

HOUSE JOURNAL

EIGHTY-SEVENTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTY-FOURTH DAY — MONDAY, MAY 10, 2021

The house met at 1:13 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 914).

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; Lemar; 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; 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 — Raney.

Absent — Pacheco.

The invocation was offered by Representative E. Thompson as follows:

Our good and gracious God, we take solace in that you use imperfect people to do your work. Use us. Give us wisdom and discernment so that we may use our positions to help others. We serve the people. Remind us of that daily, Father, and allow us to forgive others. May we give grace as freely as you do. Allow us to be your hands and feet in order to carry out your work. Father, we thank you for food in a world where many walk in hunger, for faith in a world where many walk in fear, for friends in a world where many walk alone. We ask that you give us this day, Father. Bless us and keep your hand of protection on all the people of this great state. We ask all this in the name above all names. Amen.

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

LEAVE OF ABSENCE GRANTED

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

Raney on motion of Harless.

(Murr in the chair)

HB 3731 - VOTE RECONSIDERED

Representative Deshotel moved to reconsider the vote by which **HB 3731** failed to pass by Record No. 906 on May 8.

The motion to reconsider prevailed.

HB 3731 ON THIRD READING

(by Dutton)

The chair laid before the house, on its third reading and final passage,

HB 3731, A bill to be entitled An Act relating to public school accountability ratings, including interventions and sanctions administered to a school district, open-enrollment charter school, or district or school campus assigned an unacceptable performance rating.

HB 3731 was read third time on May 8 and failed to pass by Record No. 906.

HB 3731 failed to pass by (Record 915): 59 Yeas, 82 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Button; Cain; Capriglione; Cason; Cook; Craddick; Deshotel; Dominguez; Dutton; Ellzey; Frank; Frullo; Gates; Goldman; Harless; Hefner; Huberty; Hull; Hunter; Jetton; King, K.; King, P.; Klick; Kuempel; Landgraf; Larson; Leach; Leman; Meyer; Middleton; Morrison; Murphy; Noble; Oliverson; Parker; Patterson; Paul; Raymond; Schofield; Shaheen; Slaton; Slawson; Smith; Spiller; Stephenson; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchia; Ashby; Bailes; Beckley; Bell, C.; Bernal; Bowers; Bucy; Burrows; Campos; Canales; Clardy; Cole; Coleman; Collier; Crockett; Cyrier; Darby; Davis; Dean; Fierro; Geren; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, T.; Lambert; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Paddie; Perez; Price; Ramos; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schaefer; Sherman; Shine; Smithee; Stucky; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Absent, Excused — Raney.

Absent — Cortez; Gervin-Hawkins; Krause; Pacheco; Sanford; White.

STATEMENTS OF VOTE

When Record No. 915 was taken, I was shown voting no. I intended to vote yes.

Burrows

When Record No. 915 was taken, I was shown voting no. I intended to vote yes.

Cyrier

When Record No. 915 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 915 was taken, I was shown voting yes. I intended to vote present, not voting.

Dominguez

When Record No. 915 was taken, I was in the house but away from my desk. I would have voted yes.

Gervin-Hawkins

When Record No. 915 was taken, my vote failed to register. I would have voted yes.

Krause

When Record No. 915 was taken, my vote failed to register. I would have voted no.

Pacheco

When Record No. 915 was taken, I was in the house but away from my desk. I would have voted yes.

White

(Pacheco now present)

POSTPONED BUSINESS

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

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

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

CSHB 3276 was read second time on May 4, postponed until May 6, postponed until May 7, and was again postponed until 9 a.m. May 8.

Amendment No. 1

Representative Parker offered the following amendment to **CSHB 3276**:

Amend **CSHB 3276** (house committee printing) as follows:

(1) On page 1, line 7, at the beginning of the line, insert the following:

This section applies to:

(1) a primary election;

(2) the general election for state and county officers; and

(3) an election in which the county clerk serves as the early voting clerk.

(b)

(2) On page 1, line 9, strike "ballots voted" and substitute "voted ballots".

(3) On page 1, lines 9 through 10, strike "polls close or the time the last voter has voted, whichever is later," and substitute "ballots are delivered to the general custodian of election records".

(4) On page 1, line 11, strike "video recorded is" and substitute "video recording shall be retained in the same manner as".

(5) On page 1, line 12, strike "66.002" and substitute "66.058".

(6) On page 1, line 13, strike "(b)" and substitute "(c)".

(7) On page 1, line 15, strike "Subsection (a)" and substitute "Subsection (b)".

(8) On page 1, strike lines 17 through 19.

(9) On page 1, line 20, strike "adopt rules" and substitute "prescribe procedures".

(10) Strike page 1, line 22 through page 2, line 4.

(11) Add the following SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION ____. Section 31.009, Election Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) If state funds are made available to provide for the security of voted ballots under Section 65.016, the secretary of state shall administer and distribute the funds to counties as appropriate to most effectively facilitate the purpose for which the funds are made available.

(c) The secretary of state shall prescribe any necessary rules and take any appropriate action to implement this section.

SECTION ____. Subchapter A, Chapter 31, Election Code, is amended by adding Section 31.0112 to read as follows:

Sec. 31.0112. VIDEO RECORDING OF COUNTING LOCATIONS FUND. (a) The video recording of counting locations fund is an account in the general fund.

(b) The secretary of state shall establish a grant program to assist counties with the implementation of this section.

(c) If a federal program makes funding available to this state for the purpose of video recording of ballot counting locations, state funds appropriated under this section may be used to meet federal matching requirements under the federal program.

(d) The fund is exempt from the application of Section 403.095, Government Code.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Beckley offered the following amendment to **CSHB 3276**:

Amend **CSHB 3276** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. The governing body of a political subdivision is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the governing body may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Clardy offered the following amendment to **CSHB 3276**:

Amend **CSHB 3276** (house committee printing) as follows:

(1) On page 1, lines 8 through 9, strike "all areas containing ballots voted" and substitute "the central counting station".

(2) On page 1, lines 9 through 10, strike "polls close or the time the last voter has voted, whichever is later," and substitute "ballots are delivered to the general custodian of election records".

(3) On page 1, strike lines 13 through 19 and substitute the following:

(b) The general custodian of election records shall maintain for each area recorded under Subsection (a) a log of all visitors to the recorded area.

(c) The log under Subsection (b) shall include for each visitor to the recorded area:

(1) the name of the visitor;

(2) the office, title, or duty of the visitor with respect to the election, if any;

(3) the time the visitor enters the area;

(4) the time the visitor leaves the area; and

(5) the purpose of the visitor's presence.

(4) On page 1, between lines 21 and 22, insert the following:

(e) This section does not apply to a county with a population of less than 100,000.

Amendment No. 3 failed of adoption.

Amendment No. 4

Representative Clardy offered the following amendment to **CSHB 3276**:

Amend **CSHB 3276** (house committee report) on page 1, between lines 21 and 22, by inserting the following:

(e) This section does not apply to a county with a population of less than 100,000.

Amendment No. 4 failed of adoption.

CSHB 3276, as amended, was passed to engrossment.

CSHB 1556 ON SECOND READING

(by Murphy, Burrows, Moody, Meyer, Shine, et al.)

CSHB 1556, A bill to be entitled An Act relating to the Texas Economic Development Act; requiring the imposition of an authorized fee and changing the amounts of certain fees.

CSHB 1556 was read second time on May 7 and was postponed until 9:45 a.m. today.

CSHB 1556 - POINT OF ORDER

Representative Slaton raised a point of order against further consideration of **CSHB 1556** under Rule 4, Section 32(c)(2), of the House Rules on the grounds that the bill analysis is materially misleading. The point of order was withdrawn.

LEAVE OF ABSENCE GRANTED

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

Capriglione on motion of Goldman.

CSHB 1556 - (consideration continued)

Amendment No. 1

Representative Tinderholt offered the following amendment to **CSHB 1556**:

Amend **CSHB 1556** (house committee report) as follows:

- (1) Strike page 1, line 10, through page 5, line 14.
- (2) On page 5, line 20, strike "313.021(1)(F) or (G) ~~313.021(1)(E)~~" and substitute "313.021(1)(F) ~~313.021(1)(E)~~".
- (3) On page 5, line 25, strike "~~and~~" and substitute "and".
- (4) Strike page 6, lines 2 through 13, and substitute the following:
of the applicant's qualifying investment.
- (5) On page 10, line 13, strike "313.027(a-1), (f)," and substitute "313.027(f)".
- (6) Strike page 10, line 15, through page 11, line 3.
- (7) Renumber the SECTIONS of the bill accordingly.

(Speaker in the chair)

A record vote was requested by Representative Biedermann.

Amendment No. 1 was adopted by (Record 916): 81 Yeas, 61 Nays, 1 Present, not voting.

