

# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

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THIRTY-FIRST DAY — THURSDAY, APRIL 22, 2021

The house met at 10:18 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 391).

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; Coleman; 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.

The invocation was offered by Representative Collier as follows:

Most holy and gracious Father, we come before you and give you honor and praise. Thank you for your amazing power and work in our lives. Thank you for your goodness and grace. With humble hearts, we ask that you forgive us for our sinning, knowingly and unknowingly.

I stand before you, God, asking for blessings upon our governor, lieutenant governor, and our very own speaker. Please bless each of my colleagues and their families, dear God. Please bless our team members, who are part of doing the work for those who we have the honor to represent. Please bless our gathering today, for we are assembled to deliberate various topics, including our state budget. Send us your Holy Spirit to be our guide and give us the wisdom to understand every topic that comes before us. May we honor and embrace our

diversity and differences as a people, and as a united body, may we move with a clear and directed purpose to build a better future for all people in this great State of Texas. We ask this in the mighty name of Jesus. Amen.

The chair recognized Representative Dean 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. 10 and Senate List No. 6).

### **LEAVE OF ABSENCE GRANTED**

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

C. Bell on motion of Hefner.

### **EMERGENCY CALENDAR**

#### **SENATE BILLS SECOND READING**

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

#### **CSSB 1 ON SECOND READING (Bonnen - House Sponsor)**

**CSSB 1**, General Appropriations Bill.

Representative Bonnen moved to postpone consideration of **CSSB 1** until the end of the third reading calendar.

The motion prevailed.

### **MAJOR STATE CALENDAR**

#### **HOUSE BILLS THIRD READING**

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

#### **HB 8 ON THIRD READING (by Pacheco, White, Dean, Guillen, Collier, et al.)**

**HB 8**, A bill to be entitled An Act relating to access by a hiring law enforcement agency to an applicant's employment records.

**HB 8** was passed by (Record 392): 142 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Beckley; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Cain; Campos; Capriglione; Cason; Clardy; Cole; Coleman; 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.; 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.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Johnson, J.D.; Thompson, S.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.

Absent — Bailes; Button; Canales; Morales Shaw.

### STATEMENTS OF VOTE

When Record No. 392 was taken, I was in the house but away from my desk. I would have voted yes.

Button

When Record No. 392 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

When Record No. 392 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

### GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

#### HB 1525 ON THIRD READING

(by Huberty, VanDeaver, K. King, Dutton, M. González, et al.)

**HB 1525**, A bill to be entitled An Act relating to the public school finance system.

#### Amendment No. 1

Representative E. Thompson offered the following amendment to **HB 1525**:

Amend **HB 1525** on third reading in SECTION 9 of the bill, in amended Section 45.0021, Education Code, by striking added Subsection (g) of the section and substituting the following:

(g) This section may not be construed to prohibit a school district from:

(1) paying a portion of the district's maintenance tax revenue into the tax increment fund for a reinvestment zone under Chapter 311, Tax Code; or

(2) using money disbursed from the tax increment fund for a reinvestment zone under Chapter 311, Tax Code, in accordance with the agreement entered into by the district with the governing body of the municipality or county that designated the zone under Section 311.013(f) of that code.

Amendment No. 1 was adopted.

## **Amendment No. 2**

Representative Guillen offered the following amendment to **HB 1525**:

Amend **HB 1525** (house committee printing) as follows:

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

SECTION \_\_\_\_\_. Section 31.0211(c), Education Code, is amended to read as follows:

(c) Subject to Subsection (d), funds allotted under this section may be used to:

(1) purchase:

(A) materials on the list adopted by the commissioner, as provided by Section 31.0231;

(B) instructional materials, regardless of whether the instructional materials are on the list adopted under Section 31.024;

(C) consumable instructional materials, including workbooks;

(D) instructional materials for use in bilingual education classes, as provided by Section 31.029;

(E) instructional materials for use in college preparatory courses under Section 28.014, as provided by Section 31.031;

(F) supplemental instructional materials, as provided by Section 31.035;

(G) state-developed open education resource instructional materials, as provided by Subchapter B-1;

(H) instructional materials and technological equipment under any continuing contracts of the district in effect on September 1, 2011;

(I) technological equipment necessary to support the use of materials included on the list adopted by the commissioner under Section 31.0231 or any instructional materials purchased with an allotment under this section; and

(J) inventory software or systems for storing, managing, and accessing instructional materials and analyzing the usage and effectiveness of the instructional materials; and

(2) pay:

(A) for training educational personnel directly involved in student learning in the appropriate use of instructional materials and for providing for access to technological equipment for instructional use; ~~and~~

(B) the salary and other expenses of an employee who provides technical support for the use of technological equipment directly involved in student learning; and

(C) for costs associated with distance learning, including Wi-Fi, Internet access hotspots, wireless network service, broadband service, and other services and technological equipment necessary to facilitate Internet access.

(2) On page 24, line 3, strike "This" and substitute "(a) Except as otherwise provided by this section, this".

(3) On page 24, immediately after line 3, insert the following:

(b) Section 31.0211(c), Education Code, as amended by this Act, takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, Section 31.0211(c), Education Code, as amended by this Act, takes effect September 1, 2021.

Amendment No. 2 was adopted.

**HB 1525**, as amended, was passed by (Record 393): 142 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; 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; 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; 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; Schofield; Shaheen; Sherman; Shine; Slaton; 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 — Cain; King, P.; Middleton; Schaefer.

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

Absent, Excused — Bell, C.

Absent — Davis.

### STATEMENTS OF VOTE

When Record No. 393 was taken, I was shown voting yes. I intended to vote no.

Biedermann

When Record No. 393 was taken, I was in the house but away from my desk. I would have voted yes.

Davis

When Record No. 393 was taken, I was shown voting yes. I intended to vote no.

Hefner

When Record No. 393 was taken, I was shown voting present, not voting. I intended to vote no.

Toth

### **HB 275 ON THIRD READING**

**(by Moody, S. Thompson, Collier, Leach, and Murr)**

**HB 275**, A bill to be entitled An Act relating to an application for a writ of habeas corpus based on certain relevant scientific evidence that was not available at the applicant's trial.

**HB 275** was passed by (Record 394): 144 Yeas, 1 Nays, 1 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; Clardy; Cole; Coleman; 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; 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; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.

Absent — Holland; Metcalf; Rogers.

**STATEMENTS OF VOTE**

When Record No. 394 was taken, I was in the house but away from my desk. I would have voted yes.

Holland

When Record No. 394 was taken, I was in the house but away from my desk. I would have voted yes.

Metcalf

When Record No. 394 was taken, I was in the house but away from my desk. I would have voted no.

Rogers

**HB 1293 ON THIRD READING  
(by Smithee, Collier, and Moody)**

**HB 1293**, A bill to be entitled An Act relating to the authority of a court to grant a motion for a new trial in certain criminal cases.

**HB 1293** was passed by (Record 395): 146 Yeas, 0 Nays, 1 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; Clardy; Cole; Coleman; 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.; 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 — Bell, C.

Absent — Johnson, J.E.; Raney.

**HB 252 ON THIRD READING  
(by Moody, Collier, Leach, White, and A. Johnson)**

**HB 252**, A bill to be entitled An Act relating to certain sentencing procedures in a capital case.

**HB 252** was passed by (Record 396): 148 Yeas, 0 Nays, 1 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; Clardy; Cole; Coleman; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.

**HB 1276 ON THIRD READING**  
**(by Parker, Geren, Cain, Allison, et al.)**

**HB 1276**, A bill to be entitled An Act relating to the sale of certain food by food service establishments.

**HB 1276** was passed by (Record 397): 145 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Capriglione; Cason; Clardy; Cole; Coleman; 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.; 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.

Nays — Cain; Canales.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.

Absent — Morales Shaw.

### STATEMENTS OF VOTE

When Record No. 397 was taken, I was shown voting no. I intended to vote yes.

Canales

When Record No. 397 was taken, I was in the house but away from my desk. I would have voted yes.

Morales Shaw

### HB 295 ON THIRD READING

(by Murr, Collier, Smith, Moody, and A. Johnson)

**HB 295**, A bill to be entitled An Act relating to the provision of funding for indigent defense services.

**HB 295** was passed by (Record 398): 147 Yeas, 0 Nays, 1 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; Clardy; Cole; Coleman; 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; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.

Absent — Harless.

**STATEMENT OF VOTE**

When Record No. 398 was taken, I was in the house but away from my desk. I would have voted yes.

Harless

**HB 1341 ON THIRD READING  
(by Leach and Pacheco)**

**HB 1341**, A bill to be entitled An Act relating to waivers for entrance fees to state parks for resident first responders, military service members, and veterans.

**HB 1341** was passed by (Record 399): 146 Yeas, 0 Nays, 1 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; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; 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.; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.

Absent — Crockett; Morales Shaw.

**STATEMENT OF VOTE**

When Record No. 399 was taken, I was in the house but away from my desk. I would have voted present, not voting.

Morales Shaw

**HB 978 ON THIRD READING  
(by Metcalf)**

**HB 978**, A bill to be entitled An Act relating to authorizing the comptroller to release a reported owner's unclaimed property to the owner's crime victim in certain circumstances and payment by the Texas Department of Criminal Justice of certain amounts owed by an inmate.

**HB 978** was passed by (Record 400): 147 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; Clardy; Cole; Coleman; 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; 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.

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

Absent, Excused — Bell, C.

### STATEMENT OF VOTE

When Record No. 400 was taken, I was shown voting present, not voting. I intended to vote yes.

Pacheco

### HB 1441 ON THIRD READING

(by Schaefer, S. Thompson, Vasut, Cain, Sherman, et al.)

**HB 1441**, A bill to be entitled An Act relating to the state's burden of proof in certain asset forfeiture proceedings under the Code of Criminal Procedure.

**HB 1441** was passed by (Record 401): 143 Yeas, 5 Nays, 1 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; Clardy; Cole; Coleman; 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; Hull; Hunter; Israel; Jetton; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; 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.

Nays — Huberty; Johnson, A.; King, T.; Lozano; Metcalf.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.

### STATEMENT OF VOTE

When Record No. 401 was taken, I was shown voting no. I intended to vote yes.

T. King

### HB 1635 ON THIRD READING (by Patterson and Perez)

**HB 1635**, A bill to be entitled An Act relating to a study on first responders' workers' compensation claims by the workers' compensation research and evaluation group.

**HB 1635** was passed by (Record 402): 139 Yeas, 8 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; 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; 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; Sanford; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Biedermann; Cain; Hefner; Schaefer; Slaton; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.

Absent — Rosenthal.

### STATEMENTS OF VOTE

When Record No. 402 was taken, I was shown voting no. I intended to vote yes.

Hefner

When Record No. 402 was taken, I was in the house but away from my desk. I would have voted yes.

Rosenthal

### HB 4136 ON THIRD READING (by Collier)

**HB 4136**, A bill to be entitled An Act relating to automatic orders of nondisclosure of criminal history record information for certain misdemeanor defendants following successful completion of a period of deferred adjudication community supervision.

**HB 4136** was passed by (Record 403): 100 Yeas, 45 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bailes; Beckley; Bell, K.; Bernal; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cortez; Crockett; Darby; Davis; Deshotel; Dominguez; Dutton; Fierro; Frank; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Krause; Kuempel; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Patterson; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schaefer; Shaheen; Sherman; Shine; Smith; Smithee; Spiller; Stephenson; Swanson; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Allison; Ashby; Biedermann; Bonnen; Cain; Cook; Craddick; Cyrier; Dean; Ellzey; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Hull; King, P.; Klick; Lambert; Landgraf; Leman; Metcalf; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Paul; Price; Sanford; Schofield; Slaton; Slawson; Stucky; Thompson, E.; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.

Absent — Anderson; Huberty; Rogers.

**STATEMENTS OF VOTE**

When Record No. 403 was taken, I was in the house but away from my desk. I would have voted no.

Anderson

When Record No. 403 was taken, I was shown voting no. I intended to vote yes.

Cain

When Record No. 403 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 403 was taken, I was shown voting yes. I intended to vote no.

Kuempel

When Record No. 403 was taken, I was in the house but away from my desk. I would have voted no.

Rogers

When Record No. 403 was taken, I was shown voting no. I intended to vote yes.

Vasut

**RULES SUSPENDED  
FLOOR PRIVILEGES**

Representative Bonnen moved to suspend Rule 5, Section 11, of the House Rules to entitle necessary staff from the Committee on Appropriations, the Legislative Budget Board, and the speaker's office to privileges of the floor of the house during the consideration of **SB 1** and **HB 2**.

The motion prevailed.

**SB 1 - RULES SUSPENDED  
RULE GOVERNING OPENING DEBATE**

Representative Bonnen moved to suspend Rule 5, Section 27, and Rule 5, Section 28, of the House Rules to adopt the following rule governing the opening debate for **SB 1**:

Section 1. The opening debate on **SB 1** shall not exceed 40 minutes. One extension of time, not to exceed 20 minutes, may be granted by majority vote. A second extension of time may be granted only by unanimous consent.

Section 2. The first 20 minutes of the opening debate period shall be reserved for an explanation of the bill, without interruption, by the author of the bill, and, in succession, by the chair of each subcommittee of the Appropriations Committee.

Section 3. The second 20 minutes of the opening debate period, and any extensions granted pursuant to this rule, shall be reserved for the author of the bill and the subcommittee chairs to respond to questions from members regarding the content of the bill. The speaker may alternate between recognizing the author of the bill and recognizing the appropriate subcommittee chair to respond to a question from another member.

The motion prevailed.

### **SB 1 - RULES SUSPENDED PROCEDURE FOR MOVING AMENDMENTS TO ARTICLE XI**

Representative Bonnen moved to suspend all necessary rules to adopt the following rule governing moving to Article XI an amendment to **SB 1** that has been laid before the house:

Section 1. To move to Article XI an amendment that is under consideration by the house, and any changes to the amendment that have been adopted by the house, the author of the amendment, when moving to adopt the amendment, must include an instruction to place the amendment in Article XI.

Section 2. If the amendment is adopted in accordance with Section 1 of this rule, the text of the amendment, and any changes to the amendment that have been adopted by the house, will be placed in Article XI, and the journal will reflect that the text of the amendment, and any changes to the amendment adopted by the house, will be placed in Article XI.

The motion prevailed.

### **POSTPONED BUSINESS**

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

#### **CSSB 1 ON SECOND READING (Bonnen - House Sponsor)**

**CSSB 1**, General Appropriations Bill.

**CSSB 1** was read second time earlier today and was postponed until this time.

### **CSSB 1 - REMARKS**

REPRESENTATIVE PRICE: I want to elicit some legislative intent and ask you a couple of questions about a very specific topic inside the Article II budget concerning ICF rates and certain waiver providers. Last session, in the 86th Legislative Session, Rider 44 increased those rates for intermediate care facilities and certain waiver providers. You may remember that. It increased the factor from HCS providers from 4.4 percent to seven percent, with the intent that the additional funds be spent for the benefit of direct care staff, including direct care staff wages. In this particular session, you have included Rider 109, a rider that states that "rates for these programs not be realigned through the biennial rate review process" and that you will "evaluate the rate setting methodology for these programs in order to develop reimbursement methodologies." That rider is still in effect. It's part of what the house has worked on as we sit here today, correct?

REPRESENTATIVE CAPRIGLIONE: Yes, that's correct. The rider is HHSC Rider 109 from Representative Julie Johnson. So what the HHSC budget includes in this budget is a continuation of the rate increase for the ICF and IIDs in the 2022-2023 biennium.

PRICE: So though the rider's clear, and you just articulated that, where funds should be spent, HHSC has communicated that 60 percent of the funds allocated last session will expire at the end of the biennium unless the legislature directs the commission to continue rates as appropriated last session. So the funding for the increases is already in the base Strategy A.3.1 in **CSSB 1**, so there is no need to appropriate additional funds, right?

CAPRIGLIONE: That is correct, yes.

PRICE: And so isn't it also true that allowing HHSC to reallocate these funds in the fiscal year 2021-2022 would force providers to reduce the already low wages, which would exacerbate the shortage of qualified staff that provide direct care to service recipients with intellectual and developmental disabilities? Isn't that part of the reasoning to include the rider?

CAPRIGLIONE: That's right. And these increases, what they did is they supported, to give members an example, services providing the Home and Community-based Services, Texas Home Living and day activity and health services, and direct care staff, as you mentioned, at the ICF and IIDs. It's also service providers in the Deaf-Blind Multiple Disabilities program and also, as you mentioned, community attendants participating in the program.

PRICE: So did you ever hear any feedback about reimbursement methodologies and cost reporting and some question or some dispute about whether or not they are accurate as being used? And that it's one reason why this rider should stay in the budget in its final form, so that there will be time to study some of that and maybe make adjustments, if necessary, before the next budget discussion takes place?

CAPRIGLIONE: Representative Price, yes, we have heard that. We heard it in committee—not just on this, I'll say all across the board—but yes, we did have that. And I agree that that is one of the reasons that we adopted this Rider 109 in the subcommittee is to make sure it stays and that these rate increases stay.

PRICE: Well, I appreciate the subcommittee's work, especially on this issue. I know it's very difficult and y'all had a lot of issues to comb through and work on. I would urge you as you go into conference to keep this language in the bill and keep this rider effective. And again, thanks for your attention to this. I appreciate it very much.

### **REMARKS ORDERED PRINTED**

Representative Price moved to print remarks between Representative Capriglione and Representative Price on Article II on **CSSB 1**.

The motion prevailed.



**Amendment No. 1 (Article XI)**

Representative Toth offered the following amendment to **CSSB 1**:

Floor Packet Page No. 3

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article I of the bill, reduce the total general revenue appropriations to the Commission on the Arts by \$2,000,000 for the state fiscal year beginning September 1, 2021 (page I-1), and make proportional reductions in the amount of general revenue appropriated to the commission for the state fiscal year beginning September 1, 2021, for Strategies A.1.1, A.1.2, and A.1.3 (page I-1).

(2) In Article VI of the bill, increase general revenue appropriations to the Water Development Board for use under Strategy B.1.2, Economically Distressed Areas (page VI-54), by \$2,000,000 for the state fiscal year beginning September 1, 2021.

(3) Adjust totals and methods of financing accordingly.

**Amendment No. 2 (Article XI)**

Representative Toth offered the following amendment to Amendment No. 1:

Amend Amendment No. 1 by Toth to **CSSB 1** (page 3, prefiled amendments packet) on page 1, line 11, by striking "Strategy B.1.2, Economically Distressed Areas" and substituting "Strategy C.1.1, EDAP Debt Service".

Amendment No. 2 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Anchia, Bucy, Campos, Cole, Craddick, Darby, Hinojosa, Israel, A. Johnson, J.E. Johnson, Martinez Fischer, Metcalf, Minjarez, Morales Shaw, Ortega, Rodriguez, Romero, Shine, and Talarico recorded voting no.)

Amendment No. 1, as amended, was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Anchia, Buckley, Bucy, Campos, Cole, Craddick, Darby, J. González, M. González, Hinojosa, Howard, Israel, J.E. Johnson, Martinez, Martinez Fischer, Metcalf, Meza, Minjarez, Ortega, Rodriguez, Romero, Shine, and Talarico recorded voting no; A. Johnson recorded voting present, not voting.)

**Amendment No. 3**

Representative Slaton offered the following amendment to **CSSB 1**:

Floor Packet Page No. 4

Amend **CSSB 1** (house committee report) as follows:

(1) In Article I of the bill, in the appropriations to the Commission on the Arts, Method of Financing listing for General Revenue Fund-Dedicated, Commission on the Arts (page I-I), strike "10,164,493" and substitute "0" for the state fiscal year ending August 31, 2022.

(2) In Article I of the bill, in the appropriations to the Commission on the Arts, Method of Financing listing for General Revenue Fund-Dedicated, Commission on the Arts (page I-I), strike "10,164,493" and substitute "0" for the state fiscal year ending August 31, 2023.

(3) In Article V of the bill, in the appropriations to the Border Security Enhancement Fund, increase the appropriations from the General Revenue Fund to the Border Security Enhancement Fund, by the amount of \$10,164,493 for the state fiscal year ending August 31, 2022.

(4) In Article V of the bill, in the appropriations to the Border Security Enhancement Fund, increase the appropriations from the General Revenue Fund to the Border Security Enhancement Fund, by the amount of \$10,164,493 for the state fiscal year ending August 31, 2023.

(6) In Article V of the bill, add the following appropriately numbered rider after the appropriations to the Department of Public Safety:

\_\_\_\_\_. Border Security Enhancement Fund. In addition to other amounts appropriated, the amount of \$10,164,493 for each fiscal year of the state fiscal biennium beginning September 1, 2021, is appropriated from the General Revenue Fund to the Border Security Enhancement Fund to fund the construction to department and federal specifications for similar infrastructure of a wall to be named the "President Donald J. Trump Wall."

(7) Adjust totals, methods of financing, and other provisions of the bill accordingly.

### **Amendment No. 3 - Point of Order**

Representative Anchia raised a point of order against further consideration of Amendment No. 3 under Rule 8, Section 4, of the House Rules on the grounds that the amendment changes general law through an appropriations bill. The point of order was withdrawn.

Amendment No. 3 was withdrawn.

### **Amendment No. 4**

Representative Dean offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 7

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article I of the bill, in the appropriations to the Office of the Attorney General (page I-3), reduce the General Revenue Fund appropriations to Strategy A.1.1, Legal Services, by \$121,008 for the state fiscal year ending August 31, 2022.

(2) In Article V of the bill, following the appropriations to the Commission on Law Enforcement (page V-38), add the following appropriately numbered rider:

\_\_\_\_\_. Study on Peace Officer Salaries. In addition to the amounts appropriated above, the amount of \$121,008 is appropriated from the General Revenue Fund to the Commission on Law Enforcement for the state fiscal year ending August 31, 2022, for the purpose of conducting a study on the salaries of peace officers in this state and throughout the United States, including comparisons among salaries of peace officers employed by varying sizes of law enforcement agencies and comparisons across regions with varying costs of

living. The commission shall submit a report on the results of the study to the governor, the Legislative Budget Board, and the standing legislative committees with primary jurisdiction over the commission not later than November 1, 2022.

(3) Adjust totals and methods of financing accordingly.

Amendment No. 4 was adopted.

#### **Amendment No. 5**

Representative Howard offered the following amendment to **CSSB 1**:

Floor Packet Page No. 12

Amend **CSSB 1** as follows:

(1) In Article I of the bill, on page I-3 under Method of Financing, increase appropriations to Compensation to Victims of Crime Account No. 469 by \$20,000,000.

(2) In Article II of the bill, increase appropriations to Strategy D.1.1 Women's Health Programs by \$15,000,000.

(3) In Article II of the bill, reduce appropriations in D.1.2 Strategy Alternatives to Abortion by \$35,000,000

Amendment No. 5 was withdrawn.

#### **Amendment No. 6**

Representative Howard offered the following amendment to **CSSB 1**:

Floor Packet Page No. 17

Amend **CSSB 1** as follows:

(1) In Article I of the bill, amend Rider 7 as follows:

7. Appropriations of Receipts, Court Costs. Out of the funds appropriated above as Appropriated Receipts, \$20,983,263 in fiscal year 2022 and \$20,983,263 in fiscal year 2023 represents the annual appropriation of court costs, attorneys' fees, and investigative costs recovered by the Office of the Attorney General. Prior to appropriating funds to Strategy A.1.1, Legal Services, at least \$5,000,000 of the court costs, attorneys' fees, and investigative costs recovered by the Office of the Attorney General in excess of those specifically appropriated and shown in the agency's method of financing shall be allocated to the Compensation to Victims of Crime Account No. 469 for each fiscal year. Court costs, attorneys' fees, and investigative costs recovered by the Office of the Attorney General in excess of those specifically appropriated and shown in the agency's method of financing are appropriated to the Office of the Attorney General in an amount not to exceed \$10,000,000 each fiscal year and shall be used for Strategy A.1.1, Legal Services. At least semi-annually, beginning within 60 days after the close of each fiscal year or more often upon request of the Legislative Budget Board, the Office of the Attorney General shall submit to the Legislative Budget Board, the Senate Finance Committee, the House Appropriations Committee, and the governor a report that lists each case in which an award of court costs, attorneys' fees, or investigative fees was made, the date of the award, the amount of court costs that were awarded, the amount of investigative costs that were awarded, the amount of attorneys' fees that were

awarded, and the strategy or strategies to which the above receipts were allocated, in addition to any other information that may be requested by the Legislative Budget Board.

Amendment No. 6 was withdrawn.

**Amendment No. 7**

Representative J. González offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 19

Amend **CSSB 1** (house committee printing) in Article I of the substitute, following the appropriations to the Office of the Attorney General, in Rider 32, Outside Legal Fees (page I-11), between "Legal Fees." and "In the event", by inserting the following:

The amount paid by the Office of the Attorney General for outside legal expenses may not exceed \$500 per hour.

**Amendment No. 7 - Point of Order**

Representative Vasut raised a point of order against further consideration of Amendment No. 7 under Rule 8, Section 4, of the House Rules on the grounds that the amendment changes general law through an appropriations bill. The point of order was withdrawn.

A record vote was requested by Representative J. González.

Amendment No. 7 was adopted by (Record 404): 73 Yeas, 64 Nays, 1 Present, not voting.

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

Nays — Anderson; Ashby; Bailes; Bell, K.; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Gates; Goldman; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; Krause; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Murr; Noble; Oliverson; Parker; Patterson; Paul; Price; Raney; Sanford; Schaefer; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Stephenson; Stucky; Swanson; Thompson, E.; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.

Absent — Biedermann; Coleman; Frullo; Herrero; King, K.; King, T.; Klick; Kuempel; Pacheco; Paddie; Walle.

### STATEMENTS OF VOTE

When Record No. 404 was taken, I was shown voting yes. I intended to vote no.

Allison

When Record No. 404 was taken, I was shown voting no. I intended to vote yes.

K. Bell

When Record No. 404 was taken, I was in the house but away from my desk. I would have voted yes.

Biedermann

When Record No. 404 was taken, I was shown voting no. I intended to vote yes.

Buckley

When Record No. 404 was taken, I was shown voting no. I intended to vote yes.

Burns

When Record No. 404 was taken, I was shown voting no. I intended to vote yes.

Cain

When Record No. 404 was taken, I was shown voting no. I intended to vote yes.

Cyrer

When Record No. 404 was taken, I was in the house but away from my desk. I would have voted no.

Frullo

When Record No. 404 was taken, I was shown voting yes. I intended to vote no.

Geren

When Record No. 404 was taken, I was shown voting no. I intended to vote yes.

Harless

When Record No. 404 was taken, I was in the house but away from my desk. I would have voted no.

Kuempel

When Record No. 404 was taken, I was shown voting yes. I intended to vote no.

Murphy

When Record No. 404 was taken, I was shown voting no. I intended to vote yes.

Raney

When Record No. 404 was taken, I was shown voting no. I intended to vote yes.

Toth

When Record No. 404 was taken, I was shown voting no. I intended to vote yes.

Vasut

When Record No. 404 was taken, I was shown voting no. I intended to vote yes.

White

#### **Amendment No. 8 (Article XI)**

Representative Moody offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 23

Amend **CSSB 1** (house committee printing) as follows:

In Article I of the bill, following the appropriations to the Office of the Attorney General (page I-3), add the following appropriately numbered rider:

\_\_\_\_. Report on Use of Public Information Act Exceptions. Out of funds appropriated above, the Office of the Attorney General shall annually produce a report to the legislature no later than December 31 of each year on the number of Open Records Division rulings permitting the withholding of information under Texas Government Code § 552.108(a)(2) or (b)(2). The report shall include the date of each ruling and the agency that sought the ruling.

Amendment No. 8 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Buckley, Burns, Cain, Cook, Darby, Gates, Harless, Krause, Landgraf, Metcalf, Murr, Noble, Oliverson, Paddie, Parker, Schaefer, Spiller, Tinderholt, VanDeaver, and Vasut recorded voting no.)

#### **Amendment No. 9**

Representative C. Turner offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 27

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider following the Article I appropriations for Office of Attorney General (page I-12):

\_\_\_\_\_. Prohibition on Use of Appropriated Money for Certain Lawsuits. Money appropriated to the Office of the Attorney General by this Act may not be used to pay for or support a lawsuit to contest election results outside of the state of Texas.

Amendment No. 9 was withdrawn.

#### **Amendment No. 10**

Representative Beckley offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 24

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider following the Article I appropriations for Office of the Attorney General (page I-12):

\_\_\_\_\_. Report on Election-Related Litigation. It is the intent of the legislature that the Office of the Attorney General submit a monthly report to the House Committee on Appropriations and the Senate Committee on Finance with the amount of money spent on election or voting-related litigation during the previous month.

#### **Amendment No. 11**

Representative Beckley offered the following amendment to Amendment No. 10:

Amend Amendment No. 10 by Beckley amending **CSSB 1** (page 24, prefiled amendments packet) as follows:

- (1) Strike "monthly" and substitute "quarterly".
- (2) Strike "month" and substitute "quarter".

Amendment No. 11 was adopted. (White recorded voting no.)

Amendment No. 10, as amended, was adopted. (White recorded voting no.)

#### **Amendment No. 12 (Article XI)**

Representative Buckley offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 28

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article I of the bill, in the appropriations to the Comptroller of Public Accounts, increase the general revenue appropriations for Strategy A.1.13, Disabled Veteran Assist Payments (page I-22), by \$500,000 for each fiscal year of the state fiscal biennium ending August 31, 2023.

(2) In Article VI of the bill, in the appropriations to the Commission on Environmental Quality, decrease the general revenue appropriations for Strategy F.1.2, Information Resources (page VI-15), by \$500,000 for each fiscal year of the state fiscal biennium ending August 31, 2023.

(3) Adjust totals and methods of financing accordingly.

Amendment No. 12 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Anchia, Biedermann, Campos, J. González, Hinojosa, Israel, Meza, Morales Shaw, Ortega, and Talarico recorded voting no; A. Johnson recorded voting present, not voting.)

### **Amendment No. 13**

Representative Bowers offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 30

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider following the Article I appropriations for Fiscal Programs-Comptroller of Public Accounts (page I-28):

\_\_\_\_\_. Report on Equal Pay at State Agencies. It is the intent of the legislature that the Comptroller of Public Accounts, using funds appropriated to the comptroller above, submit a report not later than August 31, 2022, to each member of the legislature comparing the salaries received by men and women under the same job classification at state agencies.

Amendment No. 13 was adopted.

### **Amendment No. 14**

Representative Slaton offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 31

Amend **CSSB 1** (house committee printing) in Article I of the bill by adding the following appropriately numbered rider after the appropriations to the Comptroller of Public Accounts:

\_\_\_\_\_. Prohibition on Use of Appropriated Money for Illegal Aliens. (a) In this section, "illegal alien" means a person who:

- (1) is not a citizen or national of the United States; and
- (2) is unlawfully present in the United States according to the terms of 8 U.S.C. Section 1101 et seq.

(b) Money appropriated to the Comptroller of Public Accounts by this Act for purposes related to responding to the COVID-19 pandemic may not be used to provide pandemic relief to illegal aliens.

### **Amendment No. 14 - Point of Order**

Representative Martinez raised a point of order against further consideration of Amendment No. 14 under Rule 8, Section 4, of the House Rules. The point of order was sustained and the speaker submitted the following ruling:

#### **RULING BY THE SPEAKER**

on Amendment No. 14 to Senate Bill 1

Announced in the House on April 22, 2021

Representative Martinez raises a point of order against further consideration of the Slaton Amendment under Rule 8, Section 4, of the House Rules on the grounds that the amendment changes general law in an appropriations bill.



The proposed rider would prohibit the use of money appropriated to the comptroller of public accounts for purposes related to responding to the COVID-19 pandemic from being used to provide pandemic relief to certain persons.

General law regarding such relief establishes criteria for providing the relief. The rider would add on additional criterion that would prevail over general law preferences.

To comply with the rider, the comptroller would have an additional affirmative duty to determine whether each potential recipient of pandemic relief money is a person ineligible to receive relief under the rider. *See* Atty. Gen. Ltr. Op. 96-079 (1996). Under general law, the appropriations bill may authorize only the governor to find facts. Govt. Code § 316.023. General law does not permit the appropriations bill to designate another officer, agency, board or commission to find facts. Because the rider would require the comptroller to make a finding of fact, the rider creates general law.

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

The ruling precluded further consideration of Amendment No. 14.

#### **Amendment No. 15 (Article XI)**

Representative Hefner offered the following amendment to **CSSB 1**:

Floor Packet Page No. 32

Amend **CSSB 1** (house committee printing) as follows:

(1) Add the following appropriately numbered rider in Article I after the appropriations to the Employees Retirement System (page I-33):

\_\_\_\_\_. Restriction on Deposits to ERS Trust Fund. (a) It is the intent of the legislature that the board of trustees of the Employees Retirement System of Texas not invest retirement system assets in companies that boycott energy companies that engage in the exploration, production, utilization, transportation, sale, or manufacture of fossil fuel-based energy.

