendment to **CSHB 3270**:

Amend **CSHB 3270** (house committee printing) as follows:

(1) On page 10, line 3, between "years" and "and", insert "of unacceptable performance ratings".

(2) On page 10, line 4, strike "for purposes of Chapter 39A" and substitute "of unacceptable performance ratings for purposes of any provision of this code".

(3) On page 14, line 15, strike "For" and substitute "Except as otherwise provided by Subsection (a-1), for".

(4) On page 14, line 23, between "rating" and the underlined period, insert "and may not be considered a break in consecutive years of unacceptable performance ratings".

(5) On page 14, between lines 23 and 24, insert the following:

(a-1) If **HB 3731**, 87th Legislature, Regular Session, 2021, or similar legislation is enacted into law, the commissioner shall incorporate the assignment of a D performance rating in accordance with that law.

(6) On page 14, line 27, strike "consecutive".

(7) On page 15, line 1, between "ratings" and "for", insert "since the 2013-2014 school year".

(8) On page 15, line 2, between "or" and "school", insert "charter".

(9) On page 15, line 5, between "or" and "school", insert "charter".

(10) On page 15, line 6, strike "district, school, or" and substitute "school district, open-enrollment charter school, or district or charter school".

(11) On page 15, line 8, between "managers" and "under", insert "to govern the school district or open-enrollment charter school".

(12) On page 15, line 11, strike "more than five" and substitute "five or more".

(13) On page 15, between lines 25 and 26, insert the following:

(d-1) To the extent of conflict with any other provision related to the intervention for certain districts or campuses with unacceptable performance ratings, this section prevails.

Amendment No. 3 was adopted.

Amendment No. 4

Representatives K. Bell, K. King, Lozano, Buckley, and VanDeaver offered the following amendment to **CSHB 3270**:

Amend **CSHB 3270** (house committee printing) as follows:

(1) Add the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumber subsection SECTIONS of the ARTICLE appropriately:

SECTION 2. ____ . Subchapter A, Chapter 39, Education Code, is amended by adding Section 39.005 to read as follows:

Sec. 39.005. APPLICABILITY OF SUBCHAPTER. Notwithstanding any other law, this subchapter applies to a charter school operating under Chapter 12.

(2) Strike SECTION 2.16(a) of the bill (page 16, lines 6-9) and substitute the following:

(a) Sections 39.003 and 39.004, Education Code, as redesignated and amended by this Act, apply only to a special investigation authorized or initiated on or after the effective date of this Act. A special accreditation investigation authorized or initiated before the effective date of this Act is governed by the law in effect when the special investigation was authorized or initiated, and the former law is continued in effect for that purpose.

Amendment No. 4 was adopted.

Amendment No. 5

Representatives K. King and K. Bell offered the following amendment to **CSHB 3270**:

Amend **CSHB 3270** (house committee printing) by adding the following appropriately numbered SECTIONS to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION 2. ____ . Subchapter C, Chapter 39, Education Code, is amended by adding Section 39.0545 to read as follows:

Sec. 39.0545. ALTERNATIVE METHODS AND STANDARDS FOR EVALUATING PERFORMANCE FOR 2020-2021 SCHOOL YEAR. (a) This section applies to a campus:

(1) that meets the participation requirements for all students in all subject areas for the annual measurement of achievement under Section 1111, Every Student Succeeds Act (20 U.S.C. Section 6311(c)(4)(E));

(2) to which the most recent performance rating assigned, other than a "Not Rated" rating, is a D, F, or performance that needs improvement; and

(3) is not subject to the appointment of a board of managers under Section 39A.117(b).

(b) Notwithstanding any other law, the commissioner shall adopt rules to develop and implement alternative methods and standards for evaluating the performance for the 2020-2021 school year of a campus to which this section applies. The rules adopted under this section must evaluate a campus under the domains of indicators of achievement listed in Sections 39.053(c)(1) and (2).

(c) The commissioner shall review a campus to which this section applies under the alternative methods and standards adopted under Subsection (b) on the request of the school district in which the campus is located made by the deadline established by commissioner rule.

(d) An acceptable performance rating assigned under the alternative methods and standards adopted by the commissioner under Subsection (b) is considered a break in consecutive school years of unacceptable performance ratings under this code.

(e) This section does not apply to an intervention ordered on the basis of consecutive school years of unacceptable performance ratings accrued before the effective date of this section.

(f) This section expires September 1, 2027.

SECTION 2. _____. As soon as practicable after the effective date of this Act, the commissioner of education shall adopt rules to develop and implement alternative methods and standards for evaluating the performance of a campus for the 2020-2021 school year as required by Section 39.0545, Education Code, as added by this Act.

Amendment No. 5 was adopted.

CSHB 3270 - POINT OF ORDER

Representative Allen raised a point of order against further consideration of **CSHB 3270** under Rule 4, Section 32(c)(5), of the House Rules on the grounds that the comparison section of the bill analysis is materially misleading.

LEAVE OF ABSENCE GRANTED

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

Deshotel on motion of Bowers.

CSHB 3270 - (consideration continued)

The point of order was sustained and the speaker submitted the following ruling:

RULING BY THE SPEAKER

on House Bill 3270

Announced in the House on May 6, 2021

Representative Allen raises a point of order against further consideration of **CSHB 3270** under Rule 4, Section 32(c)(5), of the House Rules on the grounds that the comparison section of the bill analysis is materially misleading.

The comparison section of the bill analysis indicates that the substitute includes a provision not included in the original making amendments to provisions of law relating to special investigations by the commissioner of education applicable to investigations authorized or initiated before, on, or after the bill's effective date.

In fact, this provision is included in both the original and the substitute and the statement in the comparison that the provision appears only in the substitute is materially misleading.

Accordingly, the point of order is well-taken and sustained.

CSHB 3270 was returned to the Committee on Public Education.

COMMITTEE MEETING ANNOUNCEMENT

At 11:54 p.m., the following committee meeting was announced:

State Affairs, which was scheduled to reconvene today upon final adjournment or recess or during bill referral, if permission is granted, will not reconvene tonight.

FIVE-DAY POSTING RULE SUSPENDED

Representative Paddie moved to suspend the five-day posting rule to allow the Committee on State Affairs to consider **SB 2**, **SB 3**, **SB 14**, **SB 1202**, and **SB 2154** at 12 p.m. or upon final adjournment or recess or bill referral, if permission is granted, tomorrow in E1.004.

The motion prevailed.

HB 359 ON SECOND READING

(by Geren, Hunter, Burrows, Clardy, J.E. Johnson, et al.)

HB 359, A bill to be entitled An Act relating to recovery under uninsured and underinsured motorist insurance coverage.

HB 359 was passed to engrossment.

CSHB 3175 ON SECOND READING

(by Morrison, Ashby, Pacheco, Wilson, Coleman, et al.)

CSHB 3175, A bill to be entitled An Act relating to financial support and incentives for comprehensive regional universities.

Representative Morrison moved to postpone consideration of **CSHB 3175** until 10 a.m. Monday, May 10.

The motion prevailed.

HB 416 ON SECOND READING

(by Walle and Reynolds)

HB 416, A bill to be entitled An Act relating to plot plan requirements for an application for a standard permit for a concrete batch plant issued by the Texas Commission on Environmental Quality.

Representative Walle moved to postpone consideration of **HB 416** until 10 a.m. Tuesday, May 11.

The motion prevailed.

HB 2728 ON SECOND READING
(by Martinez Fischer)

HB 2728, A bill to be entitled An Act relating to the designation of January 27 as International Holocaust Remembrance Day.

HB 2728 was passed to engrossment.

MIDNIGHT

The proceedings continued after 12 a.m. and the following actions occurred on Friday, May 7:

CSHB 3416 ON SECOND READING
(by Darby)

CSHB 3416, A bill to be entitled An Act relating to indemnity agreements between contractors and subcontractors for services pertaining to certain wells or mines.

Representative Darby moved to postpone consideration of **CSHB 3416** until 10 a.m. today.

The motion prevailed.

CSHB 757 ON SECOND READING
(by Dutton)

CSHB 757, A bill to be entitled An Act relating to the consequences of receiving a grant of deferred adjudication community supervision and successfully completing the period of supervision.

CSHB 757 was passed to engrossment.

HB 2149 ON SECOND READING
(by Clardy)

HB 2149, A bill to be entitled An Act relating to temporary branch polling places.

Amendment No. 1

Representative Clardy offered the following amendment to **HB 2149**:

Amend **HB 2149** (house committee printing) as follows:

(1) On page 2, strike lines 1 and 2 and substitute the following:

(b) Except as provided by Subsection (c), voting at a temporary branch polling place may be conducted on any days and during any hours of the period

(2) On page 2, between lines 8 and 9, insert the following:

(c) Voting at a temporary branch polling place must be conducted on at least two consecutive business days and for at least eight consecutive hours on each of those days.

(3) On page 2, line 9, strike "(c)" and substitute "(d)".

Amendment No. 1 was adopted.

A record vote was requested by Representative Cason.

HB 2149, as amended, was passed to engrossment by (Record 839): 104 Yeas, 41 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bernal; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cortez; Crockett; Darby; Davis; Dominguez; Dutton; Ellzey; Fierro; Frank; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Kuempel; Lambert; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sherman; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, C.; Bell, K.; Biedermann; Bonnen; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Dean; Frullo; Harris; Hefner; Holland; Hull; Jetton; King, P.; Krause; Landgraf; Larson; Leman; Metcalf; Murr; Noble; Parker; Patterson; Paul; Sanford; Schaefer; Shaheen; Shine; Slaton; Slawson; Smith; Swanson; Tinderholt; Toth; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Deshotel; Raney.

Absent — Schofield.

STATEMENTS OF VOTE

When Record No. 839 was taken, I was shown voting yes. I intended to vote no.

Anderson

When Record No. 839 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 839 was taken, I was shown voting yes. I intended to vote no.

Goldman

When Record No. 839 was taken, I was shown voting yes. I intended to vote no.

Middleton

When Record No. 839 was taken, I was shown voting yes. I intended to vote no.

Oliverson

When Record No. 839 was taken, I was shown voting yes. I intended to vote no.

Spiller

When Record No. 839 was taken, I was shown voting yes. I intended to vote no.

Stucky

When Record No. 839 was taken, I was shown voting no. I intended to vote yes.

White

CSHB 3774 ON SECOND READING
(by Leach, Moody, Metcalf, and Landgraf)

CSHB 3774, A bill to be entitled An Act relating to the operation and administration of and practice and procedure related to proceedings in the judicial branch of state government.

Amendment No. 1

Representative Leach offered the following amendment to **CSHB 3774**:

Amend **CSHB 3774** (house committee report) as follows:

(1) On page 1, line 22, strike "Effective October 1, 2022,".

(2) Add the following appropriately numbered SECTIONS to ARTICLE 1 of the bill and renumber SECTIONS of the ARTICLE accordingly:

SECTION 1.____. (a) Subchapter C, Chapter 24, Government Code, is amended by adding Sections 24.60024 and 24.60099 to read as follows:

Sec. 24.60024. 477TH JUDICIAL DISTRICT (HIDALGO COUNTY). The 477th Judicial District is composed of Hidalgo County.

Sec. 24.60099. 476TH JUDICIAL DISTRICT (HIDALGO COUNTY). The 476th Judicial District is composed of Hidalgo County.

(b) The 476th and 477th Judicial Districts are created on the effective date of this Act.

SECTION 1.____. (a) Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.60028 to read as follows:

Sec. 24.60028. 483RD JUDICIAL DISTRICT (HAYS COUNTY). The 483rd Judicial District is composed of Hays County.

(b) The 483rd Judicial District is created on the effective date of this Act.

SECTION 1.____. (a) Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.60098 to read as follows:

Sec. 24.60098. 475TH JUDICIAL DISTRICT (SMITH COUNTY). The 475th Judicial District is composed of Smith County.

(b) Notwithstanding Section 24.026, Government Code, the initial vacancy in the office of judge of the 475th Judicial District shall be filled by election. The office exists for purposes of the primary and general elections in 2022. A vacancy after the initial vacancy is filled as provided by Section 28, Article V, Texas Constitution.

(c) The 475th Judicial District is created January 1, 2023.

(3) On page 3, line 23, immediately following "COURTS", insert "AND CONSTITUTIONAL COUNTY COURTS".

(4) On page 4, line 18, between "deputy" and "[~~he~~]", insert "clerk".

(5) Strike page 4, lines 26 and 27 and page 5, lines 1 through 3, and substitute the following:

~~provided by this subsection. [A deputy clerk of a county court at law is entitled to the same amount of compensation as received by the deputy clerks of the other county courts at law in Bexar County. The commissioners court shall pay the salary of a deputy clerk in equal monthly installments from county funds.]~~

(6) On page 5, strike lines 18 through 23, and substitute the following:
deputy clerk [he] is assigned. [A deputy clerk is entitled to receive an annual salary set by the judge in an amount that does not exceed the amount paid the deputies of the county courts at law of Bexar County. The salary shall be paid in equal monthly installments as provided by law for the payment of salaries of deputy clerks.]

(7) On page 9, line 13, strike "Effective January 1, 2023,".

(8) On page 11, line 27, strike "the effective date of this Act" and substitute "October 1, 2022".

(9) Add the following appropriately numbered SECTIONS to ARTICLE 2 of the bill and renumber SECTIONS of the ARTICLE accordingly:

SECTION 2.____. (a) Subchapter C, Chapter 25, Government Code, is amended by adding Sections 25.1331 and 25.1332 to read as follows:

Sec. 25.1331. KENDALL COUNTY. Kendall County has one statutory county court, the County Court at Law of Kendall County.

Sec. 25.1332. KENDALL COUNTY COURT AT LAW PROVISIONS. (a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Kendall County has:

(1) concurrent jurisdiction with the district court in state jail, third degree, and second degree felony cases on assignment from a district judge presiding in Kendall County and acceptance of the assignment by the judge of the county court at law to:

- (A) conduct arraignments;
- (B) conduct pretrial hearings;
- (C) accept guilty pleas and conduct sentencing;
- (D) conduct jury trials and nonjury trials;
- (E) conduct probation revocation hearings;
- (F) conduct post-trial proceedings; and
- (G) family law cases and proceedings; and

(2) jurisdiction in:

- (A) Class A and Class B misdemeanor cases;
- (B) probate proceedings;
- (C) disputes ancillary to probate, eminent domain, condemnation, or landlord and tenant matters relating to the adjudication and determination of land titles and trusts, whether testamentary, inter vivos, constructive, resulting, or any other class or type of trust, regardless of the amount in controversy or the remedy sought;

(D) eminent domain; and

(E) appeals from the justice and municipal courts.

(b) A judge of a county court at law shall be paid a total annual salary set by the commissioners court in an amount that is not less than \$1,000 less than the annual salary received by a district judge with equivalent years of service as a judge, as provided under Section 25.0005, to be paid out of the county treasury by the commissioners court.

(c) The district clerk serves as clerk of a county court at law in matters of concurrent jurisdiction with the district court, and the county clerk serves as clerk of a county court at law in all other matters. Each clerk shall establish a separate docket for a county court at law.

(d) The official court reporter of a county court at law is entitled to receive the same compensation and to be paid in the same manner as the court reporters of the district court in Kendall County.

(b) The County Court at Law of Kendall County is created on October 1, 2022.

SECTION 2. _____. (a) Sections 26.006(a) and (b), Government Code, are amended to read as follows:

(a) A county judge is entitled to an annual salary supplement from the state in an amount equal to 18 percent of the state base salary paid to a district judge as set by the General Appropriations Act in accordance with Section 659.012(a) if at least 18 [40] percent of the:

(1) functions that the judge performs are judicial functions; or

(2) total hours that the judge works are in the performance of judicial functions.

(b) To receive a supplement under Subsection (a), a county judge must file with the comptroller's judiciary section an affidavit stating that at least 18 [40] percent of the:

(1) functions that the judge performs are judicial functions; or

(2) total hours that the judge works are in the performance of judicial functions.

(b) The changes in law made by this section take effect on the effective date of this Act and apply only to a salary payment for a pay period beginning on or after that date. A salary payment for a pay period beginning before the effective date of this Act is governed by the law in effect on the date the pay period began, and that law is continued in effect for that purpose.

(10) Add the following appropriately numbered SECTIONS to ARTICLE 3 of the bill and renumber SECTIONS of the ARTICLE accordingly:

SECTION 3. _____. Article 4.14(g), Code of Criminal Procedure, is amended to read as follows:

(g) A municipality may enter into an agreement with a contiguous municipality or a municipality with boundaries that are within one-half mile of the municipality seeking to enter into the agreement to establish concurrent jurisdiction of the municipal courts in the municipalities and provide original jurisdiction to a municipal court in which a case is brought as if the municipal court were located in the municipality in which the case arose, for:

(1) all cases in which either municipality has jurisdiction under Subsection (a) or (b); and

(2) cases that arise under Section 821.022, Health and Safety Code.

SECTION 3. _____. Article 103.003, Code of Criminal Procedure, is amended by adding Subsection (a-1) to read as follows:

(a-1) The clerk of a municipal court may collect money payable to the municipal court under this title.

SECTION 3. _____. Article 103.0081, Code of Criminal Procedure, is amended to read as follows:

Art. 103.0081. UNCOLLECTIBLE FINES AND FEES. (a) Any officer authorized by this chapter to collect a fine, fee, or item of cost may request the trial court in which a criminal action or proceeding was held to make a finding that a fine, fee, or item of cost imposed in the action or proceeding is uncollectible if the officer believes:

(1) the defendant is deceased;

(2) the defendant is serving a sentence for imprisonment for life or life without parole; or

(3) the fine, fee, or item of cost has been unpaid for at least 15 years.