Yeas — Allen; Ashby; Beckley; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Button; Cain; Campos; Canales; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Davis; Dominguez; Ellzey; Frank; Gates; Gervin-Hawkins; González, J.; González, M.; Goodwin; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Howard; Hull; Israel; Jetton; King, P.; Krause; Leach; Leman; Longoria; Lopez; Lucio; Martinez Fischer; Meza; Middleton; Minjarez; Morrison; Neave; Oliverson; Pacheco; Parker; Patterson; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Slaton; Stephenson; Swanson; Talarico; Tinderholt; Toth; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Allison; Anchia; Anderson; Bailes; Bell, K.; Burns; Burrows; Cyrier; Darby; Dean; Deshotel; Dutton; Fierro; Frullo; Geren; Goldman; Guerra; Guillen; Holland; Huberty; Hunter; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Lozano; Martinez; Metcalf; Meyer; Moody; Murphy; Murr; Noble; Ordaz Perez; Ortega; Paddie; Paul; Perez; Price; Raymond; Rogers; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; White.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Bell, C.; Morales, C.; Morales, E.; Morales Shaw; Muñoz.

STATEMENTS OF VOTE

When Record No. 916 was taken, I was shown voting no. I intended to vote yes.

K. Bell

When Record No. 916 was taken, I was shown voting no. I intended to vote yes.

Burns

When Record No. 916 was taken, I was shown voting yes. I intended to vote no.

Button

When Record No. 916 was taken, I was shown voting no. I intended to vote yes.

Cyrier

When Record No. 916 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 916 was taken, I was shown voting no. I intended to vote yes.

Goldman

When Record No. 916 was taken, I was shown voting no. I intended to vote yes.

Holland

When Record No. 916 was taken, I was shown voting no. I intended to vote yes.

J.D. Johnson

When Record No. 916 was taken, I was shown voting no. I intended to vote yes.

Lambert

When Record No. 916 was taken, I was shown voting no. I intended to vote yes.

Landgraf

When Record No. 916 was taken, I was shown voting no. I intended to vote yes.

Metcalf

When Record No. 916 was taken, I was in the house but away from my desk. I would have voted no.

C. Morales

When Record No. 916 was taken, I was in the house but away from my desk. I would have voted no.

E. Morales

When Record No. 916 was taken, my vote failed to register. I would have voted no.

Morales Shaw

When Record No. 916 was taken, I was in the house but away from my desk. I would have voted yes.

Muñoz

When Record No. 916 was taken, I was shown voting no. I intended to vote yes.

Murr

When Record No. 916 was taken, I was shown voting no. I intended to vote yes.

Stucky

When Record No. 916 was taken, I was shown voting no. I intended to vote yes.

S. Thompson

When Record No. 916 was taken, I was shown voting no. I intended to vote yes.

VanDeaver

Amendment No. 2

Representative Rosenthal offered the following amendment to **CSHB 1556**:

Amend **CSHB 1556** (house committee printing) as follows:

(1) Strike page 4, lines 24 and 25, and substitute the following:

(b) create a number of [at least 25] new qualifying jobs equal to at least the amount computed by:

(1) subtracting from the market value of the owner's qualified property as described in the agreement between the owner and the school district entered into under this section the appraised value for school district maintenance and operations ad valorem tax purposes of the property;

(2) rounding the amount computed under Sub-sub-subparagraph (1) to the nearest \$1 million;

(3) dividing the amount computed under Sub-sub-subparagraph (2) by \$1 million; and

(4) multiplying the amount computed under Sub-sub-subparagraph (3) by 25;

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

SECTION _____. Section 313.051(b), Tax Code is amended to read as follows:

(b) The governing body of a school district to which this subchapter applies may enter into an agreement in the same manner as a school district to which Subchapter B applies may do so under Subchapter B, subject to Sections 313.052-313.054. Except as otherwise provided by this subchapter, the provisions of Subchapter B apply to a school district to which this subchapter applies. For purposes of this subchapter, a property owner is required to create a number of [at least 10] new qualifying jobs as defined by Section 313.021(3) on the owner's qualified property equal to at least the amount computed by:

(1) subtracting from the market value of the owner's qualified property as described in the agreement between the owner and the school district entered into under this section the appraised value for school district maintenance and operations ad valorem tax purposes of the property;

(2) rounding the amount computed under Subdivision (1) to the nearest \$1 million;

(3) dividing the amount computed under Subdivision (2) by \$1 million;
and

(4) multiplying the amount computed under Subdivision (3) by 10.

Amendment No. 2 was withdrawn.

Amendment No. 3

Representative Rosenthal offered the following amendment to **CSHB 1556**:

Amend **CSHB 1556** (house committee printing) as follows:

(1) On page 1, line 10, strike "313.021(1) and (2)," and substitute "313.021(1), (2), and (3)."

(2) On page 5, between lines 14 and 15, insert the following:

(3) "Qualifying job" means a permanent full-time job that:

(A) requires at least 1,600 hours of work a year;

(B) is not transferred from one area in this state to another area in

this state;

(C) is not created to replace a previous employee;

(D) is covered by a group health benefit plan for which the business offers to pay at least 80 percent of the premiums or other charges assessed for employee-only coverage under the plan, regardless of whether an employee may voluntarily waive the coverage; ~~and~~

(E) provides retirement benefits; and

(F) pays at least the greater of:

(i) 110 percent of the county average weekly wage for manufacturing jobs in the county where the job is located; or

(ii) the wage required by Section 313.024(d)(2)(A).

(G) ~~(F)~~ In determining whether a property owner has created the number of qualifying jobs required under this chapter, operations, services and other related jobs created in connection with the project, including those employed by third parties under contract, may satisfy the minimum qualifying jobs requirement for the project if the Texas Workforce Commission determines that the cumulative economic benefits to the state of these jobs is the same or greater than that associated with the minimum number of qualified jobs required to be created under this chapter. The Texas Workforce Commission may adopt rules to implement this subsection.

(3) On page 5, line 15, strike "Section 313.024(c), Tax Code, is" and substitute "Sections 313.024(c) and (d), Tax Code, are".

(4) On page 6, between lines 13 and 14, insert the following:

(d) To be eligible for a limitation on appraised value under this subchapter:

(1) ~~[7]~~ the property owner must create the required number of new qualifying jobs as defined by Section 313.021(3); and

(2) each job ~~[the average weekly wage for all jobs]~~ created by the owner that is ~~[are]~~ not a qualifying job must:

(A) pay a wage equal to at least the greater of:

(i) \$15 per hour; or

(ii) the prevailing wage rate in the area for that type of job as determined by the United States Department of Labor in accordance with the Davis-Bacon Act (40 U.S.C Section 3141 et seq.), and its subsequent amendments; and

(B) provide health and retirement benefits [jobs must exceed the county average weekly wage for all jobs in the county where the jobs are located].

Amendment No. 3 was adopted.

Amendment No. 4

Representative Tinderholt offered the following amendment to **CSHB 1556**:

Amend **CSHB 1556** (house committee report) on page 5 by striking lines 15 and 16 and substituting the following:

SECTION 3. Section 313.024, Tax Code, is amended by adding Subsection (b-2) and amending Subsection (c) to read as follows:

(b-2) An entity that uses property for electric power generation is eligible for a limitation on appraised value under this subchapter only if the operator of the generation facility:

(1) pays all costs associated with interconnecting the facility; and

(2) commits to contract for replacement generating capacity to be made available to the relevant independent system operator from a source other than the facility during the highest 72 summer and winter load hours in an amount that is equal to at least 59 percent of the installed capacity of the facility.

Amendment No. 5

Representative Tinderholt offered the following amendment to Amendment No. 4:

Amend the floor amendment to **CSHB 1556** by Tinderholt by striking lines 10-14 and substituting the following:

(2) commits to generate, onsite or through a secured contract for replacement power, at least 59 percent of the installed capacity of the facility during the highest 72 summer and winter load hours.

Amendment No. 5 was adopted.

A record vote was requested by Representative Biedermann.

Amendment No. 4, as amended, failed of adoption by (Record 917): 35 Yeas, 109 Nays, 1 Present, not voting.

Yeas — Ashby; Bell, K.; Biedermann; Cain; Cason; Cook; Cyrier; Frank; Gates; Guillen; Hefner; Holland; Hull; Krause; Leach; Metcalf; Middleton; Morales Shaw; Noble; Oliverson; Patterson; Ramos; Rogers; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Swanson; Tinderholt; Toth; Vasut; White; Wilson.

Nays — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Canales; Clardy; Cole; Collier; Cortez; Craddick; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Harless; Harris; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murphy; Murr; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Raymond; Reynolds; Rodriguez;

Romero; Rose; Rosenthal; Sherman; Shine; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Bell, C.; Campos; Coleman.

STATEMENTS OF VOTE

When Record No. 917 was taken, I was shown voting no. I intended to vote yes.

Burns

When Record No. 917 was taken, I was shown voting no. I intended to vote yes.

Landgraf

When Record No. 917 was taken, I was shown voting no. I intended to vote yes.