(b) Notwithstanding any other provision of this Act, the comptroller may not deposit funds appropriated to the Employees Retirement System of Texas into the state accumulation account of the retirement system's trust fund to pay for benefits provided by the retirement system unless the retirement system:

(1) certifies to the governor and the Legislative Budget Board that the retirement system is actively divesting or has divested from companies that boycott energy companies that engage in the exploration, production, utilization, transportation, sale, or manufacture of fossil fuel-based energy; and

(2) receives prior written approval from the governor and the Legislative Budget Board authorizing deposit of the funds.

(c) The governor and the Legislative Budget Board may only provide approval under Subsection (b)(2) of this rider if the governor and the Legislative Budget Board make a determination that the Employees Retirement System of Texas has divested or is actively divesting from companies that boycott energy companies that engage in the exploration, production, utilization, transportation, sale, or manufacture of fossil fuel-based energy.

(2) Add the following appropriately numbered rider in Article III after the appropriations to the Teacher Retirement System (page III-36):

\_\_\_\_\_. Restriction on Deposits to TRS Trust Fund. (a) It is the intent of the legislature that the board of trustees of the Teacher Retirement System of Texas not invest retirement system assets in companies that boycott energy companies that engage in the exploration, production, utilization, transportation, sale, or manufacture of fossil fuel-based energy.

(b) Notwithstanding any other provision of this Act, the comptroller may not deposit funds appropriated to the Teacher Retirement System of Texas into the state contribution account of the retirement system's trust fund to pay for benefits provided by the retirement system unless the retirement system:

(1) certifies to the governor and the Legislative Budget Board that the retirement system is actively divesting or has divested from companies that boycott energy companies that engage in the exploration, production, utilization, transportation, sale, or manufacture of fossil fuel-based energy; and

(2) receives prior written approval from the governor and the Legislative Budget Board authorizing deposit of the funds.

(c) The governor and the Legislative Budget Board may only provide approval under Subsection (b)(2) of this rider if the governor and the Legislative Budget Board make a determination that the Teacher Retirement System of Texas has divested or is actively divesting from companies that boycott energy companies that engage in the exploration, production, utilization, transportation, sale, or manufacture of fossil fuel-based energy.

Amendment No. 15 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Allen, Anchia, Beckley, Bucy, Campos, Cole, Gervin-Hawkins, J. González, M. González, Goodwin, Hinojosa, Howard, Israel, A. Johnson, J.E. Johnson, Martinez, Martinez Fischer, Meza, Minjarez, Morales Shaw, Ortega, Rodriguez, Romero, Talarico, Thierry, and Zwiener recorded voting no.)

#### **Amendment No. 16 (Article XI)**

Representative Israel offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 36

Amend **CSSB 1** (house committee printing) in Article I of the bill by adding the following appropriately numbered rider following the appropriations to the Texas Facilities Commission (I-40):

\_\_\_\_\_. Installation of Richards-Bush Mall Plaque. It is the intent of the legislature that the Texas Facilities Commission, out of amounts appropriated above, purchase and install a plaque in a prominent location where the Texas Mall is planned. The plaque should prominently display the words "Richards-Bush Mall" in recognition of Ann Richards' and George W. Bush's service as the 45th and 46th governors of this state, respectively.

Amendment No. 16 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Biedermann, Cook, Frullo, Metcalf, Noble, Oliverson, Price, Slaton, Spiller, Swanson, Toth, and Wilson recorded voting no.)

#### **Amendment No. 17**

Representative Tinderholt offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 37

Amend **CSSB 1** (house committee printing) in Article I of the bill, following the appropriations to the Office of the Governor (page I-51), by adding the following appropriately numbered rider:

\_\_\_\_\_. Reduction of Appropriated Money following Disaster Declaration Without Convening the Legislature. If during the 2022 fiscal year, should the governor issue a new order or proclamation or renew an order or proclamation declaring a state of disaster or emergency that exists in at least two-fifths of the counties of this state and fails to convene the legislature for a special session within 60 days of issuing or renewing such order or proclamation, the comptroller shall reduce all 2023 appropriations, constitutionally required appropriations excepted, to the Office of the Governor to zero.

#### **Amendment No. 17 - Point of Order**

Representative Canales raised a point of order against further consideration of Amendment No. 17 under Rule 8, Section 4, of the House Rules on the grounds that the amendment changes general law through an appropriations bill. The point of order was withdrawn.

Amendment No. 17 was withdrawn.

#### **Amendment No. 18**

Representative Slaton offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 38

Amend **CSSB 1** (house committee printing) in Article I of the bill, following the appropriations to the Office of the Governor (page I-51), by adding the following appropriately numbered rider:

\_\_\_\_\_. Prohibition on Use of Appropriated Money to Close Businesses During Disaster. The governor may not use money appropriated by this Act to issue or enforce an executive order, proclamation, or regulation that restricts the operation of a business or category of businesses because of a declared state of disaster or emergency.

#### **Amendment No. 18 - Point of Order**

Representative J. Turner raised a point of order against further consideration of Amendment No. 18 under Rule 8, Section 4, of the House Rules on the grounds that the amendment changes general law through an appropriations bill. The point of order was withdrawn.

Amendment No. 18 was withdrawn.

**Amendment No. 19**

Representative Cason offered the following amendment to **CSSB 1**:

Floor Packet Page No. 39

Amend **CSSB 1** (house committee printing) as follows:

(1) Increase the Article III appropriations from the General Revenue Fund to TRS-Care by the amount of \$40,000,000 for the first year of the state fiscal biennium ending August 31, 2022, and by \$31,000 for the second year of the state fiscal biennium ending August 31, 2023.

(2) Reduce the Article I appropriations from the General Revenue Fund to the Governor's University Research Initiative (page I-52) by the amount of \$40,000,000 for the first year of the state fiscal biennium ending August 31, 2022, and by \$31,000 for the second year of the state fiscal biennium ending August 31, 2023.

(3) Adjust article totals and methods of financing accordingly.

**Amendment No. 19 - Point of Order**

Representative C. Turner raised a point of order against further consideration of Amendment No. 19 under the Committee on Calendars rule on the grounds that the amendment does not comply with the rule. The point of order was withdrawn.

Amendment No. 19 was withdrawn.

**Amendment No. 20**

Representative Kacal offered the following amendment to **CSSB 1**:

Floor Packet Page No. 40

**CSSB 1** is amended as follows:

(1) On page I-53 of the bill pattern for the Trusteed Programs within the Office of the Governor, reduce appropriations by \$14,000,000 in fiscal year 2022 in general revenue, in B.1.1, Criminal Justice.

(2) On page V-45 of the bill pattern for the Department of Public Safety, increase appropriations by \$14,000,000 in fiscal year 2022 in general revenue, in A.3.1, Texas Highway Patrol.

(3) On page V-54, add the following rider to the bill pattern for the Department of Public Safety:

\_\_\_\_\_. Bulletproof Windshields and Windows for Vehicles. Included in amounts appropriated above in Strategy A.3.1, Texas Highway Patrol, is \$14,000,000 in fiscal year 2022 in general revenue for bulletproof windshields and windows on agency vehicles. Any unexpended balances as of August 31, 2022, are appropriated for the same purpose for the fiscal year beginning September 1, 2022.

**Amendment No. 21**

Representative Kacal offered the following amendment to Amendment No. 20:

Amend Amendment No. 20 by Kacal to **CSSB 1** (page 40, prefiled amendments packet) in Item (1) of the amendment by striking "in B.1.1, Criminal Justice" and substituting "in C.1.1, Create Jobs and Promote Texas".

Amendment No. 21 was adopted.

Amendment No. 20, as amended, was adopted.

**Amendment No. 22**

Representative Rosenthal offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 44

Amend **CSSB 1** (house committee printing) as follows:

(1) Reduce the Article I appropriations from the General Revenue Fund to Trusted Programs within the Office of the Governor for Strategy B.1.3, Homeland Security (page I-53) by the amount of \$5,000,000 for each year of the state fiscal biennium beginning September 1, 2021.

(2) Increase the Article I appropriations from the General Revenue Fund to the Secretary of State for Strategy B.1.1, Elections Administration (page I-86), by the amount of \$5,000,000 for each year of the state fiscal biennium beginning September 1, 2021.

(3) Add the following appropriately numbered rider following the Article I appropriations for Secretary of State (page I-89):

(4) \_\_\_\_\_. Vote-By-Mail Public Awareness Campaign. Included in the amounts of general revenue appropriated to the Secretary of State for use for Strategy B.1.1, Elections Administration, is \$5,000,000 in general revenue in each fiscal year of the state fiscal biennium beginning September 1, 2021, to establish and promote a statewide vote-by-mail information campaign. The public awareness campaign may include online materials, printed materials, public service announcements, or other advertising media. The campaign will provide guidance from the agency on the requirements for an individual to vote by mail in accordance with Chapter 86 of the Election Code. Adjust totals and methods of financing accordingly.

Amendment No. 22 was withdrawn.

**Amendment No. 23**

Representative Klick offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 46

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article I of the bill, in the appropriations to the Trusted Programs within the Office of the Governor, reduce the general revenue appropriations for Strategy C.1.1, Create Jobs and Promote Texas (page I-53), by \$30,000,000 for the state fiscal biennium ending August 31, 2023.

(2) In Article II of the bill, in the appropriations to the Health and Human Services, increase the general revenue appropriations for Strategy G.2.2, Mental Health Community Hospitals (page II-34), by \$15,000,000 is appropriated for additional state-purchased inpatient psychiatric beds in rural areas of the state.

(3) In Article II of the bill, in the appropriations to the Health and Human Services, increase the general revenue appropriations for Strategy G.2.2, Mental Health Community Hospitals (page II-34), by \$15,000,000 is appropriated for additional state-purchased inpatient psychiatric beds in urban areas of the state.

Rider \_\_\_\_\_. Included in strategy G.2.2, Mental Health Community Beds is \$15,000,000 for additional state-purchased inpatient psychiatric beds in rural areas of the state and \$15,000,000 for additional state-purchased inpatient psychiatric beds in urban areas of the state.

#### **Amendment No. 24**

Representatives Ashby, T. King, Lozano, Reynolds, Longoria, Canales, Burrows, Burns, E. Morales, Murr, Raney, Slawson, K. Bell, Darby, Holland, K. King, Paddie, Stephenson, Bailes, Spiller, Lambert, VanDeaver, P. King, Hefner, Kacal, Rogers, Kuempel, Guillen, Frank, Cyrier, Shine, Vasut, White, Clardy, Leman, Anderson, Dean, Ellzey, and Harris offered the following amendment to Amendment No. 23:

Amend Amendment No. 23 by Klick to **CSSB 1** (page 46, prefiled amendments packet) by striking the text of the amendment and substituting the following:

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article I of the bill, in the appropriations to the Trusteed Programs within the Office of the Governor, reduce the general revenue appropriations for Strategy C.1.1, Create Jobs and Promote Texas (page I-53), by \$77,576,677 for the state fiscal biennium ending August 31, 2023.

(2) In Article II of the bill, in the appropriations to the Health and Human Services Commission, increase the general revenue appropriations for Strategy G.2.2, Mental Health Community Hospitals (page II-34), by \$15,000,000 for additional state-purchased inpatient psychiatric beds in rural areas of the state.

(3) In Article II of the bill, in the appropriations to the Health and Human Services Commission, increase the general revenue appropriations for Strategy G.2.2, Mental Health Community Hospitals (page II-34), by \$15,000,000 for additional state-purchased inpatient psychiatric beds in urban areas of the state.

(4) Add the appropriately numbered rider at the end of the bill pattern of the Health and Human Services Commission:

\_\_\_\_\_. Included in Strategy G.2.2, Mental Health Community Beds is \$15,000,000 for additional state-purchased inpatient psychiatric beds in rural areas of the state and \$15,000,000 for additional state purchased inpatient psychiatric beds in urban areas of the state.

(5) On page II-32 of the HHSC bill pattern, increase appropriations in Strategy A.1.1, Aged and Medicare-Related, by \$23,497,005 in general revenue and \$37,502,488 in federal funds in fiscal year 2022, and \$24,079,672 in general revenue and \$38,383,809 in federal funds in fiscal year 2023, for All Funds totals of \$60,999,493 in fiscal year 2022 and \$62,463,481 in fiscal year 2023.

(6) On page II-46 through page II-47 of the HHSC bill pattern, amend the following rider to read as follows:

8. Hospital Payments. Included in amounts appropriated above to the Health and Human Services Commission (HHSC) in Strategies in Goal A, Medicaid Client Services, is ~~[\$59,464,818]~~82,961,823 in general revenue funds, \$98,978,587 in interagency contracts, and ~~[\$244,412,951]~~281,915,439 in federal funds (~~[\$402,856,356]~~463,855,849 in All Funds) in fiscal year 2022 and ~~[\$56,464,008]~~80,543,680 in general revenue funds, \$98,978,587 in interagency contracts, and ~~[\$252,173,545]~~290,557,354 in federal funds (~~[\$407,586,140]~~470,049,621 in All Funds) in fiscal year 2023 to provide Medicaid hospital add-on payments for trauma care and safety-net hospitals and add-on payments and rate increases for rural hospitals as follows:

(a) \$70,794,000 in interagency contracts and \$109,206,000 in federal funds in fiscal year 2022 and \$68,634,000 in interagency contracts and \$111,366,000 in federal funds in fiscal year 2023 for trauma care;

(b) \$30,810,413 in general revenue funds, \$28,184,587 in interagency contracts, and \$91,005,000 in federal funds in fiscal year 2022 and \$26,850,413 in general revenue funds, \$30,344,587 in interagency contracts, and \$92,805,000 in federal funds in fiscal year 2023 for safety-net hospitals;

(c) \$11,799,000 in general revenue funds and \$18,201,000 in federal funds in fiscal year 2022 and \$11,439,000 in general revenue funds and \$18,561,000 in federal funds in fiscal year 2023 for rural hospitals to maintain increases and add-ons related to general outpatient reimbursement rates, outpatient emergency department services that do not qualify as emergency visits, the outpatient hospital imaging services fee schedule, and the outpatient clinical laboratory services fee schedule;

(d) \$11,484,360 in general revenue funds and \$17,715,640 in federal funds in fiscal year 2022 and \$12,773,550 in general revenue funds and \$20,726,450 in federal funds in fiscal year 2023 for rural hospitals to maintain inpatient rates trended forward from 2013 to 2020 using an inflationary factor~~;~~~~and~~

(e) \$5,371,045 in general revenue funds and \$8,285,311 in federal funds in fiscal year 2022 and \$5,371,045 in general revenue funds and \$8,715,095 in federal funds in fiscal year 2023 for rural hospitals to maintain increases to inpatient rates in addition to those identified in subsection (d); ~~and~~

(f) \$23,497,005 in general revenue funds and \$37,502,488 in federal funds in fiscal year 2022 and \$24,079,672 in general revenue funds and \$38,383,809 in federal funds in fiscal year 2023 to increase reimbursement for Medicaid services provided by rural hospitals.

HHSC shall develop a methodology to implement the add-on payments pursuant to funding identified in subsection (b) that targets the state's safety-net hospitals, including those hospitals that treat high percentages of Medicaid and low-income, uninsured patients. Total reimbursement for each hospital shall not exceed its hospital specific limit.

For purposes of subsections (c), (d), ~~(and) (e)~~, and (f), rural hospitals are defined as (1) hospitals located in a county with 60,000 or fewer persons according to the 2010 U.S. Census; or (2) a hospital designated by Medicare as a Critical Access Hospital (CAH), a Sole Community Hospital (SCH), or a Rural Referral Center (RRC) that is not located in a Metropolitan Statistical Area (MSA); or (3) a hospital that has 100 or fewer beds, is designated by Medicare as a CAH, a SCH, or a RRC, and is located in an MSA. No reimbursement may exceed the hospital specific limit and reimbursement for outpatient emergency department services that do not qualify as emergency visits may not exceed 65 percent of cost.

To the extent possible, HHSC shall ensure any funds identified in this rider that are included in Medicaid managed care capitation rates are distributed by the managed care organizations to the hospitals. The expenditure of funds identified in this rider that are not used for targeted increases to hospital provider rates as outlined above shall require the prior written approval of the Legislative Budget Board.

(7) Adjust article totals, method-of-finance totals, and performance measures accordingly.

Amendment No. 24 was adopted.

Amendment No. 23, as amended, was adopted.

### **Amendment No. 25**

Representative Tinderholt offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 47

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article I of the bill, in the appropriations for the Trusteed Programs within the Office of the Governor (page I-53), reduce the general revenue appropriations for Strategy C.1.1, Create Jobs and Promote Texas, by \$22,500,000 for each year of the state fiscal biennium ending August 31, 2023.

(2) In Article I of the bill, following the appropriations to the Trusteed Programs within the Office of the Governor, in Rider 27, Create Jobs and Promote Texas (page I-59), strike "\$322,004,270" in the first sentence of the rider and substitute "\$277,004,270".

(3) In Article I of the bill, following the appropriations to the Trusteed Programs within the Office of the Governor, in Rider 27, Create Jobs and Promote Texas (page I-59), strike Subsection (b) of the rider and reletter subsequent subsections of the rider accordingly.



(4) In Article III of the bill, in the appropriations to the Teacher Retirement System of Texas (page III-36), increase the general revenue appropriations to Strategy A.2.1, Retiree Health-Statutory Funds, by \$22,500,000 for each year of the state fiscal biennium ending August 31, 2023.

(5) Adjust totals and methods of financing accordingly.

Amendment No. 25 was adopted.

#### **Amendment No. 26**

Representative Slaton offered the following amendment to **CSSB 1**:

Floor Packet Page No. 50

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article I of the bill, in the appropriations to the Trusteed Programs within the Office of the Governor, Method of Financing listing for General Revenue Fund-Dedicated, Texas Enterprise Fund (page I-52), strike "100,000,000" and substitute "0" for the state fiscal year ending August 31, 2022.

(2) In Article I of the bill, in the appropriations to the Trusteed Programs within the Office of the Governor, reduce the appropriation for Strategy C.1.1, Create Jobs and Promote Texas (page I-53), by \$100,000,000 for the state fiscal year ending August 31, 2022.

(3) In Article I of the bill, following the appropriations to the Trusteed Programs within the Office of the Governor, in Rider 27, Create Jobs and Promote Texas (page I-59), strike "\$322,004,270" in the first sentence of the rider and substitute "\$222,004,270."

(4) In Article I of the bill, following the appropriations to the Trusteed Programs within the Office of the Governor, in Rider 27, Create Jobs and Promote Texas (page I-59), strike Subsection (c) of the rider and reletter subsequent subsections of the rider accordingly.

(5) In Article III of the bill, in the appropriations to the Property Tax Relief Fund, increase the appropriations from the General Revenue Fund to the Property Tax Relief Fund, by the amount of \$100,000,000 for the state fiscal year ending August 31, 2022.

(6) In Article III of the bill, add the following appropriately numbered rider after the appropriations to the Property Tax Relief Fund:

\_\_\_\_\_. Additional Funds for Property Tax Relief Fund. In addition to other amounts appropriated, the amount of \$100,000,000 is appropriated from the General Revenue Fund to the Property Tax Relief Fund for the fiscal year ending August 31, 2022, for purposes of property tax relief.

(7) Adjust totals, methods of financing, and other provisions of the bill accordingly.

#### **Amendment No. 27**

Representative Slaton offered the following amendment to Amendment No. 26:

Amend Amendment No. 26 by Slaton to **CSSB 1** (page 50, prefiled amendments packet) as follows:

(1) Strike Items (5) and (6) of the amendment and substitute the following:

(5) Add the following appropriately numbered rider following the Article III appropriations to the Texas Education Agency (page III-3) and renumber subsequent riders accordingly:

\_\_\_\_\_. Additional Funds for School District Property Tax Relief. In addition to other amounts appropriated by this Act to the Texas Education Agency, the amount of \$100,000,000 is appropriated out of the General Revenue Fund to the Texas Education Agency for the state fiscal year ending August 31, 2022, for use in providing school district property tax relief by reducing the state compression percentage, as defined by Section 48.255, Education Code.

(2) Renumber items of the amendment appropriately.

Amendment No. 27 was adopted.

Amendment No. 26, as amended, was adopted.

### **Amendment No. 28**

Representative Tinderholt offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 54

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered rider to Article I of the bill following the appropriations to Trusteed Programs within the Office of the Governor (page I-54):

\_\_\_\_\_. Restriction on Grants. It is the intent of the legislature that no money appropriated above to the Trusteed Programs within the Office of the Governor be used to award a grant to any person who is not a citizen or national of the United States and is unlawfully present in the United States under the federal Immigration and Nationality Act (8 U.S.C. Section 1101 et seq.).

### **Amendment No. 28 - Point of Order**

Representative Ortega raised a point of order against further consideration of Amendment No. 28 under Rule 8, Section 4, of the House Rules on the grounds that the amendment changes general law through an appropriations bill. The point of order was withdrawn.

Amendment No. 28 was withdrawn.

### **Amendment No. 29**

Representative Cason offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 56

Amend **CSSB 1** (house committee printing) as follows:

(1) Increase the Article I appropriations from the General Revenue Fund to Rider 26 of the Trusteed Programs within the Office of the Governor by the amount of \$588,700 for the first year of the state fiscal biennium ending August 31, 2022, and by \$570,819 for the second year of the state fiscal biennium ending August 31, 2023.

(2) Reduce the Article VIII appropriations from the General Revenue Fund to the Board of Geoscientists (page VIII-11) by the amount of \$588,700 for the first year of the state fiscal biennium ending August 31, 2022, and by \$570,819 for the second year of the state fiscal biennium ending August 31, 2023.

(3) Adjust totals and methods of financing accordingly.

Representative M. González moved to table Amendment No. 29.

A record vote was requested by Representative Cason.

The motion to table prevailed by (Record 405): 91 Yeas, 49 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Beckley; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burrows; Button; Campos; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Lambert; Larson; Leach; Longoria; Lopez; Lucio; Martinez; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Murphy; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rose; Rosenthal; Shine; Smithee; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Biedermann; Burns; Cain; Cason; Craddick; Frullo; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; King, P.; Klick; Krause; Kuempel; Landgraf; Leman; Lozano; Metcalf; Middleton; Morrison; Muñoz; Murr; Parker; Patterson; Paul; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.

Absent — Bailes; Cole; Guillen; Martinez Fischer; Neave; Pacheco; Romero; Sherman.

### STATEMENTS OF VOTE

When Record No. 405 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 405 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 405 was taken, I was in the house but away from my desk. I would have voted yes.

Neave

When Record No. 405 was taken, I was in the house but away from my desk. I would have voted yes.

Romero

**Amendment No. 30**

Representative Davis offered the following amendment to **CSSB 1**:

Floor Packet Page No. 64

Amend **CSSB 1** (house committee printing), as follows:

(1) In Article I of the bill, in the bill pattern for Historical Commission, on page I-64, strike Rider 6-Cultural Diversity Scholarship and insert the following:

6. Cultural Diversity Scholarships. Gifts and donations received by the Historical Commission, not to exceed \$50,000 in each fiscal year of the biennium, may be expended to nonprofit organizations for scholarships of up to \$1000 per recipient for travel expenses, including meals and lodging, in order to encourage diversity among participants at agency sponsored conferences, seminars, and workshops.

Amendment No. 30 was adopted.

**Amendment No. 31**

Representative Swanson offered the following amendment to **CSSB 1**:

Floor Packet Page No. 65

Amend **CSSB 1** (house committee printing) in Article I of the bill by adding the following appropriately numbered rider after the appropriations to the Library & Archives Commission (page I-77):

\_\_\_\_\_. TexQuest Digital Resources. The Library & Archives Commission shall ensure that primary and secondary schools that have access to TexQuest digital resources funded out of amounts appropriated by this Act to the commission have adopted Internet safety policies and technology protection measures that meet the requirements for certification under 47 U.S.C. Section 254(h)(5).

**Amendment No. 32**

Representative Swanson offered the following amendment to Amendment No. 31:

Amend Amendment No. 31 by Swanson to **CSSB 1** (page 65, prefiled amendments packet) by striking page 1, lines 6-10, and substituting the following:

Commission shall ensure that TexQuest digital resources that are provided by a vendor and funded out of amounts appropriated by this Act to the commission include technology protection measures that meet the requirements of 47 U.S.C. Section 254(h)(5).

Amendment No. 32 was adopted.

Amendment No. 31, as amended, was adopted.

**Amendment No. 33**

Representative Guillen offered the following amendment to **CSSB 1**:

Floor Packet Page No. 66

Amend **CSSB 1** (house committee printing) in Article I of the bill, by adding the following appropriately numbered rider after the appropriations to the Library & Archives Commission (I-77):

\_\_\_\_\_. TexShare and TexQuest. (a) In addition to other amounts appropriated by this Act and notwithstanding Sections 13.01 and 13.02 of Part 13, Article IX, of this Act, a total amount of \$5,000,000 of any money made available under the following laws and subject to appropriation from the state treasury is reappropriated to the Library & Archives Commission to the extent consistent with conditions placed on the expenditure of that money by the federal government:

(1) Section 313, Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Div. M, Pub. L. No. 116-260, 134 Stat. 1182 (2020), reprinted in note, 20 U.S.C. Section 3401); or

(2) Section 2001, American Rescue Plan Act of 2021 (Pub. L. No. 117-2, 135 Stat. 4 (2021), reprinted in note, 20 U.S.C. Section 3401).

(b) Out of money reappropriated by Subsection (a) of this rider, the Library & Archives Commission shall allocate \$2,500,000 for the state fiscal year ending August 31, 2022, and \$2,500,000 for the state fiscal year ending August 31, 2023, to Strategy A.1.1, Library Support Services, for purposes of the TexShare and TexQuest online library resource program.

**Amendment No. 34**

Representative Guillen offered the following amendment to Amendment No. 33:

Amend Amendment No. 33 by Guillen to **CSSB 1** (page 66, prefiled amendments packet) by striking page 1, lines 5-25, of the amendment and substituting the following:

\_\_\_\_\_. Contingent Rider: TexShare and TexQuest. Out of any money appropriated to the Library and Archives Commission under Section 13.01, Article IX, notwithstanding Section 13.02, Article IX, and to the extent authorized by federal law, the Library and Archives Commission shall allocate \$2,500,000 for the state fiscal year ending August 31, 2022, and \$2,500,000 for the state fiscal year ending August 31, 2023, to Strategy A.1.1, Library Support Services, for purposes of the TexShare and TexQuest online library resource program.

Amendment No. 34 was adopted.

Amendment No. 33, as amended, was adopted.

**Amendment No. 35**

Representative Goodwin offered the following amendment to **CSSB 1**:

Floor Packet Page No. 67

Amend **CSSB 1** (house committee report) in Article I of the bill, following the appropriations to the Preservation Board (I-82), by adding the following appropriately numbered rider:

\_\_\_\_\_. Electric Vehicle Charging Stations. It is the intent of the legislature that the Preservation Board, using available funds appropriated to the board by this Act, install electric vehicle charging stations in the Capitol complex.

Amendment No. 35 was adopted.

**Amendment No. 36**

Representative Cain offered the following amendment to **CSSB 1**:

Floor Packet Page No. 70

Amend **CSSB 1** (house committee printing), in Article I of the bill, by adding the following appropriately numbered rider after the appropriations to the Secretary of State:

\_\_\_\_\_. Appropriations Prohibited for Counties Not Complying with Election Code. Money appropriated above in Strategy B.1.2 or B.1.5 may not be used for purposes of funding a county whose elections administrator has been judged by a court of competent jurisdiction to have violated a provision of the Election Code.

**Amendment No. 36 - Point of Order**

Representative Bucy raised a point of order against further consideration of Amendment No. 36 under Rule 8, Section 4, of the House Rules. The point of order was sustained and the speaker submitted the following ruling:

**RULING BY THE SPEAKER**

on Amendment No. 36 to Senate Bill 1

Announced in the House on April 22, 2021

Representative Bucy raises a point of order against further consideration of the Cain Amendment under Rule 8, Section 4, of the House Rules on the grounds that the amendment changes general law in an appropriations bill.

The rider would require the secretary of state to withhold funds based on the behavior of a county elections administrator that constitutes any violations of any section of the Election Code as determined by a court. Under Section 19.002(b) of the Election Code, the secretary must make payments to county voter registrars for financing voter registration. The secretary may withhold state funds for the purpose of financing voter registration only if a registrar is not in compliance with certain sections of law pertaining to voter registration. Under Section 31.043 of the Election Code, an elections administrator performs the duties of the voter registrar in that county.

Because the rider would require the secretary to withhold voter registration payments for reasons other than those provided in Section 19.002, the rider creates general law.

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

The ruling precluded further consideration of Amendment No. 36.

**Amendment No. 37**

Representative Minjarez offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 73

Amend **CSSB 1** as follows:

(1) In the bill pattern of the Department of Family and Protective Services, increase Temporary Assistance for Needy Families (TANF) federal funds in Strategy B.1.1, CPS Direct Delivery Staff, by \$2,500,000 in fiscal year 2022 and \$5,000,000 fiscal year 2023 and reduce general revenue by \$2,500,000 in fiscal year 2022 and \$5,000,000 in fiscal year 2023.

(2) In the bill pattern of the Health and Human Services Commission (page II-29)

(a) Increase appropriations in Strategy A.1.2, Disability-Related, by \$2,175,000 in general revenue in fiscal year 2022 and \$4,350,000 in general revenue in fiscal year 2023; and

(b) Increase appropriations in Strategy F.1.2, non-Medicaid Services, by \$325,000 in general revenue in fiscal year 2022 and \$650,000 in general revenue in fiscal year 2023; and

(c) Add the following new rider:

\_\_\_\_. Multi-Assistance Center Demonstration Project. (a) Included in amounts appropriated above in Strategy A.1.2, Disability-Related, is \$2,175,000 in general revenue in fiscal year 2022 and \$4,350,000 in general revenue in fiscal year 2023 and included in amounts appropriated above in Strategy F.1.2, Non-Medicaid Services, is \$325,000 in general revenue in fiscal year 2022 and \$650,000 in general revenue in fiscal year 2023 to support Medicaid and non-Medicaid eligible persons in a demonstration project providing comprehensive medical, therapeutic, and non-medical services to adults and children with special needs in Bexar County. The demonstration project shall utilize a one-stop shop model, providing on-site services to adults and children with special needs in Bexar County and the south Texas region. The model shall employ staff to serve as single point of contact to coordinate and support client needs with community partners.

(b) HHSC shall report to the Legislative Budget Board and governor by August 31, 2023, detailing a review of the demonstration project and outlining best practices to implement the model elsewhere in the state. Notwithstanding the limitations in Rider 84, Limitations on Transfer Authority, HHSC may transfer funds among strategies in its bill pattern to efficiently implement these provisions upon prior notification to the Legislative Budget Board. HHSC shall identify and pursue opportunities to use any available federal or other non-general revenue source of funds to implement this project. On identification of alternate appropriate sources of support, HHSC shall coordinate with the Legislative Budget Board to replace general revenue appropriations identified above.

(3) Adjust Method of Finance totals accordingly, and modify related employee benefits for the Department of Family and Protective Services for use of TANF appropriations.

**Amendment No. 38**

Representatives Minjarez and Bernal offered the following amendment to Amendment No. 37:

Amend the amendment on page 73 by Minjarez by striking the text and replacing with the following new rider:

\_\_\_\_\_. Multi-Assistance Center Demonstration Project. (a) The Health and Human Services Commission shall, out of funds appropriated pursuant to Article IX Section 13.01, support a demonstration project providing comprehensive medical, therapeutic, and non-medical services to adults and children with special needs. The funds shall assist a demonstration project utilizing a one-stop shop model, providing on-site services to adults and children with special needs in Bexar County and the south Texas region. The model shall employ staff to serve as single point of contact to coordinate and support client needs with community partners. Funds allocated to this initiative pursuant to this provision shall not exceed \$7,500,000 for the 2022-23 biennium.

(b) HHSC shall report to the Legislative Budget Board and governor by August 31, 2023, detailing a review of the demonstration project and outlining best practices to implement the model elsewhere in the state. Notwithstanding the limitations in Rider 84, Limitations on Transfer Authority, HHSC may transfer funds among strategies in its bill pattern to efficiently implement these provisions upon prior notification to the Legislative Budget Board. HHSC shall identify and pursue opportunities to use any available federal or other non-general revenue source of funds to implement this project.

Amendment No. 38 was adopted.

Amendment No. 37, as amended, was adopted.