(b) On a finding by a court that any condition described by Subsections (a)(1)-(3) is true, the court may order the officer to designate the fine, fee, or item of cost as uncollectible in the fee record. The officer shall attach a copy of the court's order to the fee record.

SECTION 3. _____. Section 29.003(i), Government Code, is amended to read as follows:

(i) A municipality may enter into an agreement with a contiguous municipality or a municipality with boundaries that are within one-half mile of the municipality seeking to enter into the agreement to establish concurrent jurisdiction of the municipal courts in the municipalities and provide original jurisdiction to a municipal court in which a case is brought as if the municipal court were located in the municipality in which the case arose, for:

(1) all cases in which either municipality has jurisdiction under Subsection (a) or (b); and

(2) cases that arise under Section 821.022, Health and Safety Code, or Section 65.003(a), Family Code.

(11) Add the following appropriately numbered ARTICLE to the bill and renumber ARTICLES of the bill accordingly:

ARTICLE _____. DISTRICT AND COUNTY ATTORNEYS

SECTION _____. _____. Section 43.137, Government Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) In addition to exercising the duties and authority conferred on district attorneys by general law, the district attorney represents the state in the district and inferior courts in Ector County in all criminal cases, juvenile matters under Title 3, Family Code, and matters involving children's protective services.

(d) The district attorney has no power, duty, or privilege in any civil matter, other than civil asset forfeiture and civil bond forfeiture matters.

SECTION _____. Subchapter B, Chapter 45, Government Code, is amended by adding Section 45.168 to read as follows:

Sec. 45.168. ECTOR COUNTY. (a) It is the primary duty of the county attorney in Ector County to represent the state, Ector County, and the officials of the county in all civil matters, other than asset forfeiture and bond forfeiture matters for which the district attorney is responsible, pending before the courts of Ector County and any other court in which the state, Ector County, or the county officials have matters pending.

(b) The county attorney has no power, duty, or privilege in Ector County relating to criminal matters, juvenile matters under Title 3, Family Code, or matters involving children's protective services.

SECTION _____. Section 43.137, Government Code, as amended by this article, and Section 45.168, Government Code, as added by this article, apply only to a proceeding commenced on or after the effective date of this Act. A proceeding commenced before the effective date of this Act is governed by the law in effect on the date the proceeding was commenced, and the former law is continued in effect for that purpose.

(12) On page 15, line 15, immediately following the underlined semicolon, strike "and".

(13) On page 15, line 18, between "County" and the period, insert the following:
; and

15. The magistrates appointed by the judges of the district courts of Tom Green County

(14) Add the following appropriately numbered SECTIONS to ARTICLE 5 of the bill and renumber SECTIONS of the ARTICLE accordingly:

SECTION 5. _____. Articles 15.03(a), (c), and (f), Code of Criminal Procedure, are amended to read as follows:

(a) A magistrate may issue a warrant of arrest or a summons:

1. In any case in which he is by law authorized to order verbally the arrest of an offender;

2. When any person shall make oath before the magistrate or other person authorized by law to administer oaths that another has committed some offense against the laws of the State; and

3. In any case named in this Code where he is specially authorized to issue warrants of arrest.

(c) For purposes of Subdivision 2, Subsection (a), a person may appear before the magistrate or other person authorized by law to administer oaths in person or the person's image may be presented to the magistrate through an electronic broadcast system.

(f) In this article, "electronic broadcast system" means a two-way electronic communication of image and sound between a person and magistrate or other person authorized by law to administer oaths and includes secure Internet videoconferencing.

SECTION 5. _____. Article 18.0215(c), Code of Criminal Procedure, is amended to read as follows:

(c) A judge may issue a warrant under this article only on the application of a peace officer. An application must be written and signed and sworn to or affirmed before the judge or other person authorized by law to administer oaths. The application must:

- (1) state the name, department, agency, and address of the applicant;
- (2) identify the cellular telephone or other wireless communications device to be searched;
- (3) state the name of the owner or possessor of the telephone or device to be searched;
- (4) state the judicial district in which:
 - (A) the law enforcement agency that employs the peace officer is located, if the telephone or device is in the officer's possession; or
 - (B) the telephone or device is likely to be located; and
- (5) state the facts and circumstances that provide the applicant with probable cause to believe that:
 - (A) criminal activity has been, is, or will be committed; and
 - (B) searching the telephone or device is likely to produce evidence in the investigation of the criminal activity described in Paragraph (A).

SECTION 5. ____ . (a) Section 54.1501(b), Government Code, is amended to read as follows:

(b) The commissioners court shall establish the minimum qualifications, salary, benefits, and other compensation of each magistrate position and shall determine whether the position is full-time or part-time. ~~[The qualifications must require the magistrate to:~~

- ~~(1) have served as a justice of the peace or municipal court judge; or~~
- ~~(2) be an attorney licensed in this state.]~~

(b) Section 54.1502, Government Code, is amended to read as follows:

Sec. 54.1502. JURISDICTION. A magistrate has concurrent criminal jurisdiction with:

- (1) the judges of the justice of the peace courts of Burnet County; and
- (2) a municipal court in Burnet County, if approved by a memorandum of understanding between the municipality and Burnet County.

SECTION 5. ____ . Chapter 54, Government Code, is amended by adding Subchapter QQ to read as follows:

SUBCHAPTER QQ. CRIMINAL LAW MAGISTRATES IN TOM GREEN COUNTY

Sec. 54.2601. APPOINTMENT. (a) The judges of the district courts of Tom Green County, with the consent and approval of the commissioners court of Tom Green County, shall jointly appoint the number of magistrates set by the commissioners court to perform the duties authorized by this subchapter.

(b) Each magistrate's appointment must be made with the approval of at least two-thirds of all the judges described in Subsection (a).

(c) If the number of magistrates is less than the number of district judges, each magistrate shall serve equally in the courts of those judges.

Sec. 54.2602. QUALIFICATIONS. To be eligible for appointment as a magistrate, a person must:

- (1) be a resident of this state; and
- (2) have been licensed to practice law in this state for at least four

years.

Sec. 54.2603. COMPENSATION. (a) A full-time magistrate is entitled to the salary determined by the commissioners court of Tom Green County. The salary may not be less than an amount equal to the salary, supplements, and allowances paid to a justice of the peace of Tom Green County as set by the annual budget of Tom Green County.

(b) A magistrate's salary is paid from the county fund available for payment of officer's salaries.

(c) The salary of a part-time magistrate is equal to the per-hour salary of a full-time magistrate. The per-hour salary is determined by dividing the annual salary by a 2,080 work-hour year. The judges of the courts trying criminal cases in Tom Green County shall approve the number of hours for which a part-time magistrate is to be paid.

Sec. 54.2604. JUDICIAL IMMUNITY. A magistrate has the same judicial immunity as a district judge.

Sec. 54.2605. TERMINATION OF SERVICES. (a) A magistrate who serves a single court serves at the will of the judge.

(b) The services of a magistrate who serves more than one court may be terminated by a majority vote of all the judges whom the magistrate serves.

Sec. 54.2606. PROCEEDING THAT MAY BE REFERRED. (a) A judge may refer to a magistrate any criminal case or matter relating to a criminal case for proceedings involving:

(1) a negotiated plea of guilty or no contest and sentencing before the court;

(2) a bond forfeiture, remittitur, and related proceedings;

(3) a pretrial motion;

(4) a writ of habeas corpus;

(5) an examining trial;

(6) an occupational driver's license;

(7) a petition for an order of expunction under Chapter 55, Code of Criminal Procedure;

(8) an asset forfeiture hearing as provided by Chapter 59, Code of Criminal Procedure;

(9) a petition for an order of nondisclosure of criminal history record information or an order of nondisclosure of criminal history record information that does not require a petition provided by Subchapter E-1, Chapter 411;

(10) a motion to modify or revoke community supervision or to proceed with an adjudication of guilty;

(11) setting conditions, modifying, revoking, and surrendering of bonds, including surety bonds;

(12) specialty court proceedings;

(13) a waiver of extradition; and

(14) any other matter the judge considers necessary and proper.

(b) A judge may refer to a magistrate a civil case arising out of Chapter 59, Code of Criminal Procedure, for any purpose authorized by that chapter, including issuing orders, accepting agreed judgments, enforcing judgments, and presiding over a case on the merits if a party has not requested a jury trial.

(c) A magistrate may accept a plea of guilty from a defendant charged with misdemeanor, felony, or both misdemeanor and felony offenses.

(d) A magistrate may select a jury. A magistrate may not preside over a criminal trial on the merits, whether or not the trial is before a jury.

(e) A magistrate may not hear a jury trial on the merits of a bond forfeiture.

(f) A judge of a designated juvenile court may refer to a magistrate any proceeding over which a juvenile court has exclusive original jurisdiction under Title 3, Family Code, including any matter ancillary to the proceeding.

Sec. 54.2607. ORDER OF REFERRAL. (a) To refer one or more cases to a magistrate, a judge must issue an order of referral specifying the magistrate's duties.

(b) An order of referral may:

(1) limit the powers of the magistrate and direct the magistrate to report only on specific issues, perform particular acts, or only receive and report on evidence;

(2) set the time and place for the hearing;

(3) prescribe a closing date for the hearing;

(4) provide a date for filing the magistrate's findings;

(5) designate proceedings for more than one case over which the magistrate shall preside;

(6) direct the magistrate to call the court's docket; and

(7) provide the general powers and limitations of authority of the magistrate applicable to any case referred.

Sec. 54.2608. POWERS. (a) Except as limited by an order of referral, a magistrate to whom a case is referred may:

(1) conduct hearings;

(2) hear evidence;

(3) compel production of relevant evidence;

(4) rule on admissibility of evidence;

(5) issue summons for the appearance of witnesses;

(6) examine witnesses;

(7) swear witnesses for hearings;

(8) make findings of fact on evidence;

(9) formulate conclusions of law;

(10) rule on a pretrial motion;

(11) recommend the rulings, orders, or judgment to be made in a case;

(12) regulate proceedings in a hearing;

(13) accept a plea of guilty from a defendant charged with misdemeanor, felony, or both misdemeanor and felony offenses;

(14) select a jury;

(15) accept a negotiated plea on probation revocation;

(16) conduct a contested probation revocation hearing;

(17) sign a dismissal in a misdemeanor case;

(18) in any case referred under Section 54.656(a)(1), accept a negotiated plea of guilty or no contest and:

(A) enter a finding of guilty and impose or suspend the sentence; or

(B) defer adjudication of guilty; and

(19) perform any act and take any measure necessary and proper for the efficient performance of the duties required by the order of referral.

(b) A magistrate may sign a motion to dismiss submitted by an attorney representing the state on cases referred to the magistrate, or on dockets called by the magistrate, and may consider adjudicated cases at sentencing under Section 12.45, Penal Code.

(c) A magistrate has all the powers of a magistrate under the laws of this state and may administer an oath for any purpose.

Sec. 54.2609. COURT REPORTER. At the request of a party in a felony case, the court shall provide a court reporter to record the proceedings before the magistrate.

Sec. 54.2610. WITNESS. (a) A witness who appears before a magistrate and is sworn is subject to the penalties for perjury provided by law.

(b) A referring court may issue attachment against and may fine or imprison a witness whose failure to appear after being summoned or whose refusal to answer questions has been certified to the court.

Sec. 54.2611. PAPERS TRANSMITTED TO JUDGE. At the conclusion of the proceedings, a magistrate shall transmit to the referring court any papers relating to the case, including the magistrate's findings, conclusions, orders, recommendations, or other action taken.

Sec. 54.2612. JUDICIAL ACTION. (a) A referring court may modify, correct, reject, reverse, or recommit for further information any action taken by the magistrate.

(b) If the court does not modify, correct, reject, reverse, or recommit an action of the magistrate, the action becomes the decree of the court.

(c) At the conclusion of each term during which the services of a magistrate are used, the referring court shall enter a decree on the minutes adopting the actions of the magistrate of which the court approves.

Sec. 54.2613. MAGISTRATE. (a) If a magistrate appointed under this subchapter is absent or unable to serve, the judge referring the case may appoint another magistrate to serve for the absent magistrate.

(b) A magistrate serving for another magistrate under this section has the powers and shall perform the duties of the magistrate for whom the magistrate is serving.

Sec. 54.2614. CLERK. The clerk of a district court that refers a proceeding to a magistrate under this subchapter shall perform the statutory duties necessary for the magistrate to perform the duties authorized by this subchapter.

(15) On page 23, line 5, immediately following "CASES", insert "AND ELECTRONIC FILING SYSTEM".

(16) Add the following appropriately numbered SECTION to ARTICLE 7 of the bill and renumber SECTIONS of the ARTICLE accordingly:

SECTION 7. _____. (a) Section 72.031(a), Government Code, is amended by adding Subdivision (5) to read as follows:

(5) "State court document database" means a database accessible by the public and established or authorized by the supreme court for storing documents filed with a court in this state.

(b) Section 72.031(b), Government Code, is amended to read as follows:

(b) The office as authorized by supreme court rule or order may:

(1) implement an electronic filing system for use in the courts of this state;

(2) allow public access to view information or documents in the state court document database; and

(3) charge a reasonable fee for additional optional features in the state court document database.

(17) On page 30, line 16, strike "statement [~~affidavit~~]" and substitute "affidavit".

(18) On page 30, line 19, strike "statement [~~affidavit~~]" and substitute "affidavit".

(19) On page 31, line 9, strike "a statement [~~an affidavit~~]" and substitute "an affidavit".

(20) On page 31, line 27, strike "statement [~~affidavit~~]" and substitute "affidavit".

(21) On page 32, line 17, strike "a statement [~~an affidavit~~]" and substitute "an affidavit".

(22) On page 38, line 12, strike "treatment".

(23) Add the following appropriately numbered SECTION to ARTICLE 11 of the bill and renumber subsequent SECTIONS of the ARTICLE accordingly:

SECTION 11. _____. Section 434.032, Government Code, is amended by adding Subsection (c) to read as follows:

(c) The commissioners court of a county that maintains an office:

(1) may not consider a juror's donation to the office of the juror's daily reimbursement under Section 61.003 for purposes of determining the county's budget for the office; and

(2) may use donations described by Subdivision (1) only to supplement, rather than supplant, amounts budgeted by the county for the office.

(24) Add the following appropriately numbered ARTICLES to the bill and renumber subsequent ARTICLES accordingly:

ARTICLE _____. APPELLATE COURTS

SECTION _____. Subchapter A, Chapter 22, Government Code, is amended by adding Section 22.0042 to read as follows:

Sec. 22.0042. RULES REGARDING EXEMPTIONS FROM SEIZURE OF PROPERTY; FORM. (a) The supreme court shall adopt rules that:

(1) establish a simple and expedited procedure for a judgment debtor to assert an exemption to the seizure of personal property by a judgment creditor or a receiver appointed under Section 31.002, Civil Practice and Remedies Code;

(2) require a court to stay a proceeding, for a reasonable period, to allow for the assertion of an exemption under Subdivision (1); and

(3) require a court to promptly set a hearing and stay proceedings until a hearing is held, if a judgment debtor timely asserts an exemption under Subdivision (1).

(b) Rules adopted under this section shall require the provision of a notice in plain language to a judgment debtor regarding the right of the judgment debtor to assert one or more exemptions under Subsection (a)(1). The notice must:

(1) be in English with an integrated Spanish translation that can be readily understood by the public and the court;

(2) include the form promulgated under Subsection (c);

(3) list all exemptions under state and federal law to the seizure of personal property; and

(4) provide information for accessing free or low-cost legal assistance.

(c) Rules adopted under this section shall include the promulgation of a form in plain language for asserting an exemption under Subsection (a)(1). A form promulgated under this subsection must:

(1) be in English with an integrated Spanish translation that can be readily understood by the public and the court; and

(2) include instructions for the use of the form.

(d) A court shall accept a form promulgated under Subsection (c) unless the form has been completed in a manner that causes a substantive defect that cannot be cured.

SECTION _____. Not later than May 1, 2022, the Supreme Court of Texas shall adopt rules and promulgate forms under Section 22.0042, Government Code, as added by this article.

ARTICLE _____. PROCEDURES FOR CERTAIN DEFENDANTS

SECTION _____. Article 16.22(a)(1), Code of Criminal Procedure, is amended to read as follows:

(a)(1) Not later than 12 hours after the sheriff or municipal jailer having custody of a defendant [~~for an offense punishable as a Class B misdemeanor or any higher category of offense~~] receives credible information that may establish reasonable cause to believe that the defendant has a mental illness or is a person with an intellectual disability, the sheriff or municipal jailer shall provide written or electronic notice to the magistrate. The notice must include any information related to the sheriff's or municipal jailer's determination, such as information regarding the defendant's behavior immediately before, during, and after the defendant's arrest and, if applicable, the results of any previous assessment of the defendant. On a determination that there is reasonable cause to believe that the defendant has a mental illness or is a person with an intellectual disability, the magistrate, except as provided by Subdivision (2), shall order the service provider that contracts with the jail to provide mental health or intellectual and developmental disability services, the local mental health authority, the local intellectual and developmental disability authority, or another qualified mental health or intellectual and developmental disability expert to:

(A) interview the defendant if the defendant has not previously been interviewed by a qualified mental health or intellectual and developmental disability expert on or after the date the defendant was arrested for the offense for which the defendant is in custody and otherwise collect information regarding whether the defendant has a mental illness as defined by Section 571.003, Health and Safety Code, or is a person with an intellectual disability as defined by Section 591.003, Health and Safety Code, including, if applicable, information obtained from any previous assessment of the defendant and information regarding any previously recommended treatment or service; and

(B) provide to the magistrate a written report of an interview described by Paragraph (A) and the other information collected under that paragraph on the form approved by the Texas Correctional Office on Offenders with Medical or Mental Impairments under Section 614.0032(c), Health and Safety Code.