Murr

Amendment No. 6

Representative Rosenthal offered the following amendment to **CSHB 1556**:

Amend **CSHB 1556** (house committee printing) as follows:

(1) On page 5, line 15, strike "Section 313.024(c), Tax Code, is" and substitute "Sections 313.024(c) and (d), Tax Code, are".

(2) On page 6, between lines 13 and 14, insert the following:

(d) To be eligible for a limitation on appraised value under this subchapter:

(1) [7] the property owner must create the required number of new qualifying jobs as defined by Section 313.021(3);

(2) at least 50 percent of all new qualifying jobs as defined by Section 313.021(3) created by the owner must be filled by residents of a county in which the school district is located; and

(3) the average weekly wage for all jobs created by the owner that are not qualifying jobs must exceed the county average weekly wage for all jobs in the county where the jobs are located.

A record vote was requested by Representative Biedermann.

Amendment No. 6 was adopted by (Record 918): 86 Yeas, 59 Nays, 1 Present, not voting.

Yeas — Allen; Anderson; Beckley; Bernal; Biedermann; Bowers; Bucy; Campos; Cason; Cole; Coleman; Collier; Cortez; Crockett; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Gates; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hefner; Hernandez; Herrero; Hinojosa; Howard; Hull; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King,

T.; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Martinez; Martinez Fischer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murr; Neave; Ordaz Perez; Ortega; Pacheco; Patterson; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schaefer; Schofield; Shaheen; Sherman; Slaton; Stephenson; Swanson; Talarico; Thierry; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Allison; Anchia; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Burns; Burrows; Button; Cain; Canales; Clardy; Cook; Craddock; Cyrier; Darby; Frank; Frullo; Geren; Goldman; Harris; Huberty; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Lozano; Lucio; Metcalf; Meyer; Morrison; Murphy; Noble; Oliverson; Paddie; Parker; Paul; Perez; Price; Raymond; Rogers; Sanford; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Thompson, E.; Toth; VanDeaver; White.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Ellzey; Holland.

STATEMENTS OF VOTE

When Record No. 918 was taken, I was shown voting no. I intended to vote yes.

Ashby

When Record No. 918 was taken, I was shown voting no. I intended to vote yes.

Cain

When Record No. 918 was taken, my vote failed to register. I would have voted no.

Ellzey

When Record No. 918 was taken, I was in the house but away from my desk. I would have voted no.

Holland

When Record No. 918 was taken, I was shown voting no. I intended to vote yes.

Lambert

When Record No. 918 was taken, I was shown voting yes. I intended to vote no.

J. Turner

Amendment No. 7

Representative Tinderholt offered the following amendment to **CSHB 1556**:

Amend **CSHB 1556** (house committee report) on page 8, line 21, by striking "seven" and substituting "30 [~~seven~~]".

A record vote was requested by Representative Biedermann.

Amendment No. 7 was adopted by (Record 919): 134 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Burns; Burrows; Button; Cain; Canales; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; 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; Leach; Leman; Longoria; Lopez; Lozano; Martinez; Martinez Fischer; Metcalf; Meyer; 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; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, J.; VanDeaver; Vasut; Vo; White; Wilson; Zwiener.

Nays — Meza.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Bucy; Campos; Coleman; Davis; Hernandez; Herrero; Larson; Lucio; Rose; Turner, C.; Walle; Wu.

STATEMENT OF VOTE

When Record No. 919 was taken, I was in the house but away from my desk. I would have voted no.

Rose

Amendment No. 8

Representative Martinez Fischer offered the following amendment to **CSHB 1556**:

Amend **CSHB 1556** (house committee report) as follows:

(1) On page 6, lines 15 and 16, strike "Subsection (a-2)" and substitute "Subsections (a-2) and (d-2)".

(2) On page 10, between lines 12 and 13, insert the following:

(d-2) The governing body of a school district that elects to approve an application under this subchapter may not approve the application unless the approval has first been submitted to the voters at an election held for that purpose and the voters authorize the approval.

Representative Murphy moved to postpone consideration of **CSHB 1556** until 10 a.m. Tuesday, June 1.

The motion prevailed.

SB 374 ON SECOND READING
(Shine - House Sponsor)

SB 374, A bill to be entitled An Act relating to municipal annexation of certain rights-of-way.

SB 374 was considered in lieu of **CSHB 1241**.

SB 374 was read second time.

Amendment No. 1

Representative Shine offered the following amendment to **SB 374**:

Amend **SB 374** (house committee printing) as follows:

(1) On page 1, lines 18 and 19, strike the following:

⋮

(1)

(2) On page 1, line 21, strike "(A)" and substitute "(1)".

(3) On page 1, line 23, strike "(B)" and substitute "(2)".

(4) On page 1, line 24, strike "or a right-of-way described by" and substitute an underlined period.

(5) On page 2, strike lines 1-4.

Amendment No. 1 was adopted.

SB 374, as amended, was passed to third reading. (Leach recorded voting no.)

CSHB 1241 - LAID ON THE TABLE SUBJECT TO CALL

Representative Shine moved to lay **CSHB 1241** on the table subject to call.

The motion prevailed.

CSHB 1418 ON SECOND READING
(by Leach, Gervin-Hawkins, Lucio, Holland, et al.)

CSHB 1418, A bill to be entitled An Act relating to civil liability and responsibility for the consequences of defects in the plans, specifications, or related documents for the construction or repair of an improvement to real property.

CSHB 1418 was read second time on April 27, postponed until May 3, and was again postponed until 10 a.m. today.

Representative Leach moved to postpone consideration of **CSHB 1418** until 10 a.m. Wednesday, May 12.

The motion prevailed.

CSHB 2579 ON SECOND READING**(by Leach)**

CSHB 2579, A bill to be entitled An Act relating to shorthand reporting and depositions.

CSHB 2579 was read second time on April 29, postponed until May 3, and was again postponed until 10 a.m. today.

Representative Leach moved to postpone consideration of **CSHB 2579** until 10 a.m. Wednesday, June 2.

The motion prevailed.

CSHB 818 ON SECOND READING**(by Cole, S. Thompson, K. Bell, Holland, Leman, et al.)**

CSHB 818, A bill to be entitled An Act relating to the prosecution and punishment of the criminal offense of harassment; creating a criminal offense.

CSHB 818 was read second time on May 3 and was postponed until 10 a.m. today.

Representative Cole moved to postpone consideration of **CSHB 818** until 10 a.m. tomorrow.

The motion prevailed.

HB 1776 ON SECOND READING**(by K. Bell, Allison, Harris, Toth, et al.)**

HB 1776, A bill to be entitled An Act relating to the inclusion of an elective course on the founding principles of the United States in the curriculum for public high school students and the posting of the founding documents of the United States in public school buildings.

HB 1776 was read second time on May 3 and was postponed until 10 a.m. today.

Representative K. Bell moved to postpone consideration of **HB 1776** until 3:25 p.m. today.

The motion prevailed.

CSHB 3175 ON SECOND READING**(by Morrison, Ashby, Pacheco, Wilson, Coleman, et al.)**

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

CSHB 3175 was read second time on May 6 and was postponed until 10 a.m. today.

Representative Morrison moved to postpone consideration of **CSHB 3175** until 10 a.m. tomorrow.

The motion prevailed.

SB 1225 ON SECOND READING
(Paddie, Raymond, and Canales - House Sponsors)

SB 1225, A bill to be entitled An Act relating to the authority of a governmental body impacted by a catastrophe to temporarily suspend the requirements of the public information law.

SB 1225 was considered in lieu of **HB 3627**.

SB 1225 was read second time.

SB 1225 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE HUNTER: For purpose of legislative intent, could you explain how you envision this particular bill working?

REPRESENTATIVE PADDIE: Yes, sir. Governmental entities that are unable to retrieve physical documents because of a catastrophe would be required to provide whatever information they are able to access electronically and follow up with any additional responsible physical documents once the catastrophe is over. If a governmental body has inaccessible information at their physical offices, say as a result of flooding or other catastrophe, the governmental body would be required to release that information as soon as practical after the office is opened or, if necessary, request a ruling from the OAG on the inaccessible information. In making that request, they will let the OAG know it was inaccessible.

HUNTER: Thank you. And would inaccessible information still be subject to the same deadlines as accessible information? In other words, would this bill prejudice a governmental body that is unable to get physically held information because its office flooded?

PADDIE: It is not the intention to prejudice the governmental body because they are closed for a catastrophic event. This bill simply limits the governmental body to indefinitely extend their catastrophe notice by giving them 14 days to recover from a catastrophe. If the office is closed for all purposes because of something like flooding and if people are working remotely, this bill requires them to produce electronic information while the physical office is closed. Once they are back in the office or if they need to, they can file a catastrophe notice so that no deadlines apply while they are recovering from the catastrophe. The point of that recovery is going to be to gather public information request documents.