**Amendment No. 39**

Representative Neave offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 75

Amend **CSSB 1** (house committee report) in Article II of the bill following the appropriations to the Department of Family and Protective Services (page II-3) by adding the following appropriately numbered rider:

\_\_\_\_\_. Report on Suicide among Foster Youth. Out of the funds appropriated to the Department of Family and Protective Services above in Strategy E.1.2, Other Support Services, the department shall collect data and issue a report on suicide among foster youth. The report must include the following information:

- (1) the rate of suicide among foster youth in the state;
- (2) the rate of suicide attempts among foster youth in the state;
- (3) the information described by Subdivisions (1) and (2) disaggregated

by:

- (A) age;



- (B) gender;
- (C) race;
- (D) ethnicity;
- (E) sexual orientation;
- (F) department region;
- (G) placement type; and
- (H) primary language;
- (4) the department's policies and procedures relating to suicide prevention, intervention, and postvention;
- (5) the department's training protocols for caseworkers and department contractors relating to suicide prevention;
- (6) how the department's suicide prevention plan for foster youth aligns with the broader mental health plans of the department and the Health and Human Services Commission; and
- (7) recommendations on how to:
  - (A) reduce the incidence of suicide among foster youth;
  - (B) improve training, planning, and coordination regarding suicide prevention, intervention, and postvention; and
  - (C) assist foster youth who survive a suicide attempt with reintegration into foster placement.

**Amendment No. 40**

Representative Neave offered the following amendment to Amendment No. 39:

Amend Amendment No. 39 by Neave amending **CSSB 1** (page 75, prefiled amendments packet) on page 1 by striking line 20 and re-lettering subsequent paragraphs.

Amendment No. 40 was adopted.

Amendment No. 39, as amended, was adopted.

**Amendment No. 41**

Representative Campos offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 79

Amend **CSSB 1** (house committee printing), in Article II of the bill, following the appropriations to the Department of State Health Services (page II-20), by adding the following appropriately numbered rider:

\_\_\_\_\_. Study on COVID-19 Testing and Immunization Distribution Equity.  
(a) Out of amounts appropriated above to the Department of State Health Services for Strategy A.2.1, Immunize Children & Adults, the department shall allocate an amount as necessary for the purpose of conducting a study on the equity of COVID-19 testing and immunization distribution in this state.

(b) The study conducted under this rider must identify any disparities in the distribution of or access to COVID-19 tests and immunizations in this state based on an individual's race, gender, socioeconomic status, and geographic location.

(c) Not later than December 31, 2022, the Department of State Health Services shall submit to the legislature a report that includes:

- (1) the findings of the study conducted under this rider; and
- (2) recommendations for making the distribution of and access to COVID-19 tests and immunizations more equitable in this state.

Amendment No. 41 was adopted.

**Amendment No. 42 (Article XI)**

Representative Raymond offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 80

Amend **CSSB 1** as follows:

(1) On page II-XX of the Department of State Health Services bill pattern, increase appropriations in Strategy A.4.1, Laboratory Services, by \$500,000 in general revenue funds in fiscal year 2022 and in fiscal year 2023.

(2) On page II-XX of the Department of State Health Services bill pattern, add the following rider:

. Border Laboratory Capacity. Out of the amounts appropriated above in Strategy A.4.1, Laboratory Services, the Department of State Health Services shall transfer \$X in each fiscal year of the biennium out of general revenue funds to the City of Laredo's Health Department for the purpose of improving laboratory capacity to receive a Laboratory Response Network certification.

**Amendment No. 43 (Article XI)**

Representative Raymond offered the following amendment to Amendment No. 42:

Amend Amendment No. 42 by Raymond to **CSSB 1** (page 80, prefiled amendments packet) in Item (2) of the amendment by striking "\$X" and substituting "\$500,000".

Amendment No. 43 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Bonnen, Burns, Burrows, Cain, Cook, Craddick, Darby, P. King, Leman, Metcalf, Noble, Oliverson, Parker, Shine, Spiller, Tinderholt, VanDeaver, and Wilson recorded voting no.)

Amendment No. 42, as amended, was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (K. Bell, Bonnen, Buckley, Burns, Burrows, Cain, Cook, Craddick, Darby, Gates, Harless, Hefner, Holland, Hull, P. King, Krause, Landgraf, Leman, Metcalf, Meyer, Middleton, Murr, Noble, Oliverson, Parker, Paul, Schaefer, Shine, Spiller, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

**Amendment No. 44**

Representative Howard offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 84

Amend **CSSB 1** as follows:

On page II-30 of the Department of State Health Services bill pattern, add the following new rider:

      . Unexpended Balance Authority: Texas Center for Nursing Workforce Studies Funding. Funds appropriated above in Strategy A.1.5, Health Data and Statistics, include an interagency contract with the Board of Nursing in the amount of \$664,369 in each fiscal year to provide funding for the Texas Center for Nursing Workforce Studies and to support the grant program to reduce workplace violence against nurses.

Any unexpended balances of these funds remaining as of August 31, 2022, are appropriated to the Department of State Health Services for the same purposes for the fiscal year beginning September 1, 2022.

#### **Amendment No. 45**

Representative Howard offered the following amendment to Amendment No. 44:

Amend Amendment No. 44 by Howard to **CSSB 1** (page 84, prefiled amendments packet) as follows:

(1) Strike "\$664,369 in each fiscal year" and substitute "\$739,550 in the state fiscal year ending on August 31, 2022, and \$750,550 in the state fiscal year ending on August 31, 2023,".

(2) Strike "remaining as of" and substitute "for the state fiscal year ending".

Amendment No. 45 was adopted.

Amendment No. 44, as amended, was adopted.

#### **Amendment No. 46**

Representative A. Johnson offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 86

Amend **CSSB 1** as follows:

(1) On page II-33 of the Health and Human Services Commission bill pattern, reduce appropriations for Strategy D.1.2, Alternatives to Abortion, by \$10,000,000 in general revenue in each fiscal year of the 2022-23 biennium.

(2) On page I-53 of the TruSTeED Programs within the Office of the Governor bill pattern, increase appropriations for Strategy B.1.1, Criminal Justice, by \$10,000,000 in general revenue in each fiscal year of the 2022-23 biennium.

A record vote was requested by Representative C. Turner.

Amendment No. 46 failed of adoption by (Record 406): 62 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Coleman; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; 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; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; 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; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.

Absent — González, J.; González, M.; Guillen; Raymond; Sherman.

### STATEMENT OF VOTE

When Record No. 406 was taken, my vote failed to register. I would have voted no.

Raymond

### Amendment No. 47

Representatives Krause, K. King, Schaefer, Middleton, Holland, Price, White, P. King, Raney, Hull, Meyer, Morrison, Schofield, Parker, Noble, Buckley, Shaheen, Anderson, Tinderholt, Clardy, Burns, Swanson, Patterson, Ashby, Murr, Spiller, VanDeaver, Biedermann, Frank, Klick, Cain, Allison, Button, Toth, Lambert, Frullo, Paul, Hefner, Burrows, Vasut, Cason, Kuempel, Cyrier, Slaton, Smith, Slawson, Shine, E. Thompson, Landgraf, Cook, Kacal, Guillen, Harris, Stucky, Paddie, K. Bell, Craddick, Murphy, Sanford, Jetton, Leach, Leman, Huberty, Stephenson, Larson, Oliverson, Rogers, Wilson, Dean, Ellzey, Gates, Harless, Goldman, Lozano, Metcalf, Darby, and Geren offered the following amendment to **CSSB 1**:

Floor Packet Page No. 88

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article II of the bill, in the appropriations to the Health and Human Services Commission, increase the general revenue appropriations for Strategy D.1.2, Alternatives to Abortion (page II-33), by \$10 million for each fiscal year of the state fiscal biennium ending August 31, 2023.

(2) In Article II of the bill, in the appropriations to the Health and Human Services Commission, decrease the general revenue appropriations for Strategy L.1.2, IT Oversight and Program Support (page II-35), by \$10 million for each fiscal year of the state fiscal biennium ending August 31, 2023.

(3) Adjust totals and methods of financing accordingly.

A record vote was requested by Representative Krause.

Amendment No. 47 was adopted by (Record 407): 88 Yeas, 58 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Canales; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; 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; Metcalf; Meyer; Middleton; Morrison; Muñoz; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Romero; 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; Cole; Coleman; 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.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Rose; Rosenthal; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.

Absent — Raymond; Sherman.

### STATEMENTS OF VOTE

When Record No. 407 was taken, my vote failed to register. I would have voted yes.

Raymond

When Record No. 407 was taken, I was shown voting yes. I intended to vote no.

Romero

### Amendment No. 48

Representative Beckley offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 91

Amend **CSSB 1** as follows:

Amend 58 on page II-62 to read 58. State Hospital and State Supported Living Center Workforce. Out of funds appropriated above in Strategy G.1.1, State Supported Living Centers, and Strategy G.2.1, Mental Health State Hospitals, the Health and Human Services Commission (HHSC) shall increase the salaries of state hospital and state supported living Center employees by \$3,000. Any additional funds allocated in this appropriation may be used to

evaluate compensation levels, turnover and vacancy rates and patterns, use of contractors and position type, and recruiting efforts at the state hospitals and state supported living centers. HHSC shall develop recommendations to reduce turnover and vacancy rates. No later than August 31, 2022, HHSC shall submit to the Legislative Budget Board and the governor's office a report on the recommendations and initiatives taken to address these workforce issues.

Amend G.1.1 on page II-34 to add \$33,600,000 making Strategy: State Supported Living Centers \$720,398,420 for FY 22 and FY 23

Amend G.1.2 on page II-34 to add 21,000,000 making Strategy: State Mental Hospital \$447,321,887 for FY 22 and FY 23

Amend total, Goal G: Facilities to \$1,355,452,797

Remove 54,600,000 from page V-45 B.1.2 Strategy: Routine Operations to now read 163,949,150 for FY 22 and FY 23

Amendment No. 48 was withdrawn.

#### **Amendment No. 49**

Representative Guerra offered the following amendment to **CSSB 1**:

Floor Packet Page No. 92

Amend **CSSB 1** (house committee report), in Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-36), by adding the following appropriately numbered rider:

\_\_\_\_\_. Accessibility of Appropriated Funds for Alternatives to Abortion to Certain Organizations. It is the intent of the legislature that funds appropriated above to the Health and Human Services Commission for Strategy D.1.2, Alternatives to Abortion, be made accessible to organizations that provide services to assist underprivileged women who are pregnant or recently gave birth, including the provision of instructional classes on pregnancy, childbirth, parenting, life skills, and fatherhood.

Amendment No. 49 was withdrawn.

#### **Amendment No. 50**

Representative Guerra offered the following amendment to **CSSB 1**:

Floor Packet Page No. 93

Amend **CSSB 1** (house committee printing) in Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-36), by adding the following appropriately numbered rider:

\_\_\_\_\_. Report on Alternatives to Abortion Contracts. Not later than December 1, 2022, the legislature intends for the Health and Human Services Commission to submit to the governor, lieutenant governor, speaker of the house of representatives, and members of the standing committees of the legislature with primary jurisdiction over the commission a written report on the commission's use of the money appropriated to the commission for Strategy D.1.2, Alternatives to Abortion. The report must include information on:

(1) each applicant that submits a proposal to contract with the commission under that strategy;

(2) each recipient the commission contracts with under that strategy; and

(3) the purchasing method the commission used to select the contract recipients under that strategy, including any score the commission assigned to an applicant to evaluate the applicant's proposal.

Amendment No. 50 was withdrawn.

### **Amendment No. 51**

Representative Neave offered the following amendment to **CSSB 1**:

Floor Packet Page No. 95

Amend **CSSB 1** (house committee printing), in Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-36), by adding the following appropriately numbered rider:

\_\_\_\_. Study on Veteran Suicides. (a) Out of funds appropriated above to the Health and Human Services Commission for Strategy L.1.1, HHS System Supports (page II-35), the Health and Human Services Commission, in collaboration with the Texas Veterans Commission, the Department of State Health Services, the Texas Coordinating Council for Veterans Services, the Statewide Behavioral Health Coordinating Council, local mental health authorities, and the United States Department of Veterans Affairs, shall conduct a study on veteran suicides in this state.

(b) The study conducted under this rider must:

(1) use data available from the United States Department of Veterans Affairs and other governmental entities to collect information from the preceding five years regarding:

(A) the veteran status of a deceased individual;

(B) the cause of death of a veteran;

(C) whether a deceased veteran received services from a local mental health authority or a state or federal agency that provides mental health services or support to veterans;

(D) a deceased veteran's demographic data, including the veteran's race, gender, and age; and

(E) any other known information that may correlate with an increased risk of suicide; and

(2) evaluate current methods of collecting, storing, and reporting veteran suicide data and recommend improvements to current systems.

(c) Information about the suicide of a veteran obtained by the Health and Human Services Commission for the purposes of the study conducted under this rider is confidential and is not subject to disclosure under Chapter 552, Government Code, is not subject to subpoena, and may not otherwise be released or made public.

(d) Not later than September 1, 2022, the Health and Human Services Commission shall submit to the legislature a report that summarizes the findings of the study conducted under this rider, and includes:

(1) the number of veteran suicides that were identified by the commission during the preceding five years;

(2) the number of veterans described by Subdivision (1) who received services from local mental health authorities or state or federal agencies that provide mental health services or support to veterans;

(3) information regarding whether the rate of veteran suicides in this state is decreasing or increasing; and

(4) demographic information and other known information that may be correlated with increased risk of suicide, as available.

#### **Amendment No. 52**

Representative Neave offered the following amendment to Amendment No. 51:

Amend Amendment No. 51 by Neave to **CSSB 1** (page 95, prefiled amendments packet) by striking Subsection (c) (page 2, lines 1-5) of the rider and relettering subsequent subsections accordingly.

Amendment No. 52 was adopted.

Amendment No. 51, as amended, was adopted.

#### **Amendment No. 53**

Representatives Coleman and Morales Shaw offered the following amendment to **CSSB 1**:

Floor Packet Page No. 100

Amend **CSSB 1** (house committee printing) in Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-36), by adding the following appropriately numbered rider:

\_\_\_\_\_. 1115 Transformation Waiver. It is the intent of the legislature that the commission seek a renewal or extension of the 1115 Transformation Waiver from the Centers for Medicare & Medicaid Services (CMS).

Amendment No. 53 was adopted.

#### **Amendment No. 54**

Representatives Coleman and Morales Shaw offered the following amendment to **CSSB 1**:

Floor Packet Page No. 103

Amend **CSSB 1** (house committee printing) in Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-36), by adding the following appropriately numbered rider:

\_\_\_\_\_. Maximization of Federal Funds Under Medicaid. It is the intent of the legislature that the Health and Human Services Commission use money appropriated to the commission under Strategy B.1.1, Medicaid Contracts and Administration, to prepare and seek a waiver under Section 1115 of the Social Security Act (42 U.S.C. Section 1315) or other applicable federal law to the state Medicaid plan to expand to the maximum extent permitted by federal law the



categories of persons eligible for Medicaid benefits to include all persons for whom federal matching funds are made available to. It is the intent of this legislature that the waiver may seek to maximize the reduction in the number of uninsured residents of this state, promote personal responsibility in health care, increase the efficiency and accessibility of the delivery of health care services in this state, and reduce health care costs to the state.

#### **AMENDMENT NO. 54 - REMARKS**

REPRESENTATIVE COLEMAN: I've been in this house for 30 years. I came in and started working on getting people health coverage the day I walked in the door and, actually, before the day I walked in the door because I thought it was very important, particularly because people with mental illness could not get care. And the only answer to that was to make sure that they could get health coverage. But because of preexisting conditions, they couldn't. And anyone who had cancer or anyone who had any other condition could not. And our high-risk pool in the State of Texas charged two times the cost of a traditional premium for anybody who had an uncovered condition. It's very important to know that, because those folks would go to another job and then could not use the insurance they got to cover what they needed the insurance for. So it wasn't a matter of people liked or didn't like people with mental illness or cancer. It was a matter of how the rules were written, and they were unfair—and I think that that's very important. But knowing that people look at government health care differently or how we do that, the reality is there are different points of view. And so what this amendment does—and tragically, Texas has the unfortunate distinction of having both the highest number and the highest percentage of uninsured residents in the nation. Let me say that again—the highest number. And that includes those people under 138 percent of poverty level that have mental illness and have cancer and have whatever there is out there that everybody else can go to the doctor to get help for because it's covered.

Adding insult to injury, because of the economic turmoil and the mass job loss caused by COVID-19, an additional 659,000 Texans lost their employer-sponsored insurance between February and May of 2020. Let me say that again. It's very important to understand that—that 659,000 of the constituents in this house lost their health care. And believe me, COBRA costs a whole lot more, so they have no health care. And that's the reason why we have situations where we extend and we try to extend coverage to those individuals who aren't able to do so. But if we had this program in place, they would have walked straight into health coverage. Let me say that again—straight into health coverage. For the last decade, Texas has operated under a Medicaid waiver program that offset a portion of the cost that hospitals incur for providing uncompensated care. However, we need a more comprehensive solution. I think we all understand that uninsured Texans are demographically and geographically diverse, making a one-size-fits-all solution unrealistic. This amendment will provide HHSC flexibility to meet Texans' health care needs by utilizing private market strategies like copays and tailored benefits—so in other words, what we

have to do as members of the legislature, they would have to do—and give HHSC the authority to leverage increased provider rates. Let me say that again—increased provider rates.

Members, this amendment would do three things. It would authorize and direct the HHSC to seek an 1115 waiver from CMS to maximize available federal funds. So let me explain. Our 1115 Transformation Waiver is not the same as this. That money was to prepare Texas to move into expanded health coverage. It didn't happen. So because it didn't happen, those were waivers for states that had large populations that did not expand before the Affordable Care Act, and the federal government actually asks these states to apply for these dollars. So we did. As a matter of fact, Texas got the most generous, let me say that again, the most generous 1115 Transformation Waiver out of any state—any state. And this is a little vindictive for me after they said that President Obama's breath stank—that's a joke. But I want to say that, because this is different from that waiver which I said we need to actually do, which is the transformation waiver—we should get the Biden administration to put that back in place.

So this would direct HHSC to utilize those federal funds to reduce the number of uninsured residents. Those are the federal funds that would be used in a demonstration waiver that would be non-Medicaid, that would cover the populations that other states have used for specific programs that weren't Medicaid or used traditional Medicaid in a Medicaid expansion under the Affordable Care Act. It would direct HHSC to develop a delivery model that would promote personal responsibility, increase efficiency and accessibility of services, and reduce health care costs to the state. Also, the control of this particular amendment would rest on Governor Abbott and the Health and Human Services Commission, and they could present anything they wanted to present to the Centers for Medicare and Medicaid Services. So that's important because it is not prescriptive to anything except the principles of Texas. That's it. So let me be clear—this amendment empowers HHSC and Governor Abbott to work with our federal partners to find a solution, a Texas solution, to solve our uninsured crisis. This amendment provides flexibility, incorporates conservative principles like personal responsibility and benefit flexibility, and, most importantly, it will be revenue neutral because the state's cost to enact a waiver like the one envisioned by this amendment is offset by expected savings of a uniquely Texas plan of \$657 million and \$704 million. If we take advantage of what I call "the kicker" that the federal government passed, we would get an extra \$3.9 million for two years.

This amendment, as I said, does not prescribe the manner in which to do so or force the state to expand traditional Medicaid coverage to these uninsured Texans. Many other states like Arkansas, Indiana, Missouri, Nebraska, Ohio, Oklahoma, and others have found unique ways to draw down significant federal funds to reduce the number of uninsured in their states. Certainly, we can find a Texas-specific solution that would insure as many Texans as possible to bring federal dollars back to Texas in both the rural and urban economies, protect the financial viability of rural and urban health care and safety net systems, and put money in the state budget. Extending coverage to the uninsured would clearly

demonstrate Texas' commitment to economic freedom and security. Access to coverage keeps hardworking people healthy and on the job; it supports entrepreneurs' efforts to start new businesses; and it protects Texas from serious financial challenges.

Members, some of you know that in 2009, President Obama created a working group of state legislators for health reform which was comprised of 32 state legislators from around the country. I am proud to have been one of those 32 legislators, where we wrote and helped pass the Affordable Care Act. It was very important—because I was there the day it was signed—and I commit to those principles that were in the original Affordable Care Act. I would like us to expand traditional Medicaid in the optional way that the ACA says you can do it, but we can't do that. We know that. I support and am in favor of that, but that is not what this amendment does. It does not expand traditional Medicaid to these populations. As a matter of fact, it becomes a demonstration project. What many of you don't know is that Arizona didn't have a Medicaid program for 20 years, but they had a look-alike to a Medicaid program. I understand and accept that some of you don't or can't support Medicaid expansion, but all this amendment does is to direct HHSC and the governor to seek a waiver, a demonstration waiver, to bring our federal tax dollars home to help reduce the number of uninsured. And I think both democrats and republicans can support that fiscal responsibility goal. And just like John Zerwas asked this house to do something very similar, I ask for your support of this amendment.

A record vote was requested by Representative C. Turner.

Amendment No. 54 failed of adoption by (Record 408): 68 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Coleman; Collier; Cortez; Crockett; Davis; Deshotel; 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; Rodríguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; 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; Raney; 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 — Bell, C.

**REMARKS ORDERED PRINTED**

Representative Moody moved to print remarks by Representative Coleman on Amendment No. 54 on **CSSB 1**.

The motion prevailed.

**Amendment No. 55**

Representative Guillen offered the following amendment to **CSSB 1**:

Floor Packet Page No. 106

Amend **CSSB 1** (house committee report) in Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-36), by adding the following appropriately numbered rider:

\_\_\_\_\_. Study on Home and Community-based Services (HCS) Waiver Program. (a) Using funds appropriated above, the Health and Human Services Commission shall conduct a study on the provision of services under the Home and Community-based Services (HCS) waiver program to individuals with an intellectual or developmental disability who have high behavioral and medical needs. In conducting the study, the commission shall:

(1) define the scope of high behavioral and medical needs for which an individual with an intellectual or developmental disability may require enhanced services and service coordination under the waiver program;

(2) identify the number of individuals with an intellectual or developmental disability who are enrolled in the program and who have high behavioral and medical needs; and

(3) assess the fiscal impact that may result, at various scaled thresholds as determined by the commission, as a result of providing enhanced services and service coordination under the waiver program to individuals with an intellectual or developmental disability who have high behavioral and medical needs.

(b) Not later than September 1, 2022, the Health and Human Services Commission shall prepare and submit to the legislature a written report that includes the results of the study conducted under Subsection (a) of this section.

Amendment No. 55 was adopted.

**Amendment No. 56 (Article XI)**

Representative Howard offered the following amendment to **CSSB 1**:

Floor Packet Page No. 108

Amend **CSSB 1** in Article II of the bill, to the appropriations to the Health and Human Services Commission (pages II-29) as follows:

(1) On page II-41 increase appropriations in Goal A, Medicaid Client Services, by \$446,772,123 in 2022 and \$469,087,800 in 2023 in federal funds (State Fiscal Relief Funds as designated for Texas by the American Rescue Act Plan of 2021) for the purpose of raising the community attendant wage rate to \$9.00 an hour.

(2) Add the following new rider to the Health and Human Services Commission Higher Education bill pattern (page II-91):

\_\_\_\_\_ . Contingency for Receipt of American Rescue Act Plan Appropriations. Appropriations of federal funds above in Goal A, Medicaid Client Services, are estimated appropriations of State Fiscal Relief Funds as designated for Texas by the American Rescue Plan Act of 2021. Should the state of Texas not certify acceptance of the Texas allocation (estimated to be \$16,696,900,000) the following adjustments shall be made:

(1) On page II-41 reduce appropriations in Goal A, Medicaid Client Services, by \$446,772,123 in 2022 and \$469,087,800 in 2023 in Federal State Fiscal Relief Funds as designated for Texas by the American Rescue Act Plan of 2021.

Amendment No. 56 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Ashby, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Button, Cain, Capriglione, Cook, Cyrier, Darby, Ellzey, Frullo, Gates, Geren, Goldman, Harless, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Klick, Krause, Landgraf, Leach, Leman, Metcalf, Meyer, Middleton, Murr, Noble, Oliverson, Paddie, Paul, Price, Rogers, Sanford, Schaefer, Shaheen, Shine, Slaton, Smithee, Spiller, Stephenson, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

#### **Amendment No. 57**

Representative Parker offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 109

Amend **CSSB 1** (house committee printing) in Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-47), by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

\_\_\_\_\_. Utilization of Federal Relief Dollars for Medicaid Home and Community Based Services Programs. It is the intent of the legislature that any federal funds provided to the Health and Human Services Commission (HHSC) for the provision of home and community-based services (HCBS) in the Families First Coronavirus Relief Act (FFCRA), Coronavirus Aid, Relief, and Economic Security (CARES) Act, the American Rescue Plan Act of 2021, or any other federal COVID-19 relief bill be subject to the following conditions:

- (a) HHSC shall only expend such funds on Medicaid initiatives that:
  - (1) directly increase access to care, including direct service provisions, rate increases for all providers of direct services, supplies, and equipment;
  - (2) increasing waiver and emergency diversion slots and decreasing interest lists;
  - (3) funding of new and existing state laws governing the operation or implementation of the Medicaid program;
  - (4) exploring opportunities to draw additional federal funding provided by the Advancing Care for Exceptional (ACE) Kids Act; and

(5) achieving full compliance with federal law and regulations governing HCBS, including federal HCBS settings rules.

(b) HHSC shall ensure funds identified for provider rate increases are directly reimbursed to providers of direct services, supplies, and equipment;

(c) HHSC shall ensure that managed care organizations reimburse the full amount of funds referenced under Subsection (a)(1) to providers of direct services, supplies, and equipment;

(d) HHSC shall not use or expend funds directly or indirectly for payroll of any kind, contract administration, or administrative services provided by managed care organizations. Funds identified for provider rate increases may not be used directly or indirectly for administrative services, payroll, bonuses, or costs unallowable under state or federal law or regulation or the Uniform Managed Care Contract; and

(e) HHSC shall only use these funds for the purposes set out in this provision to supplement, not supplant, state dollars appropriated for the operation of the Medicaid program.

Amendment No. 57 was adopted.

#### **Amendment No. 58**

Representatives Coleman and Morales Shaw offered the following amendment to **CSSB 1**:

Floor Packet Page No. 111

Amend **CSSB 1** (house committee printing) in Article II of the bill, following the appropriations to the Health and Human Services Commission, in Rider 31, Community Mental Health Grant Programs (pages II-54 through II-55) as follows:

(1) In Subsection (d) of the rider, between "Requirements." and "Contingent" insert "(1)".

(2) Immediately following the last sentence of the rider, insert the following:

(2) The Health and Human Services Commission may allocate not more than \$10,000,000 in funds made available to this state under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2), HOME Supplemental Allocations, TX Non Entitlement (key 489999), that is subject to appropriation from the state treasury and appropriated to the commission, to the extent consistent with conditions placed on the expenditure of that money by the federal government, during the state fiscal biennium ending August 31, 2023, for the purpose of funding capital projects that do not receive local matching funds to establish or expand Healthy Community Collaboratives.

Amendment No. 58 was adopted.

#### **Amendment No. 59**

Representative Minjarez offered the following amendment to **CSSB 1**:

Floor Packet Page No. 114

Amend **CSSB 1** as follows:

(1) In Article II of the bill, amend Rider 37 Women's Health Programs: Savings and Performance Reporting as follows:

37. Women's Health Programs: Savings and Performance Reporting. The Health and Human Services Commission shall submit an annual report on the Healthy Texas Women (HTW), Healthy Texas Women Plus (HTW Plus), Family Planning Program (FPP), and Breast and Cervical Cancer Services Program, due August 1 of each year, to the Legislative Budget Board and the governor's office that includes the following information for each program:

(a) Enrollment levels of targeted low-income women and service utilization by geographic region, including total number of unduplicated patients served, delivery system, and age from the prior two fiscal years;

(b) Savings or expenditures in the Medicaid program that are attributable to enrollment levels as reported in Section (a);

(c) Descriptions of all outreach activities undertaken for the reporting period, including those focused on recruiting new specialty provider types;

(d) The total number of providers, by geographic region and provider type, enrolled in each program, and providers from Legacy Women's Health Programs (including Texas Women's Health Program) not to include duplications of providers or ancillary providers;

(e) The average and median numbers of program clients, and the total number of unduplicated patients served, detailed by the provider;

(f) The number of program clients with a paid claim, detailed by provider type;

(g) The number of eligible clients who received FPP services after the provider exhausted the contracted funds awarded to provide FPP services (i.e., funds gone) and the amount of FPP funds that would have been reimbursed for these services if additional FPP funds had been available during the fiscal year;

(h) The count of women in HTW and FPP receiving a long-acting reversible contraceptive;

(i) The service utilization by procedure code. The annual report submitted as required above must satisfy federal reporting requirements that mandate the most specific, accurate, and complete coding and reporting for the highest level of specificity;

(j) Total expenditures, by method of finance and program;

(k) Results of policies designed to reduce enrollment gaps, including but not limited to the number of unduplicated women automatically or administratively-enrolled into HTW from other Medicaid programs or the Children's Health Insurance Program, recommendations for further reducing enrollments gaps, and any impacts to funding resulting from procedural denials and enrollment gaps in HTW; and

(l) Number of unduplicated women who are determined eligible and enrolled into HTW after their Medicaid for Pregnant Women ends. It is the intent of the legislature that if the findings of the report show a reduction in women enrolled or of service utilization of greater than ten percent relative to the prior

two fiscal years, the agency shall, within existing resources, undertake corrective measures to expand provider capacity and/or client outreach and enrollment efforts.

This report shall also identify program changes that would maximize outreach and enrollment. HHSC shall work with women's health providers, advocates, and other stakeholders. It is the intent of the legislature, any changes to program administration that may significantly impact client services and enrollment shall be reported to the legislature within 30 days of the agency becoming aware of the change with information regarding the projected impact of the change.

Amendment No. 59 was adopted.

#### **Amendment No. 60**

Representative Dean offered the following amendment to **CSSB 1**:

Floor Packet Page No. 121

Amend **CSSB 1** (house committee printing) in Article II of the bill, following the appropriations to the Health and Human Services Commission, by striking the last sentence of Rider 120, Equity in Payments (page II-84).

Amendment No. 60 was adopted.

#### **Amendment No. 61**

Representative J.E. Johnson offered the following amendment to **CSSB 1**:

Floor Packet Page No. 122

Amend **CSSB 1** as follows:

On page II-88 of the Health and Human Services Commission bill pattern, amend Rider 136 as follows:

136. Child Care Accessibility and Affordability Study. Out of funds appropriated above in Strategy L.1.1, HHS System Supports, the Health and Human Services Commission (HHSC) shall develop a report regarding child care accessibility and affordability.

(a) While developing the report, HHSC shall consult the following individuals:

(1) Two child development professionals who are licensed to practice in this state, one of whom must specialize in early childhood education;

(2) One representative of a state employee organization described in Government Code Sec. 403.0165;

(3) One representative of an organization representing the interested of licensed child-care facilities;

(4) One social worker licensed to practice in this state;

(5) One community advocate for child care workers;

(6) One representative of the business community in this state;

(7) One representative of or director of a private child care facility;

(8) One home-based child care provider; ~~and~~

(9) One state employee who is a parent of not less than one school-aged child[-];and



(10) One representative from the Texas Workforce Commission.

(b) In consultation with the individuals identified in subsection (a), and subject to the availability of funds, HHSC shall:

(1) conduct a cost-benefit analysis of the accessibility and affordability of child care in this state;

(2) develop recommendations to incentivize employer-supported child care;

(3) create a cost-estimate model to project the cost of providing safe, accessible, and affordable child care to anyone in the state who needs to use child care;

(4) identify regions of the state in which child care is less accessible than in the state at large, and recommendations for improving the availability of child care in those regions, including:

(A) proposing policies that will address racial, ethnic, and any geographic disparity and proportionality in the delivery of child care services; and

(B) identifying opportunities to streamline the child care licensing requirements and to facilitate development and construction of additional child care facilities.

(5) conduct a survey of state employees to better understand the barriers to accessing and affording child care.

While collecting the information identified in subsections (b)(1) through (b)(5), HHSC may work with other state agencies that collect similar information.

(c) Not later than December 31, 2022, HHSC shall submit a report to the governor, lieutenant governor, speaker of the house, and members of the legislature. The report shall include:

(1) a summary of the accessibility and affordability of child care to state employees, as determined by the survey in subsection (b)(5); and

(2) a plan to provide accessible and affordable child care to all families in the state by the year 2030.

Amendment No. 61 was adopted.

### **Amendment No. 62**

Representative Raymond offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 125

Amend **CSSB 1** as follows:

In Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-91), by adding the following appropriately numbered rider:

Medicaid Provider Rate Increases. It is the intent of the legislature that when Medicaid provider rates are increased as a result of a legislative appropriation, change in the Federal Medical Assistance Percentage, or other action, the Health and Human Services Commission shall ensure managed care organizations (MCO) reimburse the full amount of funds that equate to the

difference between the state Medicaid fee-for-service rate and the percentage increase associated with the causal event, regardless of the pre-existing rate in place between the provider and the MCO.

Amendment No. 62 was adopted.