SECTION _____. Articles 16.22(b-1) and (d), Code of Criminal Procedure, are amended to read as follows:

(b-1) The magistrate shall provide copies of the written report to the defense counsel, the attorney representing the state, and the trial court. The written report must include a description of the procedures used in the interview and collection of other information under Subsection (a)(1)(A) and the applicable expert's observations and findings pertaining to:

(1) whether the defendant is a person who has a mental illness or is a person with an intellectual disability;

(2) subject to Article 46B.002, whether there is clinical evidence to support a belief that the defendant may be incompetent to stand trial and should undergo a complete competency examination under Subchapter B, Chapter 46B; and

(3) any appropriate or recommended treatment or service.

(d) This article does not prevent the applicable court from, before, during, or after the interview and collection of other information regarding the defendant as described by this article:

(1) releasing a defendant who has a mental illness or is a person with an intellectual disability from custody on personal or surety bond, including imposing as a condition of release that the defendant submit to an examination or other assessment; or

(2) subject to Article 46B.002, ordering an examination regarding the defendant's competency to stand trial.

SECTION _____. The change in law made by this article applies only to a person who is arrested on or after the effective date of this Act. A person arrested before the effective date of this Act is governed by the law in effect on the date the person was arrested, and the former law is continued in effect for that purpose.

ARTICLE _____. MISDEMEANOR CASES

SECTION _____. Article 15.17(b), Code of Criminal Procedure, is amended to read as follows:

(b) After an accused charged with a misdemeanor punishable by fine only is taken before a magistrate under Subsection (a) and the magistrate has identified the accused with certainty, the magistrate may release the accused without bond and order the accused to appear at a later date for arraignment in the applicable justice court or municipal court. The order must state in writing the time, date, and place of the arraignment, and the magistrate must sign the order. The accused shall receive a copy of the order on release. If an accused fails to appear as required by the order, the judge of the court in which the accused is required to appear shall issue a warrant for the arrest of the accused. If the accused is arrested and brought before the judge, the judge may admit the accused to bail, and in admitting the accused to bail, the judge should set as the amount of bail an amount double that generally set for the offense for which the accused was arrested. ~~[This subsection does not apply to an accused who has previously been convicted of a felony or a misdemeanor other than a misdemeanor punishable by fine only.]~~

SECTION _____. Article 45.016(c), Code of Criminal Procedure, as added by Chapter 1127 (**SB 1913**), Acts of the 85th Legislature, Regular Session, 2017, is amended to read as follows:

(c) If before the expiration of a 48-hour period following the issuance of the applicable order a defendant described by Subsection (b) remains in custody for a misdemeanor punishable by fine only and ~~[Subsections (b)(1) and (2)]~~ does not give a required bail bond, the justice or judge:

(1) shall reconsider the requirement for the defendant to give the bail bond and presume that the defendant does not have sufficient resources or income to give the bond; and

(2) may require the defendant to give a personal bond.

SECTION _____. Article 45.031, Code of Criminal Procedure, is amended to read as follows:

Art. 45.031. COUNSEL FOR STATE NOT PRESENT. (a) If the state is not represented by counsel when the case is called for trial, the justice or judge may:

(1) postpone the trial to a date certain;

(2) appoint any competent attorney as an attorney pro tem ~~[as provided by this code]~~ to represent the state, notwithstanding Article 2.07; or

(3) proceed to trial.

(b) An attorney appointed under Subsection (a) is qualified to perform the duties of the office of the attorney representing the state and may be paid a reasonable fee for performing those duties.

SECTION _____. The heading to Article 45.0445, Code of Criminal Procedure, is amended to read as follows:

Art. 45.0445. RECONSIDERATION OF SATISFACTION OF FINE OR COSTS.

SECTION _____. Article 66.252, Code of Criminal Procedure, is amended by adding Subsection (b-1) to read as follows:

(b-1) At any time before final disposition of the case, the justice or judge of a court having jurisdiction of the case of a misdemeanor described by Subsection (b)(3) may order a law enforcement officer to use the uniform incident fingerprint card to take the fingerprints of an offender who is charged with the misdemeanor, but was not placed under custodial arrest at the time of the offense.

SECTION _____. Article 45.016(c), Code of Criminal Procedure, as added by Chapter 977 (**HB 351**), Acts of the 85th Legislature, Regular Session, 2017, is repealed.

SECTION _____. The change in law made by this article applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION _____. The changes in law made by this article apply only to a misdemeanor case that is initially filed in a justice or municipal court on or after the effective date of this Act, regardless of whether the offense for which the case is filed occurred before, on, or after the effective date of this Act.

ARTICLE _____. COURT REPORTERS

SECTION _____. Article 39.03, Code of Criminal Procedure, is amended to read as follows:

Art. 39.03. OFFICERS WHO MAY TAKE ~~[THE]~~ DEPOSITION. (a) On ~~[Upon the]~~ filing of the ~~[such an]~~ affidavit and application under Article 39.02, the court shall appoint, order, or designate one of the following persons before whom the ~~[such]~~ deposition must ~~[shall]~~ be taken:

- (1) a ~~[1. A]~~ district judge; ~~[-]~~
- (2) a ~~[2. A]~~ county judge; ~~[-]~~
- (3) a ~~[3. A]~~ notary public; ~~[-]~~
- (4) a ~~[4. A]~~ district clerk; ~~[-]~~
- (5) a ~~[5. A]~~ county clerk; or
- (6) a court reporter.

(b) The ~~[Such]~~ order shall specifically name the ~~[such]~~ person before whom, ~~[and]~~ the time when, and the place where the ~~[such]~~ deposition must ~~[shall]~~ be taken. Failure of a witness to respond to the order is ~~[thereto, shall be]~~ punishable by contempt by the court. The ~~[Such]~~ deposition must ~~[shall]~~ be oral or written, as the court directs ~~[shall direct]~~.

SECTION _____. Chapter 42, Code of Criminal Procedure, is amended by adding Article 42.25 to read as follows:

Art. 42.25. FILING OF REPORTER NOTES. A court reporter may comply with Rule 13.6, Texas Rules of Appellate Procedure, by electronically filing with the trial court clerk not later than the 20th day after the expiration of the time the defendant is allotted to perfect the appeal the untranscribed notes created by the court reporter using computer-aided software.

SECTION _____. Section 52.001(a)(4), Government Code, is amended to read as follows:

(4) "Shorthand reporter" and "court reporter" mean a person who is certified as a court reporter, apprentice court reporter, or provisional court reporter under Chapter 154 to engage ~~[engages]~~ in shorthand reporting.

SECTION _____. Section 52.011, Government Code, is amended to read as follows:

Sec. 52.011. PROVISION OF SIGNED DEPOSITION CERTIFICATE; CERTIFICATE REQUIREMENTS ~~[CERTIFICATION]~~. (a) A court reporting firm representative or a court reporter who reported a deposition for a case shall complete and sign a deposition certificate, known as the further certification.

(b) On request of a court reporter who reported a deposition for a case, a court reporting firm shall provide the reporter with a copy of the deposition certificate ~~[document related to the deposition, known as the further certification.]~~ that the reporter has signed or to which the reporter's signature has been applied.

(c) The deposition certificate must include:

(1) a statement that the deposition transcript was submitted to the deponent or the deponent's attorney for examination and signature;

(2) the date the transcript was submitted to the deponent or the deponent's attorney;

(3) the date the deponent returned the transcript, if returned, or a statement that the deponent did not return the transcript;

(4) a statement that any changes the deponent made to the transcript are reflected in a separate document attached to the transcript;

(5) a statement that the transcript was delivered in accordance with Rule 203.3, Texas Rules of Civil Procedure;

(6) the amount charged for preparing the original deposition transcript;

(7) a statement that a copy of the certificate was served on all parties to the case; and

(8) the date the copy of the certificate was served on the parties to the case.

SECTION _____. Section 52.041, Government Code, is amended to read as follows:

Sec. 52.041. APPOINTMENT OF OFFICIAL COURT REPORTER. (a) Each judge of a court of record shall appoint an official court reporter. An official court reporter is a sworn officer of the court and holds office at the pleasure of the court.

(b) Notwithstanding any other law, a certified shorthand reporter may be appointed by more than one judge of a court of record to serve more than one court. A certified shorthand reporter appointed to serve as an official court reporter by more than one judge of a court of record may be an employee of more than one county or may serve more than one county as an official court reporter under contract with a county.

(c) An official court reporter may remotely serve any court to which the official court reporter is appointed and may remotely serve any other court of record with the approval of an appointing court and the agreement of the court reporter.

(d) An official court reporter may elect to serve the requesting court in person or, with the permission of the requesting court, remotely.

SECTION _____. Section 52.042, Government Code, is amended by adding Subsections (e) and (f) to read as follows:

(e) A certified shorthand reporter may be appointed by more than one judge of a court of record to serve as a deputy court reporter serving more than one court. A certified shorthand reporter appointed to serve as a deputy court reporter by more than one judge of a court of record may be an employee of more than one county or may serve more than one county as a deputy court reporter under contract with a county and the agreement of the court reporter.

(f) A deputy court reporter may remotely serve any court to which the official court reporter is appointed and may remotely serve any other court of record with the approval of an appointing court.

SECTION _____. Sections 52.046(b) and (d), Government Code, are amended to read as follows:

(b) An official court reporter [~~of a district court~~] may conduct the deposition of witnesses, receive, execute, and return commissions, and make a certificate of the proceedings in any county [~~that is included in the judicial district of that court~~].

(d) A judge of a county court or county court at law shall appoint a [~~certified~~] shorthand reporter to report the oral testimony given in any contested probate matter in that judge's court.

SECTION _____. Subchapter E, Chapter 52, Government Code, is amended by adding Section 52.060 to read as follows:

Sec. 52.060. MODEL INTERLOCAL AGREEMENT REGARDING COMPENSATION AND EXPENSES OF MULTI-COURT OFFICIAL COURT REPORTERS. (a) In this section, "office" means the Office of Court Administration of the Texas Judicial System.

(b) The office shall coordinate the development of a model interlocal agreement that may be used by counties or courts to share the compensation and expenses of an official court reporter or deputy court reporter who serves more than one court of record under Section 52.041 or 52.042, whether the deputy court reporter serves as an employee of one or more counties or courts or under contract to one or more counties or courts.

(c) The office shall develop the model interlocal agreement with the participation of the counties and courts of this state. The model interlocal agreement may include provisions for the compensation and expenses of an official court reporter or deputy court reporter serving remotely.

(d) A county or court is not required to use the model interlocal agreement developed under Subsection (b) and may enter into agreements as the counties or courts determine appropriate.

(e) In the event of a conflict between this subchapter and a model interlocal agreement or any other agreement between counties or courts for the compensation and expenses of official court reporters or deputy court reporters serving more than one court, this subchapter prevails.

SECTION _____. Chapter 72, Government Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. FACILITATION OF APPOINTMENT OF COURT REPORTERS TO ADDITIONAL COURTS

Sec. 72.161. DEFINITIONS. In this section:

(1) "Official court reporter" means a shorthand reporter appointed by a judge as an official court reporter.

(2) "Shorthand reporter" and "court reporter" mean a person who engages in shorthand reporting.

Sec. 72.162. OFFICIAL COURT REPORTER DATABASES. (a) The office shall develop one or more databases of official court reporters and deputy court reporters willing and authorized by an appointing court or courts to serve as a reporter in a court of this state other than the court to which the reporter is appointed when the reporter's duties to the appointing court or courts do not conflict with duties provided to the requesting court.

(b) An official reporter database must include:

(1) the court or courts served by each official court reporter and deputy court reporter;

(2) the contact information for each court identified under Subdivision (1);

(3) the name and contact information for each court reporter; and

(4) whether a reporter in the database is willing to serve as a temporary court reporter:

(A) only in person;

(B) only remotely; or

(C) both in person and remotely.

Sec. 72.163. The office shall facilitate communication between the courts of this state and official court reporters for purposes of matching court reporters with courts requesting the services of court reporters.

Sec. 72.164. The office, the courts of record of this state, and official court reporters and deputy court reporters may use an online service for matching court reporters with courts requesting the services of court reporters in a database established under Section 72.162(b). The service may be provided by a statewide trade association of court reporters with the permission of the trade association.

SECTION _____. Section 154.001(a)(4), Government Code, is amended to read as follows:

(4) "Shorthand reporter" and "court reporter" mean a person who is certified as a court reporter, apprentice court reporter, or provisional court reporter under this chapter to engage ~~engages~~ in shorthand reporting.

SECTION _____. Section 154.101(e), Government Code, is amended to read as follows:

(e) A person may not assume or use the title or designation "court recorder," "court reporter," or "shorthand reporter," or any abbreviation, title, designation, words, letters, sign, card, or device tending to indicate that the person is a court reporter or shorthand reporter, unless the person is certified as a shorthand reporter or provisional court reporter by the supreme court. Nothing in this

subsection shall be construed to either sanction or prohibit the use of electronic court recording equipment operated by a person who engages in shorthand reporting but is not certified as a [noncertified] court reporter pursuant and according to rules adopted or approved by the supreme court.

SECTION _____. Section 154.105, Government Code, is amended by amending Subsection (b) and adding Subsections (c), (d), and (e) to read as follows:

(b) A [certified] shorthand reporter may administer oaths to witnesses:

(1) anywhere in this state;

(2) in a jurisdiction outside this state if:

(A) the reporter is at the same location as the witness; and

(B) the witness is or may be a witness in a case filed in this state;

and

(3) at any location authorized in a reciprocity agreement between this state and another jurisdiction under Section 152.202(b).

(c) Notwithstanding Subsection (b), a shorthand reporter may administer an oath as provided under this subsection to a person who is or may be a witness in a case filed in this state without being at the same location as the witness:

(1) if the reporter is physically located in this state at the time the oath is administered; or

(2) as authorized in a reciprocity agreement between this state and another jurisdiction under Section 152.202(b) if:

(A) the witness is at a location in the other jurisdiction; and

(B) the reporter is at a location in the same jurisdiction as the

witness.

(d) The identity of a witness who is not in the physical presence of a shorthand reporter may be proven by:

(1) a statement under oath on the record by a party to the case stating that the party has actual knowledge of the witness's identity;

(2) a statement on the record by an attorney for a party to the case, or an attorney for the witness, verifying the witness's identity;

(3) a statement on the record by a notary who is in the presence of the witness verifying the witness's identity; or

(4) the witness's presentation for inspection by the court reporter of an official document issued by this state, another state, a federal agency, or another jurisdiction that verifies the witness's identity.

(e) A shorthand reporter to which this section applies shall state on the record and certify in each transcript of the deposition the physical location of:

(1) the witness; and

(2) the reporter.

SECTION _____. Section 154.112, Government Code, is amended to read as follows:

Sec. 154.112. EMPLOYMENT OF NONCERTIFIED PERSON FOR SHORTHAND REPORTING [REPORTERS]. (a) A person who is not certified as a court [noncertified shorthand] reporter may be employed to engage in shorthand reporting until a certified shorthand reporter is available.

(b) A person who is not certified as a court ~~[noncertified shorthand]~~ reporter may engage in shorthand reporting to report an oral deposition only if:

(1) the person ~~[noncertified shorthand reporter]~~ delivers an affidavit to the parties or to their counsel present at the deposition stating that a certified shorthand reporter is not available; or

(2) the parties or their counsel stipulate on the record at the beginning of the deposition that a certified shorthand reporter is not available.

(c) This section does not apply to a deposition taken outside this state for use in this state.

SECTION _____. (a) Except as provided by Subsection (b) of this section, the changes in law made by this article apply only to a deposition taken on or after the effective date of this Act. A deposition taken before that date is governed by the law in effect on the date the deposition was taken, and the former law is continued in effect for that purpose.

(b) Article 39.03, Code of Criminal Procedure, as amended by this article, applies only to a deposition taken in a criminal case in which an information is filed or an indictment is returned on or after the effective date of this Act. A deposition taken in a criminal case in which an information is filed or an indictment is returned before the effective date of this Act is governed by the law in effect when the information is filed or the indictment is returned, and the former law is continued in effect for that purpose.

ARTICLE _____. JUDICIAL ELECTIONS

SECTION _____. Section 141.035, Election Code, is amended to read as follows:

Sec. 141.035. APPLICATION AS PUBLIC INFORMATION. (a) An application for a place on the ballot, including an accompanying petition, is public information immediately on its filing.

(b) Notwithstanding Subsection (a), the home address of a state judge, as defined by Section 572.002(11-a), Government Code, listed on an application may only be made available to the public for in-person review at the office of the authority with whom the application for a place on the ballot is filed. Before a person reviews a state judge's home address, the authority with whom the application is filed must record the person's name, whom the person represents, and the date the person reviewed the state judge's home address. The authority with whom the application is filed must provide the recorded information to the state judge not later than the second day of the review. The authority with whom the application is filed shall retain the information for the time the authority maintains the ballot application.

SECTION _____. Section 572.032(b), Government Code, is amended to read as follows:

(b) Subject to Section 141.035(b), during ~~[During]~~ the one-year period following the filing of a financial statement, each time a person requests to see the financial statement, excluding the commission or a commission employee acting on official business, the commission shall place in the file a statement of

the person's name and address, whom the person represents, and the date of the request. The commission shall retain that statement in the file for one year after the date the requested financial statement is filed.

SECTION _____. Section 145.007(b), Local Government Code, is amended to read as follows:

(b) Subject to Section 141.035(b), until [Until] the first anniversary of the date a financial statement is filed, each time a person, other than the clerk or secretary of the municipality or an employee of the clerk or secretary who is acting on official business, requests to see the financial statement, the clerk or secretary shall place in the file a statement of the person's name and address, whom the person represents, and the date of the request. The clerk or secretary shall retain that statement in the file until the first anniversary of the date the requested financial statement is filed.