SB 1225 was passed to third reading.

HB 3627 - LAID ON THE TABLE SUBJECT TO CALL

Representative Paddie moved to lay **HB 3627** on the table subject to call.

The motion prevailed.

MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING

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

CSHB 3 ON SECOND READING
(by Burrows)

CSHB 3, A bill to be entitled An Act relating to state and local government responses to a pandemic disaster, including the establishment of the Pandemic Disaster Legislative Oversight Committee.

Representative Burrows moved to postpone consideration of **CSHB 3** until 5 p.m. today.

The motion prevailed.

REMARKS ORDERED PRINTED

Representative Paddie moved to print remarks between Representative Hunter and Representative Paddie on **SB 1225**.

The motion prevailed.

CONSTITUTIONAL AMENDMENTS CALENDAR
HOUSE JOINT RESOLUTIONS
SECOND READING

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

CSHJR 72 ON SECOND READING
(by Leach, Parker, Noble, Slawson, et al.)

CSHJR 72, A joint resolution proposing a constitutional amendment to prohibit this state or a political subdivision of this state from prohibiting or limiting religious services of religious organizations.

Representative Leach moved to postpone consideration of **CSHJR 72** until 10 a.m. tomorrow.

The motion prevailed.

GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING

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

CSHB 1396 ON SECOND READING
(by White, et al.)

CSHB 1396, A bill to be entitled An Act relating to law enforcement agencies and policies and procedures affecting peace officers.

Representative White moved to postpone consideration of **CSHB 1396** until 10 a.m. Wednesday, May 12.

The motion prevailed.

CSHB 4387 ON SECOND READING
(by M. González, VanDeaver, Stucky, and Raney)

CSHB 4387, A bill to be entitled An Act relating to the establishment of the Texas Transfer Grant Pilot Program.

Representative Stucky moved to postpone consideration of **CSHB 4387** until 6 p.m. today.

The motion prevailed.

CSHB 1683 ON SECOND READING
(by Landgraf, Guillen, Ellzey, Toth, and E. Morales)

CSHB 1683, A bill to be entitled An Act relating to the enforcement of certain federal laws regulating oil and gas operations within the State of Texas.

Amendment No. 1

Representative Zwiener offered the following amendment to **CSHB 1683**:

Amend **CSHB 1683** (house committee printing) on page 1, between lines 21 and 22, by inserting the following appropriately lettered subsection:

() This section does not prohibit a state agency from entering into a memorandum of agreement with a federal agency to implement a federal law if otherwise authorized by state law, including a memorandum of agreement that authorizes the state agency to execute authority delegated to that state agency by the federal agency.

Amendment No. 1 was adopted.

CSHB 1683, as amended, was passed to engrossment.

(Capriglione now present)

HB 2656 ON SECOND READING
(by Moody)

HB 2656, A bill to be entitled An Act relating to licensing examinations for certain court interpreters.

HB 2656 was passed to engrossment.

CSHB 1810 ON SECOND READING
(by Capriglione)

CSHB 1810, A bill to be entitled An Act relating to maintenance and production of electronic public information under the public information law.

CSHB 1810 was passed to engrossment.

LEAVE OF ABSENCE GRANTED

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

Capriglione on motion of Goldman.

CSHB 4146 ON SECOND READING
(by T. King, Cole, and Rodriguez)

CSHB 4146, A bill to be entitled An Act relating to a restriction on permits authorizing direct discharges of waste or pollutants into water in certain stream segments, stream assessment units, and drainage areas.

Amendment No. 1

Representative T. King offered the following amendment to **CSHB 4146**:

Amend **CSHB 4146** (house committee report) as follows:

(1) Strike page 2, line 20 through page 3, line 2 and substitute the following:

(c) The commission may not issue a new permit authorizing the direct discharge from a domestic wastewater treatment facility of any waste, effluent, or pollutants into a stream segment, stream assessment unit, or drainage area to which this section applies.

(2) On page 3, line 14, strike "or permit amendment".

(3) On page 3, lines 16-17, strike "or permit amendment".

(4) On page 3, line 6, between "discharge" and "of waste" insert "from a domestic wastewater treatment facility".

Amendment No. 1 was adopted.

Amendment No. 2

Representative C. Bell offered the following amendment to **CSHB 4146**:

Amend **CSHB 4146** (house committee report, page 3, between lines 8-9) by adding the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

() a new or amended permit to a public or private entity that authorizes a direct discharge of waste, effluent, or pollutants that:

(A) at a minimum, achieves the following level of effluent treatment:

(i) five milligrams per liter of biochemical oxygen demand, based on a 30-day average;

(ii) five milligrams per liter of total suspended solids, based on a 30-day average;

(iii) two milligrams per liter of ammonia nitrogen, based on a 30-day average;

(iv) 0.5 milligram per liter of phosphorus, based on a 30-day average; and

(B) meets more stringent levels of effluent treatment determined by the commission as necessary to protect receiving water quality on a case-by-case basis;

Amendment No. 2 was adopted. (The vote was reconsidered later today, and Amendment No. 2 failed of adoption by Record No. 923.)

CSHB 4146, as amended, was passed to engrossment. (Anderson recorded voting no.) (The vote was reconsidered later today, and **CSHB 4146**, as amended, passed by Record No. 924.)

HB 2926 ON SECOND READING
(by Parker, Krause, Minjarez, Talarico, et al.)

HB 2926, A bill to be entitled An Act relating to the reinstatement of the parent-child relationship with respect to a person whose parental rights have been involuntarily terminated.

Amendment No. 1

Representative Parker offered the following amendment to **HB 2926**:

Amend **HB 2926** (house committee report) as follows:

(1) On page 2, line 6, and page 4, line 27, between "rights" and the underlined semicolon, insert "and an appeal of the order is not pending".

(2) Strike "written" in each of the following places it appears:

- (A) On page 2, line 8; and
- (B) On page 5, line 2.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Cook offered the following amendment to **HB 2926**:

Amend **HB 2926** (house committee printing) as follows:

(1) On page 2, between lines 4 and 5, insert the following new subdivision:

(1) the termination of parental rights resulted from a suit filed by the department;

(2) On page 2, lines 5, 7, 8, and 10, renumber subsequent subdivisions of added Section 161.302(b), Family Code, and cross-references to those subdivisions accordingly.

Amendment No. 2 was adopted.

Amendment No. 3

Representatives Darby and Shine offered the following amendment to **HB 2926**:

Amend **HB 2926** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 161, Family Code, is amended by adding Section 161.2081 to read as follows:

Sec. 161.2081. NOTICE OF TERMINATION FOR CERTAIN RELATIVES. Immediately after a court renders an order terminating the parent-child relationship in a suit filed by the Department of Family and Protective Services, the department shall notify each individual described by Section 102.006(c) who has been identified under Section 262.1095 that:

- (1) the parent-child relationship has been terminated; and
- (2) the individual has 90 days after the date the order is rendered to file an original suit or a suit for modification requesting managing conservatorship of the child in accordance with Section 102.006(c).

Amendment No. 3 was adopted.

A record vote was requested by Representative Slaton.

HB 2926, as amended, was passed to engrossment by (Record 920): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Cason; Clardy; Cole; 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; Lucio; Martinez; Martinez Fischer; Metcalf; 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; 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 — Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Lozano; Meyer; Thierry.

STATEMENT OF VOTE

When Record No. 920 was taken, I was in the house but away from my desk. I would have voted yes.

Meyer

SB 1225 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED

Representative Paddie moved to suspend Rule 8, Section 5(d), of the House Rules to designate as house sponsors and co-sponsors for **SB 1225** all joint authors and co-authors for **HB 3627** who sign on to **HB 3627** before **SB 1225** passes the house on third reading.

The motion prevailed.

SB 1615 ON SECOND READING (VanDeaver and Bernal - House Sponsors)

SB 1615, A bill to be entitled An Act relating to the adult high school charter school program.

SB 1615 was considered in lieu of **HB 1942**.

SB 1615 was passed to third reading.

HB 1942 - LAID ON THE TABLE SUBJECT TO CALL

Representative VanDeaver moved to lay **HB 1942** on the table subject to call.

The motion prevailed.

**CSSB 286 ON SECOND READING
(Neave - House Sponsor)**

CSSB 286, A bill to be entitled An Act relating to suits affecting the parent-child relationship and child support, including the payment of spousal maintenance by an obligor ordered to pay child support and the disclaimer of a property interest by a child support obligor.

CSSB 286 was considered in lieu of **HB 2952**.

CSSB 286 was passed to third reading.

HB 2952 - LAID ON THE TABLE SUBJECT TO CALL

Representative Neave moved to lay **HB 2952** on the table subject to call.

The motion prevailed.

**HB 1664 ON SECOND READING
(by White and Guillen)**

HB 1664, A bill to be entitled An Act relating to the reinstatement of eligibility for medical assistance of certain children placed in juvenile facilities.