**Amendment No. 63**

Representative Howard offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 127

Amend **CSSB 1** as follows:

(1) In Article XI of the bill, by striking the following on page XI-5:

Healthy Texas Women Waiver \$ -

(2) In Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-91), by adding the following appropriately numbered rider:

\_\_\_\_\_. Healthy Texas Women Waiver. It is the intent of the legislature that the Health and Human Services Commission (HHSC) apply to the Centers for Medicare and Medicaid Services (CMS) for an amendment to the Healthy Texas Women (HTW) Section 1115 Demonstration Waiver for approval of auto-enrollment of women into HTW after their Medicaid coverage ends, adjunctive eligibility, and the use of the simplified HTW form (HHSC Form 1867).

Amendment No. 63 was withdrawn.

**Amendment No. 64**

Representative Goodwin offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 128

Amend **CSSB 1** as follows:

(1) In Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-91), by adding the following appropriately numbered rider:

\_\_\_\_\_. Postpartum Depression Screening and Treatment Report. The Health and Human Services Commission (HHSC), in coordination with the Department of State Health Services, shall submit a report on prevalence, screening, and treatment of postpartum depression. The report shall include recommendations to increase utilization of the screening and treatment within women's health programs, to increase the treatment of postpartum depression provided by the local mental health authorities, and to increase continuity of care. The report shall also identify any factors related to health disparities or issues related to disproportionality. HHSC shall work with women's health providers and stakeholders to identify recommendations to improve access to care and treatment. Not later than October 1, 2022, HHSC shall submit the report to the Legislative Budget Board, the Office of the Governor, and the legislature.

Amendment No. 64 was adopted.

**Amendment No. 65 (Article XI)**

Representative Dean offered the following amendment to **CSSB 1**:

Floor Packet Page No. 131

Amend **CSSB 1** as follows:

In Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-91), by adding the following appropriately numbered rider:

\_\_\_\_\_. Contingency for **HB 4040**. Contingent upon enactment of **HB 4040**, or similar legislation of the Eighty-Seventh Legislature, Regular Session, relating to the provision of certain benefits under Medicaid, including the coordination of private health benefits, and to reimbursement of those benefits, the Health and Human Services Commission shall allocate, from funds appropriated above in Strategy B.1.1, Medicaid Contracts and Administration, the amount necessary to provide automatic external independent medical reviews for denial of medically necessary services.

**AMENDMENT NO. 65 - REMARKS**

REPRESENTATIVE BOWERS: I'd like to ask you a couple of questions about D'ashon. First, are you aware of what district D'ashon lives in?

REPRESENTATIVE DEAN: Yes, ma'am. I believe it's your District 113.

BOWERS: And are you aware who represents that district in the Texas House?

DEAN: I believe that would be you.

BOWERS: D'ashon ended up in the Medicaid STAR health program because they cover kids in foster care with acute needs. Is that right?

DEAN: Yes, ma'am, that's correct

BOWERS: And before D'ashon was in foster care, he was born at 25 weeks, and he tested positive for drugs and weighed less than two pounds. Is that right?

DEAN: Yes, ma'am.

BOWERS: And Linda, his adoptive mother, was his foster mother at the time. Is that right?

DEAN: That would be correct.

BOWERS: Are you aware of D'ashon's acute health care needs when he was in the STAR health program?

DEAN: I am.

BOWERS: And are you aware that D'ashon started talking, crawling, and learning to walk, he became engaged and happy, but as he developed, he began to pull out his trach?

DEAN: Yes, ma'am, I'm aware of that.

BOWERS: Are you aware that when his lungs developed and he was able to breathe on his own, the trach kept his airway open?

DEAN: Yes, ma'am, that's correct.

BOWERS: Are you aware that doctors and nurses all prescribed that 24-hour one-to-one nursing care before reinsertion of a trach requires special training?

DEAN: That's correct.

BOWERS: And can you tell me about the care he actually received?

DEAN: Well, Superior, the MCO that manages the STAR health program, denied the recommended 24-hour one-to-one private duty nurse and PDN care.

BOWERS: And then during his stay with a temporary respite foster care family, D'ashon pulled out his trach before his nurse arrived. Isn't that right?

DEAN: That would be correct.

BOWERS: And tragically, he suffocated and had no pulse for 40 minutes. Even though he was revived, he suffered brain damage in an incident that could have been prevented had the claims reviewed occurred quickly and objectively. Isn't that right?

DEAN: Yes, Representative Bowers, that is correct.

REPRESENTATIVE KRAUSE: Representative Dean, I appreciate you bringing this rider. Can you tell me what year this occurred with D'ashon?

DEAN: Yes, 2016.

KRAUSE: Okay, and your amendment calls for an automatic independent review when service is denied to a foster kid in the STAR health program. Can you tell me a little bit about that appeal process and how it played out with D'ashon?

DEAN: Well, D'ashon's family appealed the denial, but at the time, it was actually Superior who reviewed Superior's own decision. Superior's medical directors who denied the appeal proposed that his then-foster mom restrain his arms by tying them down. The family requested a fair hearing to HHSC, but that was stalled for months. While waiting for the fair hearing, D'ashon pulled his trach out.

KRAUSE: So this review process reviewed itself—confirmed itself, basically. And then what happened?

DEAN: Well, at the time, the next review was back to HHSC but only to determine whether Superior had followed its own procedures.

KRAUSE: And Representative Dean, if you remember, last year I was a sponsor of **SB 1207**, which had an exact provision like this. Do you remember that bill that we laid out here on the house floor that was passed unanimously?

DEAN: I do.

KRAUSE: And do you remember that there was in **SB 1207**, that it required HHSC to promulgate rules for this very thing, this external review process by an independent review organization when service is denied in cases like D'ashon's?

DEAN: Yes, sir, I'm familiar with that.

KRAUSE: And are you aware that unfortunately HHSC has still not promulgated those rules so that we have that independent review process in cases like D'ashons?

DEAN: I am.

KRAUSE: Why do you think that is?

DEAN: Well, the agency says that they have put out an RFP and haven't received responses. So we may have to stay on them to make sure that they get qualified physicians to review these decisions.

KRAUSE: Well, I think it's time that they get that RFP. Don't you, Representative?

DEAN: I do. I agree.

REPRESENTATIVE MARTINEZ: Representative Dean, you have a great amendment, especially when it comes to making these reviews automatic. Wouldn't making this review automatic recognize that these foster children with acute health care needs for the most part don't have advocates prepared to navigate a complex appeal and review system—wouldn't it? Would you say so?

DEAN: Yes, that's correct.

MARTINEZ: And that they have no choice in who administers the program—is that correct?

DEAN: That's also correct.

MARTINEZ: I know we've spoken, and Representative Krause and I spoke and he mentioned some bills earlier from last session that tried to create an automatic review. How much will it cost?

DEAN: Well, it's tricky looking at the fiscal notes placed in the various bills from 2019. I said to to the representative earlier that no bill this session has the language in it to create an automatic review, so we do not have a fiscal note on it. But LBB feedback suggested it's between \$1 million and \$2 million.

MARTINEZ: And one last question, are you aware that Superior paid \$1.2 million in settlements to HHSC last year in connection with D'ashon's case and other similar situations where they were denied service to foster children?

DEAN: I am aware of that.

REPRESENTATIVE MINJAREZ: Representative Dean, thank you so much for your amendment today. Mr. Martinez, in his questioning to you, mentioned that the kids have no choice in who administers the STAR health program, correct?

DEAN: That's correct.

MINJAREZ: Do you know when Superior's contract to administer the STAR health program is up for review?

DEAN: I'm not advised of that information

MINJAREZ: I don't think it's anytime soon, correct?

DEAN: That is correct.

MINJAREZ: I hope that we can definitely work together to make sure HHSC knows that the legislature is paying very, very close attention to whether proper reforms like this one are made. And specifically, I hope that the MCO that wins this opportunity to administer this program is doing everything it can to make sure what happened to D'ashon never happens again. So thank you so much for your hard work on this amendment.

### **REMARKS ORDERED PRINTED**

Representative Minjarez moved to print all remarks on Amendment No. 65 on **CSSB 1**.

The motion prevailed.

Amendment No. 65 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Darby, Tinderholt, and Toth recorded voting no.)

### **Amendment No. 66 (Article XI)**

Representative Campos offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 129

Amend **CSSB 1** (house committee printing), in Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-91), by adding the following appropriately numbered rider:

\_\_\_\_\_. 2-1-1 Texas Information and Referral Network System Integration. Out of funds appropriated above in Strategy I.1.1, Integrated Eligibility & Enrollment (page II-35), the Health and Human Services Commission shall:

(1) adopt the 2-1-1 national brand and logo in accordance with the commission's brand standards;

(2) enable existing community resource databases to be accessed by state agencies and programs as well as other partners, as appropriate;

(3) implement available technology and communication enhancements;

(4) implement measures designed to connect specialized populations with available state and local services;

(5) support area information centers in any efforts to join with community partners to engage in special projects that leverage the 2-1-1 Texas platform, technology, and system; and

(6) not later than December 1, 2022, prepare and make available to the public on the commission's Internet website a report detailing the improvements made to the 2-1-1 services provided by the Texas Information and Referral Network.

**Amendment No. 67 (Article XI)**

Representative Campos offered the following amendment to Amendment No. 66:

Amend Amendment No. 66 by Campos to **CSSB 1** (page 129, prefiled amendments packet) by striking Subdivision (1) of the rider (page 1, lines 9-10) and renumbering subsequent subdivisions of the rider accordingly.

Amendment No. 67 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Biedermann, Burns, Cain, Cook, Craddick, Darby, Gates, Hefner, P. King, Krause, Leman, Metcalf, Noble, Oliverson, Parker, Schaefer, Shine, Slaton, Spiller, Tinderholt, VanDeaver, Vasut, and Wilson recorded voting no.)

Amendment No. 66, as amended, was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Biedermann, Buckley, Burns, Cain, Cook, Craddick, Darby, Gates, Harless, Hefner, Holland, Hull, P. King, Krause, Landgraf, Leman, Metcalf, Middleton, Murr, Noble, Oliverson, Parker, Paul, Schaefer, Shine, Slaton, Spiller, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

**Amendment No. 68**

Representative Raymond offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 132

Amend **CSSB 1** (house committee printing) in Article II of the bill, on page II-91, by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

\_\_\_\_\_. Communications on EVV issues to home and community care providers. From the funds appropriated above, HHSC shall report to home and community care providers the total hours providers were not reimbursed due to the EVV system being unavailable, malfunctioning, or not accessible for home and community support providers to timely submit hours for payment. HHSC shall make this report by the 10th day of each month for the prior month.

HHSC shall also ensure that an EVV provider respond to home and community care providers' requests for service within 24 hours from the time the home and community care providers made the initial requests for service. HHSC shall also ensure that an EVV respond to a request for service via a telephone call from a live person, not an automated response.

**Amendment No. 69**

Representative Raymond offered the following amendment to Amendment No. 68:

Amend Amendment No. 68 by Raymond to **CSSB 1** (page 132, prefiled amendments packet) by striking the second paragraph of the rider.

Amendment No. 69 was adopted.

Amendment No. 68, as amended, was adopted.

**Amendment No. 70**

Representative Swanson offered the following amendment to **CSSB 1**:

Floor Packet Page No. 136

Amend **CSSB 1** (house committee printing) in Article III of the bill, following the appropriations to the Texas Education Agency, in Rider 8, Instructional Materials and Technology, by inserting the following paragraph between the fourth and fifth paragraphs of the rider (page III-8):

It is the intent of the legislature that the State Board of Education ensure that any instructional materials and technology purchased using funds disbursed from the State Instructional Materials and Technology Fund meet the requirements for certification under 47 U.S.C. Sections 254(h)(5)(B) and (C) to the extent the certification is applicable to those materials.

Amendment No. 70 was adopted.

**Amendment No. 71**

Representative Davis offered the following amendment to **CSSB 1**:

Floor Packet Page No. 137

Amend **CSSB 1** (house committee printing) in Article III of the bill, following the appropriations to the Texas Education Agency, by striking the last sentence of Rider 34, Funding for Regional Education Service Centers (page III-15).

(Speaker pro tempore in the chair)

A record vote was requested by Representative Wilson.

Amendment No. 71 was adopted by (Record 409): 84 Yeas, 54 Nays, 2 Present, not voting.

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

Nays — Allison; Anderson; Biedermann; Bonnen; Buckley; Burrows; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Ellzey; Frank; Frullo; Gates; Goldman; Harris; Hefner; Holland; Hull; Jetton; King, P.; Klick; Landgraf;



Leach; Leman; Metcalf; Meyer; Middleton; Murphy; Murr; Noble; Oliverson; Parker; Patterson; Paul; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; Vasut; White; Wilson.

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

Absent, Excused — Bell, C.

Absent — Beckley; Bell, K.; Bowers; Burns; Button; Hunter; Johnson, A.; Krause; Martinez.

### STATEMENTS OF VOTE

When Record No. 409 was taken, I was shown voting no. I intended to vote yes.

Allison

When Record No. 409 was taken, I was in the house but away from my desk. I would have voted yes.

K. Bell

When Record No. 409 was taken, I was in the house but away from my desk. I would have voted yes.

Bowers

When Record No. 409 was taken, my vote failed to register. I would have voted no.

Burns

When Record No. 409 was taken, I was temporarily out of the house chamber. I would have voted no.

Button

When Record No. 409 was taken, I was in the house but away from my desk. I would have voted yes.

A. Johnson

When Record No. 409 was taken, I was temporarily out of the house chamber. I would have voted no.

Krause

When Record No. 409 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez

When Record No. 409 was taken, I was shown voting no. I intended to vote yes.

Stephenson

**Amendment No. 72**

Representatives Holland, Darby, Price, Smith, Ashby, VanDeaver, K. King, Spiller, Middleton, Buckley, Murr, Rodriguez, Clardy, Harris, E. Thompson, Bailes, Burns, Anderson, Stucky, Huberty, Lambert, Shine, Lozano, Kacal, Landgraf, Slawson, Allison, K. Bell, Rogers, Cook, Kuempel, Larson, Paul, Ellzey, Cyrier, Harless, Leman, Dean, and Frullo offered the following amendment to **CSSB 1**:

Floor Packet Page No. 140

Amend **CSSB 1** (house committee report) in Article III of the bill, following the appropriations to the Texas Education Agency (page III-27), by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

Rider \_\_\_\_\_. It is the intent of the legislature that the commissioner of the Texas Education Agency shall not condition the receipt of federal funds for public education provided to the State of Texas through the Coronavirus Relief Fund and the Elementary and Secondary School Emergency Relief Fund on payment to any entity or purchase of any service by a local education agency.

Amendment No. 72 was adopted.

**Amendment No. 73**

Representative Rodriguez offered the following amendment to **CSSB 1**:

Floor Packet Page No. 141

Amend **CSSB 1** (house committee report) in Article III of the bill, following the appropriations to the Texas Education Agency, by striking Rider 81, The Distribution of Federal Education Funds Related to the Coronavirus Pandemic (page III-27), and substituting the following appropriately numbered rider:

\_\_\_\_\_. Distribution of Federal Education Funds Related to the Coronavirus Pandemic. (a) Notwithstanding any other provision of this Act, and to the extent allowable under federal law or regulation, money appropriated under Section 13.01, Article IX, for distribution to public schools under the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Pub. L. No. 116-260), or the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) shall be distributed by the Texas Education Agency to public schools in a timely manner in accordance with the terms of the applicable federal law.

(b) To the extent authorized by federal law, money described by Subsection (a) of this rider that is appropriated to a state agency or institution other than the Texas Education Agency is reappropriated to the Texas Education Agency to be distributed as provided by this section.

(c) Money described by Subsection (a) of this rider may not be used to reduce state funding for public schools appropriated by this Act.

(d) A public school that receives money described by Subsection (a) of this rider shall use that money in accordance with the terms of the applicable federal law. It is the intent of the legislature that the use of that money not be restricted by the state or a state agency other than as required by federal law.

(e) The provisions of this section apply regardless of whether the state obtains a waiver from the United States Department of Education from a maintenance of effort requirement or other condition attached to money described by Subsection (a) of this rider.

#### **Amendment No. 74**

Representative Rodriguez offered the following amendment to Amendment No. 73:

Amend Amendment No. 73 by Rodriguez to **CSSB 1** (page 141, prefiled amendments packet) on page 1 of the amendment as follows:

(1) Strike lines 3 through 5 and substitute the following:

Agency (page III-3), by adding the following appropriately numbered rider:

(2) On line 6, between "Distribution" and "of", insert "to Public Schools".

(3) On line 10, between "schools" and "under", insert "that is provided through the elementary and secondary school emergency relief fund".

(4) Strike lines 16 through 20 and reletter subsequent subsections accordingly.

Amendment No. 74 was adopted.

Amendment No. 73, as amended, was adopted.

#### **Amendment No. 75 (Article XI)**

Representative Guillen offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 143

Amend **CSSB 1** (house committee report) in Article III of the bill, immediately following the appropriations to the Texas Education Agency (page III-3), by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

\_\_\_\_\_. Contingent Appropriation: Mobile STEM Laboratory Grant Program. Out of money appropriated to the Texas Education Agency under Section 13.01, Article IX, that is provided through the elementary and secondary school emergency relief fund under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2), notwithstanding Section 13.02, Article IX, and to the extent authorized by federal law, the commissioner of education shall allocate for each state fiscal year of the state fiscal biennium beginning September 1, 2021, an amount equal to the lesser of \$2,500,000 or the total amount of that money that may be spent for purposes of this section to provide grants for a mobile science, technology, engineering, and math laboratory grant program.

**Amendment No. 76 (Article XI)**

Representative Guillen offered the following amendment to Amendment No. 75:

Amend Amendment No. 75 by Guillen to **CSSB 1** (page 143, prefiled amendments packet) by striking page 1, lines 6-17 of the amendment and substituting the following:

\_\_\_\_\_. Contingent Appropriation: Mobile STEM Laboratory Grant Program. Out of money appropriated to the Texas Education Agency under Section 13.01, Article IX, notwithstanding Section 13.02, Article IX, and to the extent authorized by federal law, the commissioner of education shall allocate for each state fiscal year of the state fiscal biennium beginning September 1, 2021, an amount equal to the lesser of \$2,500,000 or the total amount of that money that may be spent for purposes of this section to provide grants for a mobile science, technology, engineering, and math laboratory grant program.

Amendment No. 76 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Bonnen, Burrows, Cain, Cook, Darby, Gates, Hefner, Krause, Metcalf, Noble, Oliverson, Schaefer, Spiller, Tinderholt, Vasut, and Wilson recorded voting no.)

Amendment No. 75, as amended, was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Bonnen, Buckley, Burrows, Cain, Cook, Darby, Gates, Hefner, Krause, Metcalf, Middleton, Noble, Oliverson, Schaefer, Slaton, Spiller, Tinderholt, Toth, Vasut, and Wilson recorded voting no.)

**Amendment No. 77 (Article XI)**

Representative Guillen offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 144

Amend **CSSB 1** (house committee report) in Article III of the bill, immediately following the appropriations to the Texas Education Agency (page III-3), by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

\_\_\_\_\_. Contingent Appropriation: Regional Education Service Center for Region 13. Out of money appropriated to the Texas Education Agency under Section 13.01, Article IX, that is provided through the elementary and secondary school emergency relief fund under the Consolidated Appropriations Act, 2021 (Pub. L. No. 116-260) or the American Rescue Plan Act of 2021 (Pub. L. No. 117-2), notwithstanding Section 13.02, Article IX, and to the extent authorized by federal law, the commissioner of education shall allocate for each state fiscal year of the state fiscal biennium beginning September 1, 2021, an amount equal to the lesser of \$2,500,000 or the total amount of that money that may be spent for purposes of this section to the Regional Education Service Center for Region 13 for the center to provide professional development and other technical assistance services to school districts in the region that are part of the New Tech Network.

**Amendment No. 78 (Article XI)**

Representative Guillen offered the following amendment to Amendment No. 77:

Amend Amendment No. 77 by Guillen to **CSSB 1** (page 144, prefiled amendments packet) by striking page 1, lines 6-20 of the amendment and substituting the following:

\_\_\_\_\_. Contingent Appropriation: Regional Education Service Center for Region 13. Out of money appropriated to the Texas Education Agency under Section 13.01, Article IX, notwithstanding Section 13.02, Article IX, and to the extent authorized by federal law, the commissioner of education shall allocate for each state fiscal year of the state fiscal biennium beginning September 1, 2021, an amount equal to the lesser of \$2,500,000 or the total amount of that money that may be spent for purposes of this section to the Regional Education Service Center for Region 13 for the center to provide professional development and other technical assistance services to school districts in the region that are part of the New Tech Network.

Amendment No. 78 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Bonnen, Burrows, Cain, Cook, Craddick, Darby, Gates, Hefner, Krause, Metcalf, Noble, Oliverson, Parker, Romero, Schaefer, Spiller, Talarico, Tinderholt, Vasut, and Wilson recorded voting no; A. Johnson recorded voting present, not voting.)

Amendment No. 77, as amended, was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Bonnen, Buckley, Burrows, Cain, Cook, Craddick, Darby, Gates, Hefner, Hull, Krause, Metcalf, Middleton, Noble, Oliverson, Parker, Paul, Romero, Schaefer, Spiller, Swanson, Talarico, Tinderholt, Toth, Vasut, and Wilson recorded voting no; Howard and A. Johnson recorded voting present, not voting)

**Amendment No. 79 (Article XI)**

Representative Guillen offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 145

Amend **CSSB 1** (house committee report) in Article III of the bill, immediately following the appropriations to the Texas Education Agency (page III-3), by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

\_\_\_\_\_. Contingent Appropriation: On Ramps Dual Enrollment Course Reimbursement. Out of money appropriated to the Texas Education Agency under Section 13.01, Article IX, that is provided through the elementary and secondary school emergency relief fund under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2), notwithstanding Section 13.02, Article IX, and to the extent authorized by federal law, the commissioner of education shall allocate, in addition to other amounts allocated under this Act for this purpose, for each state fiscal year of the state fiscal biennium beginning September 1, 2021, an amount

equal to the lesser of \$2,500,000 or the total amount of that money that may be spent for purposes of this section to provide reimbursement to school districts for costs related to students taking On Ramps Dual Enrollment courses.

**Amendment No. 80 (Article XI)**

Representative Guillen offered the following amendment to Amendment No. 79:

Amend Amendment No. 79 by Guillen to **CSSB 1** (page 145, prefiled amendments packet) by striking page 1, lines 6-19, of the amendment and substituting the following:

\_\_\_\_\_. Contingent Appropriation: On Ramps Dual Enrollment Course Reimbursement. Out of money appropriated to the Texas Education Agency under Section 13.01, Article IX, notwithstanding Section 13.02, Article IX, and to the extent authorized by federal law, the commissioner of education shall allocate, in addition to other amounts allocated under this Act for this purpose, for each state fiscal year of the state fiscal biennium beginning September 1, 2021, an amount equal to the lesser of \$2,500,000 or the total amount of that money that may be spent for purposes of this section to provide reimbursement to school districts for costs related to students taking On Ramps Dual Enrollment courses.

Amendment No. 80 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Cain, Cook, Craddick, Darby, Gates, Hefner, Krause, Metcalf, Noble, Oliverson, Parker, Schaefer, Spiller, Tinderholt, Vasut, and Wilson recorded voting no.)

Amendment No. 79, as amended, was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Buckley, Cain, Cook, Craddick, Darby, Gates, Hefner, Krause, Metcalf, Middleton, Noble, Oliverson, Parker, Paul, Schaefer, Spiller, Tinderholt, Toth, Vasut, and Wilson recorded voting no.)

**Amendment No. 81**

Representative Guerra offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 146

Amend **CSSB 1** (house committee report) in Article III of the bill, following the appropriations to the Texas Education Agency (page III-3), by adding the following appropriately numbered rider:

\_\_\_\_\_. Report on Telehealth Programs in Public Schools. It is the intent of the legislature that the Texas Education Agency, using funds appropriated by this Act, study the possibility and utility of implementing telehealth programs in public schools that do not have a full-time nurse on site at each campus. Not later than September 1, 2022, the agency shall submit to the legislature a report on the results of the study and any recommendations for legislative or other action. The report must identify the manner in which the use of telemedicine at public schools can increase access to medical care for students who attend a school that does not have a full-time nurse or only has a nurse on site for part of the day.

Amendment No. 81 was adopted.

**Amendment No. 82**

Representative Bernal offered the following amendment to **CSSB 1**:

Floor Packet Page No. 147

Amend **CSSB 1** (house committee report) in Article III of the bill, immediately following the appropriations to the Texas Education Agency (page III-3), by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

\_\_\_\_. High School Equivalency Subsidy Program. Out of the money appropriated above to the Texas Education Agency for Strategy A.1.1, Foundation School Program-Equalized Operations, the agency shall allocate \$750,000 in fiscal year 2022 and \$750,000 in fiscal year 2023 to administer the high school equivalency subsidy program described by Section 48.302(b), Education Code.

**Amendment No. 83**

Representative Bernal offered the following amendment to Amendment No. 82:

Amend Amendment No. 82 by Bernal to **CSSB 1** (page 147, prefiled amendments packet) on page 1, line 6, by striking "Out" and substituting "It is the intent of the legislature that, out".

Amendment No. 83 was adopted.

Amendment No. 82, as amended, was adopted.

**Amendment No. 84**

Representatives Herrero, VanDeaver, Morales Shaw, and Meza offered the following amendment to **CSSB 1**:

Floor Packet Page No. 152

Amend **CSSB 1** (house committee printing) on page III-28 of the Texas Education Agency's bill pattern by adding the following appropriately numbered rider:

\_\_\_\_. Prohibition on Use of Appropriated Money for School Choice Programs. Money appropriated by this Act may not be used to pay for or support a school voucher, education savings account, or tax credit scholarship program or a similar program through which a child may use state money for nonpublic primary or secondary education.

**Amendment No. 84 - Point of Order**

Representative Biedermann raised a point of order against further consideration of Amendment No. 84 under Rule 8, Section 4, of the House Rules on the grounds that the amendment changes general law through an appropriations bill. The point of order was withdrawn.

A record vote was requested by Representative Toth.

Amendment No. 84 was adopted by (Record 410): 115 Yeas, 29 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Bowers; Buckley; Bucy; Burns; Burrows; Campos; Canales; Clardy; Cole; Coleman; Collier; Cook; Cortez; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frullo; Geren; Gervin-Hawkins; Goldman; 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.; Kuempel; Lambert; Landgraf; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave; Ordaz Perez; Ortega; Paddie; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wu; Zwiener.

Nays — Biedermann; Bonnen; Cain; Capriglione; Cason; Craddick; Frank; Gates; Hefner; Hull; Jetton; Klick; Krause; Leach; Metcalf; Middleton; Murphy; Noble; Oliverson; Parker; Patterson; Paul; Sanford; Schaefer; Shaheen; Swanson; Tinderholt; Toth; Wilson.

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

Absent, Excused — Bell, C.

Absent — Button; Pacheco; Schofield.

### STATEMENTS OF VOTE

When Record No. 410 was taken, I was temporarily out of the house chamber. I would have voted no.

Button

When Record No. 410 was taken, I was shown voting no. I intended to vote yes.

Leach

When Record No. 410 was taken, I was shown voting yes. I intended to vote no.

Leman

When Record No. 410 was taken, I was shown voting no. I intended to vote yes.

Metcalf

When Record No. 410 was taken, I was shown voting no. I intended to vote yes.

Shaheen



**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).

**CSSB 1 - (consideration continued)****Amendment No. 85**

Representative Toth offered the following amendment to **CSSB 1**:

Floor Packet Page No. 154

Amend **CSSB 1** (house committee report) in Article III of the bill, following the appropriations to the Texas Education Agency, by adding the following appropriately numbered rider:

\_\_\_\_. Private School Choice Program. It is the intent of the legislature that the Texas Education Agency, out of amounts appropriated above, may administer a private school choice program in accordance with rules adopted by the commissioner of education.

**Amendment No. 85 - Point of Order**

Representative Herrero raised a point of order against further consideration of Amendment No. 85 under Rule 8, Section 4, of the House Rules on the grounds that the amendment changes general law through an appropriations bill. The point of order was withdrawn.

Amendment No. 85 was withdrawn.

**Amendment No. 86**

Representative Cason offered the following amendment to **CSSB 1**:

Floor Packet Page No. 158

Amend **CSSB 1** (house committee printing) in Article III of the bill, following the appropriations to the Texas Education Agency (page III-3), by adding the following appropriately numbered rider:

\_\_\_\_. Prohibition on Use of Appropriated Money for Critical Theory. Money appropriated by this Act may not be used to teach critical theory in a public school.

**Amendment No. 86 - Point of Order**

Representative Collier raised a point of order against further consideration of Amendment No. 86 under Rule 8, Section 4, of the House Rules. The point of order was sustained and the speaker submitted the following ruling:

**RULING BY THE SPEAKER**

on Amendment No. 86 to Senate Bill 1

Announced in the House on April 22, 2021

(Speaker pro tempore in the chair)

Representative Collier raises a point of order against further consideration of the Cason Amendment under Rule 8, Section 4, of the House Rules, on the grounds that the amendment changes general law in an appropriations bill.

The rider imposes on public schools a curriculum requirement that certain subjects may not be taught using appropriated funds. Under Section 28.002(i), Education Code, the State Board of Education may not designate the methodology used by a teacher or the time spent by a teacher or a student on a particular subject. The rider's curriculum restriction is forbidden by general law and thus violates the rule.

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

The ruling precluded further consideration of Amendment No. 86.

(Speaker in the chair)

### **Amendment No. 87**

Representative Slaton offered the following amendment to **CSSB 1**:

Floor Packet Page No. 159

Amend **CSSB 1** (house committee printing) in Article III of the bill by adding the following appropriately numbered rider following the appropriations to the Texas Education Agency:

\_\_\_\_\_. Prohibition on Use of Appropriated Money to Affirm Certain Perceptions of Biological Sex. Money appropriated for the Foundation School Program by this Act may not be used to affirm a child's perception of the child's biological sex if that perception is inconsistent with the child's biological sex as determined by the child's sex organs, chromosomes, and endogenous hormone profiles.

### **Amendment No. 87 - Point of Order**

Representative Zwiener raised a point of order against further consideration of Amendment No. 87 under Rule 8, Section 4, of the House Rules. The point of order was sustained and the speaker submitted the following ruling:

#### **RULING BY THE SPEAKER**

on Amendment No. 87 to Senate Bill 1

Announced in the House on April 22, 2021

Representative Zwiener raises a point of order against further consideration of the Slaton Amendment under Rule 8, Section 4, of the House Rules, on the grounds that the amendment changes general law in an appropriations bill.

The rider purports to prohibit the use of money appropriated for the Foundation School Program to affirm certain perceptions expressed by a child. For the Texas Education Agency or a public school to act in accordance with that prohibition, the agency or the school would have to make certain determinations related to the child's expression of those perceptions and any inconsistencies related thereto. The rider would impose an affirmative duty on the agency and public schools that is not present under general law. Atty. Gen. Ltr. Op. 96-079 (1996). The rider creates general law.

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

The ruling precluded further consideration of Amendment No. 87.

**Amendment No. 88**

Representative Davis offered the following amendment to **CSSB 1**:

Floor Packet Page No. 160

Amend **CSSB 1** (house committee printing), in Article III of the bill, following the appropriations to the Teacher Retirement System (page III-38), by striking Rider 11 and renumbering subsequent riders accordingly.

Amendment No. 88 was adopted.

**Amendment No. 89**

Representative Davis offered the following amendment to **CSSB 1**:

Floor Packet Page No. 161

Amend **CSSB 1** (house committee printing), in Article III of the bill, following appropriations to the Teacher Retirement System (Page III-36), by adding the following appropriately numbered rider:

\_\_\_\_\_. Supplemental Annuity Payment to Retirees of Teacher Retirement System. (a) To the extent possible and out of general revenue funds appropriated to the Teacher Retirement System under this Act, the board of trustees of the retirement system shall provide a one-time supplemental payment to each retiree of the retirement system who is eligible for an annuity payment in the calendar month in which the retirement system issues the payment. Except as provided by Subsection (b), the amount of the supplemental payment must equal the gross amount of the regular retirement benefit payment to which the retiree is otherwise entitled for that calendar month.

(b) If the board of trustees of the Teacher Retirement System determines that providing a supplemental payment in the amount required by Subsection (a) is prohibited under Section 821.006, Government Code, because, as a result of providing the supplemental payment, the time required to amortize the unfunded actuarial liabilities of the retirement system would be increased to a period that exceeds 30 years by one or more years, the board of trustees shall reduce the amount of the supplemental payment to the maximum amount that would otherwise be permitted by that section.

**Amendment No. 90**

Representative Davis offered the following amendment to Amendment No. 89:

Amend the Davis amendment on page 161 for **CSSB 1** as follows:

On page 1, line 8, substitute the word "may" for the word "shall".

Amendment No. 90 was adopted.

**Amendment No. 89 - Point of Order**

Representative Vasut raised a point of order against further consideration of Amendment No. 89, as amended, under Rule 8, Section 4, of the House Rules on the grounds that the amendment changes general law through an appropriations bill. The point of order was withdrawn.