ARTICLE _____. REMOTE PROCEEDINGS

SECTION _____. Section 21.009, Government Code, is amended by adding Subdivision (5) to read as follows:

(5) "Remote proceeding" means a proceeding before a court in which one or more of the participants, including a judge, party, attorney, witness, court reporter, juror, or other individual, attends the proceeding remotely through the use of technology and the Internet.

SECTION _____. Chapter 21, Government Code, is amended by adding Section 21.013 to read as follows:

Sec. 21.013. OPTION FOR REMOTE PROCEEDING. (a) Notwithstanding any other law and except as limited by the United States Constitution, the Texas Constitution, rules adopted by the Texas Supreme Court, or this section, a court in this state as the court determines appropriate, on the court's own motion or on the motion of any party, may:

(1) conduct a hearing or other proceeding as a remote proceeding; and
(2) allow or require a judge, party, attorney, witness, court reporter, juror, or any other individual to participate in a remote proceeding, including a deposition, hearing, trial, or other proceeding.

(b) A court that elects to conduct a remote proceeding must:

(1) provide adequate notice of the remote proceeding to the parties to the proceeding;

(2) allow a party to file with the court a motion objecting to the remote proceeding and requesting an in-person proceeding not later than the 10th day after the date the party receives the notice; and

(3) provide a method for a person described by Subsection (a)(2) to notify the court that the person is unable to participate in the remote proceeding because the person is a person with a disability, lacks the required technology, or shows other good cause and:

(A) provide an alternate method for the person to participate that accommodates the disability, lack of technology, or other situation;

(B) allow the person to appear in person; or

(C) conduct the proceeding as an in-person proceeding.

(c) On the court's receipt from any party to a proceeding of a motion objecting to the conduct of the proceeding as a remote proceeding and requesting an in-person proceeding, the court shall consider the motion and grant the motion for good cause shown.

(d) In any contested adversarial or contested evidentiary criminal proceeding for an offense punishable by confinement, the prosecutor and defendant must each agree for the proceeding to be conducted as a remote proceeding. If the prosecutor or defendant does not agree, the proceeding may not be held as a remote proceeding.

(e) A district court, statutory county court, statutory probate court, or county court may not conduct a jury trial as a remote proceeding unless each party to the proceeding agrees to conduct the proceeding as a remote proceeding.

(f) For a jury trial that is to be conducted as a remote proceeding in a justice or municipal court, the court shall consider on the record any motion or objection related to proceeding with the trial not later than the seventh day before the trial date, except that if the motion or objection is made later than the seventh day before the trial date, the court must consider the motion or objection on the record as soon as practicable.

(g) A court that conducts a jury trial as a remote proceeding shall ensure all prospective jurors have access to the technology necessary to participate in the remote proceeding.

(h) A court that conducts a remote proceeding at a location other than the location the court regularly conducts proceedings must provide to the public reasonable notice of the location of the remote proceeding and an opportunity to observe the remote proceeding.

(i) The Office of Court Administration of the Texas Judicial System shall provide guidance and assistance to the extent possible to a court conducting a remote proceeding.

(j) For purposes of any law requiring notice or citation of the time and place for a proceeding, notice of the remote means by which the proceeding will be conducted and the method for accessing the proceeding through that remote means constitutes notice of the place for the proceeding.

SECTION _____. The following provisions are repealed:

- (1) Section 30.012(b), Civil Practice and Remedies Code; and
- (2) Section 54.012(b), Family Code.

SECTION _____. As soon as practicable after the effective date of this Act, the Texas Supreme Court shall adopt the rules necessary to implement the changes in law made by this article. Before adopting the rules, the supreme court must consult with interested parties, including prosecutors, criminal defense attorneys, judges, and representatives from the State Bar of Texas and Disability Rights Texas.

SECTION _____. The Texas Legislative Council, with the assistance of the Office of Court Administration of the Texas Judicial System, shall prepare for consideration by the 88th Legislature a nonsubstantive revision of the statutes of this state as necessary to reflect the changes in law made by this article.

Amendment No. 2

Representative Leach offered the following amendment to Amendment No. 1:

Amend Amendment No. 1 by Leach to **CSHB 3774** as follows:

(1) On page 1, between lines 2 and 3, insert the following appropriately numbered items and renumber items of the amendment accordingly:

() On page 2, line 14, immediately following "(HARRIS COUNTY)", insert "(a)".

() On page 2, between lines 15 and 16, insert the following:

(b) The 482nd District Court shall give preference to criminal cases.

(2) On page 1, line 7, strike "Sections 24.60024 and" and substitute "Section".

(3) On page 1, strike lines 9 and 10.

(4) On page 1, line 13, strike "and 477th Judicial Districts are" and substitute "Judicial District is".

(5) On page 1, lines 19 through 20, strike "the effective date of this Act" and substitute "September 1, 2022".

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

CSHB 3774, as amended, was passed to engrossment.

HB 2485 ON SECOND READING

(by Herrero and Moody)

HB 2485, A bill to be entitled An Act relating to the exemption of certain firefighters and police officers from jury service.

HB 2485 was passed to engrossment.

CSHB 2525 ON SECOND READING

(by Huberty, Murphy, Dutton, Harless, and Walle)

CSHB 2525, A bill to be entitled An Act relating to the creation of the Lake Houston Dredging and Maintenance District; providing the authority to issue bonds; providing authority to impose assessments and fees.

CSHB 2525 was passed to engrossment.

CSHB 2331 ON SECOND READING

(by Cortez)

CSHB 2331, A bill to be entitled An Act relating to procedures governing declared disasters for the Texas Department of Criminal Justice.

CSHB 2331 was passed to engrossment.

CSHB 3963 ON SECOND READING

(by K. King, Capriglione, Goodwin, Canales, and Ashby)

CSHB 3963, A bill to be entitled An Act relating to the placement of electric vehicle charging equipment on state property.

Amendment No. 1

Representative K. King offered the following amendment to **CSHB 3963**:

Amend **CSHB 3963** (house committee report) as follows:

(1) On page 1, line 8, strike "ON STATE PROPERTY" and substitute "IN STATE PARK".

(2) On page 1, strike lines 18-21, and substitute the following:

(b) A state agency in charge and control of a state park may enter into an agreement authorizing a charging provider to place and maintain electric vehicle charging equipment in the park.

(3) On page 2, line 3, between "the" and "property", insert "state park".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Geren offered the following amendment to **CSHB 3963**:

Amend **CSHB 3963** (house committee report) on page 2, between lines 3 and 4, by inserting the following:

(d) An agreement executed by the Parks and Wildlife Department with another person under this section must contain a provision requiring any cost associated with placing and maintaining electric vehicle charging equipment, including costs incurred for electricity, to be paid by the other person.

Amendment No. 2 was adopted.

CSHB 3963, as amended, was passed to engrossment.

CSHB 775 ON SECOND READING

(by Walle)

CSHB 775, A bill to be entitled An Act relating to the adoption of noise regulations by certain counties; creating a criminal offense; authorizing fees.

CSHB 775 was passed to engrossment.

CSHB 1237 ON SECOND READING

(by White, Thierry, et al.)

CSHB 1237, A bill to be entitled An Act relating to adverse disproportionalities within the child protective services system.

CSHB 1237 was passed to engrossment.

HB 913 ON SECOND READING

(by Dutton)

HB 913, A bill to be entitled An Act relating to an award of costs and attorney's fees and the imposition of sanctions in certain suits for the dissolution of a marriage or affecting the parent-child relationship.

HB 913 was passed to engrossment.

CSHB 1069 ON SECOND READING
(by Harris, et al.)

CSHB 1069, A bill to be entitled An Act relating to the carrying of a handgun by certain first responders.

Amendment No. 1

Representative Harris offered the following amendment to **CSHB 1069**:

Amend **CSHB 1069** (house committee printing), on page 8, line 25, between "fire protection personnel" and "and emergency medical" by inserting "as defined by Section 419.021, Government Code,".

Amendment No. 1 was adopted.

CSHB 1069, as amended, was passed to engrossment. (Rodriguez recorded voting no.)

HB 3482 ON SECOND READING
(by Rose and Rodriguez)

HB 3482, A bill to be entitled An Act relating to the definition of "indigent defense compensation expenditures" for purposes of the adjustment of a county's no-new-revenue maintenance and operations rate to reflect increases in those expenditures.

Amendment No. 1

Representative Rose offered the following amendment to **HB 3482**:

Amend **HB 3482** (committee printing) as follows:

On page 1, line 18, strike the word "or" and replace it with the word "and".

Amendment No. 1 was adopted.

HB 3482, as amended, was passed to engrossment.

CSHB 458 ON SECOND READING
(by Shaheen)

CSHB 458, A bill to be entitled An Act relating to the collection and enforcement of withholding of income for the payment of child support.

CSHB 458 was passed to engrossment.

CSHB 4066 ON SECOND READING
(by Lucio and Larson)

CSHB 4066, A bill to be entitled An Act relating to the adoption by the Railroad Commission of Texas of a permit by rule for the beneficial reuse of domestic wastewater and mobile drinking water treatment system wastewater produced at certain oil and gas drilling sites.

CSHB 4066 was passed to engrossment.

CSHB 4294 ON SECOND READING
(by Metcalf)

CSHB 4294, A bill to be entitled An Act relating to the organization and efficient operation of the legislative branch of state government through joint entities.

CSHB 4294 was passed to engrossment.

HB 1753 ON SECOND READING
(by Oliverson)

HB 1753, A bill to be entitled An Act relating to certain required reports under the Texas workers' compensation system.

HB 1753 was passed to engrossment.

HB 2281 ON SECOND READING
(by Hefner)

HB 2281, A bill to be entitled An Act relating to the prosecution of the offense of possessing a weapon in certain prohibited places associated with schools or postsecondary educational institutions.

HB 2281 was passed to engrossment. (Rodriguez recorded voting no.)

HB 2556 ON SECOND READING
(by Neave, C. Morales, Guillen, Minjarez, Rodriguez, et al.)

HB 2556, A bill to be entitled An Act relating to designating September 30 as Vanessa Guillén Day.

HB 2556 was passed to engrossment.

CSHB 2911 ON SECOND READING
(by White)

CSHB 2911, A bill to be entitled An Act relating to next generation 9-1-1 service; increasing a fee.

CSHB 2911 was passed to engrossment. (Leach recorded voting no.)

HB 3073 ON SECOND READING
(by Shaheen)

HB 3073, A bill to be entitled An Act relating to a requirement that state agencies make agency guidance documents accessible to the public.

HB 3073 was passed to engrossment.

CSHB 3107 ON SECOND READING
(by Clardy, Klick, and Cain)

CSHB 3107, A bill to be entitled An Act relating to election practices and procedures.

Amendment No. 1

Representative Morales Shaw offered the following amendment to **CSHB 3107**:

Amend **CSHB 3107** (house committee report) on page 27 by striking lines 3 through 5 and substituting the following:
the application is submitted not later than the date specified in Section 84.007(c)
~~[close of regular business in the clerk's office on the day before the first day of the period for early voting by personal appearance].~~

Amendment No. 1 was adopted.

Amendment No. 2

Representative Raymond offered the following amendment to **CSHB 3107**:

Amend **CSHB 3107** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 501, Election Code, is amended by adding Section 501.0351 to read as follows:

Sec. 501.0351. ISSUE ON SUNDAY OR HOLIDAY SALE OF LIQUOR.
(a) Notwithstanding Section 105.01, Alcoholic Beverage Code, in an area where the sale of liquor for off-premise consumption has been legalized, a local option election may be held to prohibit or legalize the sale on Sunday or a holiday of liquor for off-premise consumption.

(b) The ballot shall be prepared to permit voting for or against the issue: "The sale on Sunday or a holiday of liquor for off-premise consumption."

Amendment No. 2 was adopted. (The vote was reconsidered later today, and Amendment No. 2 was withdrawn.)

CSHB 3107, as amended, was passed to engrossment. (The vote was reconsidered later today, Amendment No. 2 was withdrawn, and **CSHB 3107**, as amended, was passed to engrossment.)

CSHB 3626 ON SECOND READING
(by Romero, Frank, and Coleman)

CSHB 3626, A bill to be entitled An Act relating to the licensing of marriage and family therapists, marriage and family therapist associates, professional counselors, and professional counselor associates, including certain out-of-state applicants.

Amendment No. 1

Representative Romero offered the following amendment to **CSHB 3626**:

Amend **CSHB 3626** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 505.3575, Occupations Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) Notwithstanding any other licensing requirement of this subchapter:

(1) the executive council may not require an applicant who is licensed in good standing in another state to pass a licensing examination conducted by the executive council under Section 505.354 if an applicant with substantially equivalent experience who resides in this state would not be required to take the licensing examination; ~~and~~

(2) the executive council may waive the requirement that an applicant not otherwise described by Subdivision (1) pass a licensing examination conducted by the executive council under Section 505.354 if the applicant:

(A) is licensed in good standing in another state to independently practice as a social worker; and

(B) has independently practiced as a licensed social worker in that state for at least one year preceding the date the application is submitted; and

(3) the executive council may issue a license to an applicant who is currently licensed in another state to independently practice social work if:

(A) after an assessment, the executive council determines that the applicant:

(i) demonstrates sufficient experience and competence, subject to Subsection (c);

(ii) has passed the jurisprudence examination conducted by the executive council under Section 505.3545; and

(iii) at the time of the application, is in good standing with the regulatory agency of the state in which the applicant is licensed; and

(B) the applicant presents to the executive council credentials that the applicant obtained from a national accreditation organization and the executive council determines that the requirements to obtain the credentials are sufficient to minimize any risk to public safety.

(c) An applicant satisfies the requirements of Subsection (a)(3)(A)(i) if the applicant:

(1) is licensed in good standing in another state to independently practice as a social worker; and

(2) has independently practiced as a licensed social worker in that state for at least one year preceding the date the application is submitted.

Amendment No. 1 was adopted.

CSHB 3626, as amended, was passed to engrossment.

CSHB 3459 ON SECOND READING
(by Bonnen)

CSHB 3459, A bill to be entitled An Act relating to preauthorization requirements for certain medical and health care services and utilization review for certain health benefit plans.

CSHB 3459 was passed to engrossment.

HB 3627 ON SECOND READING
(by Paddie and Raymond)

HB 3627, A bill to be entitled An Act relating to the authority of a governmental body impacted by a catastrophe to temporarily suspend the requirements of the public information law.

Representative Krause moved to postpone consideration of **HB 3627** until 10 a.m. Monday, May 10.

The motion prevailed.

CSHB 764 ON SECOND READING
(by Krause, Landgraf, Burns, Slawson, et al.)

CSHB 764, A bill to be entitled An Act relating to the academic assessment of public school students.

Amendment No. 1

Representative VanDeaver offered the following amendment to **CSHB 764**:

Amend **CSHB 764** (house committee printing) by striking page 23, lines 5 through 24, and substituting the following:

(a) The commissioner shall adopt rules requiring a student in the foundation high school program under Section 28.025 to be administered each ~~an end of course~~ assessment instrument selected under ~~listed in~~ Section 39.023(c) by the school district ~~only for a course~~ in which the student is enrolled ~~and for which an end of course assessment instrument is administered~~. Each student's performance on an assessment instrument selected under Section 39.023(c) shall be evaluated to determine whether the ~~[A]~~ student achieved ~~[is required to achieve]~~ a scale score that indicates satisfactory performance, as determined by the commissioner under Section 39.0241(a) ~~[, on each end of course assessment instrument administered to the student]~~. The results of the administration of an assessment instrument administered under Section 39.023(c) may not be used as criteria for graduation. The results may be used only for the purpose of diagnosing the academic strengths and deficiencies of a student and guiding specific instruction to the student. [For each scale score required under this subsection that is not based on a 100 point scale scoring system, the commissioner shall provide for conversion, in accordance with commissioner rule, of the scale score to an equivalent score based on a 100 point scale scoring system. A student may not receive a high school diploma until the student has performed satisfactorily on end of course assessment instruments in the manner provided under this subsection.] This subsection does not require a student to demonstrate readiness to enroll in an institution of higher education.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Burns offered the following amendment to **CSHB 764**:

Amend **CSHB 764** (house committee report) as follows:

(1) On page 13, line 3, strike "(h-1)" and substitute "(b-2), (b-3), (h-1)".

(2) On page 13, between lines 25 and 26, insert the following:

(b-2) Notwithstanding Subsection (b), (b-1), or any other law, and to the extent consistent with federal law, the parent of or person standing in parental relation to a student with significant cognitive disabilities may request that the student be exempted from the administration of an alternative assessment instrument adopted or developed under Subsection (b) or (b-1). If a parent or person standing in parental relation makes a request for exemption under this subsection, the student's admission, review, and dismissal committee, in consultation with the parent or person standing in parental relation, shall determine if the student should be exempted from administration of the alternative assessment instrument. If the student is exempted from administration of the alternative assessment instrument under this subsection, the student must be assessed in the applicable subject using the alternative assessment method developed under Subsection (b-3).

(b-3) The commissioner, in consultation with stakeholders, including parents of and persons standing in parental relation to students with significant cognitive disabilities, shall develop for each applicable subject an alternative assessment method for the assessment of students who receive an exemption from the administration of an alternative assessment instrument under Subsection (b-2). The criteria for the assessment method must include progress on the goals identified in the student's individualized education plan. The commissioner shall adopt rules necessary to implement this subsection.

(3) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 39, Education Code, is amended by adding Section 39.0547 to read as follows:

Sec. 39.0547. EVALUATING SPECIALIZED SUPPORT CAMPUSES. (a) In this section, "specialized support campus" means a school district campus that:

(1) has a campus identification number;

(2) serves students enrolled in any grade level at which state assessment instruments are administered; and

(3) has a student enrollment in which:

(A) at least 90 percent of students receive special education services under Subchapter A, Chapter 29; and

(B) a significant percentage of the students required to take an assessment instrument under Section 39.023:

(i) take an alternative assessment instrument under Section 39.023(b) or (b-1); and

(ii) are unable to provide an authentic academic response on that assessment instrument.