HB 1664 was passed to engrossment.

**CSHB 692 ON SECOND READING
(by Shine, K. Bell, Darby, C. Bell, et al.)**

CSHB 692, A bill to be entitled An Act relating to retainage requirements for certain public works construction projects.

Amendment No. 1

Representative Darby offered the following amendment to **CSHB 692**:

Amend **CSHB 692** (house committee printing) as follows:

(1) On page 2, line 17, between "the" and "contract", insert "work required to be performed under the".

(2) Strike page 2, lines 18 through 24, and substitute the following:

(b) Except as provided by Subsection (i):

(1) if the total value of a public works contract is less than \$5 million, a governmental entity may not withhold retainage in an amount that exceeds 10 percent of the contract price and the rate of retainage may not exceed 10 percent for any item in a bid schedule or schedule of values for the project, including materials and equipment delivered on site to be installed;

(2) if the total value of a public works contract is \$5 million or more, a governmental entity may not withhold retainage in an amount that exceeds five percent of the contract price and the rate of retainage may not exceed five percent for any item in a bid schedule or schedule of values for the project, including materials and equipment delivered on site to be installed; and

(3) if a public works contract relates to the construction or maintenance of a dam, as that term is defined by Section 423.0045, regardless of the total value of the contract, a governmental entity may not withhold retainage in an amount that exceeds 10 percent of the contract price and the rate of retainage may not exceed 10 percent for any item in a bid schedule or schedule of values for the project, including materials and equipment delivered on site to be installed.

(3) On page 3, line 4, strike "contract described by Subsection (b)" and substitute "public works contract".

(4) On page 3, line 7, strike "than the percentage" and substitute "than the percentage that may be".

(5) On page 3, line 9, strike "Subsection (b)" and substitute "the contract".

(6) On page 3, line 16, between "the" and "contract", insert "work required to be performed under the".

(7) On page 3, line 19, between "the" and "contract", insert "work required to be performed under the".

(8) Strike page 4, lines 1 through 4, and substitute the following:
contractor, or by a person under the direction or control of the prime contractor, failed to comply with the express terms of the contract or if the surety on any outstanding surety bond executed for the contract does not agree to the release of retainage. The governmental entity must provide to the prime contractor written notice of the basis on which the governmental entity is withholding retainage under this subsection. If there is no bona fide dispute between

(9) Strike page 4, lines 13 through 18, and substitute the following:

(g) A governmental entity is not required to accept a prime contractor's offer of compensation under Subsection (f)(2).

(h) Subsection (f) may not be construed to limit either the governmental entity's or prime contractor's right to pursue any remedy available under the express terms of the public works contract or other applicable law.

(10) On page 4, line 19, strike "(h)" and substitute "(i)".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Howard offered the following amendment to **CSHB 692**:

Amend **CSHB 692** (house committee printing) on page 5, between lines 3 and 4, by inserting the following appropriately lettered subsection:

() This section may not be construed as affecting a governmental entity's ability to retain certain amounts due under a contract as required by Chapter 2258.

Amendment No. 2 was adopted.

A record vote was requested by Representative Israel.

CSHB 692, as amended, was passed to engrossment by (Record 921): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Cason; Clardy; Cole; 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; 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; 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; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Hernandez; Perez; Vasut.

STATEMENTS OF VOTE

When Record No. 921 was taken, I was in the house but away from my desk. I would have voted yes.

Perez

When Record No. 921 was taken, my vote failed to register. I would have voted yes.

Vasut

HB 854 ON SECOND READING (by Burns)

HB 854, A bill to be entitled An Act relating to the punishment for the offense of unlawfully carrying a handgun by a license holder.

HB 854 was passed to engrossment.

(Goldman in the chair)

POSTPONED BUSINESS

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

SB 1776 ON SECOND READING**(K. Bell, Allison, Toth, Harris, et al. - House Sponsors)**

SB 1776, A bill to be entitled An Act relating to the inclusion of an elective course on the founding principles of the United States in the curriculum for public high school students and the posting of the founding documents of the United States in public school buildings.

SB 1776 was considered in lieu of **HB 1776**.

SB 1776 was read second time.

Amendment No. 1

Representative K. Bell offered the following amendment to **SB 1776**:

Amend **SB 1776** (house committee report) on page 4, between lines 12 and 13, by inserting the following appropriately lettered subsection:

() If, for a particular semester, fewer than 15 students at a high school campus of a school district or open-enrollment charter school register to enroll in a course required by this section, the district or school is not required to offer the course at that campus for that semester.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Oliverson offered the following amendment to **SB 1776**:

Amend **SB 1776** (house committee report) by striking SECTION 1 and substituting the following:

SECTION 1. Section 1.004, Education Code, is amended to read as follows:

Sec. 1.004. DISPLAY OF NATIONAL MOTTO AND FOUNDING DOCUMENTS BY PUBLIC ELEMENTARY OR SECONDARY SCHOOLS.

(a) In this Section, "founding documents of the United States" means the:

- (1) United States Declaration of Independence;
- (2) United States Constitution; and,
- (3) essays 10 and 57 of the Federalist Papers.

(b) A public elementary or secondary school must ~~or an institution of higher education as defined by Section 61.003 may~~ display in a conspicuous place in each building of the school a durable poster or framed copy of the United States national motto, "In God We Trust," and the founding documents of the United States if the poster or copy is:

- (1) donated for display at the school; or
- (2) purchased from private donation and made available to the school ~~[in each classroom, auditorium, and cafeteria].~~

(c) A public elementary or secondary school may accept and use private donations for the purposes of Subsection (b).

Amendment No. 2 was adopted.

Amendment No. 3

Representative Vasut offered the following amendment to **SB 1776**:

Amend **SB 1776** (house committee report) as follows:

(1) On page 3, line 27 through page 4, line 1, strike "the posting of founding documents under Section 11.172" and substitute "the posting of the documents under Section 1.004"

Amendment No. 3 was adopted.

Amendment No. 4

Representative J.D. Johnson offered the following amendment to **SB 1776**:

Amend **SB 1776** (house committee report) on page 4, at the end of line 8, by inserting the following:

The State Board of Education shall by rule identify the essential knowledge and skills for the course.

Amendment No. 4 was adopted.

Amendment No. 5

Representative Slaton offered the following amendment to **SB 1776**:

Amend **SB 1776** (house committee report) on page 4, line 11, between "Constitution" and the underlined comma, by inserting "including the Tenth Amendment".

Amendment No. 5 was adopted.

Amendment No. 6

Representative Crockett offered the following amendment to **SB 1776**:

Amend **SB 1776** (house committee printing) on page 4, line 12, between "States" and the underlined period, by inserting:

, including a discussion of the reason behind the 3/5 compromise in the U.S. Constitution.

Amendment No. 6 was adopted.

Amendment No. 7

Representative Zwiener offered the following amendment to **SB 1776**:

Amend **SB 1776** (house committee report) on page 4, line 12, between "States" and the underlined period, by inserting ", including the peaceful transfer of power".

Amendment No. 7 was adopted.

SB 1776, as amended, was passed to third reading.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Klick requested permission for the Committee on Public Health to meet while the house is in session, at 5 p.m. today, in 1W.14, to consider pending and referred business.

Permission to meet was granted.

HB 1776 - LAID ON THE TABLE SUBJECT TO CALL

Representative K. Bell moved to lay **HB 1776** on the table subject to call.

The motion prevailed.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today because of important business:

Hunter on motion of Lozano.

CSHB 2242 ON SECOND READING

(by Patterson)

CSHB 2242, A bill to be entitled An Act relating to illness or injury leave of absence for county and municipal firefighters and police officers.

Amendment No. 1

Representative Patterson offered the following amendment to **CSHB 2242**:

Amend **CSHB 2242** (house committee printing) as follows:

(1) On page 1, line 8, strike "AND POLICE OFFICERS" and substitute "POLICE OFFICERS, AND EMERGENCY MEDICAL SERVICES PERSONNEL".

(2) On page 1, between lines 9 and 10, add the following appropriately numbered subdivision and renumber subsequent subdivisions and cross-references accordingly:

() "Emergency medical services personnel" has the meaning assigned by Section 773.003, Health and Safety Code.

(3) Strike "or police officer" each time it appears (page 2, lines 3, 16, 18-19, 23, and 26, and page 3, lines 5, 9, 13, 15, and 16) and substitute "police officer, or emergency medical services personnel".

(4) On page 2, lines 10-11, strike "or police officer's" and substitute "police officer's, or emergency medical services personnel's".

Amendment No. 1 was adopted.

CSHB 2242, as amended, was passed to engrossment.

CSHB 4012 ON SECOND READING

(by Bonnen)

CSHB 4012, A bill to be entitled An Act relating to disclosures by certain health benefit plans to enrollees regarding certain preauthorized medical care and health care services.