Amendment No. 89, as amended, was adopted.

**Amendment No. 91 (Article XI)**

Representative Howard offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 162

Amend **CSSB 1** in Article III of the bill, to the appropriations to the Texas Higher Education Coordinating Board (pages III-47-62) as follows:

(1) Reduce general revenue appropriations in Strategy B.1.1, Texas Grant Program, by \$433,292,738 in each fiscal year.

(2) Increase federal funds (State Fiscal Relief Funds as designated for Texas by the American Rescue Act Plan of 2021) appropriations in Strategy B.1.1, Texas Grant Program, by \$433,292,738 in each fiscal year.

(3) Increase general revenue appropriations in Strategy B.1.1, Texas Grant Program, by \$128,430,000 in fiscal year 2022, and \$231,160,000 in fiscal year 2023.

(4) Increase general revenue appropriations in Strategy B.1.3, TEOG Pub Community Colleges, by \$107,940,000 in fiscal year 2022, and \$155,960,000 in fiscal year 2023.

(5) Increase general revenue appropriations in Strategy B.1.3, TEOG Pub State/Technical Colleges by \$12,710,000 in fiscal year 2022 and \$18,300,000 in fiscal year 2023.

(6) Insert the following new rider after Rider 53 and renumber the subsequent riders accordingly:

Rider 54. Higher Education Financial Aid Programs: Loan Repayment and Medical Education and Health Related Workforce Development.

In addition to amounts appropriated above in Strategies C.1.2 and C.1.3, an additional \$212,085,476 in general revenue is appropriated for the 2022-2023 biennium for the programs listed in Rider 52 and Rider 53 of this bill pattern.

(7) Add the following new rider to the Higher Education Coordinating Board bill pattern:

\_\_\_\_\_. Contingency for Receipt of American Rescue Act Plan Appropriations. Appropriations of federal funds above in Strategy B.1.1, Texas Grant Program, are estimated appropriations of State Fiscal Relief Funds as designated for Texas by the American Rescue Act Plan of 2021. Should the state of Texas not certify acceptance of the Texas allocation (estimated to be \$16,696,900,000) the following adjustment shall be made:

(1) Increase general revenue appropriations in Strategy B.1.1, Texas Grant Program, by \$433,292,738 in each fiscal year.

(2) Reduce federal funds appropriations in Strategy B.1.1, Texas Grant Program, by \$433,292,738 in each fiscal year.

(3) Reduce general revenue appropriations in Strategy B.1.1, Texas Grant Program, by \$128,430,000 in fiscal year 2022, and \$231,160,000 in fiscal year 2023.

(4) Reduce general revenue appropriations in Strategy B.1.3, TEOG Pub Community Colleges, by \$107,940,000 in fiscal year 2022, and \$155,960,000 in fiscal year 2023.

(5) Reduce general revenue appropriations in Strategy B.1.3, TEOG Pub State/Technical Colleges by \$12,710,000 in fiscal year 2022 and \$18,300,000 in fiscal year 2023.

(6) Strike Rider 54, Higher Education Financial Aid Programs: Loan Repayment and Medical Education and Health Related Workforce Development.

Amendment No. 91 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Ashby, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Button, Cain, Capriglione, Cook, Craddick, Cyrier, Darby, Ellzey, Frullo, Gates, Geren, Goldman, Harless, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Klick, Krause, Landgraf, Leach, Leman, Metcalf, Meyer, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Paul, Price, Rogers, Sanford, Schaefer, Shaheen, Shine, Slaton, Spiller, Stephenson, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

### **Amendment No. 92**

Representative Howard offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 164

Amend **CSSB 1** as follows:

(1) On page III-55 of the Higher Education Coordinating Board bill pattern, amend the following rider:

Professional Nursing Shortage Reduction Program. Appropriations for the Professional Nursing Shortage Reduction Program, which are included in Strategy C.1.3, Medical Education and Health Related Workforce Development, total \$~~[9,940,024]~~9,440,024 in fiscal year 2022 and \$~~[9,940,024]~~9,440,024 in fiscal year 2023. These funds shall be allocated as follows:

The Texas Higher Education Coordinating Board (THECB) shall allocate the funds appropriated in their bill pattern in Strategy C.1.3, as follows:

(a) Up to 5 percent each year may be used for administrative expenses.

(b) Funds~~[\$3,123,557 in fiscal year 2022 and \$3,123,557 in fiscal year 2023]~~ shall be distributed in an equitable manner to institutions with nursing programs, including institutions graduating their first nursing class, based on increases in numbers of nursing students graduating. Nursing graduates include graduates for both initial licensure and bachelor's completion, RN-to-BSN programs. The THECB shall apply a weight of 1.5 for increased graduates in nursing educator programs identified with a Classification of Instructional Program code of 51.3808 and 51.3817. The THECB shall allocate up to 50 percent in each fiscal year of the biennium and any unexpended amounts to community colleges.

~~[(c) \$4,302,157 in fiscal year 2022 and \$4,302,157 in fiscal year 2023 shall be distributed at a rate of \$10,000 per year for each additional nursing student enrolled in a professional nursing program to institutions with professional nursing programs based on the following criteria: (1) a graduation rate of 70 percent or above as reflected in the final 2020 graduation rates reported by the THECB and (2) an increase in new enrollees for fiscal year 2020 and in fiscal year 2021 of the first year enrollments for the 2019-20 academic year as reported~~

by the institutions to the Texas Center for Nursing Workforce Studies. The percentage increase required each year of the biennium shall be determined by the Higher Education Coordinating Board in consultation with eligible nursing programs. The methodology for determining the required percentage increase may allow for the required increase to vary by institution and account for the reallocation of unearned funds.

~~(d)~~ \$2,014,310 in fiscal year 2022 and \$2,014,310 in fiscal year 2023 to (1) professional nursing programs with nursing graduation rates below 70 percent as reflected in the final 2020 graduation rates reported by the THECB, (2) hospital based diploma programs, or (3) new professional nursing programs whose graduation rates which have not been determined by the THECB. From funds available for that purpose, institutions shall receive \$20,000 for each additional initial RN graduate in two year programs and \$10,000 for each additional graduate in one year programs. If sufficient funds are not available to provide this allocation, the THECB shall distribute the funds on a pro rate basis equally among the nursing programs participating. THECB shall develop an application process for institutions willing to increase the number of nursing graduates. The application shall indicate the number of nursing graduates for initial licensure the institution will produce; indicate the number of payments and payment schedule; identify benchmarks an institution must meet to receive payment; and specify the consequences of failing to meet the benchmarks.

~~(e)~~(c) For THECB expenditure purposes, any funds not expended in fiscal year 2022 may be expended in fiscal year 2023 for the same purposes. If an institution spends funds on non-qualifying expenditures or does not spend the funds within the designated timeframe, ~~[does not meet targets for purposes of subsections b, c, and d,]~~ the institution shall return these ~~[unearned]~~ funds to the THECB by the date specified by THECB rule. The THECB shall reallocate these funds to other qualified programs. All institutions receiving funds shall submit to the THECB a detailed accounting of funds received, obligated or expended.

~~(f)~~(d) ~~[If the funds appropriated under Paragraphs b, c, or d exceed the funds that can be expended in accordance with the requirements of that paragraph, THECB may expend the excess funds for any purpose described in Paragraphs b, c, or d.]~~ The THECB may not include nonresident students who are enrolled in online professional nursing programs while residing outside of the state in methodologies used to calculate program awards described in Paragraph~~[s]~~ b~~[c, e, or d.]~~

(e) Using funds under Subsection (a), the Higher Education Coordinating Board shall consider if and how metrics relating to quality of nursing programs should be incorporated in the program and any recommendations for weighting of different types of nursing degrees awarded. The coordinating board shall confer with higher education nursing programs and the Texas Nurses Association in the developing of these weighted metrics. The coordinating board shall make any recommendations to the legislature by November 1, 2022. It is the intent of the legislature that this Subsection (e) expire after the 2022-23 biennium.

**Amendment No. 93**

Representative M. González offered the following amendment to Amendment No. 92:

Amend Amendment No. 92 by Howard to **CSSB 1** (page 164-165, prefiled amendments packet) on page 2 by adding the following item:

(2) On page III-51 of the Higher Education Coordinating Board bill pattern, amend the following rider:

5. Student Loan Program. All monies and future receipts in the Texas Opportunity Plan Fund and the Texas College Student Loan Bonds Interest and Sinking Fund, the Student Loan Auxiliary Fund, and the Student Loan Revenue Fund are hereby appropriated to the Texas Higher Education Coordinating Board, for the purposes specified in Article III, §§50b-4, 50b-5, 50b-6 and 50b-7 of the Texas Constitution and Education Code §§52.01-52.91 and 56.121-56.135. Any payments received on B-On-Time loans shall be deposited to the General Revenue Fund and are hereby appropriated to Strategy A.1.2 for administration of the loan program. Full-Time Equivalents (FTEs) employed by the coordinating board paid exclusively with bond proceeds appropriated in this rider who are employed only to support the College Access Loans Program are excluded from the coordinating board's FTE limit and exempted from the provisions set out in Article IX, §6.10.

Amendment No. 93 was adopted.

Amendment No. 92, as amended, was adopted.

**Amendment No. 94**

Representative Howard offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 166

Amend **CSSB 1** as follows:

(1) On page III-62, of the bill pattern for the Higher Education Coordinating Board, add the following rider:

\_\_\_\_\_. Professional Nursing Shortage Reduction Program. It is the intent of the legislature that to the extent federal funds become available to the agency, and to the extent that those funds can be used for such purpose, in addition to amounts appropriated above in Strategy C.1.3, Medical Education and Health Related Workforce Development, \$500,000 in fiscal year 2022 and \$500,000 in fiscal year 2023 in federal funds appropriated for the American Rescue Plan Act shall be used for the Professional Nursing Shortage Reduction Program. Any balances on hand at the end of fiscal year 2022 are appropriated for fiscal year 2023 for the same purpose.

Amendment No. 94 was adopted.

**Amendment No. 95 (Article XI)**

Representative E. Morales offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 167

Amend **CSSB 1** (house committee printing) as follows:

(1) Add the following appropriately numbered rider following the Article III appropriations to the Higher Education Coordinating Board (page III-49):

\_\_\_\_\_. Rural Resident Physician Grant Program. The amount of \$5,000,000 is appropriated out of the General Revenue Fund to the Texas Higher Education Coordinating Board for the state fiscal year ending August 31, 2022, for the purpose of increasing the amounts of Rural Resident Physician Grants awarded under Section 58A.081, Education Code, for physician residency programs at teaching hospitals and other appropriate health care entities and the additional amount of \$5,000,000 is appropriated out of the General Revenue Fund to the Texas Higher Education Coordinating Board for the state fiscal year ending August 31, 2023, for the same purpose.

(2) In Article I of the bill, in the appropriations to the Office of the Attorney General, Goal A, Provide Legal Services, reduce the appropriation from the General Revenue Fund for Strategy A.1.1, Legal Services (page I-3), by the amount of \$5,000,000 for each state fiscal year of the state fiscal biennium ending August 31, 2023.

(3) In Article XI of the bill, under the Article III items for the Texas Higher Education Coordinating Board (page XI-6), strike "Rural Resident Physician Grant Program" and the associated amount for the biennium.

(4) Adjust totals and methods of financing accordingly.

Amendment No. 95 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (K. Bell, Biedermann, Buckley, Burns, Cain, Cook, Craddick, Gates, Harless, Hefner, Holland, P. King, Krause, Landgraf, Leman, Metcalf, Middleton, Murr, Noble, Oliverson, Parker, Paul, Sanford, Schaefer, Shine, Slaton, Spiller, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

#### **Amendment No. 96**

Representative S. Thompson offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 169

Amend **CSSB 1** (house committee printing) in Article III of the bill by adding the following appropriately numbered rider on page III-96, after the bill pattern for Prairie View A&M:

\_\_\_\_\_. Report on Police Brutality. Out of funds appropriated above, the Center for Race and Justice at Prairie View A&M University shall conduct a report detailing the use of deadly force and police brutality in current policing procedures. The report shall examine practices of state and local law enforcement agencies, as well as review available data on individuals impacted and outcomes of such procedures. As part of the report, the center shall review racial disparities in any data collected and consider the connection those disparities have to policies adopted by state and local law enforcement agencies. The university may coordinate with the Department of Public Safety, Commission on Law Enforcement, and other agencies as needed to conduct the report. The center shall submit the report to governor, lieutenant governor, and each member of the Texas Legislature no later than May 25, 2022.



**Amendment No. 97**

Representatives S. Thompson and Morales Shaw offered the following amendment to Amendment No. 96:

Amend Amendment No. 96 by S. Thompson to **CSSB 1** (page 169, prefiled amendments packet) by striking the text of the amendment and substituting the following:

Amend **CSSB 1** (house committee printing), in Article III of the bill, following the appropriations to Prairie View A&M University (page III-95), by adding the following appropriately numbered rider:

\_\_\_\_\_. Report on Police Brutality. (a) Out of funds appropriated above, the Center for Race and Justice at Prairie View A&M University shall conduct a study on the use of deadly force and police brutality in current policing procedures.

(b) The study must:

- (1) examine the practices of state and local law enforcement agencies;
- (2) review available data regarding the individuals affected by and the outcomes of the practices described by Subdivision (1) of this subsection;
- (3) identify any racial disparities in the data reviewed under Subdivision (2) of this subsection; and
- (4) consider whether there is a connection between any racial disparities identified under Subdivision (3) of this subsection and the policies adopted by state and local law enforcement agencies.

(c) In conducting the study, Prairie View A&M University may coordinate with the Department of Public Safety, the Commission on Law Enforcement, and other agencies as needed.

(d) Not later than May 25, 2022, the Center for Race and Justice at Prairie View A&M University shall submit to the governor, the lieutenant governor, and each member of the legislature a report that includes the results of the study conducted under this rider.

Amendment No. 97 was adopted.

Amendment No. 96, as amended, was adopted.

**Amendment No. 98**

Representative Minjarez offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 171

Amend **CSSB 1** as follows:

(1) In Article V of the bill, to the appropriations of the Department of Public Safety, by reducing general revenue appropriations in Strategy A.1.1, Legal Services by \$2,940,000 in fiscal year 2022 and \$2,940,000 in fiscal year 2023;

(2) In Article III of the bill, to the appropriations to Austin Community College, by increasing general revenue appropriations by \$2,940,000 in fiscal year 2022 and \$2,940,000 in fiscal year 2023 for the Texas Innovative Adult Career Education Grant Program.

Amendment No. 98 was withdrawn.

**Amendment No. 99**

Representative Darby offered the following amendment to **CSSB 1**:

Floor Packet Page No. 173

Amend **CSSB 1** (house committee report) in Article III of the bill as follows:

(1) In the appropriations for public community/junior colleges, Goal V, Howard College, in Strategy V.2.1 (page III-201), strike "SOUTHWEST INSTITUTE FOR THE DEAF" and substitute "SOUTHWEST COLLEGE FOR THE DEAF".

(2) In the appropriations for public community/junior colleges, Goal V, Howard College, in Strategy V.2.1 (page III-201), strike "Southwest Collegiate Institute for the Deaf" and substitute "SouthWest College for the Deaf".

(3) In Rider 4 following the appropriations for public community/junior colleges (page III-205), strike the reference to "Southwest Collegiate Institute for the Deaf" and substitute "SouthWest College for the Deaf".

Amendment No. 99 was adopted.

**Amendment No. 100 (Article XI)**

Representatives Minjarez and Morrison offered the following amendment to **CSSB 1**:

Floor Packet Page No. 174

Amend **CSSB 1** as follows:

On page III-207 of the Public Community/Junior Colleges bill pattern, amend the following rider:

17. Instruction and Administration Funding (Outcomes-Based Model). Formula funding is allocated among Public Community/Junior Colleges based upon certified contact hours generated in the previous academic year. Formula funding is allocated based on each community college's points earned from a three-year average of student completion of the following metrics:

<u>Metric</u>	<u>Points</u>
Student successfully completes developmental education in mathematics	1.0
Student successfully completes developmental education in reading	0.5
Student successfully completes developmental education in writing	0.5
Student completes first college-level mathematics course with a grade of "C" or better	1.0
Student completes first college-level course designated as reading intensive with a grade of "C" or better	0.5
Student completes first college-level course designated as writing intensive with a grade of "C" or better	0.5
Student successfully completes first 15 semester credit hours at the institution	1.0

<u>Student successfully completes first 15 semester credit at the institution through courses for joint high school and junior college credit under TEC, Section 130.008</u>	<u>1.5</u>
Student successfully completes first 30 semester credit hours at the institution	1.0
Student transfers to a General Academic Institution after successfully completing at least 15 semester credit hours at the community college, or a student in a structured co-enrollment program successfully completing at least 15 semester credit hours at the community college.	<del>2.75</del> <u>2.0</u>
<u>Student identified as academically disadvantaged transfers to a General Academic Institution after successfully completing at least 15 semester credit hours at the community college, or a student in a structured co-enrollment program successfully completing at least 15 semester credit hours at the community college.</u>	<u>2.5</u>
<u>Student identified as economically disadvantaged transfers to a General Academic Institution after successfully completing at least 15 semester credit hours at the community college, or a student in a structured co-enrollment program successfully completing at least 15 semester credit hours at the community college.</u>	<u>2.5</u>
<u>Student identified as both academically and economically disadvantaged transfers to a General Academic Institution after successfully completing at least 15 semester credit hours at the community college, or a student in a structured co-enrollment program successfully completing at least 15 semester credit hours at the community college.</u>	<u>3.0</u>
Student receives from the institution an associate's degree, a Bachelor's degree, or a certificate recognized for this purpose by the Coordinating Board in a field other than a critical field, such as Science, Technology, Engineering and Mathematics (STEM), or Allied Health.	<del>4.22</del> <u>2.0</u>
<u>Student identified as academically disadvantaged receives from the institution an associate's degree, a Bachelor's degree, or a certificate recognized for this purpose by the Coordinating Board in a field other than a critical field, such as Science, Technology, Engineering and Mathematics (STEM), or Allied Health.</u>	<u>2.5</u>
<u>Student identified as economically disadvantaged receives from the institution an associate's degree, a Bachelor's degree, or a certificate recognized for this purpose by the Coordinating Board in a field other than a critical field, such as Science, Technology, Engineering and Mathematics (STEM), or Allied Health.</u>	<u>2.5</u>
<u>Student identified as both academically and economically disadvantaged receives from the institution an associate's degree, a Bachelor's degree, or a certificate recognized for this purpose by the Coordinating Board in a field other than a critical field, such as Science, Technology, Engineering and Mathematics (STEM), or Allied Health.</u>	<u>3.0</u>

Student receives from the institution an associate's degree, a Bachelor's degree, or a certificate recognized for this purpose by the Coordinating Board in a critical field, including the fields of Science, Technology, Engineering or Mathematics (STEM), or Allied Health.	<u>3.02.25</u>
<u>Student identified as academically disadvantaged receives from the institution an associate's degree, a Bachelor's degree, or a certificate recognized for this purpose by the Coordinating Board in a critical field, including the fields of Science, Technology, Engineering or Mathematics (STEM), or Allied Health.</u>	<u>2.75</u>
<u>Student identified as economically disadvantaged receives from the institution an associate's degree, a Bachelor's degree, or a certificate recognized for this purpose by the Coordinating Board in a critical field, including the fields of Science, Technology, Engineering or Mathematics (STEM), or Allied Health.</u>	<u>2.75</u>
<u>Student identified as both academically and economically disadvantaged receives from the institution an associate's degree, a Bachelor's degree, or a certificate recognized for this purpose by the Coordinating Board in a critical field, including the fields of Science, Technology, Engineering or Mathematics (STEM), or Allied Health.</u>	<u>3.25</u>

Amendment No. 100 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Ashby, C. Bell, K. Bell, Biedermann, Buckley, Burns, Cain, Capriglione, Cook, Craddick, Cyrier, Darby, Ellzey, Gates, Geren, Goldman, Harless, Hefner, Holland, Huberty, Hunter, Jetton, P. King, Klick, Krause, Landgraf, Leach, Leman, Metcalf, Meyer, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Rogers, Sanford, Schaefer, Shaheen, Shine, Slaton, Spiller, Stephenson, Swanson, Tinderholt, Toth, VanDeaver, and Vasut recorded voting no.)

#### **Amendment No. 101**

Representative Schaefer offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 176

Amend **CSSB 1** as follows:

(1) On page X-6 of the State Auditor's Office bill pattern, strike \$21,802,403 in fiscal year 2022 in Strategy A.1.1, State Auditor and substitute \$14,302,403, and strike \$21,802,402 in fiscal year 2023 in Strategy A.1.1, State Auditor and substitute \$14,302,402.

(2) On page III-208 of the Public Community/Junior Colleges bill pattern, add the following new rider:

25. Need-Based Supplements. Out of funds appropriated above, general revenue is appropriated as follows:

	2022	2023
<u>Angelina College</u>	<u>\$500,000</u>	<u>\$500,000</u>
<u>Cisco Junior College</u>	<u>\$500,000</u>	<u>\$500,000</u>
<u>Clarendon College</u>	<u>\$500,000</u>	<u>\$500,000</u>
<u>Coastal Bend College</u>	<u>\$500,000</u>	<u>\$500,000</u>

<u>Frank Phillips College</u>	<u>\$500,000</u>	<u>\$500,000</u>
<u>Hill College</u>	<u>\$500,000</u>	<u>\$500,000</u>
<u>Kilgore College</u>	<u>\$500,000</u>	<u>\$500,000</u>
<u>Navarro College</u>	<u>\$500,000</u>	<u>\$500,000</u>
<u>Northeast Texas Community College</u>	<u>\$500,000</u>	<u>\$500,000</u>
<u>Panola College</u>	<u>\$500,000</u>	<u>\$500,000</u>
<u>Paris Junior College</u>	<u>\$500,000</u>	<u>\$500,000</u>
<u>Ranger College</u>	<u>\$500,000</u>	<u>\$500,000</u>
<u>South Plains College</u>	<u>\$500,000</u>	<u>\$500,000</u>
<u>Southwest Texas Junior College</u>	<u>\$500,000</u>	<u>\$500,000</u>
<u>Vernon College</u>	<u>\$500,000</u>	<u>\$500,000</u>

Eligibility for appropriations made in this rider considers the following:

(a) A fiscal year 2020 composite financial index as calculated by the Higher Education Coordinating Board, including:

- (a) expendable assets to total expenses;
- (b) expendable assets to total noncurrent liabilities;
- (c) growth in expendable assets during the previous fiscal year;
- (d) operating surplus or deficit;
- (e) availability of capital resources; and
- (f) amount of debt in relation to net position;

(b) Six-year contact hour growth trend;

(c) The average income of the students in fiscal year 2020 that completed a Free Application for Federal Student Aid (FAFSA), completed a Texas Application for State Financial Aid (TASFA), or were enrolled in the institution and received aid but did not complete a FAFSA or TASFA;

(d) The July 1, 2019 population of the municipality containing the community college's main campus, as determined by the United States Census Bureau; and

(e) Fiscal year 2020 student contact hours as related to fiscal year 2020 gross assessed district valuation.

An individual's eligibility for a grant made from appropriations made in this rider should consider the need-based supplements outlined in this rider.

Amendment No. 101 was adopted.

## **Amendment No. 102**

Representative Stucky offered the following amendment to **CSSB 1**:

Floor Packet Page No. 178

Amend **CSSB 1** (house committee printing) as follows:

(1) Increase the Article III appropriations from the General Revenue Fund to the Texas A&M AgriLife Extension Service for Strategy D.1.1, Wildlife Management (page III-223), by the amount of \$250,000 for the state fiscal year ending August 31, 2022, and by the amount of \$250,000 for the state fiscal year ending August 31, 2023. Adjust totals and methods of financing accordingly.

(2) In Article III of the bill, following the appropriations to the Texas A&M AgriLife Extension Service (page III-225), strike Rider 7 and substitute the following appropriately numbered rider:

\_\_\_\_\_. Experimental Use Program for Feral Hog Abatement. (a) Amounts appropriated above out of the General Revenue Fund in Strategy D.1.1, Wildlife Management, include \$250,000 in each fiscal year of the biennium to be used by the Texas A&M AgriLife Extension Service to implement an experimental use program for the purpose of advising the Department of Agriculture under Section 76.007, Agriculture Code, regarding pesticide products containing warfarin that are registered by the United States Environmental Protection Agency for use to control feral hogs. The Texas A&M AgriLife Extension Service shall cooperate with the Department of Agriculture in implementing the experimental use program.

(b) The experimental use program must obtain from pesticide applicators licensed by the Department of Agriculture information necessary to validate the efficacy of any pesticide product containing warfarin registered by the United States Environmental Protection Agency for use to control feral hogs. The program must determine the product's efficacy in multiple regions of this state and its ability to assist landholders in this state in their efforts to mitigate the economic harm and damage caused by feral hogs.

(c) Not later than August 31, 2023, the Texas A&M AgriLife Extension Service shall submit a report to the legislature and the Department of Agriculture regarding the results of the experimental use for each pesticide product evaluated under the program.

(3) Reduce the Article VI appropriations from the General Revenue Fund to the Department of Agriculture for Strategy B.2.1, Regulate Pesticide Use (page VI-2), by the amount of \$250,000 for the state fiscal year ending August 31, 2022, and by the amount of \$250,000 for the state fiscal year ending August 31, 2023. Adjust totals and methods of financing accordingly.

(4) In Article VI of the bill, following the appropriations to the Department of Agriculture (page VI-10), strike Rider 21 and substitute the following appropriately numbered rider:

\_\_\_\_\_. Appropriation Restriction on Feral Hog Abatement Using Certain Pesticides. (a) Except as provided by Subsections (b) and (c) of this rider, no funds appropriated to the Department of Agriculture in this Act may be used for the implementation of warfarin on feral hogs.

(b) The Department of Agriculture may use amounts appropriated by this Act to register a pesticide product containing warfarin for use in this state to control feral hogs only if:

(1) that registration is limited to use by pesticide applicators licensed by the department who are participating in an experimental use program conducted by the Texas A&M AgriLife Extension Service to evaluate the product's efficacy in this state; and

(2) the product is registered by the United States Environmental Protection Agency for use to control feral hogs.

(c) If the department determines, based on available data including the preliminary or final results of the experimental use program described by Subsection (b)(1) of this rider, that the use of a pesticide product containing warfarin is safe and effective in assisting landholders in this state in their efforts

to mitigate the economic harm and damage caused by feral hogs, then the limitations under Subsections (a) and (b) of this rider do not apply after the earlier of:

(1) the second anniversary of the date a pesticide product is registered by the department for the limited use described by Subsection (b)(1) of this rider; or

(2) the date the Texas A&M AgriLife Extension Service delivers a report advising the department regarding the registration of a pesticide product evaluated under the experimental use program.

(5) In Article VI of the bill, in Rider 25 following the appropriations to the Department of Agriculture (page VI-10), reduce the amount to be transferred to the Boll Weevil Eradication Foundation by \$250,000 each fiscal year.

### **Amendment No. 103**

Representative Stucky offered the following amendment to Amendment No. 102:

Amend Amendment No. 102 by Stucky to **CSSB 1** (page 178, prefiled amendments packet) on page 3, by striking lines 14 through 17.

Amendment No. 103 was adopted.

Amendment No. 102, as amended, was adopted.

### **Amendment No. 104**

Representative Raymond offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 184

Amend **CSSB 1** (house committee printing) as follows:

(1) In the bill pattern for the Office of Court Administration, Texas Judicial Council (page IV-22), amend Strategy A.1.2, Information Technology by striking "\$29,525,164" and substituting "\$31,985,164" for fiscal year 2022.

(2) In Article IV of the bill, following the appropriations to Office of Court Administration, Texas Judicial Council (page IV-22), add the following appropriately numbered rider and renumber subsequent riders accordingly:

\_\_\_\_. Information Technology Modernization to Address Court Backlogs. Out of the amounts appropriated above to the Office of Court Administration in Strategy A.1.2, Information Technology, \$2,460,000 is appropriated in fiscal year 2022 for the purpose of implementing an information technology modernization program to address court backlogs, including backlogs arising due to the COVID-19 pandemic. It is the intent of the legislature that:

(a) this appropriation be expended through a competitive procurement process to implement the program in accordance with general law and that at least two respondents meet qualifications for evaluation; and

(b) to the extent authorized by general law, the program as implemented:

(1) increases Criminal Justice Information Systems (CJIS) compliance throughout the state for a secure end-to-end case access;

- (2) provides means for frequent, timely and accurate digital sharing of evidence, exhibits, documents, and multimedia;
- (3) provides the ability to annotate and redact documents; and
- (4) ensures there are no barriers to entry for pro se litigants thus ensuring access to justice.

#### **Amendment No. 105**

Representative Raymond offered the following amendment to Amendment No. 104:

Amend Amendment No. 104 by Raymond to **CSSB 1** (page 184, prefiled amendments packet) by striking the text of the amendment and substituting the following:

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article IV of the bill, in the bill pattern for the Judiciary Section, Comptroller's Department on page IV-30, reduce the appropriations for Strategy A.1.3, Visiting Judges-Regions, by \$500,000 in general revenue each fiscal year;

(2) In Article IV of the bill, in the bill pattern for the Office of Court Administration, Texas Judicial Council on page IV-21, increase the appropriations for Strategy A.1.2, Information Technology, by \$500,000 in general revenue each fiscal year;

(3) In Article IV of the bill, in the bill pattern for the Office of Court Administration, Texas Judicial Council, on page VI-25, add the following new rider:

\_\_\_\_\_. Information Technology Modernization to Address Court Backlogs. Out of amounts appropriated above in Strategy A.1.2, Information Technology, \$500,000 in general revenue each fiscal year shall be used for the purpose of implementing an information technology modernization program to address court backlogs, including backlogs arising due to the COVID-19 pandemic.

Contingent on the Office of Court Administration making a determination that the information technology modernization program is effective at reducing the backlog of court cases resulting from the pandemic, the Office of Court Administration shall notify the Legislative Budget Board and the Comptroller of Public Accounts of its determination and appropriations for Strategy A.1.2, Information Technology shall be increased by an amount not to exceed \$4,343,306 each fiscal year. Also contingent on the Office of Court Administration making a notification of its determination that the information technology modernization program is effective at reducing the backlog of court cases resulting from the pandemic, appropriations in the bill pattern of the Judiciary Section, Comptroller's Department in Strategy A.1.3, Visiting Judges-Regions shall be reduced by a like amount of the amounts increased in Strategy A.1.2, Information Technology, in the bill pattern of the Office of Court Administration.

(4) Adjust Methods of Finance at the Judiciary Section, Comptroller's Department and the Office of Court Administration, Texas Judicial Council accordingly.



Amendment No. 105 was adopted.

Amendment No. 104, as amended, was adopted.

**Amendment No. 106**

Representative Moody offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 193

Amend **CSSB 1** (house committee printing) as follows:

In Article V of bill, following the appropriations to the Department of Criminal Justice (page V-5), add the following appropriately numbered rider:

\_\_\_\_\_. Air Conditioning Installation. Out of funds appropriated above, TDCJ shall develop a plan for the installation of air conditioning in each TDCJ prison and jail that is not air conditioned and submit the plan to the legislature and the Legislative Budget Board not later than November 1, 2022. The plan shall specify:

- (1) options for installing air conditioning in each prison and jail;
- (2) the projected cost and necessary appropriations for installing air conditioning in each prison and jail; and
- (3) any additional actions requested of the legislature necessary to install air conditioning in each prison and jail.

**Amendment No. 106 - Point of Order**

Representative Tinderholt raised a point of order against further consideration of Amendment No. 106 under Rule 8, Section 4, of the House Rules on the grounds that the amendment changes general law through an appropriations bill.

(M. González in the chair)

The point of order was withdrawn.

(Speaker in the chair)

Amendment No. 106 was adopted.

**Amendment No. 107**

Representative Moody offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 194

Amend **CSSB 1** (house committee printing) as follows:

In Article V of the bill, following the appropriations to the Department of Criminal Justice (page V-5), add the following appropriately numbered rider:

\_\_\_\_\_. Pentobarbital. None of the funds appropriated above may be used for the purchase of pentobarbital.

**AMENDMENT NO. 107 - REMARKS**

REPRESENTATIVE MOODY: I do want you to know that I intend to withdraw this amendment, but I'd like to talk to you about it first. This is an amendment about the death penalty, but it's also one about how the death penalty is administered. I try to be very transparent in everything I do, so if you somehow

didn't know, I'm against capital punishment. If this amendment jammed things up so that the death penalty couldn't be carried out, I'd certainly be fine with that. But the truth is, that's not what the amendment is aimed at. This morning, we passed legislation I offered related to procedures around capital punishment because we all agreed that whatever our position on the death penalty, it ought to be administered fairly. This amendment is the same kind of thing.