(b) The commissioner, in consultation with administrators of specialized support campuses, teachers at specialized support campuses, parents and guardians of students enrolled at specialized support campuses, and other stakeholders, by rule shall establish appropriate accountability guidelines under this chapter for use by a specialized support campus in developing an alternative

accountability plan under Subsection (c) based on the specific student population served by the campus. The commissioner shall provide for public notice and comment in adopting rules under this subsection.

(c) A specialized support campus may develop and submit to the commissioner for approval an alternative accountability plan tailored to the student population served by the campus, based on the guidelines established under Subsection (b). The commissioner may approve the alternative accountability plan only if the plan:

- (1) follows the guidelines established under Subsection (b); and
- (2) complies with applicable federal law.

(d) Notwithstanding any other provision of this code, if the commissioner approves an alternative accountability plan developed by a specialized support campus under Subsection (c), the commissioner shall determine, report, and consider the performance of students enrolled at the campus using that plan.

(e) Not later than December 1, 2024, the commissioner shall submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing legislative committees with primary jurisdiction over public education a report on the effectiveness of this section in evaluating specialized support campuses and any recommendations for legislative or other action.

(f) This section expires September 1, 2025.

SECTION _____. Not later than January 1, 2022, the Texas Education Agency shall apply to the United States Department of Education for a waiver of the annual alternate assessment of students with significant cognitive disabilities required under the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.) and the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.).

Amendment No. 2 was adopted.

Amendment No. 3

Representative Dean offered the following amendment to **CSHB 764**:

Amend **CSHB 764** (house committee printing) as follows:

(1) On page 20, line 15, strike "Section 39.02342" and substitute "Sections 39.02342 and 39.0239".

(2) On page 23, between lines 1 and 2, insert the following:

Sec. 39.0239. ADMINISTRATION OF ASSESSMENT INSTRUMENTS AND TEMPORARY SUSPENSION OF CERTAIN ACCOUNTABILITY MEASURES DURING DISASTER. (a) If, during a school year, a statewide disaster declared by the president of the United States under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. Section 5121 et seq.) or by the governor under Chapter 418, Government Code, significantly disrupts school district operations, including in-person attendance, in a majority of school districts in this state, the commissioner shall apply to the United States Department of Education for a waiver of the requirement under the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.) to administer assessment instruments during that school year.

(b) If the United States Department of Education fails to grant a waiver requested under Subsection (a), the assessment instruments shall be administered as required under Section 39.023 during the applicable school year, but, notwithstanding any other law, the commissioner may not consider the results of the assessment instruments for purposes of:

(1) evaluating school district or campus performance under this chapter for the applicable school year, including in determining:

(A) the performance rating to assign to each district or campus under Section 39.054; or

(B) whether to impose any intervention or sanction authorized by Chapter 39A after the applicable school year on each district or campus; or

(2) determining a student's qualification for promotion or graduation.

(3) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. As soon as practicable after the effective date of this Act, the commissioner of education shall apply to the United States Department of Education for a statewide waiver of the annual assessment of students required under the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.) for the 2020-2021 school year.

Amendment No. 3 was adopted.

CSHB 764, as amended, was passed to engrossment.

CSHB 4437 ON SECOND READING
(by Walle)

CSHB 4437, A bill to be entitled An Act relating to the authority of certain counties to consider a prospective contractor's principal place of business when awarding certain contracts.

Amendment No. 1

Representative C. Bell offered the following amendment to **CSHB 4437**:

Amend **CSHB 4437** (house committee report) as follows:

(1) On page 1, line 15, between "county" and "if", insert "or in a contiguous county".

(2) On page 1, line 19, between "county" and the underlined semicolon, insert "or in a contiguous county".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Paul offered the following amendment to **CSHB 4437**:

Amend **CSHB 4437** (house committee report) on page 2, between lines 3 and 4, by inserting:

(d) This section does not apply to a contract for professional services governed by Subchapter A, Chapter 2254, Government Code.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Cason offered the following amendment to **CSHB 4437**:

Amend **CSHB 4437** (house committee report) on page 2, between lines 3 and 4, by inserting the following:

(d) A county may not award a contract to a bidder under this section if a person who approves the contract is related to the bidder within the third degree by consanguinity or within the second degree by affinity, as described by Subchapter B, Chapter 573, Government Code.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Cason offered the following amendment to **CSHB 4437**:

Amend **CSHB 4437** (house committee report) on page 2, between lines 3 and 4, by inserting the following:

(d) A county may not award a contract to a bidder under this section if a person who approves the contract has financial ties to the bidder.

Amendment No. 4 was adopted.

CSHB 4437, as amended, was passed to engrossment.

CSHB 1501 ON SECOND READING (by Dean, Deshotel, Bowers, and Metcalf)

CSHB 1501, A bill to be entitled An Act relating to certain regulations adopted by a governmental entity restricting the use of a natural gas or propane appliance or other system or component.

CSHB 1501 was passed to engrossment.

CSHB 3418 ON SECOND READING (by Fierro)

CSHB 3418, A bill to be entitled An Act relating to the state purchasing preference for recycled, remanufactured, or environmentally sensitive products.

CSHB 3418 was passed to engrossment.

SB 1230 ON SECOND READING (Pacheco - House Sponsor)

SB 1230, A bill to be entitled An Act relating to establishing the Texas Commission on Community College Finance.

SB 1230 was considered in lieu of **HB 3351**.

Amendment No. 1

Representative Pacheco offered the following amendment to **SB 1230**:

Amend **SB 1230** as follows:

(1) On page 2, strike lines 10 and 11 and substitute the following appropriately numbered subdivision:

() one individual who is an administrator of a public junior college as defined by Section 61.003, a business leader, or a stakeholder knowledgeable in junior college mission, instructional programs, and finance.

(2) On page 3, between lines 11 and 12, insert the following appropriately lettered subsection:

() To inform the recommendations required under Subsection (h), the commission may examine and make recommendations on other policy and finance matters, including:

- (1) workforce demand and skills gaps;
- (2) dual credit programs and costs;
- (3) variation between taxing districts and service areas;
- (4) student graduation, transfer, and success metrics; and
- (5) the relationship between economic cycles and student enrollment.

(3) On page 3, between lines 17 and 18, insert the following appropriately lettered subsection:

() The governor shall designate the presiding officer of the commission.

(4) Reletter subsections appropriately.

Amendment No. 1 was adopted.

SB 1230, as amended, was passed to third reading.

HB 3351 - LAID ON THE TABLE SUBJECT TO CALL

Representative Pacheco moved to lay **HB 3351** on the table subject to call.

The motion prevailed.

CSHB 3662 ON SECOND READING **(by Buckley, Shine, Kacal, and Talarico)**

CSHB 3662, A bill to be entitled An Act relating to the award of health plan provider contracts under the Medicaid managed care program.

CSHB 3662 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE CROCKETT: It has been stated that **CSHB 3662** only applies to an MCO with an existing contract in a specific service area. Is that correct?

REPRESENTATIVE BUCKLEY: Yes, that's correct.

CROCKETT: Okay. So for legislative purposes, is it your intent that the guaranty contract contemplated by your bill only applies to the described hospital in their existing contracted service area and that it will not affect other hospital plans like Parkland in Dallas?

BUCKLEY: That is correct. There are two provisions in the bill that actually speak to that, and it absolutely restrains this plan to remain within the Central Texas Medicaid Rural Service Area.

CROCKETT: Can you point me exactly to that part of it just so that I've got it?

BUCKLEY: Absolutely. On page 2, Subsection (4) states that "if the commission does not have an existing contract with a managed care organization in a health care service region under Subdivision (1), (2), or (3) on September 1." September 1, 2021, is very crucial because that locks us in. It creates a time certain that this takes effect so that this preference only remains within the Central Texas Medicaid Rural Service Area.

REPRESENTATIVE TINDERHOLT: You and I talked kind of at length about this bill a little while ago, is that correct?

BUCKLEY: Sure.

TINDERHOLT: And I had the same concerns. So just to quell any issues from people in my district, page 2, Subsection (4), which is right in the center and that you showed me, is very specific that this is not going to creep into other counties. It's not going to cause issues for me in Tarrant County, for her in Dallas, and it's not going to cause problems in the other 250-ish counties across the state. It's strictly going to stay right there in your area and it will not and cannot grow anywhere else in the state.

BUCKLEY: That is correct. And again, when you look at that capturing a moment in time on September 1, 2021, this prevents this community-based health plan and its subsequent hospital system from meeting a mandate criteria in any other area. It remains only in the Central Texas Medicaid Rural Service Area.

TINDERHOLT: And so just to be clear, your legislative intent on this bill is to not let this happen outside of your area there in central Texas.

BUCKLEY: That is the legislative intent.

REMARKS ORDERED PRINTED

Representative Tinderholt moved to print remarks between Representative Buckley and Representative Tinderholt on **CSHB 3662**.

The motion prevailed.

CSHB 3662 was passed to engrossment. (Darby recorded voting no.)

**HB 1423 ON SECOND READING
(by Campos)**

HB 1423, A bill to be entitled An Act relating to the regulation and inspection procedures of certain long-term care facilities.

REMARKS ORDERED PRINTED

Representative Crockett moved to print remarks between Representative Buckley and Representative Crockett on **CSHB 3662**.

The motion prevailed.

HB 1423 - (consideration continued)

HB 1423 was passed to engrossment.

**CSHB 3669 ON SECOND READING
(by Dean)**

CSHB 3669, A bill to be entitled An Act relating to the disposition by a public junior college library of certain library materials.

CSHB 3669 was passed to engrossment.

CSHB 1676 ON SECOND READING
(by Goodwin, Guerra, Talarico, Toth, Kacal, et al.)

CSHB 1676, A bill to be entitled An Act relating to child water safety requirements for certain organizations; authorizing disciplinary action, including an administrative penalty.

Amendment No. 1

Representative Goodwin offered the following amendment to **CSHB 1676**:

Amend **CSHB 1676** (house committee report) as follows:

(1) On page 1, strike lines 20 and 21 and substitute the following:

(b) This section does not apply to:

(1) a youth camp licensed under Chapter 141; or

(2) a residential child-care facility as defined by Section 42.002, Human Resources Code.

(2) On page 2, strike lines 4 and 5, and substitute "access to a body of water shall require the child's parent or legal guardian to".

(3) On page 2, strike lines 8 through 13, and substitute "water".

(4) On page 2, line 14, between "(e)" and the underlined comma, insert "and if the organization conducts an activity that provides a child access to a body of water".

(5) On page 3, line 14, strike "organization's" and substitute "agency's".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Toth offered the following amendment to **CSHB 1676**:

Amend **CSHB 1676** (house committee report) on page 1, line 15, by striking "18" and substituting "12".

Amendment No. 2 was adopted.

CSHB 1676, as amended, was passed to engrossment. (Leach recorded voting no.)

HB 3927 ON SECOND READING
(by Hefner)

HB 3927, A bill to be entitled An Act relating to the issuance and use of certain temporary motor vehicle tags and the classification of temporary motor vehicle tags as governmental records for purposes of certain criminal offenses.

Amendment No. 1

Representative Hefner offered the following amendment to **HB 3927**:

Amend **HB 3927** (house committee printing) as follows:

(1) Strike page 1, lines 12 through 16, and substitute the following: department. The department may [~~not~~] deny access to the database to any dealer who holds a general distinguishing number issued under this chapter or who is licensed under Chapter 2301, Occupations Code, or to any converter licensed under Chapter 2301, Occupations Code.

(2) Strike page 1, line 24, through page 2, line 3, and substitute the following:

required by Section 503.063(e). The department may ~~not~~ deny access to the database to any dealer who holds a general distinguishing number issued under this chapter or who is licensed under Chapter 2301, Occupations Code.

Amendment No. 1 was adopted.

HB 3927, as amended, was passed to engrossment.

CSHB 2633 ON SECOND READING

(by A. Johnson, S. Thompson, Bonnen, Howard, Leach, et al.)

CSHB 2633, A bill to be entitled An Act relating to resources provided to human trafficking victims and the establishment of the trafficked persons grant program.

CSHB 2633 was passed to engrossment.

HB 4612 ON SECOND READING

(by Vasut)

HB 4612, A bill to be entitled An Act relating to the creation of the Brazoria County Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4612 was passed to engrossment.

HB 546 ON SECOND READING

(by Pacheco)

HB 546, A bill to be entitled An Act relating to the application of certain occupation-related postsecondary educational financial aid and student loan repayment programs.

Amendment No. 1

Representative Howard offered the following amendment to **HB 546**:

Amend **HB 546** (house committee printing) to read as follows:

(1) On page 2, strike lines 11 through 20 and substitute the following: "professional nursing program" means an educational program that:

(1) is offered by:

(A) a public or private institution of higher education; or

(B) a nonprofit, tax-exempt, regionally accredited college or university operating in accordance with a memorandum of understanding with this state under an executive order issued by the governor; and

(2) either:

(A) prepares [for preparing] students to attain [for] initial licensure as registered nurses; or

(B) leads students, including registered nurses holding an associate or comparable degree, to earn a bachelor of science degree in nursing.

(2) On page 2, line 21, strike "Section 61.96232(a), Education Code, is" and substitute "Sections 61.96232(a) and (b), Education Code, are".

(3) On page 3, strike lines 5 and 6 and substitute the following:

additional students or graduate additional students in a program that:

(1) prepares students ~~[prepared]~~ for initial licensure as registered nurses; or

(2) leads students, including registered nurses holding an associate or comparable degree, to earn a bachelor of science degree in nursing.

(b) The process established under Subsection (a) may authorize the commissioner of higher education to accept a joint application from multiple institutions that agree to cooperate on a regional or joint basis for their professional nursing programs to enroll additional students or graduate additional students described by Subsection (a) ~~[prepared for initial licensure as registered nurses]~~.

(4) On page 4, on both lines 19 and 20, between "employed" and "full-time", insert "part-time or".

(5) On page 4, line 26, strike "Section 61.9823(a), Education Code, is" and substitute "Sections 61.9823(a) and (b), Education Code, are".

(6) On page 5, line 3, between "of" and "full-time", insert "part-time or".

(7) On page 5, between lines 6 and 7, insert the following:

(b) The board by rule shall determine the maximum amount of loan repayment assistance received by a nurse under this subchapter ~~[may not exceed \$7,000]~~ in any one year. The board shall base the amount of loan repayment assistance received by a nurse for part-time employment on the proportion of the number of hours worked by the nurse to the number of hours worked by a full-time nurse.

(8) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 61.9622, Education Code, is amended to read as follows:

Sec. 61.9622. PROGRAM. A professional nursing shortage reduction program is established to increase the number and types of registered nurses in order to meet the needs for registered nurses in this state. The board shall administer the professional nursing shortage reduction program to make grants for those purposes to professional nursing programs and other entities involved with those programs ~~[a professional nursing program in the preparation of students for initial licensure as registered nurses in order to increase the number and types of registered nurses to meet the needs for registered nurses in the state]~~.

SECTION _____. Section 61.9623(a), Education Code, is amended to read as follows:

(a) A grant from the professional nursing shortage reduction program to a professional nursing program or other entity described by Section 61.9622 ~~[involved with a professional nursing program in the preparation of students for initial licensure as registered nurses]~~ must be:

(1) expended exclusively on costs related to:

(A) enrolling additional students;

(B) nursing faculty enhancement in accordance with Section

61.96231;

(C) encouraging innovation in the recruitment and retention of students, including the recruitment and retention of Spanish-speaking and bilingual students; or

(D) identifying, developing, or implementing innovative methods to make the most effective use of limited professional nursing program faculty, instructional or clinical space, and other resources, including:

(i) sharing curriculum and administrative or instructional personnel, facilities, and responsibilities between two or more professional nursing programs located in the same region of this state; and

(ii) using preceptors or part-time faculty to provide clinical instruction in order to address the need for qualified faculty to accommodate increased student enrollment in the professional nursing program;

(2) contingent on the professional nursing program's having been approved as a professional nursing program by the board or the Texas Board of Nursing, as appropriate;

(3) contingent on the professional nursing program's not being on probation with the Texas Board of Nursing or other accrediting body; and

(4) if granted to increase enrollments, contingent on the professional nursing program's ability to enroll additional students, including having the necessary classroom space and clinical slots.

SECTION _____. Section 61.9626(a), Education Code, is amended to read as follows:

(a) Each institution of higher education that has a professional nursing program shall submit an annual report to the board detailing its strategy for increasing the number of students who [that] graduate from the program prepared to attain initial [for] licensure as registered nurses or who earn a bachelor of science degree in nursing. The report must include:

(1) the capacity of the program, either alone or in cooperation with one or more other programs, to graduate more students who are prepared to attain initial [for] licensure or who earn a bachelor of science degree as described by this subsection [as registered nurses]; and

(2) the resources allocated to increase the number of students who [that] graduate from the program prepared to attain initial [for] licensure or who earn a bachelor of science degree as described by this subsection [as registered nurses].

SECTION _____. Subchapter JJ, Chapter 61, Education Code, as amended by this Act, applies beginning with loan repayment assistance awarded under that subchapter for the 2022-2023 academic year. Loan repayment assistance awarded under Subchapter JJ, Chapter 61, Education Code, for an academic year before the 2022-2023 academic year is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted.

HB 546, as amended, was passed to engrossment.

CSHB 211 ON SECOND READING
(by Thierry, Burrows, and Noble)

CSHB 211, A bill to be entitled An Act relating to sales and use taxes on e-cigarette vapor products to benefit the child health plan program; imposing taxes.