Amendment No. 1

On behalf of Representative Bonnen, Representative Oliverson offered the following amendment to **CSHB 4012**:

Amend **CSHB 4012** (house committee report) as follows:

(1) On page 1, line 8, strike "DISCLOSURES CONCERNING" and substitute "EXPLANATION OF BENEFITS FOR".

(2) On page 1, strike lines 12 through 14, and renumber the subsequent subdivisions of the subsection accordingly.

(3) On page 1, between lines 23 and 24, insert the following:

(b) This section does not apply to coverage under:

(1) the child health plan program under Chapter 62, Health and Safety Code, or the health benefits plan for children under Chapter 63, Health and Safety Code; or

(2) the state Medicaid program, including a Medicaid managed care program operated under Chapter 533, Government Code.

(4) On page 1, line 24, strike "(b)" and substitute "(c)".

(5) On page 2, line 1, strike "a disclosure" and substitute "an explanation of benefits".

(6) Strike page 2, line 8, through page 3, line 19.

(7) On page 3, line 22, strike "DISCLOSURES CONCERNING" and substitute "EXPLANATION OF BENEFITS FOR".

(8) Strike page 3, line 26, through page 4, line 2, and renumber the subsequent subdivision of the subsection accordingly.

(9) On page 4, line 11, strike "a disclosure" and substitute "an explanation of benefits".

(10) Strike page 4, line 18, through page 6, line 1.

Amendment No. 1 was adopted.

CSHB 4012, as amended, was passed to engrossment. (K. Bell, Darby, Geren, Lambert, and Shine recorded voting no.)

CSHB 3081 ON SECOND READING
(by Krause, Bailes, Martinez, and Noble)

CSHB 3081, A bill to be entitled An Act relating to the issuance of digital tags for the taking of certain animals.

CSHB 3081 was passed to engrossment.

CSHB 4018 ON SECOND READING
(by Capriglione, Guillen, Frank, Shaheen, and E. Morales)

CSHB 4018, A bill to be entitled An Act relating to legislative oversight and funding of improvement and modernization projects for state agency information resources.

Representative T. King moved to postpone consideration of **CSHB 4018** until 8 p.m. today.

The motion prevailed.

CSHB 4210 ON SECOND READING**(by Paul)**

CSHB 4210, A bill to be entitled An Act relating to the authority of entities regulated by the Texas Department of Insurance to conduct business electronically.

Amendment No. 1

Representative Paul offered the following amendment to **CSHB 4210**:

Amend **CSHB 4210** (house committee report) on page 4, lines 7 and 8, by striking "Section 35.003, Insurance Code, as amended by this Act, applies" and substituting "Sections 35.003 and 35.004, Insurance Code, as amended by this Act, apply".

Amendment No. 1 was adopted.

Amendment No. 2

On behalf of Representative Lucio, Representative Guillen offered the following amendment to **CSHB 4210**:

Amend **CSHB 4210** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 35.001, Insurance Code, is amended by adding Subdivision (4-a) to read as follows:

(4-a) "Plan sponsor" means a person, other than a regulated entity, who establishes, adopts, or maintains a health benefit plan, including a vision or dental benefit plan, that covers residents of this state, including a plan established, adopted, or maintained by an employer or jointly by an employer and one or more employee organizations, an association, a committee, a joint board of trustees, or any similar group of representatives who establish, adopt, or maintain a plan.

SECTION _____. Chapter 35, Insurance Code, is amended by adding Section 35.0041 to read as follows:

Sec. 35.0041. CONSENT TO ELECTRONIC DELIVERY BY PLAN SPONSOR. (a) The plan sponsor of a health benefit plan, including a vision or dental benefit plan, may, on behalf of a party enrolled in the plan, give the consent required by Section 35.004(c)(1).

(b) Before consenting on behalf of a party, a plan sponsor must:

(1) provide the party with the statements required by Sections 35.004(c)(2) and (c)(3)(A);

(2) confirm that the party routinely uses electronic communications during the normal course of employment; and

(3) provide the party an opportunity to opt out of delivery by electronic means.

SECTION _____. Section 35.0041, Insurance Code, as added by this Act, applies only to a health benefit plan delivered, issued for delivery, or renewed on or after January 1, 2022.

Amendment No. 2 was adopted.

CSHB 4210, as amended, was passed to engrossment.

CSHB 3115 ON SECOND READING
(by Shine)

CSHB 3115, A bill to be entitled An Act relating to the release of a judgment lien on homestead property.

Amendment No. 1

Representative Shine offered the following amendment to **CSHB 3115**:

Amend **CSHB 3115** (house committee report) as follows:

(1) On page 2, line 6, between "Subsection (b)" and the underlined comma, insert "and a contradicting affidavit is not filed under Subsection (e)".

(2) On page 2, line 9, between "on" and "the", insert "the 31st day after".

(3) On page 8, line 3, strike "abstract of judgment lien recorded and indexed" and substitute "affidavit filed under Section 52.0012(b), Property Code, as amended by this Act,".

(4) On page 8, lines 4 and 5, strike "abstract of judgment lien that is recorded and indexed" and substitute "affidavit filed under Section 52.0012(b), Property Code, as amended by this Act,".

Amendment No. 1 was adopted.

CSHB 3115, as amended, was passed to engrossment.

CSHB 3485 ON SECOND READING
(by Goodwin)

CSHB 3485, A bill to be entitled An Act relating to information reported through the Public Education Information Management System and to parents regarding disciplinary measures used by a school district.

Amendment No. 1

Representative Wu offered the following amendment to **CSHB 3485**:

Amend **CSHB 3485** (house committee report) as follows:

(1) On page 2, line 16, strike "and status as receiving special education services" and substitute "status as receiving special education services, and status as being in the conservatorship of the Department of Family and Protective Services".

(2) On page 3, between lines 7 and 8, insert the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly:

(____) citations for Class C misdemeanors;

Amendment No. 1 was adopted.

CSHB 3485, as amended, was passed to engrossment.

SB 1776 - RULES SUSPENDED
HOUSE SPONSOR AUTHORIZED

Representative K. Bell moved to suspend Rule 8, Section 5(d), of the House Rules to designate as house sponsors and co-sponsors for **SB 1776** all joint authors and co-authors for **HB 1776** who sign on to **HB 1776** before **SB 1776** passes the house on third reading.

The motion prevailed.

CSHB 2912 ON SECOND READING
(by Vasut, Jetton, White, et al.)

CSHB 2912, A bill to be entitled An Act relating to a violation of the Texas Residential Property Owners Protection Act or a dedicatory instrument by a board member of a property owners' association.

Amendment No. 1

Representative Vasut offered the following amendment to **CSHB 2912**:

Amend **CSHB 2912** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering other SECTIONS of the bill accordingly:

SECTION _____. Chapter 209, Property Code, is amended by adding Section 209.00595 to read as follows:

Sec. 209.00595. RECALL OF BOARD MEMBERS. (a) Members of a property owners' association may require a meeting of the property owners' association for purposes of recalling a director pursuant to Section 22.155(3), Business Organizations Code.

(b) At a special meeting called pursuant to Subsection (a), a director of a property owners' association may be recalled and removed from office under any procedure provided for by Section 22.211, Business Organizations Code.

SECTION _____. Section 209.00595, Property Code, as added by this Act, applies only to an action brought on or after the effective date of this Act. An action brought before the effective date of this Act is governed by the law in effect at that time.

Amendment No. 1 was adopted.

CSHB 2912, as amended, was passed to engrossment.

CSHB 2998 ON SECOND READING
(by Smith)

CSHB 2998, A bill to be entitled An Act relating to the requirement that certain business entities obtain a license from the Texas Real Estate Commission.

CSHB 2998 was passed to engrossment.

CSHB 3920 ON SECOND READING
(by Dean and Thierry)

CSHB 3920, A bill to be entitled An Act relating to an application to vote early by mail on the grounds of disability or confinement for child birth.

Representative Dean moved to postpone consideration of **CSHB 3920** until 6:15 p.m. today.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Leach requested permission for the Committee on Judiciary and Civil Jurisprudence to meet while the house is in session, at 5:30 p.m. today, in 3W.15, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

At 4:56 p.m., the following committee meeting was announced:

Judiciary and Civil Jurisprudence, 5:30 p.m. today, 3W.15, for a formal meeting, to consider pending business.

**HB 3838 ON SECOND READING
(by Dominguez)**

HB 3838, A bill to be entitled An Act relating to the display of emergency and other notices by a governmental entity on the entity's Internet website.

HB 3838 was passed to engrossment.

**CSHB 316 ON SECOND READING
(by Buckley, Harris, Smith, Rogers, M. González, et al.)**

CSHB 316, A bill to be entitled An Act relating to the advertising and labeling of certain food products.