Right now, we execute people by lethal injection using a drug called pentobarbital. These death penalty drugs are compounded in secret by entities we are actually prohibited by statute from even identifying. No one besides a select number of people at TDCJ knows who makes these drugs, how they're made, or what's in them except for the broad idea that they contain pentobarbital. In what concentration and configuration, we don't know. But the one thing we do know is that these drugs themselves have a shelf life, and when TDCJ gets them, they are told the drugs should be used by a certain date. Yet because those drugs are difficult to acquire, TDCJ has a small supply and just keeps reauthorizing the use of old drugs years past their use-by date.

Experts who know a lot more about this than I do have repeatedly criticized TDCJ for doing so, including in lawsuits. They say that expired death penalty drugs cause undue pain and suffering to those we administer it to, that executions with them take hours instead of minutes, that using these long-expired drugs makes our executions cruel and unusual. This is a supply issue we've dealt with for years and years, and there's no indication that it's getting any better. We've got to come up with a better system, and until we do, this amendment says that we're going to get out of the practice of using a rare drug we can't keep a supply of. It says that after we pass this budget in 2021, the state isn't going to buy a dose of pentobarbital that gets used for lethal injection in 2031, when it may not be effective or predictable.

Members, we've stood on this house floor and spent a significant amount of time debating what kind of poison is humane to use on feral hogs. These are people we're talking about. People who've done wrong, sure, but people. I think we need to reconsider the death penalty as a whole, but if we're going to have it, it can't be torture. People shouldn't get less consideration than hogs. And I know we can be better than that. I want to thank Mr. Leach for always having an open mind in discussing these issues on reform. While we don't always agree on the ultimate abolition, I know that he has been an advocate for making sure that the death penalty is rarer and fairer. I realize that today might not be the day to have this broad conversation on the floor, but I assure you that day is coming, and it's very soon, because it has to.

Amendment No. 107 was withdrawn.

### **REMARKS ORDERED PRINTED**

Representative Leach moved to print remarks by Representative Moody on Amendment No. 107 on **CSSB 1**.

The motion prevailed.

**Amendment No. 108**

On behalf of Representative C. Bell, Representative Burns offered the following amendment to **CSSB 1**:

Floor Packet Page No. 204

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article VI of the bill, in the bill pattern for the Department of Agriculture, add the following rider on page VI-10:

\_\_\_\_\_. Feral Hog Abatement Contingency. Contingent on the Department of Agriculture issuing guidelines concerning the use of Warfarin that includes prohibiting use of this product within one mile of a river; restricting application only by licensed applicators; requiring reporting of bait location and outcome results by applicators to the Texas A&M Agrilife Extension Service; communicating that an applicator may lose their license if they do not comply with these guidelines; and communicating that a landowner that fails to comply with these guidelines may be prohibited from participating in program:

(a) Rider 21, Appropriation Restriction on Feral Hog Abatement Using Toxic Substances, has no effect.

(b) Reduce the appropriations for Strategy B.2.1, Regulate Pesticide Use, by \$250,000 each fiscal year.

(c) Amend Rider 25, Boll Weevil Eradication as follows:

Amounts appropriated above out of the General Revenue Fund in Strategy B.2.1, Regulate Pesticide Use, include ~~[\$4,845,697]~~\$4,595,697 each fiscal year to be transferred to the Boll Weevil Eradication Foundation for efforts to eradicate the boll weevil. The Boll Weevil Eradication Foundation is required to provide a report each fiscal year to the Legislative Budget Board that provides details on the uses of the general revenue transferred each year; the total number of cotton acres treated using funding from the Texas Boll Weevil Eradication Foundation; information on all local matching funds and federal funds received by the foundation; and total cotton bail production in the State of Texas.

(2) In Article III of the bill, in the bill pattern for the Texas A&M Agrilife Extension Service on page III-225, add the following rider:

\_\_\_\_\_. Feral Hog Abatement Contingency. Contingent on the Department of Agriculture issuing guidelines concerning the use of Warfarin that includes prohibiting use of this product within one mile of a river; restricting application only by licensed applicators; requiring reporting of bait location and outcome results by applicators to the Texas A&M Agrilife Extension Service; communicating that an applicator may lose their license if they do not comply with these guidelines; and communicating that a landowner that fails to comply with these guidelines may be prohibited from participating in the program, general revenue in Strategy D.1.1, Wildlife Management is increased by \$250,000 each fiscal year in addition to the amounts appropriated above.

**Amendment No. 109**

Representative Burns offered the following amendment to Amendment No. 108:

Amend Amendment No. 108 by C. Bell to **CSSB 1** (page 204, prefiled amendments packet) as follows:

(1) In item (1) of the amendment, strike "and communicating that a landowner that fails to comply with these guidelines may be prohibited from participating in the program" and substitute "communicating that a landowner that fails to comply with these guidelines may be prohibited from participating in the program; and notifying the Legislative Budget Board and the Comptroller of Public Accounts of the guidelines being issued".

(2) Strike items (1)b and c of the amendment and substitute the following:

(b) Reduce the Article I appropriations from the General Revenue Fund to the Truested Programs within the Office of the Governor for Strategy C.1.1, Create Jobs and Promote Texas (page I-53), by the amount of \$250,000 each fiscal year.

(3) In item (2) of the amendment, strike "and communicating that a landowner that fails to comply with these guidelines may be prohibited from participating in the program," and substitute "communicating that a landowner that fails to comply with these guidelines may be prohibited from participating in the program; and notifying the Legislative Budget Board and the Comptroller of Public Accounts of the guidelines being issued:".

Amendment No. 109 was adopted.

Amendment No. 108, as amended, was adopted.

**Amendment No. 110**

Representative J. González offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 205

Amend **CSSB 1** (house committee printing), in Article VI of the bill, following the appropriations to the Department of Agriculture, by adding the following appropriately numbered rider:

\_\_\_\_. Study on Increasing Food Stores in Food Deserts. Out of funds appropriated above in Strategy D.1.2, Information Resources, the Department of Agriculture shall conduct a study to determine methods to increase the number of grocery stores and other stores selling produce and other healthy foods in areas of this state that currently lack access to those stores. Not later than August 31, 2023, the department shall distribute a report containing the findings and recommendations of the study to the legislature.

**Amendment No. 111**

Representatives J. González and Rose offered the following amendment to Amendment No. 110:

Amend Amendment No. 110 by J. González to **CSSB 1** (page 205, prefiled amendments packet) on page 1, line 9, by striking "August 31" and substituting "January 1".

Amendment No. 111 was adopted.

Amendment No. 110, as amended, was adopted.

**Amendment No. 112**

Representative Reynolds offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 206

Amend **CSSB 1** (house committee printing) as follows:

(1) In the bill pattern for the Texas Commission on Environmental Quality on page VI-23, add the following new rider:

\_\_\_\_\_. Oil and Gas Inspection and Maintenance Report. Out of amounts appropriated above, the commission shall issue and make available for public comment a preliminary report on current or proposed state and federal rules and requirements related to inspection and maintenance requirements for oil and gas facilities covered by a permit by rule or a standard permit no later than January 1, 2022. The report must examine inspection and maintenance programs, including programs that use optical gas imaging, for the detection and repair of leaks of fugitive emissions from different equipment, the use of flaring and venting, emissions of volatile organic compounds from storage tanks, emissions of nitrogen oxide from compressor engines, maintenance and best practices for compressor stations, emissions from and maintenance of pneumatic devices. In preparing the report, the commission shall consider concerns raised about the rules or regulations as well as improvements that could be made to prevent emissions, improve safety and lower pollution. The commission may consider both incentives and regulations in considering improvements and may consult with the Railroad Commission, industry and the public. The commission may hold meetings to consider public comment. After considering public comment, if any, but not later than June 1, 2022, the commission shall post on its Internet website the final report.

**Amendment No. 112 - Point of Order**

Representative Middleton raised a point of order against further consideration of Amendment No. 112 under Rule 8, Section 4, of the House Rules on the grounds that the amendment changes general law through an appropriations bill.

(Landgraf in the chair)

The point of order was withdrawn.

Amendment No. 112 was withdrawn.

**Amendment No. 113**

Representative Canales offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 212

Amend **CSSB 1** (house committee printing) in Article VI of the bill, following the appropriations to the Parks and Wildlife Department, in Rider 36, Appropriation: Fees Related to Oyster Mariculture (page VI-44), as follows:

(1) Between "include" and "receipts" insert "any unobligated and unexpended balances of oyster mariculture fees remaining as of August 31, 2021, (estimated to be \$36,200) and any".

(2) Strike "program. Any unexpended" and substitute "program, including any cleanup activities. Any unexpended".

Amendment No. 113 was adopted.

**Amendment No. 114**

Representative E. Morales offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 217

Amend **CSSB 1** as follows:

On page VI-[59] of the Water Development Board bill pattern, add the following new rider:

\_\_\_\_\_. Val Verde County Groundwater Study. It is the intent of the legislature that out of amounts appropriated above under Strategy A.2.2, Water Resources Planning, the Texas Water Development Board ("Board") conduct a comprehensive study of the groundwater resources in Val Verde County, and develop and implement groundwater use planning strategies, including and prioritizing best management practices for drought scenarios, based on its findings. A study conducted as prescribed by this provision may be used by the Board, Texas Parks and Wildlife, or another board of a district in the county as guidance for adopting standards for groundwater use in the district or other district or management area under the Board's jurisdiction. The Board may adopt rules to carry out the provisions described herein.

**Amendment No. 115**

Representative E. Morales offered the following amendment to Amendment No. 114:

Amend Amendment No. 114 by E. Morales amending **CSSB 1** (page 217, prefiled amendments packet) as follows:

(1) Strike "conduct a comprehensive study of" and substitute "shall use the comprehensive study conducted by the Board in 2018 regarding".

(2) Strike ", and develop and implement" and substitute "to identify possible".

(3) Strike "A study conducted as prescribed by this provision may be used by the Board, Texas Parks and Wildlife, or another board of a district in the county as guidance for adopting" and substitute "The Board, the Texas Parks and Wildlife Department, or the board of a groundwater conservation district in the county may use the comprehensive 2018 study to develop guidelines or".

Amendment No. 115 was adopted.

Amendment No. 114, as amended, was adopted.

**Amendment No. 116 (Article XI)**

Representative Martinez offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 218

Amend **CSSB 1** (house committee printing) in Article VI of the bill, following the appropriations to the Water Development Board (page VI-59), by adding the following appropriately numbered rider:

\_\_\_\_\_. Allocation for Weslaco Mid-Valley Airport Irrigation Canal Project. Out of the amounts appropriated above from the General Revenue Fund to the Water Development Board for Strategies A.2.2, Water Resources Planning, and B.1.1, State & Federal Financial Assistance Program, the board may allocate an aggregate amount of \$6,710,000 for each fiscal year of the 2022-2023 biennium to provide grant funding for the Weslaco Mid-Valley Airport Irrigation Canal

Project. (a) In addition to other amounts appropriated by this Act and notwithstanding Sections 13.01 and 13.02 of Part 13, Article IX, of this Act, a total amount of \$13,420,000 of any money made available under the following laws and subject to appropriation from the state treasury is reappropriated to the Water Development Board to the extent consistent with conditions placed on the expenditure of that money by the federal government:

(1) Section 5001, Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (42 U.S.C. Section 801);

(2) Section 313, Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Div. M, Pub. L. No. 116-260, 134 Stat. 1182 (2020), reprinted in note, 20 U.S.C. Section 3401); or

(3) Section 2001, American Rescue Plan Act of 2021 (Pub. L. No. 117-2, 135 Stat. 4 (2021), reprinted in note, 20 U.S.C. Section 3401).

(b) Out of money reappropriated by Subsection (a) of this rider, the Water Development Board may use the amount of \$6,710,000 for each fiscal year of the 2022-2023 biennium to provide grant funding for the Weslaco Mid-Valley Airport Irrigation Canal Project.

Amendment No. 116 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Ashby, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Button, Cain, Capriglione, Cook, Craddick, Cyrier, Darby, Ellzey, Frullo, Gates, Geren, Goldman, Harless, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Klick, Krause, Landgraf, Leach, Leman, Metcalf, Meyer, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Paul, Price, Rogers, Sanford, Schaefer, Shaheen, Slaton, Spiller, Stephenson, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no; Howard recorded voting present, not voting.)

#### **Amendment No. 117 (Article XI)**

Representative Huberty offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 222

Amend **CSSB 1** (house committee printing) in Article VI of the bill, following the appropriations to the Water Development Board (page VI-59), by adding the following appropriately numbered rider:

\_\_\_\_\_. Funding for Removing Accumulated Siltation from the San Jacinto River and Lake Houston. Out of amounts appropriated above in Strategy B.1.1, State and Federal Financial Assistance Program, the Water Development Board shall allocate \$50,000,000 for the state fiscal biennium beginning September 1, 2021, for the purpose of providing financial assistance for removing accumulated siltation and sediment deposits throughout the San Jacinto River and Lake Houston.

**Amendment No. 118 (Article XI)**

Representative Huberty offered the following amendment to Amendment No. 117:

Amend Amendment No. 117 by Huberty amending **CSSB 1** (page 222, prefiled amendments packet) on page 1, lines 7-8, by striking "B.1.1, State and Federal Financial Assistance Program" and substituting "A.4.1, State and Federal Flood Programs".

Amendment No. 118 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Cook, Craddick, Darby, Hinojosa, Metcalf, Noble, Oliverson, Parker, Price, Spiller, and Tinderholt recorded voting no.)

Amendment No. 117, as amended, was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Biedermann, Buckley, Cook, Craddick, Darby, Hefner, Hinojosa, Metcalf, Noble, Oliverson, Parker, Price, Slaton, Spiller, Swanson, and Tinderholt recorded voting no; Howard recorded voting present, not voting.)

**Amendment No. 119 (Article XI)**

Representative Campos offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 224

**CSSB 1** is amended as follows:

(1) On page VII-7 add the appropriately numbered rider to the Department of Housing and Community Affairs bill pattern:

\_\_\_\_\_. Contingency for **HB 1226**. Contingent on the enactment of **HB 1226**, or similar legislation relating to establishment of a pilot program to solicit donations made by text message for the benefit of local programs that provide services to homeless individuals and families in certain municipalities, by the Eighty-Seventh Legislature, Regular Session, \$282,724 in general revenue funds in fiscal year 2022 appropriated in amounts above shall be used for the purpose of establishing the pilot program.

Amendment No. 119 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (K. Bell, Biedermann, Buckley, Burns, Cain, Cook, Craddick, Darby, Gates, Harless, Hefner, Holland, Hull, P. King, Klick, Krause, Landgraf, Leman, Metcalf, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Paul, Price, Sanford, Schaefer, Shine, Slaton, Spiller, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

**Amendment No. 120**

Representative Morales Shaw offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 225

On page VII-7 of **CSSB 1**, following the bill pattern for the Texas Department of Housing and Community Affairs, add the following appropriately numbered rider:



\_\_\_\_\_. Reporting on the Texas Rent Relief Program. The Texas Department of Housing and Community Affairs shall use funds appropriated above to produce a monthly report about the Texas Rent Relief Program, including information on the number of applications received, the number of payments made to applicants, the number of backlogged cases, and any public outreach campaigns. The department shall submit this report no later than the fifth day of each month to the speaker of the house, the lieutenant governor, and the chairs of the Texas House Committee on Urban Affairs and the Texas Senate Committee on Local Government.

Amendment No. 120 was adopted.

**Amendment No. 121 (Article XI)**

Representative Martinez offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 227

Amend **CSSB 1** (house committee printing) in Article VII of the bill, following the appropriations to the Department of Transportation (page VII-31), by adding the following appropriately numbered rider:

\_\_\_\_\_. Funding for Certain Flood Control Projects. (a) Out of amounts appropriated above in Strategy B.1.2, Routine Maintenance, the Department of Transportation shall allocate \$70,000,000 for the state fiscal biennium beginning September 1, 2021, to provide funding for flood control projects designed to prevent flooding on roads or highways.

(b) In allocating funds for flood control projects under Subsection (a) of this rider, the department shall give priority to a project affecting a road or highway that:

(1) serves as an evacuation route; and

(2) is located within 50 miles of the Gulf of Mexico and an international border.

(c) In addition to other amounts appropriated by this Act and notwithstanding Sections 13.01 and 13.02 of Part 13, Article IX, of this Act, a total amount of \$70,000,000 of any money made available under the following laws and subject to appropriation from the state treasury is reappropriated to the Department of Transportation to the extent consistent with conditions placed on the expenditure of that money by the federal government:

(1) Section 5001, Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (42 U.S.C. Section 801);

(2) Section 313, Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Div. M, Pub. L. No. 116-260, 134 Stat. 1182 (2020), reprinted in note, 20 U.S.C. Section 3401); or

(3) Section 2001, American Rescue Plan Act of 2021 (Pub. L. No. 117-2, 135 Stat. 4 (2021), reprinted in note, 20 U.S.C. Section 3401).

(d) Out of money reappropriated by Subsection (a) of this rider, the Department of Transportation shall allocate \$70,000,000 for the state fiscal biennium beginning September 1, 2021, to provide funding for flood control projects designed to prevent flooding on roads or highways.

(e) In allocating funds for flood control projects under Subsection (a) of this rider, the department shall give priority to a project affecting a road or highway that:

- (1) serves as an evacuation route; and
- (2) is located within 50 miles of the Gulf of Mexico and an international border.

Amendment No. 121 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Ashby, C. Bell, K. Bell, Biedermann, Buckley, Burns, Button, Cain, Capriglione, Cook, Craddick, Cyrier, Darby, Ellzey, Frullo, Gates, Geren, Goldman, Harless, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Klick, Krause, Landgraf, Leach, Leman, Metcalf, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Paul, Price, Rogers, Sanford, Schaefer, Shaheen, Shine, Slaton, Spiller, Stephenson, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no; Howard recorded voting present, not voting.)

#### **Amendment No. 122 (Article XI)**

Representative Morrison offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 229

Amend **CSSB 1** (house committee printing) in Article VII of the bill, following the appropriations to the Department of Transportation (page VII-31), by adding the following appropriately numbered rider:

\_\_\_\_\_. Emergency and First Responder Airport Expansion. Out of amounts appropriated above to the Department of Transportation for Strategy C.5.1, Aviation Services, the amount of \$2,000,000 out of State Highway Fund No. 006 is allocated during the state fiscal biennium ending August 31, 2023, for the purpose of creating a design of airfield improvements at the Victoria Regional Airport.

Amendment No. 122 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Biedermann, Bonnen, Burrows, Cain, Cook, Darby, Gates, Hefner, Krause, Metcalf, Middleton, Noble, Oliverson, Paul, Price, Schaefer, Slaton, Spiller, Swanson, Tinderholt, Toth, Vasut, and Wilson recorded voting no; Howard recorded voting present, not voting.)

#### **Amendment No. 123 (Article XI)**

Representative Raymond offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 234

Amend **CSSB 1** as follows:

On page VII-33 of the Department of Transportation bill pattern, add the following rider:

\_\_\_\_\_. FM 1472/FM 1021 Upgrade Project. Out of amounts appropriated above to the Department of Transportation, \$310,000,000 from any available source of revenue shall be allocated for the planning, development, and delivery

costs to upgrade the roadway on FM 1472 and FM 1021 to a two-lane rural highway built to service commercial traffic between the Colombia Solidarity Bridge and the Camino Real Bridge.

(Speaker in the chair)

### **Amendment No. 124 (Article XI)**

Representatives Davis and Krause offered the following amendment to Amendment No. 123:

Amend Amendment No. 123 by Raymond to **CSSB 1** (page 234, prefiled amendments packet) by adding the following:

Sec. \_\_\_\_\_. The Texas Department of Transportation ("Department") shall provide to each member of the house and senate a report or chart on the historical, current and future projected funding in its Unified Transportation Program ("UTP"). The initial and subsequent report must be delivered in both PDF and Excel formats.

The report shall cover the UTP funding in all of its categories from FY 2004 through FY 2031. Actual numbers should be used in FYs 2004 through FY 2021. Projected numbers are expected for FYs 2022 through 2031.

The information contained in the report must first provide the total amount committed during each year required to be reported. This report or chart will provide a breakdown by amount and percentage to the total in each of the 12 categories of the UTP.

Each year required to be reported will be detailed further in all 12 categories. The breakdown by category will show the amount allocated into each category and its percentage of the total amount of funding in the that year's UTP. The information provided by category must also be broken down by each category into the amount of funding in that category by TxDOT District ("District") and Metropolitan Planning Organization ("MPO") where applicable. This breakdown will be provided as to both the total amount of funding provided and its percentage of the total of this funding in that category.

Additional reporting is required for Category 12. An explanation of the methodology or thought process regarding funding in FY 2004 must be provided. Further explanations should be provided where appropriate in subsequent years when the methodology or thought process was modified. Particular attention must be paid to detailing the funding decisions for Category 12 since FY 2016.

The initial report must be delivered by October 1, 2021. A subsequent report must be delivered by October 1, 2022 and provide for an update of the future funding allocations made in the 2023 UTP through FY 2032. It is anticipated that the funding in future fiscal years from FY 2023-2032 might change.

Amendment No. 124 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Darby, Gates, Geren, Hefner, Metcalf, Oliverson, Schaefer, Shine, Spiller, Tinderholt, Vasut, and Wilson recorded voting no.)

Amendment No. 123, as amended, was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Cain, Craddick, Darby, Gates, Hefner, Metcalf, Meyer, Middleton, Oliverson, Paul, Price, Schaefer, Shine, Spiller, Swanson, Tinderholt, Toth, Vasut, and Wilson recorded voting no; Howard recorded voting present, not voting.)

**Amendment No. 125**

Representative Dominguez offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 235

Amend **CSSB 1** (house committee printing) in Article VII of the bill (page VII-15), by adding the following appropriately numbered rider following the appropriations to the Department of Transportation:

\_\_\_\_\_. South Padre Island Second Access Causeway Environmental Impact Study. Out of amounts appropriated above to the Department of Transportation for Strategy A.1.1, Plan/Design/Manage, the department shall conduct an environmental impact study for the South Padre Island Second Access Project. The department shall reserve out of the appropriated amounts for that strategy an amount sufficient to complete the study and may not spend that amount for any other purpose.

Amendment No. 125 was adopted.

**Amendment No. 126**

Representative Middleton offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 236

Amend **CSSB 1** (house committee printing) in Article VII of the bill, following the appropriations to the Department of Transportation (page VII-15), by adding the following appropriately numbered rider:

\_\_\_\_\_. Prohibition on Use of Appropriated Money to Enforce Mask Requirement on Certain Ferries. Money appropriated to the Department of Transportation by this Act may not be used to enforce a requirement that a person wear a mask on a ferry operated by the Department of Transportation in this state.

**Amendment No. 126 - Point of Order**

Representative Canales raised a point of order against further consideration of Amendment No. 126 under Rule 8, Section 4, of the House Rules on the grounds that the amendment changes general law through an appropriations bill. The point of order was withdrawn.

Amendment No. 126 was withdrawn.

**Amendment No. 127**

Representative Morales Shaw offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 241

Amend **CSSB 1** (house committee printing), in Article VIII of the bill, following the appropriations to the Public Utility Commission of Texas (page VIII-50), by adding the following appropriately numbered rider:

\_\_\_\_\_. Load Shed Protocols Study. Using funds appropriated above to the Public Utility Commission of Texas, the commission shall study the effects of load shed protocols in ERCOT, as that term is defined by Section 31.002, Utilities Code, and issue a report on the conclusions of the study to the legislature not later than September 1, 2022.

Amendment No. 127 was adopted.

**Amendment No. 128**

Representative Hinojosa offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 242

Amend **CSSB 1** (house committee printing) by inserting the following appropriately numbered provision following the Article VIII appropriations to the Public Utility Commission:

\_\_\_\_\_. Public Utility Commission Biennial Report. Detail in the biennial report required under Sec. 12.203, Utilities Code, whether ERCOT interconnection to Eastern and/or Western Interconnects and/or Mexico would protect and further the interest of the public. It is the intent of the legislature that the commission, out of the funds appropriated above to the Public Utility Commission, and to the extent permitted under general law, detail within its biennial report the benefits and costs associated with interconnecting ERCOT to other grids, including Eastern and Western Interconnects and Mexico. The report must determine: if reliability could be increased; the impact on customers' energy costs; the potential for economic development benefits to the state from exporting energy to other interconnects; and if ERCOT could remain independent of federal regulation if and when larger direct current ties are established than those that currently exist.

Amendment No. 128 was adopted.

**Amendment No. 129**

Representative Oliverson offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 246

Amend **CSSB 1** (house committee report) in Part 4, Article IX, by adding the following appropriately numbered section:

Sec. 4.\_\_\_\_\_. Grants to Certain Business Entities. Funds appropriated by this Act to a state agency may not be expended in the form of a grant to a business entity unless the terms of the grant require the business entity receiving the funds

under the grant to certify that the business entity has not publicly opposed any legislation filed in this or another state in 2020 or 2021 related to election integrity.

Amendment No. 129 was withdrawn.

**Amendment No. 130**

Representative Middleton offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 248

Amend **CSSB 1** (house committee report) in Article IX of the bill, in Part 6, General Limitations on Expenditures, by adding the following appropriately numbered section:

Sec. 6. \_\_\_\_\_. Prohibition on the Appropriation of Money to Certain Political Subdivisions that Compensate Lobbyists. A political subdivision that uses any public money to pay or compensate an individual who is required to register as a lobbyist under Chapter 305, Government Code, for the purpose of lobbying the legislature is ineligible to receive money appropriated under this Act.

**Amendment No. 130 - Point of Order**

Representative Lucio raised a point of order against further consideration of Amendment No. 130 under Rule 8, Section 4, of the House Rules on the grounds that the amendment changes general law through an appropriations bill. The point of order was withdrawn.

Amendment No. 130 was withdrawn.

**Amendment No. 131**

Representative Cain offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 250

Amend **CSSB 1** (house committee printing) in Part 6, Article IX, by adding the following appropriately numbered section:

Sec. 6. \_\_\_\_\_. Limitation on Expenditures: Prohibition on Use of Money to Hire Federal Lobbyists. A state agency may not use money appropriated under this Act to employ or contract with a lobbyist or lobbying firm as those terms are defined by Section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. Section 1602).

**Amendment No. 131 - Point of Order**

Representative J. González raised a point of order against further consideration of Amendment No. 131 under Rule 8, Section 4, of the House Rules on the grounds that the amendment changes general law through an appropriations bill.

(M. González in the chair)

The point of order was withdrawn.

Amendment No. 131 was withdrawn.

(Speaker in the chair)

**Amendment No. 132**

Representative Biedermann offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 252

Amend **CSSB 1** (house committee printing) in Article IX of the bill by adding the following on page IX-35 of the General Limitations of Expenditures-Reporting Requirements bill pattern, add the following subsection to Rider 7.01 Budgeting and Reporting:

(1) Not later than December 1 of each even-numbered year, each state agency shall submit to the Legislative Budget Board a detailed report identifying measures by which the agency can reduce their biennial expenditures by 1 percent, 5 percent, and 10 percent. The Legislative Budget Board shall compile the reports and submit the reports to the governor, lieutenant governor, and speaker of the house of representatives, by December 31 of each even-numbered year.

**Amendment No. 133**

Representative Biedermann offered the following amendment to Amendment No. 132:

Amend Amendment No. 132 by Biedermann to **CSSB 1** (page 252, prefiled amendments packet) by striking the text of the amendment and substituting the following:

Amend **CSSB 1** (house committee printing) in Part 7, Article IX (page IX-35), by adding the following appropriately numbered section:

Sec. 7.\_\_\_\_. Reports For Reducing Expenditures. (a) Not later than December 1 of each even-numbered year, each state agency shall submit to the Legislative Budget Board a detailed report identifying measures by which the agency may reduce the agency's biennial expenditures by 1 percent, 5 percent, and 10 percent.

(b) Not later than December 31 of each even-numbered year, the Legislative Budget Board shall compile the reports submitted under Subsection (a) of this section and submit the reports to the governor, lieutenant governor, and speaker of the house of representatives.

Amendment No. 133 was adopted.

Amendment No. 132, as amended, was adopted.

**Amendment No. 134**

Representative Howard offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 256

Amend **CSSB 1** (house committee report) in Article IX of the bill, amend Section 13.02 Report of Additional Funding (page IX-63), by inserting the following new section after Subsection (c) and renumbering subsequent subsections accordingly:

"(d)(1) Notwithstanding 13.02 (a)-(c) of this Section, in the event one or more state agencies are awarded, by the United States government, a combined amount greater than or equal to \$1 billion in federal stimulus funds or other one-time allocations appropriated through legislation separate from the annual federal appropriations bills and as appropriated by this Act, the House Appropriations Committee and the Senate Committee on Finance shall hold a public hearing(s), joint or separately, within 120 days of the enactment of the federal legislation to require prior approval of any federal funds appropriated to the state under such federal legislation.

(2) The appropriation of the funds described in Subsection (d)(1) is contingent on certification by the secretary of the senate and the chief clerk of the House of Representatives to the comptroller of public accounts that the hearings required under Subsection (e)(1) have occurred."

Amendment No. 134 was adopted.

#### **Amendment No. 135**

Representatives Morrison, P. King, Kacal, Minjarez, Clardy, Kuempel, Huberty, Lambert, Howard, Martinez, Frullo, Raney, Reynolds, Herrero, Rodriguez, Smithee, Darby, Larson, J. González, Ramos, Muñoz, Parker, Price, and Martinez Fischer offered the following amendment to **CSSB 1**:

Floor Packet Page No. 257

Amend **CSSB 1** (house committee report) in Part 13, Article IX of the bill by adding the following appropriately numbered section:

Sec. 13.\_\_\_\_. Anticipated Federal COVID-19 Relief Funding Not Appropriated. Notwithstanding any provision of the Act, including Section 13.01 of this article, money received from the federal government on or after the effective date of this Act under the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Pub. L. No. 116-260), the American Rescue Plan Act of 2021 (Pub. L. No. 117-2), or any other federal law for purposes related to the COVID-19 pandemic is not appropriated by this Act and may not be spent by allocated to a state agency or institution except as authorized by a legislative appropriation enacted during a regular or special session after the effective date of this Act.

Amendment No. 135 was withdrawn.

#### **Amendment No. 136**

Representatives Morrison, Martinez Fischer, Parker, Huberty, Minjarez, Cole, Davis, Israel, Rodriguez, Muñoz, Price, Smithee, Darby, J. González, Reynolds, Herrero, Bucy, Gervin-Hawkins, P. King, Raney, Morales Shaw, Kacal, Howard, Lambert, Bowers, Kuempel, Ramos, Cyrier, Goodwin, Lopez, Bernal, Frullo, Romero, Clardy, Martinez, Larson, and Crockett offered the following amendment to **CSSB 1**:

Floor Packet Page No. 258

Amend **CSSB 1** (house committee report) in Part 13, Article IX of the bill by adding the following appropriately numbered section:



Sec. 13. \_\_\_\_\_. Anticipated Federal COVID-19 Relief Funding Not Appropriated. Notwithstanding any other law, including riders to the General Appropriations Act or the making of supplemental appropriations and reductions in appropriations and giving direction and adjustment authority regarding appropriations, no federal funds or monies received by the State of Texas from the federal government through the American Rescue Plan Act, the CARES Act, the Elementary and Secondary School Emergency Relief (ESSER) I, II or III Act(s) or the Coronavirus Response and Relief Supplemental Appropriations Act, or any COVID-19 relief act can be appropriated, allocated, transferred or expended without an appropriate official action of the Texas Legislature in a regular session or special session called by the governor in order for the Texas Legislature to consider and take appropriate action regarding the expenditure of such federal funds.

#### **AMENDMENT NO. 136 - REMARKS**

REPRESENTATIVE MORRISON: This amendment states that no federal money received from the federal government related to COVID-19 relief may be appropriated, allocated, transferred, or expended without an appropriate official action of the Texas Legislature in a regular or special session called by the governor.

#### **Amendment No. 136 - Point of Order**

Representative Vasut raised a point of order against further consideration of Amendment No. 136 under Rule 8, Section 4, of the House Rules on the grounds that the amendment changes general law through an appropriations bill. The point of order was withdrawn.

MORRISON: I wanted to go ahead and finish laying out the amendment, since I didn't have the opportunity to finish it. We are talking about the appropriated money that is coming in from the COVID-19 relief, and this includes a lot of money from the American Rescue Plan Act, the CARES Act, the Elementary and Secondary School Emergency Relief—the ESSER I, II, or III Acts—or the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) or any COVID-19 relief Act. Members, these federal dollars are a historic amount of relief funds that impact every district in this state, and we have to ensure that we can tell our constituents they have a say on where and what those dollars are spent on. We can only ensure that by having their elected representatives making the decisions. The CARES Act, according to the LBB, Texas allocation is currently estimated to be \$18.4 billion. The CRRSAA, according to the LBB, Texas allocation is currently estimated to be \$12.8 billion. The American Rescue Plan Act—we are still waiting on federal guidance—but estimates are that the Texas allocation is about \$38.4 billion.