Amendment No. 1

Representative Thierry offered the following amendment to **CSHB 211**:

Amend **CSHB 211** (introduced version) as follows:

(1) On page 1, between lines 4 and 5 of the bill, insert the following:

SECTION 1. The legislature finds that:

It is the state's interest implement consistent and effective taxation on nicotine-based consumer products and set appropriate tax rates based on the risk associated with the different types of new nicotine and tobacco products we see in today's marketplace.

(2) Renumber SECTIONS of the bill appropriately.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Sanford offered the following amendment to **CSHB 211**:

Amend **CSHB 211** (house committee printing) by striking page 5, lines 18 through 20, and substituting the following:

Sec. 164.0009. DISPOSITION AND USE OF PROCEEDS. The comptroller shall deposit the proceeds from taxes imposed under this chapter as follows:

(1) 20 percent to the credit of an account in the general revenue fund administered by the Department of State Health Services, which may be appropriated to the department only for the purpose of administering youth vaping prevention and awareness programs; and

(2) the remainder to the credit of the General Revenue Fund.

Amendment No. 2 was adopted.

A record vote was requested by Representative Cason.

CSHB 211, as amended, was passed to engrossment by (Record 840): 84 Yeas, 49 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Bell, K.; Bernal; Bowers; Buckley; Bucy; Burrows; Button; Campos; Canales; Cole; Collier; Cortez; Crockett; Darby; Davis; Dean; Dominguez; Dutton; Fierro; Frank; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Hinojosa; Holland; Howard; Huberty; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; Lambert; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Ordaz Perez; Ortega; Pacheco; Paddie; Ramos;

Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Sherman; Shine; Spiller; Stephenson; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Nays — Anderson; Ashby; Bailes; Beckley; Bell, C.; Bonnen; Burns; Capriglione; Clardy; Cook; Craddick; Cyrier; Ellzey; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Hull; Jetton; King, K.; King, P.; Klick; Krause; Kuempel; Landgraf; Leach; Metcalf; Middleton; Murr; Oliverson; Parker; Patterson; Paul; Price; Schaefer; Schofield; Shaheen; Slawson; Smith; Stucky; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Deshotel; Raney.

Absent — Biedermann; Cain; Cason; Herrero; Hunter; King, T.; Leman; Martinez Fischer; Perez; Rogers; Slaton; Smithee; Walle.

STATEMENTS OF VOTE

When Record No. 840 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 840 was taken, I was in the house but away from my desk. I would have voted no.

Biedermann

When Record No. 840 was taken, I was in the house but away from my desk. I would have voted no.

Cain

When Record No. 840 was taken, I was in the house but away from my desk. I would have voted no.

Cason

When Record No. 840 was taken, I was shown voting yes. I intended to vote no.

Darby

When Record No. 840 was taken, I was shown voting no. I intended to vote yes.

Kuempel

When Record No. 840 was taken, I was shown voting yes. I intended to vote no.

Rodriguez

When Record No. 840 was taken, my vote failed to register. I would have voted no.

Slaton

When Record No. 840 was taken, I was shown voting yes. I intended to vote no.

Spiller

HB 3610 - NOTICE GIVEN

At 1:05 a.m., pursuant to the provisions of Rule 7, Section 37(c), of the House Rules, Representative Pacheco gave notice that he would, in one hour, move to reconsider the vote by which **HB 3610** failed to pass to engrossment by Record No. 830.

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

SB 1499 ON SECOND READING (Wilson - House Sponsor)

SB 1499, A bill to be entitled An Act relating to the municipal disannexation of certain areas formerly designated as a census designated place.

SB 1499 was read second time earlier today and was postponed until this time.

SB 1499 - POINT OF ORDER

Representative Goodwin raised a point of order against further consideration of **SB 1499** under Rule 8, Section 10(b), of the House Rules. The point of order was sustained and the speaker submitted the following ruling:

RULING BY THE SPEAKER on Senate Bill 1499

Announced in the House on May 7, 2021

Representative Goodwin raises a point of order against further consideration of **SB 1499** under Rule 8, Section 10(b), of the House Rules on the grounds that the bill is limited in application to one or more political subdivisions by means of artificial devices.

The bill requires a municipality to hold a disannexation election in an area subject to the bill's provisions. Ms. Goodwin argues that the bill contains a number of classification criteria that impermissibly limit the application of the bill. The chair cannot find any reasonable relationship between this criteria and the purpose of the bill. 76 H. Jour. 3259-3260 (1999). For this reason, the bill violates the rule.

Accordingly, the point of order is well-taken and sustained, which precludes further consideration of the bill.

The ruling precluded further consideration of **SB 1499**.

CSHB 3107 - VOTE RECONSIDERED

Representative Geren moved to reconsider the vote by which **CSHB 3107**, as amended, was passed to engrossment.

The motion to reconsider prevailed.

CSHB 3107 ON SECOND READING
(by Clardy, Klick, and Cain)

The chair laid before the house, on its second reading and passage to engrossment,

CSHB 3107, A bill to be entitled An Act relating to election practices and procedures.

CSHB 3107 was read second time earlier today and was passed to engrossment, as amended.

Amendment No. 2 - Vote Reconsidered

Representative Geren moved to reconsider the vote by which Amendment No. 2 was adopted.

The motion to reconsider prevailed.

Amendment No. 2 - Point of Order

Representative Geren raised a point of order against further consideration of Amendment No. 2 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane. The point of order was withdrawn.

Amendment No. 2 was withdrawn.

CSHB 3107, as amended, was passed to engrossment.

COMMITTEE MEETING ANNOUNCEMENT

At 1:52 a.m., the following committee meeting was announced:

Appropriations, scheduled to meet at 9:30 a.m. today, for a formal meeting, was canceled.

HOUSE AT EASE

At 2:14 a.m, the chair announced that the house would stand at ease.

The chair called the house to order at 2:42 a.m.

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

CSSB 7 ON SECOND READING

(Cain, Schofield, Jetton, Klick, and Oliverson - House Sponsors)

CSSB 7, A bill to be entitled An Act relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses.

CSSB 7 was read second time earlier today, amendments were offered and disposed of, and **CSSB 7** was postponed until this time. Amendment No. 2 was pending at the time of postponement.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Cain offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 64.031, Election Code, is amended to read as follows:

Sec. 64.031. ELIGIBILITY FOR ASSISTANCE. A voter is eligible to receive assistance in marking or reading the ballot, as provided by this subchapter, if the voter cannot prepare or read the ballot because of:

- (1) a physical disability that renders the voter unable to write or see; or
- (2) an inability to read the language in which the ballot is written.

SECTION _____. Section 64.032, Election Code, is amended by adding Subsection (e) to read as follows:

(e) A person may only provide assistance to a voter who is eligible to receive assistance under Section 64.031.

Amendment No. 3 was adopted.

Amendment No. 4

Representatives Cain and Schofield offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) as follows:

(1) On page 1, lines 16 through 18 and substitute the following:

"(2) minimizing the potential for fraud in elections and enhancing the opportunities to vote strengthen our constitutional democracy and provide for wide-scale confidence in elections;"

(2) On page 1, line 23, between "to" and "combat", insert "make voting more accessible or to".

(3) On page 2, lines 10 and 11, between "to" and "reduce", insert "increase voter access and".

(4) On page 3, line 26, strike "Subsection (g)" and substitute "Subsections (g) and (h)".

(5) On page 4, between lines 4 and 5, insert the following:

"(h) Notwithstanding Subsection (g), a presiding judge may call a law enforcement officer to request that a poll watcher be removed if the poll watcher commits a breach of the peace or a violation of this code."

(6) On page 4, line 14, after the period, insert the following:

"A watcher may not photograph:

- (1) private information;
- (2) the actual ballot; or
- (3) the marking of a ballot."

(7) On page 5, line 3, between "election" and "may", insert "who is available at the time of the action".

(8) On page 7, line 15, between "watcher" and "is", insert "who is available at the time of the action".

(9) On page 16, lines 16 and 17, strike "felony of the third degree" and substitute "Class A misdemeanor".

(10) On page 18, line 5, between "not" and "alter", insert "knowingly".

Amendment No. 4 was adopted.

Amendment No. 5

Representatives Cain and Schofield offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (committee printing) as follows:

(1) On page 9, strike lines 14-16, and renumber the subsections accordingly.

(2) On page 10, strike lines 20-21, and renumber the subsections accordingly.

(3) On page 11, line 6, strike "or"

(4) On page 11, line 11, insert the following:

(3) the voter is a person with a disability whose assistor is a previously known attendant, caregiver, or friend, whether paid or unpaid."

(5) On page 13, lines 5-6, strike "the manner of any assistance provided by a person assisting the voter, and"

(6) On page 17, line 18, insert the following:

(e) It is an exception to the application of Subsection (a) that the public official provided general information about voting by mail, the vote by mail process, or the timelines associated with voting to a person or the public.

Amendment No. 5 was adopted.

Amendment No. 6

Representative Murr offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) as follows:

(1) On page 1, line 24, strike "and".

(2) On page 2, line 5, strike the period and substitute "and ensure that all legally cast ballots are counted. Integral to the right to vote is the assurance of voter access and the right for all votes legally cast to be counted;".

(3) On page 2, between lines 5 and 6, insert the following:

(6) additionally, preventing a valid vote from being counted violates the basic constitutional rights guaranteed to each citizen by the United States Constitution and the law of the land; and

(7) providing for voter access and increasing the stability of a constitutional democracy ensures public confidence in the legitimacy of public officers chosen by election.

(4) On page 2, line 11, between "elections" and the underlined period, insert ", promote voter access, and ensure that all lawfully cast votes are counted".

(5) On page 2, strike lines 17 through 23 and renumber subsequent SECTIONS of ARTICLE 1 accordingly.

(6) Add the following appropriately numbered SECTION to ARTICLE 1 of the bill:

SECTION _____. Section 1.018, Election Code, is amended to read as follows:

Sec. 1.018. APPLICABILITY OF PENAL CODE. In addition to Section 1.03, Penal Code, and to other titles of the Penal Code that may apply to this code, Titles 2 and [Title] 4, Penal Code, apply [applies] to offenses prescribed by this code.

(7) Strike page 3, line 27 through page 4, line 4 and substitute the following:

(g) A presiding judge may not have a watcher duly accepted for service under Subchapter A, Chapter 33, removed from the polling place for violating a provision of this code, the Penal Code, or any other provision of law relating to the conduct of elections, unless the violation was observed by an election judge or clerk after the watcher was previously warned that the watcher's conduct violated the law.

(8) On page 4, line 10, between the underlined period and "To", insert "It is the intent of the legislature that watchers duly accepted for service under this chapter be allowed to observe and report on irregularities in the conduct of any election, but may not interfere in the orderly conduct of an election.".

(9) On page 4, line 11, between "observe" and "the" insert "without obstructing".

(10) On page 4, line 23, strike "Subsection (e)" and substitute "Subsections (e) and (f)".

(11) On page 4, line 26, between "procedure" and the underlined period, insert "in accordance with Section 33.057".

(12) On page 4, between lines 26 and 27, insert the following:

(f) A watcher who believes that the watcher was unlawfully obstructed from the performance of the watcher's duties may seek injunctive relief under Section 273.081, a writ of mandamus under Section 161.009 or 273.061, and any other remedy available under law.

(13) On page 5, strike line 2 through 6, and substitute the following:

Sec. 33.0605. OBSERVING DATA STORAGE SEALING AND TRANSFER. Notwithstanding any other provision of this code, a watcher duly accepted for service at a polling location is entitled to follow the transfer of election materials from the polling place at which the watcher was accepted to a regional tabulating center, the central counting station, or any other location designated to process election materials. The authority responsible for administering a regional tabulating center or another location where election materials are processed must accept duly appointed watchers for service in the same manner a watcher is accepted for service under Section 33.051 and must accept the same number of watchers that may serve under Section 33.007(a).

(14) On page 5, strike lines 16 through 22 and renumber subsequent SECTIONS of ARTICLE 3 accordingly.

(15) On page 6, line 16, strike "a state" and substitute "an".

(16) On page 6, line 16, between "inspector" and ":", insert "designated by law".

(17) On page 7, line 15, strike "A poll watcher is entitled to observe" and substitute "If a poll watcher duly accepted for service is available at the time of".

(18) On page 7, line 16, between "subsection" and the underlined period, insert ", the watcher is entitled to observe the delivery".

(19) On page 8, line 9, strike "or".

(20) On page 8, between lines 9 and 10, insert the following:

(5) the county chair of a political party conducting a primary election or runoff primary election; or

(21) On page 8, line 10, strike "(5)" and substitute "(6)".

(22) On page 10, lines 12-13, strike "Section 86.010, Election Code, is amended by amending Subsections (e), (h), and (i) and adding Subsection (i-1)" and substitute "Sections 86.010(e), (h), and (i) are amended".

(23) Strike page 11, lines 20-24.

(24) On page 12, strike lines 17 through 21 and substitute the following:

(e) For purposes of this section, compensation means an economic benefit as defined by Section 38.01, Penal Code [~~any form of monetary payment, goods, services, benefits, or promises or offers of employment, or any other form of consideration offered to another person in exchange for assisting voters~~].

(25) On page 14, strike lines 22 and 23 and substitute the following:

(3) count votes that are invalid or should otherwise not be counted under law, fail to count votes that were lawfully cast, or alter a report to include invalid votes;

(26) On page 14, line 25, strike "or".

(27) On page 15, line 3, strike the period and substitute ";".

(28) On page 15, between lines 3 and 4, insert the following:

(6) prevent a voter from casting a legal ballot in an election in which the voter is eligible to vote; or

(7) provide false information to a voter with the intent of preventing the voter from voting in an election in which the voter is eligible to vote.

(29) On page 16, lines 17 and 18, strike "felony of the third degree" and substitute "state jail felony".

(30) On page 16, line 23, strike "A public official" and substitute "An early voting clerk".

(31) On page 16, line 24, strike "official" and substitute "clerk".

(32) On page 17, line 11, strike "public official" and substitute "early voting clerk".

(33) On page 17, line 15, strike "public official" and substitute "early voting clerk".

(34) On page 17, line 25, strike "state jail felony" and substitute "Class A misdemeanor".

(35) On page 18, strike lines 13-15 and substitute the following:

PROCEEDINGS; CRIMINAL OFFENSE. (a) In this section, "public official" means any person elected, selected, appointed, employed, or otherwise designated as an officer, employee, or agent of this state, a government agency, a political subdivision, or any other public body established by state law.

(36) On page 18, line 26, strike "state jail felony" and substitute "Class A misdemeanor".

(37) On page 19, lines 5 through 7, strike "based on alleged conduct constituting an offense under Chapter 276, Election Code,".

(38) On page 19, line 7, strike "60th" and substitute "70th".

(39) On page 19, line 13, strike "24" and substitute "48".

(40) On page 21, lines 11 through 13, strike "based on alleged conduct constituting an offense under Chapter 276, Election Code,".

(41) On page 21, line 13, strike "60th" and substitute "70th".

(42) On page 21, line 18, strike "24" and substitute "48".

(43) Strike page 21, line 24 through page 22, line 16, and substitute the following:

Sec. 23.301. ASSIGNMENT OF CERTAIN ELECTION PROCEEDINGS.

(a) Notwithstanding any other law or rule, the clerk of a district court in which a proceeding entitled to priority under Section 23.101(b-1) is filed shall docket the proceeding and, if more than one district court in the county has jurisdiction over the proceeding, randomly assign the proceeding to a district court using an automated assignment system.

(b) Notwithstanding any other law or rule, the clerk of a county court or statutory county court in which a proceeding entitled to priority under Section 23.101(b-1) is filed shall docket the proceeding and, if more than one court in the county has jurisdiction over the proceeding, randomly assign the proceeding to a court using an automated assignment system.

(c) If a district or county clerk does not comply with this section, a person may seek from the supreme court or a court of appeals a writ of mandamus as provided by Section 273.061 to compel compliance with this section.

(44) Renumber SECTIONS of the bill accordingly.

Amendment No. 6 was adopted.

Amendment No. 7

Representative Bucy offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) as follows:

(1) On page 13, strike lines 20-22 and substitute:

(a) A person commits an offense if the person:

(1) votes or attempts to vote in an election if ~~[in which]~~ the person knows:

(A) of particular circumstances that make the person ineligible [is not eligible] to vote in the election; and

(B) that those circumstances make the person ineligible to vote in the election;

(2) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. The change in law made by this Act applies to an offense under Section 64.012(a)(1), Election Code, regardless of whether the offense was committed before, on, or after the effective date of this Act.

SECTION _____. Chapter 42, Code of Criminal Procedure, is amended by adding Article 42.0194 to read as follows:

Art. 42.0194. FINDING REGARDING FELONY CONVICTION. In the trial of a felony offense, if the defendant is 18 years of age or older and is adjudged guilty of the offense, the court shall:

- (1) make an affirmative finding that the person has been found guilty of a felony and enter the affirmative finding in the judgment of the case; and
- (2) instruct the defendant regarding how the felony conviction will impact the defendant's right to vote in this state.

Amendment No. 7 was adopted.

Amendment No. 8

Representative Davis offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) on page 5 by striking lines 18 to 22 and insert the following:

Sec. 33.062. REMOVAL OF WATCHER FROM POLLING PLACE. The presiding judge may remove a watcher from a polling place only after confirmation from the county election officer that the watcher engages in activity that would constitute an offense related to the conduct of the election, including an offense under Chapter 276.

Amendment No. 8 was withdrawn.

Amendment No. 9

Representative Bucy offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES of the bill accordingly:

ARTICLE _____. INTERNET POSTING

SECTION _____.01. Chapter 4, Election Code, is amended by adding Section 4.009 to read as follows:

Sec. 4.009. INTERNET POSTING. (a) Not later than the 21st day before election day, a county that holds or provides election services for an election and maintains an Internet website shall post on its public Internet website for an election administered by the county:

- (1) the date of the election;
- (2) the location of each polling place;
- (3) each candidate for an elected office on the ballot; and
- (4) each measure on the ballot.