Amendment No. 1

Representative Biedermann offered the following amendment to **CSHB 316**:

Amend **CSHB 316** (house committee printing) in SECTION 2 of the bill as follows:

- (1) In proposed Section 433.005(a)(13), Health and Safety Code (page 6, lines 11-12), strike "of uniform size immediately before the name of the product".
- (2) In proposed Section 433.005(a)(14), Health and Safety Code (page 6, lines 21-22), strike "of uniform size immediately before the name of the product".

Amendment No. 1 was withdrawn.

CSHB 316 was passed to engrossment.

CSHB 4146 - VOTE RECONSIDERED

Representative T. King moved to reconsider the vote by which **CSHB 4146**, as amended, was passed to engrossment.

The motion to reconsider prevailed.

**CSHB 4146 ON SECOND READING
(by T. King, Cole, and Rodriguez)**

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

CSHB 4146, A bill to be entitled An Act relating to a restriction on permits authorizing direct discharges of waste or pollutants into water in certain stream segments, stream assessment units, and drainage areas.

CSHB 4146 was read second time earlier today and was passed to engrossment, as amended.

Amendment No. 2 - Vote Reconsidered

Representative T. King moved to reconsider the vote by which Amendment No. 2 was adopted.

The motion to reconsider prevailed by (Record 922): 73 Yeas, 66 Nays, 3 Present, not voting.

Yeas — Allen; Anchia; Ashby; Beckley; Bernal; Biedermann; Bowers; Bucy; Burrows; Cain; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis; Deshotel; Dominguez; Dutton; Fierro; Geren; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Lambert; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Perez; Ramos; Rodriguez; Romero; Rose; Rosenthal; Sherman; Shine; Smithee; Stucky; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Burns; Button; Canales; Cason; Cook; Dean; Ellzey; Frank; Frullo; Gates; Gervin-Hawkins; Harless; Harris; Hefner; Holland; Hull; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Middleton; Minjarez; Morrison; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raymond; Reynolds; Rogers; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Spiller; Stephenson; Swanson; Thompson, E.; Tinderholt; Toth; Vasut; White; Wilson.

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

Absent, Excused — Hunter; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Campos; Huberty; Morales, E.; Morales Shaw; Pacheco.

STATEMENTS OF VOTE

When Record No. 922 was taken, I was in the house but away from my desk. I would have voted yes.

E. Morales

When Record No. 922 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

(Speaker in the chair)

A record vote was requested by Representative Vasut.

Amendment No. 2 failed of adoption by (Record 923): 67 Yeas, 75 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Burrows; Button; Cain; Canales; Cason; Cook; Craddick; Dean; Dutton; Frank; Frullo; Gervin-Hawkins; Harless; Hefner; Hull; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Larson; Leach; Lozano; Metcalf; Meyer; Middleton; Minjarez; Morrison; Murphy; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Campos; Clardy; Cole; Coleman; Collier; Cortez; Crockett; Cyrier; Davis; Deshotel; Fierro; Geren; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Landgraf; Leman; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murr; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Smithee; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hunter; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Darby; Dominguez; Ellzey; Gates.

STATEMENTS OF VOTE

When Record No. 923 was taken, I was shown voting yes. I intended to vote no.

Allison

When Record No. 923 was taken, my vote failed to register. I would have voted yes.

Ellzey

A record vote was requested by Representative C. Bell.

The vote of the house was taken on passage to engrossment of **CSHB 4146** and the vote was announced yeas 75, nays 70.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 924): 72 Yeas, 69 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Biedermann; Bowers; Bucy; Campos; Cole; Collier; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Deshotel; Dominguez; Dutton; Fierro; Geren; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Hull; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Landgraf; Leman; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.;

Morales Shaw; Muñoz; Murr; Neave; Ordaz Perez; Ortega; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Shine; Slaton; Smithee; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Burns; Burrows; Button; Cain; Canales; Cason; Clardy; Cook; Dean; Ellzey; Frank; Frullo; Gates; Gervin-Hawkins; Goldman; Harless; Harris; Hefner; Holland; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Larson; Leach; Lozano; Metcalf; Meyer; Middleton; Minjarez; Murphy; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Price; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hunter; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Coleman; Huberty; Longoria; Morrison; Perez.

The chair stated that **CSHB 4146**, as amended, passed to engrossment by the above vote.

STATEMENTS OF VOTE

When Record No. 924 was taken, I was shown voting no. I intended to vote yes.

Allison

When Record No. 924 was taken, I was shown voting yes. I intended to vote no.

Hull

When Record No. 924 was taken, I was shown voting no. I intended to vote yes.

Meyer

When Record No. 924 was taken, I was in the house but away from my desk. I would have voted yes.

Perez

When Record No. 924 was taken, I was shown voting yes. I intended to vote no.

Slaton

POSTPONED BUSINESS

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

CSHB 3 ON SECOND READING
(by Burrows)

CSHB 3, A bill to be entitled An Act relating to state and local government responses to a pandemic disaster, including the establishment of the Pandemic Disaster Legislative Oversight Committee.

CSHB 3 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Burrows offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee report) as follows:

(1) On page 7, line 27, immediately following the underlined semicolon, strike "or".

(2) On page 8, line 2, between "vaccination" and the underlined period, insert the following:

; or

(13) create any new legal duty for a negligence claim or a new cause of action.

Amendment No. 1 was adopted.

Amendment No. 2

Representatives Burrows, Raymond, Middleton, Metcalf, Vasut, and Wilson offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee report) as follows:

(1) On page 11, line 25, between "(c)" and "and", insert ", (c-1)".

(2) On page 12, between lines 20 and 21, insert the following:

(c-1) a state of pandemic disaster renewed by the governor under Subsection (c) may not continue for more than 120 days unless the governor during that period issues:

(1) a proclamation convening the legislature in special session that begins during that period to consider whether to modify or terminate the executive order or proclamation; or

(2) if the legislature is convened in regular or special session, a message to the legislature requesting the legislature's consideration of whether to modify or terminate the executive order or proclamation.

Amendment No. 2 was adopted.

Amendment No. 3

Representatives Burrows and Rose offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 61.003(6), Education Code, is amended to read as follows:

(6) "Other agency of higher education" means The University of Texas System, System Administration; The University of Texas at El Paso Museum; Texas Epidemic Public Health Institute at The University of Texas Health Science Center at Houston; The Texas A&M University System, Administrative and General Offices; Texas A&M AgriLife Research; Texas A&M AgriLife Extension Service; Rodent and Predatory Animal Control Service (a part of the Texas A&M AgriLife Extension Service); Texas A&M Engineering Experiment Station (including the Texas A&M Transportation Institute); Texas A&M Engineering Extension Service; Texas A&M Forest Service; Texas Division of Emergency Management; Texas Tech University Museum; Texas State University System, System Administration; Sam Houston Memorial Museum; Panhandle-Plains Historical Museum; Cotton Research Committee of Texas; Texas Water Resources Institute; Texas A&M Veterinary Medical Diagnostic Laboratory; and any other unit, division, institution, or agency which shall be so designated by statute or which may be established to operate as a component part of any public senior college or university, or which may be so classified as provided in this chapter.

SECTION _____. Chapter 75, Education Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. TEXAS EPIDEMIC PUBLIC HEALTH INSTITUTE

Sec. 75.301. DEFINITIONS. In this subchapter:

(1) "Board" means the board of regents of The University of Texas System.

(2) "Health science center" means The University of Texas Health Science Center at Houston.

(3) "Institute" means the Texas Epidemic Public Health Institute.

Sec. 75.302. ESTABLISHMENT. The board shall establish and maintain the Texas Epidemic Public Health Institute at the health science center.

Sec. 75.303. ROLE AND SCOPE. The institute shall establish and maintain a public health reserve network of public health professionals, community health workers, state and local public health agencies, health care organizations, universities throughout the state, and other relevant entities and persons for the purpose of coordinating efforts to:

(1) protect public health in this state; and

(2) support pandemic and epidemic disaster preparedness and response components of the state emergency management plan required by Section 418.042, Government Code.

Sec. 75.304. ADMINISTRATION. (a) The administration of the institute is under the direction of the chancellor of The University of Texas System and the board through the president of the health science center.

(b) The Department of State Health Services shall provide the institute with access to relevant and timely data necessary for the institute to perform its duties.

Sec. 75.305. GIFTS, GRANTS, AND DONATIONS. The institute may accept gifts, grants, and donations from any source for the purposes of the institute.

Sec. 75.306. INDEPENDENT FINANCIAL AUDIT FOR REVIEW BY COMPTROLLER. (a) The institute biennially shall commission an independent financial audit of its activities from a certified public accounting firm. The institute shall provide the audit to the comptroller.

(b) The comptroller shall review and evaluate the audit and biennially issue a public report of that review.

Sec. 75.307. APPROPRIATION CONTINGENCY. The board is required to implement a provision of this subchapter only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the board may, but is not required to, implement the provision using other money available to the board for that purpose.