It is clear in Article III of the Texas Constitution that our founding fathers intended for appropriations to be handled by the Texas Legislature. Throughout Article III, it's enumerated multiple times the role of the legislature is to take in matters of appropriations. Members, I want to thank Chairman Bonnen, Vice-chairman González, the chairs of the Articles—Chairman Capriglione,

Chairman Wilson, Chairman González, Chairman Walle—and Chairman Cecil Bell. They have been great advocates and have run great subcommittees. The whole Appropriations Committee, I want to thank them for their work and look forward to the same good work on the funds that will be coming after our regular session. Members, this is something that I brought to you just because I know all of your constituents are talking to you about being involved. This has been a very difficult year with all that we've gone through, and I know that our constituents have asked us over and over to please make the decisions for the next legislature.

A record vote was requested by Representatives Price and Martinez Fischer.

Amendment No. 136 was adopted by (Record 411): 147 Yeas, 0 Nays, 1 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; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.

Absent — Coleman.

### REMARKS ORDERED PRINTED

Representative Martinez Fischer moved to print remarks by Representative Morrison on Amendment No. 136 on **CSSB 1**.

The motion prevailed.

### Amendment No. 137

Representative Huberty offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 264

Amend **CSSB 1** (house committee printing), by adding the below Article IX rider:

\_\_\_\_\_. Proven Strategies to Address COVID-19 Learning Loss. It is the intent of the legislature that funds appropriated to the Texas Education Agency by the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, 2021 and the American Rescue Plan (ARP) Act, 2021 for distribution to or to otherwise support Local Education Agencies along with local and state funds made available for COVID-Relief, be utilized, to the extent allowable, for targeted, proven educational programs and supports to reduce, mitigate and eliminate academic learning loss caused by the COVID-19 pandemic disruption to public education.

The commissioner of education shall work with school districts and open enrollment charter schools to assist them in prioritizing the following strategies:

- (1) Grants/services/tools to launch changes in practice:
  - (a) Curricular Rigor, including High Quality Instructional Materials (HQIM)
  - (b) Teacher Support
  - (c) Extended Learning Time
  - (d) Diagnosing Student Mastery
  - (e) Strong Foundations
- (2) Rigorous career-focused high schools, including integrated curricula
- (3) Local school system parent engagement initiatives
- (4) Quality high-dose tutoring
- (5) Initiatives to support high-speed broadband access at home

In the administration of any grants and supports provided by the receipt of federal, state, and local funding for COVID-19 relief, the commissioner shall consider schools with high percentages of students who do not perform satisfactorily on relevant state assessments or have a student body that has historically experienced an academic achievement gap that is assumed to have widened due to the COVID-19 pandemic.

In line with the ARP Act, the commissioner shall set aside a portion of the funds for:

- (1) State level activities and interventions that address students' academic, social, and emotional needs and address the disproportionate impact of COVID-19 on underrepresented student subgroups.
- (2) At least five percent of the total ARP ESSER allocation shall be used for the implementation of evidence-based interventions aimed specifically at addressing learning loss, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs.
- (3) At least one percent of the total ARP ESSER allocation for evidence-based summer enrichment programs.
- (4) At least one percent of the total ARP ESSER allocation for evidence-based comprehensive afterschool programs.

The commissioner may require any entity with which the Texas Education Agency contracts for purposes of administering the programs under this rider to provide any expenditure and performance data deemed necessary to assess the success of the program.

**Amendment No. 138**

Representative Dutton offered the following amendment to Amendment No. 137:

Amend Amendment No. 137 by Huberty to **CSSB 1** (page 264, prefiled amendments packet) by adding the following at the end of the amendment:

\_\_\_\_\_. Contingent Rider: Report on Use of Certain Federal Education Funds Related to the COVID-19 Pandemic. (a) Using money appropriated to the Texas Education Agency under Section 13.01 of this article that is provided through the elementary and secondary school emergency relief fund under the Consolidated Appropriations Act, 2021 (Pub. L. No. 116-260) or the American Rescue Plan Act of 2021 (Pub. L. No. 117-2), notwithstanding Section 13.02 of this article and to the extent authorized by federal law, the Texas Education Agency shall:

(1) require each school district and open-enrollment charter school to submit to the agency a plan adopted by the board of trustees of the district or the governing body of the school on the use of money received by the district or school from federal sources;

(2) post in a publicly accessible location on the agency's Internet website each plan submitted by a district or school to the agency under Subdivision (1); and

(3) not later than May 1, 2022, submit to the legislature and the governor a report on the use of money described by Subdivision (1) by districts and schools based on the plans collected under that subdivision that includes:

(A) the extent to which the money was spent over the period for which that money was appropriated under the applicable federal law;

(B) the use of that money to address any need for extended instructional time;

(C) any measures used to ensure access to remote instruction;

(D) any innovations implemented in curriculum and instruction;

(E) any improvements made to quality of air and water at school facilities;

(F) any initiatives implemented targeted to accelerated learning;

(G) measures to identify students in need of remediation and provide appropriate services to those students to ensure that the students perform on grade level not later than the 2023-2024 school year; and

(H) the status of compliance with all requirements established by the applicable federal law, the United States Department of Education, or other appropriate federal authority regarding the use of that money.

(b) The Texas Education Agency may provide recommendations to school districts and open-enrollment charter schools that may be considered in adopting the plan described by Subsection (a)(1) of this rider.

Amendment No. 138 was adopted.

Amendment No. 137, as amended, was adopted.

**Amendment No. 139**

On behalf of Representative Davis, Representative Reynolds offered the following amendment to **CSSB 1**:

Floor Packet Page No. 265

Amend **CSSB 1** (house committee printing), in Article IX of the bill by adding the following appropriately numbered in Article IX of the bill:

Sec. \_\_\_\_\_. \_\_\_\_\_. Contracting with Ethnic Minority-Owned Underutilized Businesses.

(1) It is the intent of the legislature that any qualified business should have access to compete for business from the state.

(2) It is the intent of the legislature that this section apply to any appropriation made by this Act to state agencies and institutions of government.

(3) In this section "ethnic minority-owned underutilized businesses" means an entity with its principal place of business in Texas and which is:

(a) a corporation formed for the purpose of making a profit in which at least 50.1 percent of all classes of the shares of stock or other equitable securities are owned by one or more persons who are economically disadvantaged because of their identification as members of certain groups, including Black Americans, Hispanic Americans, Asian Americans, and Native Americans, and have suffered the effects of discriminatory practices or similar insidious circumstances over which they have no control; and have a proportionate interest and demonstrate active participation in the control, operation, and management of the corporation's affairs;

(b) a sole proprietorship created for the purpose of making a profit that is 100 percent owned, operated, and controlled by a person described by Subdivision (a) of this subsection;

(c) a partnership formed for the purpose of making a profit in which 51 percent of the assets and interest in the partnership is owned by one or more persons who are described by Subdivision (a) of this subsection and have a proportionate interest and demonstrate active participation in the control, operation, and management of the partnership's affairs;

(d) a joint venture in which each entity in the joint venture is a ethnic minority-owned underutilized businesses under this subsection; or

(e) a supplier contract between a ethnic minority-owned underutilized businesses under this subsection and a prime contractor under which the historically underutilized business is directly involved in the manufacture or distribution of the supplies or materials or otherwise warehouses and ships the supplies.

(4) It is the intent of the legislature that all state agencies and institutions of higher education include in their agency strategic plan, a plan for increasing the use of ethnic minority-owned underutilized businesses in purchasing and construction contracting.

(5) It is the intent of the legislature that when determining whether a public need exists for the continuation of a state agency or its advisory committees or for the performance of the functions of the agency or its advisory committees, the

Sunset Advisory Commission shall consider the extent to which the agency has complied with requirements of state law or state agency rules regarding purchasing goals and programs for ethnic minority-owned underutilized businesses.

(6) It is the intent of the legislature that a political subdivision of the state that receives state funds may establish a program to increase the participation of ethnic minority-owned underutilized businesses, disadvantaged, or women-owned businesses as contractors and/or subcontractors on contracts with the political subdivision. To the extent permissible under the U.S. Constitution, such governing body may develop and implement goals based on any evidence, including an independent study, for the participation of such businesses as contractors and/or subcontractors.

(7) This section is an expression of the intent of the legislature and does not negate a power granted by general law.

Amendment No. 139 was adopted.

#### **Amendment No. 140 (Article XI)**

Representative Davis offered the following amendment to **CSSB 1**:

Floor Packet Page No. 268

Amend **CSSB 1** (house committee printing), in Article IX of the bill by adding the following appropriately numbered Rider in Article IX of the bill:

Sec. \_\_\_\_\_. For the purposes of Section 391.0117(b), Local Government Code, the state salary schedules for classified positions for a council of government serving less than 250 participating governmental units are the salary schedules set out above. For a council of government serving more than 250 participating governmental units, the state salary schedules for classified positions are the salary schedules adopted by the council for classified positions that were effective on August 31, 2009, as adjusted annually for inflation (1) for each year since their adoption and (2) for each fiscal year for which this Act makes appropriations.

#### **Amendment No. 141 (Article XI)**

Representative Davis offered the following amendment to Amendment No. 140:

Amend Amendment No. 140 by Davis to **CSSB 1** (page 268, prefiled amendments packet) by striking the text of the amendment and substituting the following:

Amend **CSSB 1** (house committee printing), in Article IX of the bill by adding the following appropriately numbered Rider in Article IX of the bill:

Sec. \_\_\_\_\_. For the purposes of Section 391.0117(b), Local Government Code, the state salary schedules for classified positions for a council of government serving less than 200 participating governmental units are the salary schedules set out above. For a council of government serving more than 200 participating governmental units, the state salary schedules for classified positions are the salary schedules adopted by the council for classified positions

that were effective on August 31, 2009, as adjusted annually for inflation (1) for each year since their adoption and (2) for each fiscal year for which this Act makes appropriations.

Amendment No. 141 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (Burns, Cain, Cook, Craddick, Darby, Frullo, Gates, Hefner, P. King, Metcalf, Noble, Oliverson, Paddie, Parker, Price, Schaefer, Shine, Spiller, Tinderholt, VanDeaver, and Vasut recorded voting no.)

Amendment No. 140, as amended, was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (K. Bell, Biedermann, Buckley, Burns, Cain, Cook, Craddick, Cyrier, Darby, Frullo, Gates, Harless, Hefner, Holland, P. King, Landgraf, Metcalf, Meyer, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Paul, Price, Sanford, Schaefer, Shine, Slaton, Spiller, Swanson, Tinderholt, Toth, VanDeaver, and Vasut recorded voting no.)

#### **Amendment No. 142 (Article XI)**

Representative Howard offered the following amendment to **CSSB 1**:  
Floor Packet Page No. 271

Amend **CSSB 1** in Article X of the bill, to the appropriations to the Texas House of Representatives (pages X-2) as follows:

(1) The intent of this rider is to increase the funds available to staff salaries for the Texas House of Representatives utilizing unexpended balances carried over from prior fiscal years.

Rider 4. Unexpended balances in the House of Representatives above amounts estimated and identified in the comptroller's January 2021 Biennial Revenue Estimate, are appropriated for the purpose of increases office budgets for each member of the Texas House of Representatives with the intent to increase staff compensation.

#### **AMENDMENT NO. 142 - REMARKS**

REPRESENTATIVE HOWARD: I've brought my good friend Matt Schaefer up here with me because you probably wouldn't have ever expected to hear me say this, but this is an amendment inspired by my good friend Matt Schaefer. For the last couple of sessions, Representative Schaefer has made a compelling case in the house rules process to provide our staff with a potential pay raise through our office budgets. And for the last couple of sessions, he's been told there's not money for that in the budget. This amendment seeks to set aside unexpended funds for the purpose of increasing our office budgets for staff salaries. We've been down here for hours haggling and debating and doing our best to stand up for our districts. Meanwhile, our staff is having another late night and scrambling around in the office to find us that statistic or review a bill to coauthor and see how that last amendment would impact the folks back home.

If you're fortunate enough to have good staff, you know they are hard to keep given the constraints of our office budgets. Those who have managed to keep getting elected know that institutional knowledge is invaluable to successfully serving our constituents. And as I hear quite often, many of your

staff are constituents of mine or Vikki's or Celia's or Gina's or Eddie's or Sheryl's. To be able to provide the responsiveness our voters expect, many of them live right here in Austin. Despite the spate of legislation to help us here in Austin that y'all have been so gracious to bring to us all the time, we've also been hearing a lot this session about all the great success my hometown has been having—low unemployment, more job opportunities, an unending stream of companies relocating here, incredible quality of life. Unfortunately, all that economic success paired with a welcoming and open city has made Austin increasingly expensive.

The last time the house raised its interim office budgets was 2015, when we went from \$12,500 a month to \$13,500 a month. Meanwhile, the cost of living in Austin has increased dramatically. Our senate colleagues increased their own funding and office budgets in 2019 from \$39,000 to \$41,000. Let's at least try to set aside some unexpended funds for the potential to increase office budgets next session or to at least have the actual debate on that issue and not get shut down again—not get Schaefer shut down again—because we didn't get anything in the budget. I've been asked to move this to Article XI, and I want that to happen. And I want to do this on behalf, as I know you do, of all of our staffers. And I want our budget conferees, hopefully, to recommend adoption of this much-needed amendment and help us support our staff. Thank you, Representative Schaefer, for inspiring me.

REPRESENTATIVE CORTEZ: Representative Howard, thank you for bringing this amendment forward for our staffs who are currently right now in our offices waiting and working and being patient. They're here with us in these long hours, and they're ensuring that we have the support necessary and the information necessary and the data necessary to make the right decisions on these important amendments. And for you to bring this forward, I remember myself and Representative Schaefer had a discussion about this earlier in session where we were talking about the house rules, about how raises for our staff were necessary and were long overdue. The senate has consistently raised their staff budgets, am I correct?

HOWARD: That's correct.

CORTEZ: Yet we have not done the same for our staff. And yet our staffs are just as qualified, just as educated, just as ready to provide service to our constituents as the senate staff is. Am I correct?

HOWARD: You're correct.

CORTEZ: So why—are you saying that we're going to put this in Article XI?

HOWARD: I'm being told that because of the funding and the unexpended funds that we have left and without having a specific amount that we're talking about raising the office salaries right now, that we would need to be having that kind of information available to us. But I'm being assured that that will be discussed and that we will have some way to look at having dollars available for this. Look, this is the main thing. Representative Schaefer, time after time, has proposed this when we've had our house rules discussions at the beginning of session, and



every single time he's been told, well, it needed to be talked about in the budget. So here we are talking about it in the budget so that we can at least put something in place that, whether we do it now or when we come back—I would like to do it now—that we've actually got something in place. Because it's like this constant cycle of not being able to ever do it because we're told—you didn't get it in the budget; you can't talk about it now. We've got to do something.

CORTEZ: And I appreciate you trying to do something and Representative Schaefer for trying to do something. I hope my colleagues here are listening as to how important this discussion is, how necessary it is. All of our staffs have worked hard and deserve it, and we have a difficult time keeping our staffs because obviously they can go on to another job where the salaries are increased. They can even go across the hall to the senate chamber, which happens.

HOWARD: That's right.

CORTEZ: And yet we have not taken any action to make this happen. And so I encourage my colleagues to please listen to this debate and this important amendment, and if we can make action happen today, let's do it today.

Amendment No. 142 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.) (K. Bell, Burns, Cain, Cyrier, Darby, Gates, Hefner, Holland, Hull, P. King, Krause, Landgraf, Metcalf, Meyer, Middleton, Murr, Oliverson, Paddie, Paul, Sanford, Shine, Spiller, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

#### **Amendment No. 143**

Representatives Wu and Morales Shaw offered the following amendment to **CSSB 1**:

Floor Packet Page No. 274

Amend **CSSB 1** (house committee report) in Article X of the bill, following the appropriations to the Legislative Council (page X-4), by adding the following appropriately numbered rider:

\_\_\_\_\_. Interpreter Services for Committee Hearings. Out of the funds appropriated above, the Legislative Council shall provide for interpreter services at each legislative committee hearing at which a redistricting bill is considered and at any other committee hearing on request of the committee.

Amendment No. 143 was adopted.

#### **REMARKS ORDERED PRINTED**

Representative Israel moved to print remarks by Representative Howard on Amendment No. 142 on **CSSB 1**.

The motion prevailed.

**Amendment No. 144 (Article XI)**

Representative Hunter offered the following amendment to **CSSB 1**:

Floor Packet Page No. 278

Amend **CSSB 1** (house committee report) as follows:

(1) In Article XI of the bill, following the provisions related to the Parks and Wildlife Department (page XI-14), add the following appropriately numbered rider:

\_\_\_\_\_. Contingent Appropriation for **HB 3807**. (a) Contingent on the enactment of **HB 3807**, or similar legislation of the 87th Legislature, Regular Session, 2021, relating to the use of lifeguards and informational signs to improve safety on public beaches, in addition to the amounts otherwise appropriated by this Act to the Parks and Wildlife Department, the amount of \$929,058 is appropriated to the department from the General Revenue Fund for the fiscal year beginning September 1, 2021, and the amount of \$505,097 is appropriated from the General Revenue Fund to the department for the fiscal year beginning September 1, 2022, for the purpose of implementing **HB 3807**, or similar legislation.

(b) Increase the number of full-time equivalent employees (FTEs) authorized for the Parks and Wildlife Department by 11.2 FTEs for the fiscal year beginning September 1, 2021, and for the fiscal year beginning September 1, 2022.

(2) Adjust the article totals and methods of financing accordingly.

Amendment No. 144 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.)

**Amendment No. 145 (Article XI)**

Representative Hunter offered the following amendment to **CSSB 1**:

Floor Packet Page No. 279

Amend **CSSB 1** (house committee printing) in Article XI of the bill by adding the following appropriately numbered rider under the items for The University of Texas at Austin (page XI-7):

\_\_\_\_\_. Construction of New Student Housing Facilities at The University of Texas Marine Science Institute. In addition to other amounts appropriated under Article III to The University of Texas at Austin for Strategy C.2.1, Marine Science Institute, the amount of \$2,500,000 is appropriated to The University of Texas at Austin from the General Revenue Fund for the state fiscal year ending August 31, 2022, for the Marine Science Institute to replace student housing facilities destroyed by Hurricane Harvey.

Amendment No. 145 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.)

**Amendment No. 146 (Article XI)**

Representative Hunter offered the following amendment to **CSSB 1**:

Floor Packet Page No. 280

Amend **CSSB 1** (house committee printing) in Article XI of the bill by adding the following appropriately numbered rider under the items for The University of Texas at Austin (page XI-7):

\_\_\_\_\_. Restoration of Five Percent Reduction for The University of Texas Marine Science Institute. In addition to other amounts appropriated under Article III to The University of Texas at Austin for Strategy C.2.1, Marine Science Institute (page III-72), the amount of \$177,230 is appropriated to The University of Texas at Austin from the General Revenue Fund for each state fiscal year of the state fiscal biennium ending August 31, 2023, for the Marine Science Institute.

Amendment No. 146 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.)

**Amendment No. 147 (Article XI)**

On behalf of Representative Coleman, Representative Bonnen offered the following amendment to **CSSB 1**:

Floor Packet Page No. 283

Amend **CSSB 1** (house committee report) in Article XI of the bill, by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

\_\_\_\_\_. Contingent Rider: Hobby School of Public Affairs Building and Interdisciplinary Center for Employment and Economic Growth. Out of any money appropriated to the University of Houston under Section 13.01, Article IX, that is provided for purposes related to infrastructure, notwithstanding Section 13.02, Article IX, and to the extent authorized by federal law, the University of Houston shall allocate an amount equal to the lesser of \$39,500,000 or the total amount of that money that may be spent for purposes of this rider for the renovation and construction of the building and interdisciplinary center for employment and economic growth for the Hobby School of Public Affairs.

Amendment No. 147 was adopted. (In accordance with a previous motion, the amendment was placed in Article XI.)

**SB 1 - RULES SUSPENDED****ADOPTION OF AMENDMENTS ON SPEAKER'S DESK  
AND PLACEMENT OF AMENDMENTS IN ARTICLE XI**

Representative Bonnen offered the following motion in writing:

Mr. Speaker:

With regard to the prefiled amendments remaining on the speaker's desk that were moved to Article XI, I move to suspend all necessary rules and to:

Adopt all the proposed amendments in a single motion;

Place the text of the amendments in Article XI;

Require the journal to reflect that the text of each amendment will be placed in Article XI;

Direct the journal clerk to distribute to the members the list of each amendment included in this motion as soon as possible; and

Permit members to record a vote in the journal on individual amendments included in this motion by filing a statement with the journal clerk no later than 5 p.m. on Wednesday, April 28th with the understanding that the recording of a vote on an amendment included in this motion does not affect the adoption of the amendment or the inclusion of the text of the amendment in Article XI.

Bonnen

The motion was read and prevailed.

#### **ARTICLE XI - AMENDMENTS ADOPTED**

In accordance with a previous motion, the following amendments (Amendments Nos. 148 - 175) were adopted and placed in Article XI of **CSSB 1**:

**Amendment No. 148 (Article XI) (by E. Morales)** (K. Bell, Biedermann, Buckley, Burns, Cain, Cook, Craddick, Cyrier, Darby, Frullo, Gates, Harless, Hefner, Holland, P. King, Klick, Krause, Landgraf, Leman, Metcalf, Meyer, Middleton, Murr, Noble, Oliverson, Parker, Paul, Price, Sanford, Schaefer, Shine, Slaton, Spiller, Swanson, Talarico, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.; A. Johnson recorded voting present, not voting.)

Floor Packet Page No. 11

Amend **CSSB 1** (house committee report) as follows:

(1) In Article I of the bill, in the appropriations to the Office of the Attorney General, reduce the general revenue appropriations for Strategy A.1.1, Legal Services (page I-3), by \$20,000,000 for the state fiscal year ending August 31, 2022.

(2) In Article I of the bill, in the appropriations to the Trusteed Programs within the Office of the Governor, increase the general revenue appropriations for Strategy B.1.2, County Essential Service Grants (page I-53), by \$20,000,000 for the state fiscal year ending August 31, 2022.

(3) Adjust totals and methods of financing accordingly.

**Amendment No. 149 (Article XI) (by Cole)** (Cook, Darby, Metcalf, Noble, Oliverson, Paul, Price, Shine, Toth, and Zwiener recorded voting no.)

Floor Packet Page No. 35

Amend **CSSB 1** (house committee report) in Article I of the bill, following the appropriations to the Facilities Commission (I-40), by adding the following appropriately numbered rider:

\_\_\_\_\_. Barbara Jordan Building. It is the intent of the legislature that the Facilities Commission, using the funds appropriated to the commission by this Act, name the state building being constructed on the east side of North Congress Avenue, between 16th Street and 17th Street, the Barbara Jordan Building, with the name prominently displayed in a manner similar to the display of names for other state buildings.

**Amendment No. 150 (Article XI) (by Toth)** (Allen, Anchia, Beckley, Bucy, Campos, Cole, Gervin-Hawkins, J. González, M. González, Goodwin, Hinojosa, Howard, Israel, A. Johnson, J.E. Johnson, Martinez, Martinez Fischer, Meza, Minjarez, Morales Shaw, Neave, Ortega, Rodriguez, Romero, Rose, Talarico, Thierry, and Zwiener recorded voting no.)

Floor Packet Page No. 57

Amend **CSSB 1** (house committee report) in Article I of the bill, on Page I-59, by amending Rider 27 by adding clause f to read as follows:

(f) An entity that publicly threatened any adverse action against this state based on any legislative or executive action related to firearms that was proposed or taken in 2020, 2021, or 2022 by the legislature or the governor of this state shall not be eligible for funds out of the amounts appropriated above in Strategy C.1.1.

**Amendment No. 151 (Article XI) (by Hefner)** (Allen, Anchia, Beckley, Bucy, Campos, Cole, Gervin-Hawkins, J. González, M. González, Goodwin, Hinojosa, Howard, Israel, A. Johnson, J.E. Johnson, Martinez, Martinez Fischer, Meza, Minjarez, Morales Shaw, Ortega, Rodriguez, Romero, Rose, Talarico, and Thierry recorded voting no.)

Floor Packet Page No. 59

Amend **CSSB 1** (house committee report) in Article I of the bill, on Page I-59, by amending Rider 27 by adding clause f to read as follows:

(f) An entity that publicly threatened any adverse action against this state based on any legislative or executive action that was proposed or taken in 2020, 2021, or 2022 by the legislature or the governor of this state shall not be eligible for funds out of the amounts appropriated above in Strategy C.1.1.

**Amendment No. 152 (Article XI) (by Bucy)** (Darby, Gates, Hefner, Krause, Middleton, Oliverson, Price, Schaefer, Shine, Slaton, Spiller, Tinderholt, Toth, and Vasut recorded voting no.)

Floor Packet Page No. 68

Amend **CSSB 1** (house committee report), in Article I of the bill, following the appropriations to the secretary of state (page I-89), by adding the following appropriately numbered rider:

\_\_\_\_\_. Contingent Appropriation for **HB 2859**. Contingent on the enactment of **HB 2859**, or similar legislation of the 87th Legislature, Regular Session, 2021, relating to posting certain information about elections on the secretary of state's Internet website, out of the amounts appropriated out of general revenue to the secretary of state for use in Strategy B.1.1, Elections Administration, the amount

of \$710,859 shall be allocated to implement **HB 2859** or similar legislation for the fiscal year beginning September 1, 2021, and the amount of \$448,631 shall be allocated to implement **HB 2859** or similar legislation for the fiscal year beginning September 1, 2022.

**Amendment No. 153 (Article XI) (by Coleman)** (Ashby, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Button, Cain, Capriglione, Cook, Craddick, Cyrier, Darby, Ellzey, Frullo, Gates, Geren, Goldman, Harless, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Klick, Krause, Landgraf, Leach, Leman, Metcalf, Meyer, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Paul, Rogers, Sanford, Schaefer, Shaheen, Shine, Slaton, Smithee, Spiller, Stephenson, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

Floor Packet Page No. 81

Amend **CSSB 1** (house committee printing) in Article II of the bill, following the appropriations to the Department of State Health Services (page II-20), by adding the following appropriately numbered rider:

\_\_\_\_\_. Contingent Appropriation for **HB 4139**. Contingent on the enactment and becoming law of **HB 4139**, or similar legislation of the 87th Legislature, Regular Session, 2021, relating to the Office for Health Equity, and contingent upon a grant awarded to the Department of State Health Services by the Center for Disease Control's National Initiative to Address COVID-19 Health Disparities Among Populations at High-Risk and Underserved, Including Racial and Ethnic Minority Populations and Rural Communities grant program or a similar federal grant program to the extent authorized by federal law, or, if the grant money is insufficient, from funds provided to this state under the Coronavirus Aid, Relief, and Economic Security (CARES) Act (15 U.S.C. Section 9001 et seq.) and other federal sources and appropriated to the department in agreement with the Health and Human Services Commission, the department in coordination with the commission shall allocate the sum of \$5,449,965 for the state fiscal biennium beginning September 1, 2021, for the purpose of implementing **HB 4139**, or similar legislation.

**Amendment No. 154 (Article XI) (by Guillen)** (K. Bell, Biedermann, Buckley, Burns, Cain, Cook, Craddick, Darby, Gates, Harless, Hefner, Holland, Hull, Krause, Landgraf, Leman, Metcalf, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Paul, Schaefer, Shine, Slaton, Spiller, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

Floor Packet Page No. 82

Amend **CSSB 1** (house committee report) in Article II of the bill, following the appropriations to the Department of State Health Services (page II-20), by adding the following appropriately numbered rider:

\_\_\_\_\_. Contingent Appropriation. Contingent on the enactment and becoming law of **HB 4015** or similar legislation of the 87th Legislature, Regular Session, 2021, relating to the Rita Littlefield Chronic Kidney Disease Centralized Resource Center established within the Department of State Health Services, out

of amounts appropriated above to the Department of State Health Services, the department shall allocate an amount necessary during the state fiscal biennium ending August 31, 2023, for the purpose of implementing that legislation.

**Amendment No. 155 (Article XI) (by Coleman)** (Bonnen, Buckley, Burrows, Cain, Gates, Hefner, Krause, Metcalf, Middleton, Oliverson, Paul, Schaefer, Spiller, Toth, Vasut, and Wilson recorded voting no.)

Floor Packet Page No. 94

Amend **CSSB 1** (house committee report) in Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-36), by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

\_\_\_\_\_. Recovery-Focused Clubhouses. Out of the funds appropriated above to the Health and Human Services Commission in Strategy D.2.1, Community Mental Health Services for Adults, the commission shall allocate \$1,225,000 each fiscal year of the state fiscal biennium ending August 31, 2023, for recovery-focused clubhouses.

**Amendment No. 156 (Article XI) (by Guillen)** (Ashby, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Cain, Capriglione, Cook, Craddick, Cyrier, Darby, Ellzey, Frullo, Gates, Geren, Goldman, Harless, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Klick, Krause, Landgraf, Leach, Leman, Metcalf, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Paul, Rogers, Sanford, Schaefer, Shaheen, Shine, Slaton, Spiller, Stephenson, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

Floor Packet Page No. 97

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-36), add the following appropriately numbered rider:

\_\_\_\_\_. Medicaid Base Rate Reimbursement for Nursing Facilities. It is the intent of the legislature that, out of funds appropriated above to the Health and Human Services Commission for Strategy A.2.4, Nursing Facility Payments, the commission shall allocate the amount necessary to set the base rate reimbursement under Medicaid for each nursing facility at an amount that is at least equal to the rate in effect on April 1, 2020, including any emergency temporary rate increase authorized under 1 T.A.C. Section 355.205.

(2) In Article XI of the bill, strike the item for consideration listed under Article II, Health and Human Services Commission, for Nursing Facility Emergency Reimbursement Rate Increase Protection (page XI-4).

**Amendment No. 157 (Article XI) (by Guillen)** (Ashby, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Cain, Capriglione, Cook, Craddick, Cyrier, Darby, Ellzey, Frullo, Gates, Goldman, Harless, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Klick, Krause, Landgraf, Leach, Leman, Metcalf, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Paul, Rogers, Sanford, Schaefer, Shaheen, Shine, Slaton, Spiller, Stephenson, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

Floor Packet Page No. 107

Amend **CSSB 1** (house committee printing) in Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-36), by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

\_\_\_\_. Contingency Rider for **HB 1816** or Similar Legislation. Contingent on the enactment and becoming law of **HB 1816** or similar legislation of the 87th Legislature, Regular Session, 2021, relating to the reimbursement of nursing facilities under Medicaid, out of amounts appropriated above to the Health and Human Services Commission for Strategy A.2.4, Nursing Facility Payments (page II-32), the commission shall allocate the amount necessary to implement that legislation.

**Amendment No. 158 (Article XI) (by Raymond)** (Ashby, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Button, Cain, Capriglione, Cook, Craddick, Cyrier, Darby, Ellzey, Frullo, Gates, Goldman, Harless, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Klick, Krause, Landgraf, Leach, Leman, Metcalf, Meyer, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Paul, Price, Rogers, Sanford, Schaefer, Shaheen, Shine, Slaton, Spiller, Stephenson, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no; Howard recorded voting present, not voting.)

Floor Packet Page No. 112

Amend **CSSB 1** as follows:

On page II-\_\_\_\_, Health and Human Services Commission, establish Medicaid Physician Accountable Care Organization.

\_\_\_\_. Medicaid Physician Accountable Care Organization.

(\_\_\_\_). Out of funds above, \$5,000,000 in fiscal year 2022 shall be used to establish a Medicaid physician accountable care organization initiative to accelerate physician adoption of innovative care delivery models that promote data-driven, coordinated, cost-effective and high quality patient care in the Medicaid program in Harris, Tarrant, and Webb Counties.