(b) Not later than the 21st day before election day, a city or independent school district that holds an election and maintains an Internet website shall post on the public Internet website for the city or independent school district, as applicable:

- (1) the date of the next election;
- (2) the location of each polling place;
- (3) each candidate for an elected office on the ballot; and

(4) each measure on the ballot.

SECTION _____.02. Subchapter A, Chapter 65, Election Code, is amended by adding Section 65.016 to read as follows:

Sec. 65.016. INTERNET POSTING OF ELECTION RESULTS. (a) A county that holds or provides election services for an election and maintains an Internet website shall post on its public Internet website for an election administered by the county:

(1) the results of each election;

(2) the total number of votes cast;

(3) the total number of votes cast for each candidate or for or against each measure;

(4) the total number of votes cast by personal appearance on election day;

(5) the total number of votes cast by personal appearance or mail during the early voting period; and

(6) the total number of counted and uncounted provisional ballots cast.

(b) A city or independent school district that holds an election and maintains an Internet website shall post on the public Internet website for the city or independent school district, as applicable:

(1) the results of each election;

(2) the total number of votes cast;

(3) the total number of votes cast for each candidate or for or against each measure;

(4) the total number of votes cast by personal appearance on election day;

(5) the total number of votes cast by personal appearance or mail during the early voting period; and

(6) the total number of counted and uncounted provisional ballots cast.

(c) The information described by Subsections (a) and (b) must be:

(1) clearly labeled in plain language;

(2) provided as soon as practicable after the election;

(3) accessible without having to make more than two selections or view more than two network locations after accessing the Internet website home page of the county, city, or district, as applicable, for the most recent election; and

(4) accessible without having to make more than four selections or view more than four network locations after accessing the Internet website home page of the county, city, or district, as applicable, for a previous election.

SECTION _____.03. The changes in law made in this article apply only to an election ordered on or after the effective date of this Act. An election ordered before the effective date of this Act is governed by the law in effect when the election was ordered, and the former law is continued in effect for that purpose.

Amendment No. 9 was adopted.

Amendment No. 10

Representative Minjarez offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) by adding the following appropriately numbered SECTIONS to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION 2. _____. Section 2.053(a), Election Code, is amended to read as follows:

(a) On receipt of the certification, the governing body of the political subdivision by order or ordinance shall ~~may~~ declare each unopposed candidate elected to the office. If no election is to be held on election day by the political subdivision, a copy of the order or ordinance shall be posted on election day at each polling place used or that would have been used in the election.

SECTION 2. _____. Section 2.056(c), Election Code, is amended to read as follows:

(c) A certifying authority shall ~~may~~ declare a candidate elected to an office of the state or county government if, were the election held, only the votes cast for that candidate in the election for that office may be counted.

SECTION 2. _____. Section 52.092(a), Election Code, is amended to read as follows:

(a) Except as provided by Section 2.053(c) or 2.056(e), for ~~For~~ an election at which offices regularly filled at the general election for state and county officers are to appear on the ballot, the offices shall be listed in the following order:

- (1) offices of the federal government;
- (2) offices of the state government:
 - (A) statewide offices;
 - (B) district offices;
- (3) offices of the county government:
 - (A) county offices;
 - (B) precinct offices.

Amendment No. 10 was adopted.

Amendment No. 11

Representative Bucy offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) on page 13, lines 14 and 15, by striking "false information that was entered on the form by the judge" and substituting "information that the judge entered on the form knowing it was false".

Amendment No. 11 was adopted.

Amendment No. 12

Representative Bucy offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES of the bill accordingly:

ARTICLE ____ . DATABASE

SECTION ____ .01. Section 4.003(e), Election Code, is amended to read as follows:

(e) The authority responsible for giving notice of the election shall deliver to the secretary of state:

(1) a copy of the notice of a consolidated precinct required by Subsection (b) not later than the date of the election; and

(2) information for the secretary of state's database of election information under Section 31.017 in an electronic format required by the secretary of state.

SECTION ____ .02. Subchapter A, Chapter 31, Election Code, is amended by adding Sections 31.017 and 31.018 to read as follows:

Sec. 31.017. INTERNET DATABASE OF ELECTION INFORMATION.

(a) The secretary of state shall post on the secretary of state's public Internet website a database containing information provided by each authority responsible for giving notice of an election in this state. The database must include the following information:

(1) the name of the authority;

(2) each office to be filled at the election;

(3) whether the office is elected at large or by district; and

(4) the dates of the preceding and next election for the office.

(b) The secretary of state shall adopt rules as necessary to implement this section.

Sec. 31.018. INTERNET DATABASE FOR INCUMBENTS AND CANDIDATES. (a) The secretary of state shall post on the secretary of state's Internet website a database containing information about each holder of and candidate for any elected office in this state.

(b) The database must include the following information about a holder of an elected office:

(1) name;

(2) office title, including any district, place, or position;

(3) if the office is elected at large or by district;

(4) date of the previous and next election for the office;

(5) public mailing address;

(6) public telephone number, if available; and

(7) public e-mail address, if available.

(c) The database must include the following information about a candidate for an elected office:

(1) name;

(2) office sought, including any district, place, or position;

(3) if the office is elected at large or by district;

(4) date of the election;

(5) public mailing address;

(6) public telephone number, if available;

(7) public e-mail address, if available;

(8) name of the incumbent; and

(9) if the candidate has filed as a write-in candidate.

(d) The authority with whom a declaration of candidacy is filed, a state chair of a political party, or the presiding officer of a political party's convention shall provide information about a candidate or officeholder to the secretary of state.

(e) The secretary of state shall adopt rules as necessary to implement this section.

SECTION ____ .03. Section 141.032, Election Code, is amended by adding Subsection (h) to read as follows:

(h) The authority with whom the application is filed shall provide the secretary of state with the candidate's information required for the secretary of state's Internet website under Section 31.018.

Amendment No. 12 was adopted.

Amendment No. 13

Representative Howard offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee report) by adding the following SECTION to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of the ARTICLE appropriately:

SECTION ____ . Section 13.046(h), Election Code, is amended to read as follows:

(h) The secretary of state shall:

(1) consult with the Texas Education Agency regarding the number of registration application forms to provide to each high school;

(2) provide to each high school registration application forms once each fall and spring semester in the number determined from the consultation under Subdivision (1); and

(3) prescribe any additional procedures necessary to implement this section.

Amendment No. 13 was adopted.

Amendment No. 14

Representative Klick offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) by adding the following SECTIONS to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of ARTICLE 2 accordingly:

SECTION ____ . Chapter 86, Election Code, is amended by adding Section 86.015 to read as follows:

Sec. 86.015. ELECTRONIC TRACKING OF APPLICATION FOR BALLOT VOTED BY MAIL OR BALLOT VOTED BY MAIL. (a) The secretary of state shall develop or otherwise provide an online tool to each early voting clerk that enables a person who submits an application for a ballot to be voted by mail to track the location and status of the person's application and

ballot on the secretary's Internet website and on the county's Internet website if the early voting clerk is the county clerk of a county that maintains an Internet website.

(b) The online tool developed or provided under Subsection (a) must require the voter to provide, before permitting the voter to access information described by that subsection:

(1) the voter's name and registration address and the last four digits of the voter's social security number; and

(2) the voter's:

(A) driver's license number; or

(B) personal identification card number issued by the Department of Public Safety.

(c) An online tool used under this section must update the applicable Internet website as soon as practicable after each of the following events occurs:

(1) receipt by the early voting clerk of the person's application for a ballot to be voted by mail;

(2) acceptance or rejection by the early voting clerk of the person's application for a ballot to be voted by mail;

(3) placement in the mail by the early voting clerk of the person's official ballot;

(4) receipt by the early voting clerk of the person's marked ballot; and

(5) acceptance or rejection by the early voting ballot board of a person's marked ballot.

(d) The secretary of state shall adopt rules and prescribe procedures as necessary to implement this section.

(e) The information contained in Subsection (c) is not public information for purposes of Chapter 552, Government Code, until after election day.

SECTION _____. Section 87.121, Election Code, as amended by Chapters 1083 (**HB 1850**) and 1215 (**SB 902**), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

Sec. 87.121. EARLY VOTING ROSTERS. (a) The early voting clerk shall maintain for each election a roster listing each person who votes an early voting ballot by personal appearance and a roster listing each person to whom an early voting ballot to be voted by mail is sent.

(b) For each person listed, the applicable roster must include:

(1) the person's name, address, and voter registration number;

(2) an identification of the person's county election precinct of registration; and

(3) the date of voting or the date the ballot was mailed to the person, as applicable.

(c) Each roster shall be updated daily.

(d) Each roster may be maintained in any form approved by the secretary of state.

(e) The clerk shall preserve each roster after the election for the period for preserving the precinct election records.

(f) Information on the roster for a person to whom an early voting mail ballot has been sent is not available for public inspection, except to the voter seeking to verify that the information pertaining to the voter is accurate, until the first business day after election day.

(g) Information on the roster for a person who votes an early voting ballot by personal appearance shall be made available for public inspection as provided by Subsection (i) not later than 11 a.m. on the day after the date the information is entered on the roster under Subsection (c).

(h) Information on the roster for a person who votes an early voting ballot by mail shall be made available for public inspection as provided by Subsection (i) not later than 11 a.m. on the day following the day the early voting clerk receives any [✶] ballot voted by mail.

(i) The information under Subsections (g) and (h) must be made available:

(1) for an election in which the county clerk is the early voting clerk:

(A) on the publicly accessible Internet website of the county; or

(B) if the county does not maintain a website, on the bulletin board used for posting notice of meetings of the commissioners court; or

(2) for an election not described by Subdivision (1):

(A) on the publicly accessible Internet website of the authority ordering the election; or

(B) if the authority ordering the election does not maintain a website, on the bulletin board used for posting notice of meetings of the governing body of the authority.

(j) [(✶)] The early voting clerk for a primary election or the general election for state and county officers shall submit to the secretary of state for posting on the secretary of state's Internet website the information described by:

(1) Subsection (g) not later than 11 a.m. on the day after the date the information is entered on the roster under Subsection (c); and

(2) Subsection (h) not later than 11 a.m. on the day following the day the early voting clerk receives any [✶] ballot voted by mail.

(k) The early voting clerk for a primary election or the general election for state and county officers shall submit to the secretary of state for posting on the secretary of state's Internet website the election day information described by Subsections (g) and (h) not later than 11 a.m. on the day after the election.

(l) The early voting clerk for a primary election or the general election for state and county officers shall submit to the secretary of state for posting on the secretary of state's Internet website the final rosters containing information described by Subsections (g) and (h) not later than the 20th day after the date of the local canvass.

(m) [(✶)] The secretary of state shall [make any early voting roster created under this section available to the public on the secretary's Internet website.

[(✶)] The secretary of state shall post the information described by Subsection (j) [(✶)] on the secretary of state's Internet website in a downloadable format not later than 11 a.m. on the day following the day of receipt of the information.

(n) ~~(k)~~ The secretary of state shall create a system for an early voting clerk for a primary election or the general election for state and county officers to provide the information to the secretary of state for posting on the secretary of state's Internet website under Subsection (j) ~~(i)~~.

SECTION _____. To the extent of any conflict, this Act prevails over another Act of the 87th Legislature, Regular Session, 2021, relating to nonsubstantive additions to and corrections in enacted codes.

Amendment No. 14 was adopted.

Amendment No. 15

Representative Gervin-Hawkins offered the following amendment to **CSSB 7**:

Amend **CSSB 7** by adding the following appropriately numbered ARTICLE and renumbering subsequent ARTICLES of the bill accordingly:

ARTICLE _____. CORRECTING MAIL BALLOT DEFECTS

SECTION _____. Section 84.032(c) and (d), Election Code, is amended to read as follows:

(c) An applicant may submit a request after the close of early voting by personal appearance by appearing in person and:

- (1) returning the ballot to be voted by mail to the early voting clerk; or
- (2) executing an affidavit that the applicant:
 - (A) has not received the ballot to be voted by mail; ~~(B)~~
 - (B) never requested a ballot to be voted by mail; or
 - (C) received a notice of defect under Section 87.0411(b).

(d) An applicant may also submit a request by appearing in person and returning the ballot to be voted by mail or presenting a notice received under Section 86.006(h) or 87.0411(b) to:

- (1) the early voting clerk or deputy early voting clerk at any polling place that is open for early voting by personal appearance; or
- (2) the presiding election judge on election day at the applicant's precinct polling place.

SECTION _____. Section 87.022, Election Code, is amended to read as follows:

Sec. 87.022. TIME OF DELIVERY: GENERAL RULE. Except as provided by Section 87.0221, ~~87.0222,~~ 87.023, or 87.024, the materials shall be delivered to the early voting ballot board under this subchapter during the time the polls are open on election day, or as soon after the polls close as practicable, at the time or times specified by the presiding judge of the board.

SECTION _____. Section 87.0221(a), Election Code, is amended to read as follows:

(a) In an election in which regular paper ballots are used for early voting by personal appearance or by mail, the materials may be delivered to the board beginning on the ninth day before the last day of ~~between the end of~~ the period for early voting by personal appearance. The early voting clerk shall deliver all early voting ballots voted by mail to the board that have been returned to the clerk by the end of the third day before the last day of the period for early voting

by personal appearance, and shall deliver all early voting ballots voted by mail received thereafter to the board at least once per day [and the closing of the polls on election day, or as soon after closing as practicable, at the time or times specified by the presiding judge of the board].

SECTION _____. Section 87.024(a), Election Code, is amended to read as follows:

(a) In an election in which early voting votes by personal appearance are cast on voting machines, the jacket envelopes containing the early voting ballots voted by mail may be delivered to the board beginning on the ninth day before the last day of [between the end of] the period for early voting by personal appearance. The early voting clerk shall deliver all early voting ballots voted by mail to the board that have been returned to the clerk by the end of the third day before the last day of the period for early voting by personal appearance, and shall deliver all early voting ballots voted by mail received thereafter to the board at least once per day [and the closing of the polls on election day, or as soon after closing as practicable, at a time specified by the presiding judge of the board].

SECTION _____. Section 87.0241(a), Election Code, is amended to read as follows:

(a) The early voting ballot board may determine whether to accept early voting ballots voted by mail in accordance with Section 87.041 at any time after the ballots are delivered to the board except that the board shall determine whether to accept any early voting ballots voted by mail delivered to the board by the end of the third day before the last day of the period for early voting by personal appearance by the end of the last day of the period for early voting by personal appearance.

SECTION _____. Section 87.027(i), Election Code, is amended to read as follows:

(i) The signature verification committee shall compare the signature on each carrier envelope certificate, except those signed for a voter by a witness, with the signature on the voter's ballot application to determine whether the signatures are those of the voter. The committee may also compare the signatures with any two or more signatures of the voter made within the preceding six years and on file with the county clerk or voter registrar to determine whether the signatures are those of the voter. Except as provided by Subsection (l), a determination under this subsection that the signatures are not those of the voter must be made by a majority vote of the committee's membership. The committee shall place the jacket envelopes, carrier envelopes, and applications of voters whose signatures are not those of the voter in separate containers from those of voters whose signatures are those of the voter. As soon as practicable, but in no event more than one business day, after the committee discovers that a voter did not sign the carrier envelope certificate or determines that the signature on the voter's ballot application or certificate is not that of the voter, the committee chair shall deliver the jacket envelope, carrier envelope, and application of the voter to the early voting ballot board. The committee chair shall deliver the jacket envelopes,

carrier envelopes, and applications of voters whose signatures are those of the voter [sorted materials] to the early voting ballot board at the time specified by the board's presiding judge.

SECTION _____. Subchapter C, Chapter 87, Election Code, is amended by adding Section 87.0411 to read as follows:

Sec. 87.0411. OPPORTUNITY TO CORRECT DEFECT: EARLY VOTING BALLOT BOARD. (a) This section applies to an early voting ballot voted by mail:

(1) for which the voter did not sign the carrier envelope certificate;

(2) for which it cannot immediately be determined whether the signature on the carrier envelope certificate is that of the voter; or

(3) that does not contain a statement of residence form if required pursuant to Section 86.002(a).

(b) Before deciding whether to accept or reject a ballot under Section 87.041, the early voting ballot board shall notify a voter within one business day of the discovery of a defect under Subsection (a) to advise the voter of the defect and provide the voter an opportunity to correct the defect by providing:

(1) if the defect involves the voter's signature:

(A) the following identification:

(i) the identification number from an unexpired driver's license, election identification certificate, or personal identification card issued to the voter by the Department of Public Safety;

(ii) the last four digits of the voter's Social Security number; or

(iii) if the voter does not possess any identification described by Subdivisions (i) or (ii), a form of identification described by Section 63.0101; and

(B) a signed cure attestation in a form prescribed by the secretary of state stating that the ballot at issue is that of the voter; or

(2) if the defect involves a required statement of residence form, a signed and completed statement of residence form.

(c) Subsection (b) does not apply if the early voting ballot board determines that it would be impossible to correct the defect before the ninth day after the date of the election.

(d) A voter may submit materials listed under Subsection (b) to the early voting clerk by:

(1) personal delivery;

(2) mail;

(3) e-mail; or

(4) telephonic facsimile machine, if a machine is available in the clerk's office.

(e) The notice under Subsection (b) must:

(1) inform the voter that the voter's vote will not be counted unless the voter submits the materials listed under Subsection (b) not later than the ninth day after the date of the election;

(2) instruct the voter on the methods of returning the materials listed under Subsection (b);

(3) include a copy of the cure attestation or statement of residence in the form prescribed by the secretary of state; and

(4) direct the voter to the location of the cure attestation or statement of residence form on the secretary of state's Internet website.