**Amendment No. 159 (Article XI) (by Howard)** (Ashby, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Button, Cain, Capriglione, Cook, Craddick, Cyrier, Darby, Ellzey, Frullo, Gates, Goldman, Harless, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Klick, Krause, Landgraf, Leach, Leman, Metcalf, Meyer, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Paul, Price, Rogers, Sanford, Schaefer, Shaheen, Shine, Slaton, Smithee, Spiller, Stephenson, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

Floor Packet Page No. 113

Amend **CSSB 1** as follows:

(1) In Article II of the bill, page II-56, make the following change:

~~[35. Prohibition on Abortions.~~

~~(a) It is the intent of the legislature that no funds shall be used to pay the direct or indirect costs (including marketing, overhead, rent, phones, and utilities) of abortion procedures provided by contractors of the Health and Human Services Commission.~~

~~(b) It is also the intent of the legislature that no funds appropriated for Medicaid Family Planning, Healthy Texas Women Program, or the Family Planning Program shall be distributed to individuals or entities that perform elective abortion procedures or that contract with or provide funds to individuals or entities for the performance of elective abortion procedures.~~

~~(c) The commission shall include in its financial audit a review of the use of appropriated funds to ensure compliance with this section.]~~

(2) In Article II of the bill, page II-56, make the following change:

~~[36. Funding for Family Planning Instruction. None of the funds appropriated above may be used to implement human sexuality instruction or family planning instruction, or to provide instructional materials for use in human sexuality instruction or family planning instruction, if the instruction or instructional materials are provided or prepared by an individual or entity that performs elective abortions or an affiliate of an individual or entity that performs elective abortions.]~~

**Amendment No. 160 (Article XI) (by Howard)** (Ashby, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Cain, Capriglione, Cook, Craddick, Cyrier, Darby, Ellzey, Frullo, Gates, Goldman, Harless, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Klick, Krause, Landgraf, Leach, Leman, Metcalf, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Paul, Price, Rogers, Sanford, Schaefer, Shaheen, Slaton, Spiller, Stephenson, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

Floor Packet Page No. 124

Amend **CSSB 1** as follows:

In Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-91), by adding the following appropriately numbered rider:

\_\_\_\_\_. Medicaid Transformation Waiver. It is the intent of the legislature that the Health and Human Services Commission:

(a) allow a hospital district established under Health and Safety Code Section 281.002(c) that is in a county with a population of more than 800,000 and that was not included in the boundaries of a hospital district before September 1, 2003 or by a physician practice owned or controlled by such a hospital district to participate in the Uncompensated Care (UC) Pool program authorized under Texas Healthcare Transformation and Quality Improvement Program waiver; and

(b) increase the amount of UC Pool funds allocated to physician group practices and distribute the allocated funds such that:

(1) each physician group practice participating in the UC Pool during demonstration year 9 has at least the same percentage of its uncompensated charity care defrayed for future demonstration years as was defrayed for demonstration year 9; and

(2) each provider made eligible pursuant to Subsection (a) has at least the same percentage of its uncompensated charity care defrayed for future demonstration years as was defrayed for physician group practices receiving funds from the UC Pool in demonstration year 9.

HHSC shall work with the Center for Medicare and Medicaid Services as necessary to implement the provision of this rider.

**Amendment No. 161 (Article XI) (by Minjarez)** (K. Bell, Biedermann, Buckley, Burns, Cain, Cook, Craddick, Cyrier, Gates, Harless, Hefner, Holland, Hull, P. King, Krause, Landgraf, Leman, Metcalf, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Paul, Sanford, Schaefer, Shine, Slaton, Spiller, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

Floor Packet Page No. 126

Amend **CSSB 1** as follows:

(1) In Article II of the bill, to the bill pattern of the Health and Human Services Commission, add the following new rider:

\_\_\_\_\_. Prioritization of Federal State Fiscal Relief Funds. On certification of Federal State Fiscal Relief Funds designated for Texas by the American Rescue Act Plan of 2021, priority shall be given to providing salary adjustments for health care providers serving clients in long-term care, rehabilitation, state-supported living centers, hospitals, and any other state-related facility providing in patient health care services.

**Amendment No. 162 (Article XI) (by Guillen)** (K. Bell, Biedermann, Buckley, Burns, Cain, Cook, Craddick, Darby, Harless, Hefner, Howard, Hull, P. King, Landgraf, Leman, Metcalf, Murr, Noble, Oliverson, Parker, Paul, Romero, Shine, Slaton, Spiller, Swanson, Talarico, Tinderholt, and VanDeaver recorded voting no; A. Johnson recorded voting present, not voting.)

Floor Packet Page No. 135

Amend **CSSB 1** (house committee printing) in Article III of the bill as follows:

(1) Increase the appropriations from the General Revenue Fund to the Texas Education Agency for Strategy A.2.1, Statewide Educational Programs (page III-2), by \$3,000,000 for the state fiscal year ending August 31, 2022, and by \$3,000,000 for the state fiscal year ending August 31, 2023.

(2) Reduce the appropriations from the Technology and Instructional Materials Fund No. 003 to the Texas Education Agency for Strategy B.2.1, Technology/Instructional Materials (page III-2), by \$3,000,000 for the state fiscal year ending August 31, 2022, and by \$3,000,000 for the state fiscal year ending August 31, 2023.

(3) Following the appropriations to the Texas Education Agency, amend Rider 52, Texas Gateway and Online Resources (page III-20), by striking "\$7,302,500" and substituting "\$10,302,500".

(4) Following the appropriations to the Texas Education Agency, amend Rider 52, Texas Gateway and Online Resources (page III-20), in the provision regarding the amount to be set aside for the reimbursement of district costs related to students taking OnRamps Dual Enrollment courses, by striking "\$1,950,000" and substituting "\$4,950,000".

(5) Following the appropriations to the Texas Education Agency, amend Rider 55, Open Education Resource Instructional Materials (page III-21), by striking "\$10,000,000" and substituting "\$7,000,000".

(6) Adjust totals and methods of financing accordingly.

**Amendment No. 163 (Article XI) (by Coleman)** (Biedermann, Buckley, Cain, Cook, Craddick, Darby, Gates, M. González, Hefner, Krause, Metcalf, Middleton, Noble, Oliverson, Price, Schaefer, Shine, Slaton, Spiller, Swanson, Tinderholt, Toth, Vasut, and Wilson recorded voting no.)

Floor Packet Page No. 170

Amend **CSSB 1** (house committee report) in Article III of the bill, immediately following the appropriations to the University of Houston (page III-118), by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

\_\_\_\_\_. Contingent Rider: Hobby School of Public Affairs Building and Interdisciplinary Center for Employment and Economic Growth. Out of any money appropriated to the University of Houston under Section 13.01, Article IX, that is provided for purposes related to infrastructure, notwithstanding Section 13.02, Article IX, and to the extent authorized by federal law, the University of Houston shall allocate an amount equal to the lesser of \$39,500,000 or the total amount of that money that may be spent for purposes of this rider for the renovation and construction of the building and interdisciplinary center for employment and economic growth for the Hobby School of Public Affairs.

**Amendment No. 164 (Article XI) (by Patterson)** (K. Bell, Burns, Cain, Cook, Darby, Harless, Hefner, Howard, Klick, Landgraf, Metcalf, Murr, Noble, Oliverson, Paddie, Paul, Price, Schaefer, Shine, Spiller, VanDeaver, and Wilson recorded voting no; A. Johnson recorded voting present, not voting.)

Floor Packet Page No. 199

Amend **CSSB 1** (house committee report) in Article V of the bill, following the appropriations to the Department of Public Safety, in Rider 41, Compassionate Use Program (page V-53 and V-54), in the third sentence, by inserting "license no less than six dispensing organizations and" between "shall" and "submit".

**Amendment No. 165 (Article XI) (by Guillen)** (Buckley, Cain, Cook, Darby, Gates, Hefner, Hull, Krause, Metcalf, Middleton, Noble, Oliverson, Paul, Price, Schaefer, Shine, Spiller, Swanson, Tinderholt, Toth, Vasut, and Wilson recorded voting no; Howard recorded voting present, not voting.)

Floor Packet Page No. 210

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article VI of the bill, in the appropriations for the Parks and Wildlife Department (page VI-32), reduce the appropriations from the General Revenue Fund for Strategy B.2.2, Boating Access and Other Grants, by the amount of \$75,000 for the state fiscal year ending August 31, 2022.

(2) In Article VI of the bill, following the appropriations to the Parks and Wildlife Department (page VI-44), add the following appropriately numbered rider:

\_\_\_\_\_. Low Water Boat Ramp at Falcon State Park. The amount of \$75,000 is appropriated out of the General Revenue Fund to the Parks and Wildlife Department for the state fiscal year ending August 31, 2022, for the purpose of constructing a low water boat ramp at Falcon State Park and the infrastructure needed to access the ramp.

(3) Adjust totals and methods of financing accordingly.

**Amendment No. 166 (Article XI) (by Ramos)** (K. Bell, Buckley, Burns, Cain, Cook, Craddick, Darby, Frullo, Gates, Harless, Hefner, Holland, Hull, P. King, Klick, Krause, Landgraf, Leman, Metcalf, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Paul, Price, Schaefer, Shine, Spiller, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no; Howard recorded voting present, not voting.)

Floor Packet Page No. 213

Amend **CSSB 1** as follows:

(1) On page VI-44 of the Parks and Wildlife Department bill pattern, add the following rider:

\_\_\_\_\_. Cottonwood Park. Out of amounts appropriated above to the Parks and Wildlife Department in Sporting Goods Sales Tax Transfer to Texas Recreation and Parks Acct. No. 467 in Strategy B.2.1, Local Park Grants, \$12,000 in fiscal year 2022 shall be used to provide a grant to Cottonwood Park.

**Amendment No. 167 (Article XI) (by Guillen)** (K. Bell, Biedermann, Burns, Cain, Craddick, Gates, Harless, Hefner, P. King, Krause, Landgraf, Leman, Metcalf, Middleton, Murr, Oliverson, Parker, Paul, Schaefer, Shine, Slaton, Spiller, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

Floor Packet Page No. 244

Amend **CSSB 1** (house committee printing) in Article IX of the bill, in Section 2.01, Position Classification Plan, in the list of classified positions for the 2022-2023 biennium, as follows:

(1) On page IX-15, for the class title State Park Police Officer Trainee (Cadet), strike the salary group "B14" and substitute "C01".

(2) On page IX-15, for the class title Probationary State Park Police Officer, strike the salary group "B16" and substitute "C02".

(3) On page IX-15, for the class title State Park Police Officer, strike the salary group "B21" and substitute "C03".

(4) On page IX-15, for the class title Sergeant, State Park Police Officer, strike the salary group "B22" and substitute "C04".

(5) On page IX-16, for the class title Lieutenant, State Park Police Officer, strike the salary group "B23" and substitute "C05".

(6) On page IX-16, for the class title Captain, State Park Police Officer, strike the salary group "B24" and substitute "C06".

(7) On page IX-16, for the class title Major, State Park Police Officer, strike the salary group "B25" and substitute "C08".

**Amendment No. 168 (Article XI) (by Davis)** (Ashby, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Cain, Capriglione, Cook, Craddick, Cyrier, Darby, Ellzey, Frullo, Gates, Geren, Goldman, Harless, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Klick, Krause, Landgraf, Leach, Leman, Metcalf, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Paul, Price, Rogers, Sanford, Schaefer, Shaheen, Shine, Slaton, Spiller, Stephenson, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

Floor Packet Page No. 253

Amend **CSSB 1** (house committee printing), as follows:

(1) In Article IX of the bill, Reporting Requirements, on page IX-38, strike Sec. 7.07, Historical Underutilized Business Policy Compliance, and insert the following:

Sec. 7.07. Historically Underutilized Business Policy Compliance.

(a)(1) Before December 1, 2021, each agency or institution shall submit a report demonstrating to the Legislative Budget Board and comptroller compliance and a plan for maintaining future compliance with Government Code, §2161.123 and that it will make good faith efforts to meet its goals established under Government Code, §2161.123 (d)(5) for increasing the agency's or institution's use of historically underutilized businesses (HUBs) in purchasing and public works contracting.

(2) The State Auditor's Office (SAO) shall audit compliance with HUB provisions at least once per biennium. The SAO should make recommendations to the entities audited. Copies of the audit report shall be submitted to the Legislative Budget Board and comptroller.

(3) In demonstrating to the Legislative Budget Board and comptroller that the agency or institution is compliant and will in the future maintain compliance or become compliant with Government Code, §2161.123 and that it will make good faith efforts to meet the agency's or institution's HUB purchasing and contracting goals, the agency or institution shall submit a plan addressing:

(A) Statistical disparities by race, ethnicity and gender classification in current HUB utilization, particularly in prime contracting;

(B) Statistical disparities by race, ethnicity and gender classification in the private marketplace, particularly in the area of utilization of women- and minority-owned firms in commercial construction;

(C) Statistical disparities in firm earnings by race, ethnicity and gender classification;

(D) Anecdotal testimony of disparate treatment as presented by business owners in interviews, surveys, public hearings and focus groups;

(E) Details of the agency's outreach plan; and

(F) Proper staffing of the agency's HUB department.

(b) Upon being identified as lacking in compliance with HUB provisions by the SAO or at the request of the Legislative Budget Board, a state agency or institution shall also provide quarterly reports to the Legislative Budget Board and comptroller on the status of implementation of the plan described under Subsection (a) of this section.

**Amendment No. 169 (Article XI) (by Bernal)** (Biedermann, Buckley, Cook, Craddick, Harless, Hefner, Hull, Klick, Metcalf, Noble, Oliverson, Paddie, Parker, Paul, Price, Shine, Slaton, Spiller, Toth, and Wilson recorded voting no.)

Floor Packet Page No. 259

Amend **CSSB 1** (house committee printing) by adding the appropriately numbered rider to Part 13 of Article IX (page IX-63):

Sec. 13.\_\_\_\_. Strategic Plan and Public Hearing Required for Use of Federal Funds. A state agency may not expend federal funds appropriated to the agency under Section 13.01 of this Article until the agency:

(1) develops a strategic plan for expending the funds in consultation with stakeholders and members of the public;

(2) holds a public hearing and receives public comment on the strategic plan developed by the agency; and

(3) incorporates in the strategic plan, as appropriate, the input received during the development of the plan.

**Amendment No. 170 (Article XI) (by Craddick and Landgraf)** (Metcalf and Swanson recorded voting no.)

Floor Packet Page No. 262

**CSSB 1** is amended by adding an appropriately numbered rider on Page IX-86 of the bill to read as follows:

Sec. 18. \_\_\_\_\_. Contingency for **HJR 82**. Contingent on the passage of **HJR 82**, or other legislation by the Eighty-Seventh Legislature, Regular Session, that proposes a constitutional amendment and any other necessary legislation for providing for the creation of and use of money in the Grow Texas fund and allocating certain general revenues to that fund, the economic stabilization fund, and the state highway fund, and any other necessary legal requirements, the Grow Texas fund is eligible for receiving first available federal fund appropriations in an amount not exceed \$50,000,000 for the 2022-23 biennium.

**Amendment No. 171 (Article XI) (by Talarico)** (Cook, Craddick, Darby, Metcalf, Middleton, Noble, Oliverson, Paul, Shine, Spiller, Swanson, Toth, and Wilson recorded voting no.)

Floor Packet Page No. 263

**CSSB 1** is amended as follows:

Add the appropriately numbered rider to Article IX of the bill:

Sec. \_\_\_\_\_. Contingency for **HB 30**.

(a) Contingent on the enactment of **HB 30**, or similar legislation relating to educational requirements for certain incarcerated students, by the Eighty-Seventh Legislature, Regular Session, \$735,455 in general-revenue-dedicated funds in fiscal year 2022 and \$529,280 in general-revenue-dedicated funds in fiscal year 2023 are reduced from Strategy A.1.8, Promote Lottery Games Contract(s) (page VII-8), of the Texas Lottery Commission.

(b) Contingent on the enactment of **HB 30**, or similar legislation relating to educational requirements for certain incarcerated students, by the Eighty-Seventh Legislature, Regular Session, appropriations for Strategy B.2.4, Windham School District (page III-2), of the Texas Education Agency is increased by \$735,455 in general revenue funds in fiscal year 2022 and \$529,280 in general revenue funds in fiscal year 2023 to implement the provisions of the legislation.

**Amendment No. 172 (Article XI) (by Minjarez)** (Ashby, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Button, Cain, Capriglione, Cook, Craddick, Cyrier, Darby, Ellzey, Frullo, Gates, Geren, Goldman, Harless, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Klick, Krause, Landgraf, Leach, Leman, Metcalf, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Paul, Price, Rogers, Sanford, Schaefer, Shaheen, Shine, Slaton, Smith, Spiller, Stephenson, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

Floor Packet Page No. 270

Amend **CSSB 1** (house committee printing) in Article X of the bill as follows:

(1) Following the appropriations to the House of Representatives (page X-2), add the following appropriately numbered rider:

\_\_\_\_\_. Reimbursement for Study on Redistricting Effects. Out of the funds appropriated above and allocated by the House of Representatives to the Committee on Redistricting, the House of Representatives shall transfer to the

Legislative Council an amount sufficient to reimburse the Legislative Council for the cost of conducting the study and preparing the report required by this article on the effects of redistricting on political representation of persons of color.

(2) Following the appropriations to the Legislative Council (page X-4), add the following appropriately numbered rider:

\_\_\_\_\_. Study on Redistricting Effects. The Legislative Council shall conduct a study on the effects of redistricting in this state on the political representation of persons of color. Not later than August 31, 2023, the Legislative Council shall deliver a report containing the findings of the study to the lieutenant governor and each number of the legislature. The report must include the data and methodology used in conducting the study and preparing the report.

**Amendment No. 173 (Article XI) (by Morales Shaw)** (Ashby, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Cain, Capriglione, Cook, Cyrier, Darby, Ellzey, Frullo, Gates, Geren, Goldman, Harless, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Klick, Krause, Landgraf, Leach, Leman, Metcalf, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Paul, Price, Rogers, Sanford, Schaefer, Shaheen, Shine, Slaton, Smithee, Spiller, Stephenson, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

Floor Packet Page No. 272

Amend **CSSB 1** (house committee report) in Article X of the bill by adding the following appropriately numbered rider following the appropriations to the Legislative Budget Board (page X-3):

\_\_\_\_\_. Study on Digital Equity. Using funds appropriated above for the Legislative Budget Board, the Legislative Budget Board shall conduct a study on the equity of access in this state to technology necessary for using the Internet to participate in modern society and the distribution in this state of state and federal grant money to promote that access. The study must include an analysis of the benefits and drawbacks of the use of census block data as a basis for distribution of that grant money. The Legislative Budget Board shall submit a report on the results of the study to the Governor's Broadband Development Council not later than November 1, 2022.

**Amendment No. 174 (Article XI) (by Minjarez)** (Ashby, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Button, Cain, Capriglione, Cook, Craddick, Cyrier, Darby, Ellzey, Frullo, Gates, Geren, Goldman, Harless, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Klick, Krause, Landgraf, Leach, Leman, Metcalf, Meyer, Middleton, Murr, Noble, Oliverson, Paddie, Parker, Paul, Price, Rogers, Sanford, Schaefer, Shaheen, Shine, Slaton, Smithee, Spiller, Stephenson, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

Floor Packet Page No. 273

Amend **CSSB 1** (house committee printing) in Article X of the bill, following the appropriations to the Legislative Budget Board (page X-3), by adding the following appropriately numbered rider:

\_\_\_\_\_. Equity Analysis of Agency Expenditure of Federal Money. It is the intent of the legislature that the Legislative Budget Board recommend to each state agency that receives an appropriation of federal money under this Act that



the agency conduct an equity analysis of the agency's expenditures of that federal money to determine if the expenditures are equitably distributed across certain demographics, including race and income.

**Amendment No. 175 (Article XI) (by Schaefer)** (Allen, Anchia, Beckley, Campos, Cole, J. González, Howard, A. Johnson, J.E. Johnson, Martinez, Martinez Fischer, Minjarez, Morales Shaw, Rodriguez, Romero, Talarico, and Thierry recorded voting no.)

Floor Packet Page No. 276

**CSSB 1** is amended as follows:

(1) On page X-6 of the bill pattern for the State Auditor's Office, reduce appropriations by \$7,500,000 in fiscal year 2022 and \$7,500,000 in fiscal year 2023 in general revenue, in A.1.1, State Auditor.

(2) On page V-45 of the bill pattern for the Department of Public Safety, increase appropriations by \$7,500,000 in fiscal year 2022 and \$7,500,000 in fiscal year 2023 in general revenue, in A.3.1, Texas Highway Patrol.

(3) On page V-54, add the following rider to the bill pattern for the Department of Public Safety:

. Ballistic Protection. Included in amounts appropriated above in Strategy A.3.1, Texas Highway Patrol, is \$7,500,000 in fiscal year 2022 and \$7,500,000 in fiscal year 2023 in general revenue for ballistic protection on highway patrol vehicles and other ballistic protection equipment, as determined by the Director of the Department of Public Safety.

### **CSSB 1 - REMARKS**

REPRESENTATIVE BONNEN: I want to thank Speaker Phelan for the job that he has done and for the privilege of being able to chair this committee and the great committee members that we have. I want to thank all our staff, many of whom are in this chamber with us now, and in particular the committee staff, the speaker's staff, our house parliamentarians who have worked day and night for many weeks now, and the staff of the chief clerk's office. Additionally, the Legislative Budget Board has been indispensable in their support for all of our efforts, and we truly could not do this without them. Most importantly, for what we have done here today, I have to thank the subcommittee chairs, Vice-chair Mary González, Chair Armando Walle, Chair Gio Capriglione, and Chair Terry Wilson. I think things went well today, and it's just a blessing to be able to serve in a legislative body that can come together with different backgrounds, different perspectives, different opinions, have a healthy, serious, thoughtful discussion and debate, respect for one another, and do the work of the people of the State of Texas. It was the due diligence and the preparation that these members put into what happened today that made today such a success, so I want to thank them personally for their great work

**REMARKS ORDERED PRINTED**

Representative Canales moved to print closing remarks by Representative Bonnen on **CSSB 1**.

The motion prevailed.

**CSSB 1**, as amended, was passed to third reading.

**EMERGENCY CALENDAR  
HOUSE BILLS  
SECOND READING**

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

**CSHB 2 ON SECOND READING  
(by Bonnen)**

**CSHB 2**, A bill to be entitled An Act relating to making supplemental appropriations and reductions in appropriations and giving direction and adjustment authority regarding appropriations.

**Amendment No. 1**

Representative Bonnen offered the following amendment to **CSHB 2**:

Amend **CSHB 2** (house committee printing) as follows:

(1) On page 42, lines 8, 14, and 24, strike "August 1," each place the term appears and substitute "August 31,".

(2) On page 43, lines 3, 9, 15, and 20, strike "August 1," each place the term appears and substitute "August 31,".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Landgraf offered the following amendment to **CSHB 2**:

Amend **CSHB 2** (house committee report) by striking page 4, line 27, through page 5, line 1, and renumbering subsequent subdivisions accordingly.

Amendment No. 2 was withdrawn.

**Amendment No. 3**

Representatives Morrison, Price, Howard, Minjarez, Ramos, J. González, Reynolds, Larson, Muñoz, Huberty, Parker, Rodriguez, Frullo, Herrero, Darby, Smithee, Kuempel, Clardy, Martinez Fischer, Martinez, and Kacal offered the following amendment to **CSHB 2**:

Amend **CSHB 2** (house committee report) by adding the following appropriately numbered section:

SECTION \_\_\_\_\_. ANTICIPATED FEDERAL COVID-19 RELIEF FUNDING NOT APPROPRIATED. Notwithstanding any other law, including riders to the General Appropriations Act or the making of supplemental appropriations and reductions in appropriations and giving direction and adjustment authority regarding appropriations, no federal funds or monies received by the State of Texas from the federal government through the American

Rescue Plan Act, the CARES Act, the Elementary and Secondary School Emergency Relief (ESSER) I, II or III Act(s) or the Coronavirus Response and Relief Act Supplemental Appropriations Act, or any COVID-19 relief act can be appropriated, allocated, transferred or expended without an appropriate official action of the Texas Legislature in a regular session or special session called by the governor in order for the Texas Legislature to consider and take appropriate action regarding the expenditure of such federal funds.

Amendment No. 3 was adopted.

#### **Amendment No. 4**

Representative Parker offered the following amendment to **CSHB 2**:

Amend **CSHB 2** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. USE OF FEDERAL COVID-19 FEDERAL RELIEF MONEY FOR MEDICAID HOME AND COMMUNITY-BASED SERVICES.

(a) In this section, "commission" means the Health and Human Services Commission.

(b) This section applies only to federal money provided to this state for the provision of Medicaid home and community-based services and administered by the commission under:

(1) the Families First Coronavirus Response Act (Pub. L. No. 116-127);

(2) the Coronavirus Aid, Relief, and Economic Security (CARES) Act (15 U.S.C. Section 9001 et seq.);

(3) the American Rescue Plan Act of 2021 (Pub. L. No. 117-2); or

(4) any other federal COVID-19 relief bill under which federal money is provided to the commission for the provision of Medicaid home and community-based services.

(c) Section 1(e) of this Act does not apply to federal money to which this section applies.

(d) During the state fiscal biennium ending August 31, 2023, the commission may use federal money to which this section applies only on Medicaid initiatives that:

(1) directly increase:

(A) access to care, including the provision of direct services; and

(B) rates paid to direct service providers and for direct service supplies and equipment;

(2) increase Medicaid waiver program and emergency diversion slots and decrease the number of individuals on Medicaid waiver program interest lists;

(3) fund the implementation of provisions of state law governing Medicaid;

(4) explore opportunities for this state to obtain additional federal money under the Advancing Care for Exceptional (ACE) Kids Act of 2019 enacted as part of the Medicaid Services Investment and Accountability Act of 2019 (Pub. L. No. 116-16); and

(5) enable this state to achieve full compliance with federal law governing Medicaid home and community-based services, including rules on home and community-based services settings.

(e) The commission shall ensure that:

(1) money identified under Subsection (d) of this section for provider rate increases is used to directly reimburse direct service providers or to provide direct reimbursement for direct service supplies and equipment; and

(2) Medicaid managed care organizations reimburse direct service providers or provide reimbursement for direct service supplies and equipment in an amount equal to the difference between this state's Medicaid fee-for-service rate and the federal medical assistance percentage (FMAP) rate increase for direct service providers and direct service supplies and equipment.

(f) The commission may not use federal money to which this section applies:

(1) for a purpose that is directly or indirectly related to payroll, contract administration, or administrative services provided by a Medicaid managed care organization; or

(2) to replace other money available to this state for Medicaid.

(g) The commission may not use money described by Subsection (e)(1) of this section for a purpose that is directly or indirectly related to payroll, bonuses, administrative services, or costs unallowable under state or federal law or under the uniform managed care contract.

(h) The commission may use money to which this section applies only to supplement, rather than supplant, money available to this state for Medicaid in a manner that complies with the provisions of this section.

Amendment No. 4 was adopted.

**CSHB 2**, as amended, was passed to engrossment.

**SB 1 ON THIRD READING**  
**(Bonnen - House Sponsor)**  
**CONSTITUTIONAL RULE SUSPENDED**

Representative Bonnen moved to suspend the constitutional rule requiring bills to be read on three several days and to place **SB 1** on its third reading and final passage.

The motion prevailed by (Record 412): 147 Yeas, 0 Nays, 1 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; Clardy; Cole; Coleman; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.

Absent — Zwiener.

The chair laid **SB 1** before the house on its third reading and final passage.

**SB 1** was read third time and was passed by (Record 413): 149 Yeas, 0 Nays, 0 Present, not voting.

Yeas — Mr. Speaker(C); Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; 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, Excused — Bell, C.

The chair stated that **SB 1** was passed subject to the provisions of Article III, Section 49a, of the Texas Constitution.

**HB 2 ON THIRD READING**  
**(by Bonnen)**  
**CONSTITUTIONAL RULE SUSPENDED**

Representative Bonnen moved to suspend the constitutional rule requiring bills to be read on three several days and to place **HB 2** on its third reading and final passage.

The motion prevailed by (Record 414): 148 Yeas, 0 Nays, 1 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; Clardy; Cole; Coleman; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.

The chair laid **HB 2** before the house on its third reading and final passage.

**HB 2** was read third time and was passed by (Record 415): 148 Yeas, 0 Nays, 1 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; Clardy; Cole; Coleman; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.

The chair stated that **HB 2** was passed subject to the provisions of Article III, Section 49a, of the Texas Constitution.

### RECESS

Representative Bonnen moved that the house recess until 9 a.m. tomorrow.

The motion prevailed.

The house accordingly, at 10:21 p.m., recessed until 9 a.m. tomorrow.

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### ADDENDUM

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### SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

**House List No. 10**

**HCR 78**

**Senate List No. 6**

**SB 270**

### 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, April 22, 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 22** Springer

Relating to certain claims for benefits or compensation by certain public safety employees.

**SB 462** Lucio

Relating to funding under the transportation allotment for transporting meals and instructional materials to students during a declared disaster.

**SB 474** Lucio

Relating to the unlawful restraint of a dog; creating a criminal offense.

**SB 642** West

Relating to the provision of mental health services for certain children at risk of relinquishment.

**SB 739** Birdwell

Relating to the presiding officers of the boards of directors of certain river authorities.

**SB 787** Lucio

Relating to the designation of Farm-to-Market Road 1479 in Cameron County as the Bobby Morrow Memorial Highway.

**SB 885** Hughes

Relating to quitclaim deeds.

**SB 922** Seliger

Relating to contracts for fingerprinting services entered into by the Department of Public Safety of the State of Texas.

**SB 968** Kolkhorst

Relating to public health disaster and public health emergency preparedness and response; providing a civil penalty.

**SB 969** Kolkhorst

Relating to reporting procedures for and information concerning public health disasters and to certain public health studies; providing a civil penalty.

**SB 1261** Birdwell

Relating to the exclusive jurisdiction of the state to regulate greenhouse gas emissions in this state and the express preemption of local regulation of those emissions.

**SB 1267** West

Relating to continuing education and training requirements for educators and other school district personnel.

**SB 1295** Creighton

Relating to financial support and incentives for comprehensive regional universities.

**SB 1524** Hughes



Relating to a sales and use tax refund pilot program for certain persons who employ apprentices.

**SB 1585**

Hughes

Relating to requirements for the designation of a property as a historic landmark and the inclusion of a property in a historic district by a municipality.

**SB 1677**

Buckingham

Relating to eliminating certain reporting and posting requirements for public institutions of higher education and other state agencies and the requirement for a plan by certain school districts to increase enrollment in public institutions of higher education.

**SB 1780**

Creighton

Relating to the protection of public health in this state, including through the establishment of the Texas Epidemic Public Health Institute at The University of Texas Health Science Center at Houston.

**SB 1818**

Zaffirini

Relating to a defense under the Solid Waste Disposal Act for persons engaged in certain scrap metal recycling transactions.

Respectfully,

Patsy Spaw

Secretary of the Senate

**Message No. 2**

## MESSAGE FROM THE SENATE

## SENATE CHAMBER

Austin, Texas

Thursday, April 22, 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:

**SB 68**

Miles

Relating to a duty for peace officers to intervene and make a report when a peace officer uses excessive force.

**SB 1102**

Creighton

Relating to the establishment of the Texas Reskilling and Upskilling through Education (TRUE) Program to support workforce education.

**SB 1158**

Kolkhorst

Relating to state contracts with and investments in social media companies that censor political speech.

**SB 1385**

Creighton

Relating to the compensation and professional representation of student athletes participating in intercollegiate athletic programs at certain institutions of higher education.

**SB 1449**

Bettencourt

Relating to the exemption from ad valorem taxation of income-producing tangible personal property having a value of less than a certain amount.

**SB 1615**

Bettencourt

Relating to the adult high school charter school program.

**SB 2212**

West

Relating to the duty of a peace officer to request and render aid for an injured person.

Respectfully,

Patsy Spaw

Secretary of the Senate

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**April 21**

Business and Industry - **HB 1659, HB 3158**

Criminal Jurisprudence - **HB 9, HB 302, HB 624, HB 818, HB 859**

Culture, Recreation, and Tourism - **SB 599**

Elections - **HB 2321, HB 2546, HB 2602, HB 3868**

Higher Education - **HB 15, HJR 5**

Homeland Security and Public Safety - **HB 1069** (corrected), **HB 1911** (corrected), **HB 1920** (corrected), **HB 2147, HB 2555** (corrected), **HB 2696** (corrected), **HB 2733** (corrected)

Human Services - **HB 413**

Insurance - **HB 1793, HB 2241, HB 2595, HB 3433, HB 3752, HB 3899, HB 4153, HB 4313, SB 965, SB 1448**

International Relations and Economic Development - **HB 3271**

Judiciary and Civil Jurisprudence - **HB 3262**

Juvenile Justice and Family Issues - **HB 2924**

Land and Resource Management - **HB 448, HB 1526, HB 1564, HB 1653, HB 1897, HB 2041, HB 2044, HB 2776, HB 2837, HB 3570, HB 3800, HB 3827, HB 4573, HB 4574**

Licensing and Administrative Procedures - **HB 1485**

Natural Resources - **HB 4606**

Pensions, Investments, and Financial Services - **HB 3214, HB 3507**

Public Education - **HB 3270**

State Affairs - **HB 2000, HB 2558, HJR 2, SB 44**

Ways and Means - **HB 349, HB 1346, HB 1764, HB 3702, HJR 140**

#### **ENGROSSED**

**April 21 - HB 113, HB 270, HB 559, HB 851, HB 872, HB 999, HB 1315, HB 1371, HB 1387, HB 1565, HB 1570, HB 1849, HB 1993, HB 2116, HB 2350, HB 2374, HB 2390, HB 2483, HB 2519, HB 2658, HB 2680, HB 2683, HB 2957, HB 3257, HB 3600, HB 3786, HB 3799, HB 4218**

#### **ENROLLED**

**April 21 - HCR 78**

#### **SENT TO THE GOVERNOR**

**April 21 - HB 1445**