(f) The early voting ballot board shall provide notice to the voter under Subsection (b) by mail and any other method reasonably calculated to provide sufficient time for the voter to submit the required materials before the deadline prescribed by this section.

(g) The early voting ballot board is not required to provide notice under Subsection (b) if the board makes a determination under Section 87.027(j) that the signature on the carrier envelope certificate and ballot application are those of the voter.

(h) If the early voting ballot board does not provide notice to the voter under Subsection (b) and the ballot meets the requirements of Sections 87.041(b)(1),(3),(4),(5),(6), and (7), the board shall accept the ballot in the manner provided by Section 87.042.

(i) The secretary of state shall:

(1) prominently display and maintain on the main page of the secretary's Internet website a link to blank versions of the statement of residence form and the cure attestation described by Subsection(b); and

(2) adopt rules and prescribe forms as necessary to implement this section.

(j) A statement of residence form or a cure attestation prescribed under this section must include clear instructions for completion and notice of the penalties associated with election fraud and voting more than once in an election. The cure attestation and statement of residence may not require the voter to have the form notarized or signed by a witness.

(k) The signature provided by the voter on a cure attestation or a statement of residence form shall be placed on file with the county clerk or voter registrar to allow its use for future signature comparison as provided by Section 87.027(i) and Section 87.041(e).

SECTION _____. Sections 87.041(b) and (d), Election Code, are amended to read as follows:

(b) Except as provided by Section 87.0411(h), a [A] ballot may be accepted only if:

(1) the carrier envelope certificate is properly executed;

(2) neither the voter's signature on the ballot application nor the signature on the carrier envelope certificate is determined to have been executed by a person other than the voter, unless signed by a witness;

(3) the voter's ballot application states a legal ground for early voting by mail;

(4) the voter is registered to vote, if registration is required by law;

(5) the address to which the ballot was mailed to the voter, as indicated by the application, was outside the voter's county of residence, if the ground for early voting is absence from the county of residence;

(6) for a voter to whom a statement of residence form was required to be sent under Section 86.002(a), the statement of residence is returned in the carrier envelope and indicates that the voter satisfies the residence requirements prescribed by Section 63.0011; and

(7) the address to which the ballot was mailed to the voter is an address that is otherwise required by Sections 84.002 and 86.003.

(d) Except as provided by Section 87.0411(h), a [A] ballot shall be rejected if any requirement prescribed by Subsection (b) is not satisfied. In that case, the board shall indicate the rejection by entering "rejected" on the carrier envelope and on the corresponding jacket envelope.

SECTION _____. Section 87.0222, Election Code, is repealed.

Amendment No. 15 was adopted.

Amendment No. 16

Representative Vo offered the following amendment to **CSSB 7**:

Amend **CSSB 7** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Sections 276.004(a) and (b), Election Code, are amended to read as follows:

(a) A person commits an offense if, with respect to another person over whom the person has authority in the scope of employment, the person knowingly:

(1) refuses to permit the other person to be absent from work on election day or while early voting is in progress for the purpose of attending the polls to vote; or

(2) subjects or threatens to subject the other person to a penalty for attending the polls on election day or while early voting is in progress to vote.

(b) It is an exception to the application of this section that the person's conduct occurs in connection with an election in which the polls are open on election day or while early voting is in progress for voting for two consecutive hours outside of the voter's working hours.

Amendment No. 16 was adopted.

Amendment No. 17

Representative J. Turner offered the following amendment to **CSSB 7**:

Amend **CSSB 7** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 15.021, Election Code, is amended by amending Subsections (b) and (d) and adding Subsections (d-1) and (d-2) to read as follows:

(b) Except as provided by Subsection (d), the [The] voter shall use the registration certificate or a registration application form as the notice, indicating the correct information in the appropriate space on the certificate or application form unless the voter does not have possession of the certificate or an application form at the time of giving the notice.

(d) A voter ~~[who continues to reside in the county in which the voter is registered]~~ may correct information under this section by digital transmission of the information under a program administered by the secretary of state and the Department of Information Resources.

(d-1) If the notice indicates that a voter no longer resides in the county in which the voter is registered, the registrar shall forward the notice and the voter's original application for registration to the registrar of the county in which the voter resides. The registrars shall coordinate to ensure that the voter's existing registration is canceled immediately after the voter is registered in the county in which the voter resides in accordance with Subsection (d-2).

(d-2) A registrar who receives a voter's notice and application from another registrar under Subsection (d-1) shall treat it as an original application for registration under Section 13.002, and shall register the voter if the voter resides in the county and is otherwise eligible under Section 13.001.

Amendment No. 17 was adopted.

Amendment No. 18

Representative Dutton offered the following amendment to **CSSB 7**:

Amend **CSSB 7** by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Sections 52.031(b) and (c), Election Code, are amended to read as follows:

(b) In combination with the surname, a candidate may use one or more of the following:

- (1) a given name;
- (2) a contraction or familiar form of a given name by which the candidate is known; ~~[or]~~
- (3) an initial of a given name; or
- (4) a name under which the candidate is known, if the candidate has supplied the required affidavits under Section 141.031(e).

(c) A nickname of one unhyphenated word of not more than 10 letters by which the candidate has been commonly known for at least three years preceding the election may be used in combination with a candidate's name. A nickname that constitutes a slogan or otherwise indicates a political, economic, social, or religious view or affiliation may not be used. A nickname may not be used unless the candidate has complied with the requirements of Section 141.031(e) ~~[executes and files with the application for a place on the ballot an affidavit indicating that the nickname complies with this subsection].~~

SECTION _____. Section 141.031, Election Code, is amended by amending Subsection (a) and adding Subsections (e) and (f) to read as follows:

(a) A candidate's application for a place on the ballot that is required by this code must:

- (1) be in writing;
- (2) be signed and sworn to before a person authorized to administer oaths in this state by the candidate and indicate the date that the candidate swears to the application;

- (3) be timely filed with the appropriate authority; and
- (4) include:

(A) the candidate's name, and if the candidate is seeking to run under a name other than the candidate's surname acquired by law or marriage and given name, or a contraction or familiar form of a given name by which the candidate is known or an initial of a given name, the affidavits required by Subsection (e);

(B) the candidate's occupation;

(C) the office sought, including any place number or other distinguishing number;

(D) an indication of whether the office sought is to be filled for a full or unexpired term if the office sought and another office to be voted on have the same title but do not have place numbers or other distinguishing numbers;

(E) a statement that the candidate is a United States citizen;

(F) a statement that the candidate has not been determined by a final judgment of a court exercising probate jurisdiction to be:

(i) totally mentally incapacitated; or

(ii) partially mentally incapacitated without the right to vote;

(G) a statement that the candidate has not been finally convicted of a felony from which the candidate has not been pardoned or otherwise released from the resulting disabilities;

(H) the candidate's date of birth;

(I) the candidate's residence address or, if the residence has no address, the address at which the candidate receives mail and a concise description of the location of the candidate's residence;

(J) the candidate's length of continuous residence in the state and in the territory from which the office sought is elected as of the date the candidate swears to the application;

(K) the statement: "I, _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the constitution and laws of the United States and of the State of Texas";

(L) a statement that the candidate is aware of the nepotism law, Chapter 573, Government Code; and

(M) a public mailing address at which the candidate receives correspondence relating to the candidate's campaign, if available, and an electronic mail address at which the candidate receives correspondence relating to the candidate's campaign, if available.

(e) A candidate seeking to have placed on the ballot a name other than the candidate's surname acquired by law or marriage and given name, or a contraction or familiar form of a given name by which the candidate is known or an initial of a given name, must include with the application 50 affidavits, each:

(1) signed by a person eligible to vote in the election for which the candidate is applying; and

(2) stating that the candidate is known to the person signing the affidavit by the name under which the candidate is seeking to run.

(f) A person who gives false information in order to acquire the affidavits required by Subsection (e) or who induces a person to sign a false affidavit submitted under Subsection (e) is liable to the state for a civil penalty in an amount not to exceed \$10,000. A suit brought under this subsection shall be advanced for trial and determined as expeditiously as possible. No postponement or continuance shall be granted except for reasons considered imperative by the court.

SECTION _____. The change in law made by this Act applies only to an application for a ballot to be voted by mail submitted on or after the effective date of this Act. An application for a ballot to be voted by mail submitted before the effective date of this Act is governed by the law in effect when the application was submitted, and the former law is continued in effect for that purpose.

Amendment No. 18 was adopted.

Amendment No. 19

Representative Clardy offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) as follows:

(1) On page 9, line 15, between "voter" and the underlined semicolon, insert "under Section 64.031".

(2) On page 9, line 16, strike "; and" and substitute "under Section 64.031";.

(3) On page 9, line 17, strike "assistant" and substitute "person assisting the voter".

(4) On page 9, line 17, between "voter" and the underlined period, insert the following:

; and

(5) whether the person assisting the voter received or accepted any form of compensation or other benefit from a candidate, campaign, or political committee in exchange for providing assistance

(5) On page 10, line 3, between "that" and "I", insert the following:
the voter I am assisting is eligible to receive assistance because of a physical disability that renders the voter unable to write or see or to read the language in which the ballot is written;

(6) On page 10, lines 5 through 8, strike "answering the voter's questions, to stating propositions on the ballot, and to naming candidates and, if listed, their political parties; I will prepare the voter's ballot as the voter directs;" and substitute "reading the ballot to the voter, directing the voter to read the ballot, marking the voter's ballot, or directing the voter to mark the ballot; [answering the voter's questions, to stating propositions on the ballot, and to naming candidates and, if listed, their political parties; I will prepare the voter's ballot as the voter directs;]".

(7) On page 10, line 9, strike "and".

(8) On page 10, line 11, between "belongs" and the period, insert the following:

; I will not communicate information about how the voter has voted to another person; and I understand that if assistance is provided to a voter who is not eligible for assistance, the voter's ballot may not be counted

(9) On page 10, line 21, between "person" and the underlined semicolon, insert "under Section 64.031".

(10) On page 10, line 23, between "voter" and the underlined semicolon, insert "under Section 64.031".

Amendment No. 19 was adopted.

Amendment No. 20

Representative Beckley offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of that article accordingly:

SECTION 2. _____. Sections 43.007(c) and (d), Election Code, are amended to read as follows:

(c) In conducting the program, the secretary of state shall provide for an audit of the voting system equipment [~~direct recording electronic voting units~~] before and after the election, and during the election to the extent such an audit is practicable.

(d) The secretary of state shall select to participate in the program each county that:

(1) has held a public hearing under Subsection (b);

(2) has submitted documentation listing the steps taken to solicit input on participating in the program by organizations or persons who represent the interests of voters;

(3) has implemented a computerized voter registration list that allows an election officer at the polling place to verify that a voter has not previously voted in the election;

(4) uses direct recording electronic voting machines, ballot marking devices, or hand-marked scannable paper ballots that are printed and scanned at the polling place or any other type of voting system equipment that the secretary of state determines is capable of processing votes for each type of ballot to be voted in the county; and

(5) is determined by the secretary of state to have the appropriate technological capabilities.

Amendment No. 20 was adopted.

A record vote was requested by Representative C. Turner.

CSSB 7, as amended, was passed to third reading by (Record 841): 81 Yeas, 64 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Rogers; Sanford;

Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Larson; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Deshotel; Raney.

Absent — Sherman.

STATEMENT OF VOTE

When Record No. 841 was taken, I was in the house but away from my desk. I would have voted no.

Sherman

CSHB 6 - LAID ON THE TABLE SUBJECT TO CALL

Representative Cain moved to lay **CSHB 6** on the table subject to call.

The motion prevailed.

ADJOURNMENT

Representative Metcalf moved that the house adjourn until 10 a.m. today.

The motion prevailed.

The house accordingly, at 3:05 a.m. Friday, May 7, adjourned until 10 a.m. today.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

SB 403 to Urban Affairs.

SB 704 to Licensing and Administrative Procedures.

SB 1171 to Public Education.

SB 1365 to Public Education.

SB 1421 to Ways and Means.

SB 1465 to International Relations and Economic Development.

SB 1467 to Higher Education.

SB 1538 to Insurance.

SB 1575 to Human Services.

SB 1876 to Public Health.

SB 2046 to Urban Affairs.

SB 2163 to Land and Resource Management.

SB 2172 to Land and Resource Management.

SB 2174 to Land and Resource Management.

SB 2205 to Land and Resource Management.

SB 2207 to Land and Resource Management.

SB 2208 to Land and Resource Management.

SB 2216 to Land and Resource Management.

SB 2217 to Land and Resource Management.

SB 2219 to Land and Resource Management.

SCR 22 to Culture, Recreation, and Tourism.

List No. 2

HR 1019 (By Geren), In memory of Derek Alden Howard of Austin.
To Resolutions Calendars.

List No. 3

HB 4671 (By A. Johnson, Oliverson, Klick, Walle, and Bonnen), Relating to the establishment of a pilot program to provide telemedicine medical services to certain cancer patients receiving pain management services and supportive palliative care.

To Public Health.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 16

HB 390, HB 797, HB 1118, HCR 92, HCR 94

Senate List No. 9

SB 567, SB 721, SB 725, SB 1064, SB 1260, SB 1334, SB 1555, SB 1809, SB 1954

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, May 6, 2021

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 41 Zaffirini

Relating to the consolidation and allocation of state civil court costs; increasing certain civil court costs; authorizing fees.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, May 6, 2021 - 2

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 867 Thompson, Senfronia SPONSOR: Hughes

Relating to the issuance of a qualified domestic relations order for the payment of spousal maintenance and child support obligations.

HB 1082 King, Phil SPONSOR: Zaffirini

Relating to the availability of personal information of an elected public officer.

SB 168 Blanco

Relating to emergency school drills and exercises conducted by public schools.

SB 594 Hinojosa

Relating to the provision of solid waste disposal services by certain counties; authorizing a fee.

SB 1008 Hinojosa

Relating to fees for pipeline construction imposed by certain districts.

SB 1629 Miles

Relating to failure to report assault, neglect, or omission of care in certain group homes; creating a criminal offense.

SB 1847 Powell

Relating to training requirements for certain individuals for inclusion in the nurse aide registry.

THE SENATE HAS GRANTED THE REQUEST OF THE HOUSE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

HB 5

Senate Conferees: Nichols - Chair/Hancock/Hinojosa/Perry/West

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER

Austin, Texas

Thursday, May 6, 2021 - 3

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 1232 Taylor

Relating to the management and investment of the permanent school fund, including authorizing the creation of the Texas Permanent School Fund Corporation to manage and invest the fund and limiting the authority of the School Land Board to manage and invest the fund if the corporation is created.

SB 1444 Taylor

Relating to participation in the uniform group coverage program for active school employees and to a study concerning health coverage for school district employees.

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 4

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, May 6, 2021 - 4

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 1530 Huffman
Relating to the operation and administration of and practice and procedure related to proceedings in the judicial branch of state government.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 5

Agriculture and Livestock - **SB 703**

Business and Industry - **HB 2542**

Corrections - **HB 2384**

Criminal Jurisprudence - **HB 77, HB 140, HB 169, HB 285, HB 836, HB 1126, HB 1127, HB 1156, HB 1306, HB 2357, HB 2498, HB 3157, HB 3521, HB 4485, HB 4565**

Culture, Recreation, and Tourism - **SB 1265**

Defense and Veterans' Affairs - **SB 460, SB 780, SB 791, SB 1233**

Elections - **HB 740, HB 1183, HB 2860, SB 2093**

Environmental Regulation - **HB 4472**

Higher Education - **HB 1482, HB 2815, HB 4487**

Homeland Security and Public Safety - **HB 671, HB 929, HB 1157, HB 2166, HB 2618, HB 2798, HB 2844, HB 2922, HB 3266, HB 4299, HB 4300, SB 20, SB 64, SB 343, SB 550, SB 785, SB 1056, SB 1253**

Human Services - **HB 3815, SB 930**

Insurance - **HB 1586**

Judiciary and Civil Jurisprudence - **HB 2918, HB 3913, HB 3966, SB 232, SB 626, SB 1259, SB 1339, SB 1373**

Land and Resource Management - **HB 2730, HB 4186, HB 4623, HB 4650, SB 1499**

Licensing and Administrative Procedures - **HB 3976, HB 4086, SB 911, SB 1130, SB 1226**

Pensions, Investments, and Financial Services - **HB 805, HB 4068, SCR 17**

Public Education - **HB 586, HB 1754, HB 2846, HB 3204, HB 4509, HB 4525, SB 1776**

Public Health - **HB 1424, HB 2473**

State Affairs - **HB 3, HB 2275, HB 3906, HB 4120, HB 4661**

Transportation - **HB 130, HB 2191, HB 2222, HB 3467, HB 3515, HB 3992, SB 633, SB 876, SB 941**

Urban Affairs - **HB 1803, HB 2027, SB 709**

Ways and Means - **HB 746, HB 3437, HB 4004, HB 4563, HJR 141**

ENGROSSED

May 5 - HB 246, HB 368, HB 622, HB 1080, HB 1128, HB 1193, HB 1300, HB 1340, HB 1397, HB 1477, HB 1488, HB 1509, HB 1518, HB 1564, HB 1646, HB 1681, HB 2063, HB 2136, HB 2308, HB 2365, HB 2497, HB 2867, HB 2924, HB 3046, HB 3215, HB 3354, HB 3535, HB 3702, HB 3752, HB 3777, HB 3893, HB 3923, HB 3924, HB 4139, HB 4346, HB 4534

ENROLLED

May 5 - HB 390, HB 1118, HCR 92, HCR 94

RECOMMENDATIONS FILED WITH THE SPEAKER

May 5 - HB 4625, HB 4626, HB 4627, HB 4628, HB 4629, HB 4630, HB 4633