SECTION _____. Section 418.042(a), Government Code, is amended to read as follows:

(a) The division shall prepare and keep current a comprehensive state emergency management plan. The plan may include:

(1) provisions for prevention and minimization of injury and damage caused by disaster;

(2) provisions for prompt and effective response to disaster;

(3) provisions for emergency relief;

(4) provisions for energy emergencies;

(5) identification of areas particularly vulnerable to disasters;

(6) recommendations for zoning, building restrictions, and other land-use controls, safety measures for securing mobile homes or other nonpermanent or semipermanent structures, and other preventive and preparedness measures designed to eliminate or reduce disasters or their impact;

(7) provisions for assistance to local officials in designing local emergency management plans;

(8) authorization and procedures for the erection or other construction of temporary works designed to protect against or mitigate danger, damage, or loss from flood, fire, or other disaster;

(9) preparation and distribution to the appropriate state and local officials of state catalogs of federal, state, and private assistance programs;

(10) organization of manpower and channels of assistance;

(11) coordination of federal, state, and local emergency management activities;

(12) coordination of the state emergency management plan with the emergency management plans of the federal government;

(13) coordination of federal and state emergency plans;

(14) provisions for providing information to local officials on activation of the Emergency Alert System established under 47 C.F.R. Part 11;

(15) a database of public facilities that may be used under Section 418.017 to shelter individuals during a disaster, including air-conditioned facilities for shelter during an extreme heat disaster and fortified structures for shelter during a wind disaster;

(16) provisions for quickly replenishing the food supplies of area food banks or food pantries following a disaster; ~~and~~

- (17) provisions for protecting public health; and
- (18) other necessary matters relating to disasters.

Amendment No. 4

Representative Howard offered the following amendment to Amendment No. 3:

Amend Amendment No. 3 by Burrows to **CSHB 3** as follows:

- (1) On page 2, line 19, strike "and".
- (2) On page 2, line 22, between "Code" and the underlined period, by inserting the following:
; and

(3) advise and make recommendations to the Pandemic Disaster Legislative Oversight Committee established under Chapter 329, Government Code

Amendment No. 4 was adopted.

Amendment No. 3, as amended, was adopted.

Amendment No. 5

Representative Martinez Fischer offered the following amendment to **CSHB 3**:

Amend **CSHB 3**, on page 2, between lines 15 and 16, by inserting the following:

(c) Notwithstanding Subsection (b), any member of the senate or house of representatives may submit a written request to the joint chairs of the committee to serve as a member of the committee. On receipt of that request by the joint chairs, the member of the legislature becomes a member of the committee.

(Hunter now present)

Amendment No. 5 was withdrawn.

Amendment No. 6

Representative Lucio offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee report) as follows:

(1) On page 6, line 20, between "governor" and "to", insert "or the presiding officer of the governing body of a political subdivision".

(2) On page 8, line 3, between "LAW." and "The", insert "(a)".

(3) On page 8, between lines 9 and 10, insert the following:

(5) Section 418.108;

(4) Renumber the subdivisions of added Section 418A.005, Government Code, appropriately (page 8, lines 10-14).

(5) On page 8, between lines 15 and 16, insert the following:

(b) Notwithstanding Subsection (a)(5), the provisions of Section 418.108 apply to state of pandemic disaster declared under this chapter only to the extent the local declaration is issued for the purposes of applying for, administering, or spending a grant, gift, or payment in aid of pandemic disaster mitigation, preparedness, response, or recovery.

Amendment No. 6 was adopted.

Amendment No. 7

Representatives Hefner, White, Toth, and Oliverson offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee printing) as follows:

(1) On page 8, between lines 2 and 3, insert the following:

Sec. 418A.0045. LIMITATIONS ON MEDICAL PROCEDURES. (a) In this section, "nonelective medical procedure" means a medical procedure, including a surgery, a physical exam, a diagnostic test, a screening, the performance of a laboratory test, and the collection of a specimen to perform a laboratory test, that if not performed within a reasonable time may, as determined in good faith by a patient's physician, result in:

(1) the patient's loss of life; or

(2) a deterioration, complication, or progression of the patient's current or potential medical condition or disorder, including a physical condition or mental disorder.

(b) The governor during a declared state of pandemic disaster may not issue an executive order, proclamation, or regulation that limits or prohibits a nonelective medical procedure.

(c) The governor during a declared state of pandemic disaster may issue an executive order, proclamation, or regulation imposing a temporary limitation or prohibition on a medical procedure other than a nonelective medical procedure only if the limitation or prohibition is reasonably necessary to conserve resources for nonelective medical procedures or resources needed for disaster response. An executive order, proclamation, or regulation issued under this subsection may not continue for more than 15 days unless renewed by the governor.

(d) A person subject to an executive order, proclamation, or regulation issued under this section who in good faith acts or fails to act in accordance with that order, proclamation, or regulation is not civilly or criminally liable and is not subject to disciplinary action for that act or failure to act.

(e) The immunity provided by Subsection (d) is in addition to any other immunity or limitation of liability provided by law.

(f) Notwithstanding any other law, this section does not create a civil, criminal, or administrative cause of action or liability or create a standard of care, obligation, or duty that provides the basis for a cause of action for an act or omission under this section.

(2) On page 10, line 10, immediately following the underlined semicolon, insert "or".

(3) On page 10, line 11, strike "; or" and substitute an underlined period.

(4) On page 10, strike lines 12-14.

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

SECTION _____. Section 418A.0045, Government Code, as added by this Act, applies only to an order, proclamation, or regulation issued on or after the effective date of this Act.

Amendment No. 7 was adopted.

Amendment No. 8

Representative Vasut offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee report) as follows:

(1) On page 8, line 19, between "PROHIBITION." and "The", insert "(a)".

(2) On page 8, between lines 26 and 27, insert the following:

(b) The governor, the presiding officer of the governing body of a political subdivision, or any other state or local governmental official may not issue an order during a declared state of pandemic disaster or local state of pandemic disaster that mandates the wearing of a face covering.

(3) On page 10, line 10, immediately following the underlined semicolon, insert "or".

(4) On page 10, strike line 11.

(5) On page 10, line 12, strike "(3)" and substitute "(2)".

Amendment No. 8 was adopted. (The vote was reconsidered later today, and Amendment No. 8 failed of adoption by Record No. 925.)

Amendment No. 9

Representative Leach offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee report) as follows:

(1) On page 8, line 19, strike "PROHIBITION." and substitute "PROHIBITIONS. (a)".

(2) On page 8, between lines 26 and 27, insert the following:

(b) The governor or the presiding officer of the governing body of a political subdivision may not issue an order during a declared state of pandemic disaster or local state of pandemic disaster that requires a public or private golf course to close.

Amendment No. 9 was adopted.

Amendment No. 8 - Vote Reconsidered

Representative Burrows moved to reconsider the vote by which Amendment No. 8 was adopted.

The motion to reconsider prevailed.

AMENDMENT NO. 8 - REMARKS

REPRESENTATIVE VASUT: What this amendment does is simply say that if there's going to be a mask mandate, it has to come from the legislative process, not from an executive order. So this doesn't end mask mandates for all time. It just says that if we're going to have a mask mandate, it will be debated on the floor of this house, and that's where it will be decided.

REPRESENTATIVE ANCHIA: I'm trying to understand the parameters of your amendment. Does that include to local chief executives as well, for example, like county judges and mayors who may be on the frontlines of a pandemic and an outbreak?

VASUT: It does.

ANCHIA: And if, for example, we have another pandemic that is airborne in nature as this one is and as SARS was and as H1N1 was—there was a lot of airborne transmission—and a local mayor or a county judge wanted to issue an order to try to immediately intervene and quarantine a certain population and require masks so that wouldn't spread, your amendment would prohibit that, correct?

VASUT: My amendment would prohibit that under the authority of Chapter 418, Subchapter A. I'm unclear as to the import of Chapter 81 of the Health and Safety Code on that question.

ANCHIA: But just to be clear, so that the body understands, if there is an outbreak in a densely populated area and a mayor or county judge wanted to take an executive action at the insistence of medical professionals and stop the community spread via a mask mandate, or at least interdict it, they would be unable to do that under your amendment. Is that correct?

VASUT: They would be unable to do that by an executive order. That is correct.

ANCHIA: And does that cause you any concern? I happen to represent, along with Representative Crockett, the medical district in Dallas, where we have some of the best minds on earth on epidemiology, medical science, and virology, and if it was their recommendation to a county executive to order a mask mandate to prevent community spread, then a mayor or a county judge would have to wait for a legislative process to occur before trying to interdict that community spread. Is that correct?

VASUT: Correct in the sense that at a statewide level, it would require the legislature to act. At the local level, what's unclear to me is whether or not an ordinance could be adopted by a city council on that point. But regardless, the experience that we have had in this last pandemic has shown us at times when masks may or may not be beneficial. And I just generally trust individuals to make the right choice for themselves and others without the need for an executive order.

ANCHIA: And do you trust individuals or do you trust medical professionals more?

VASUT: I trust individuals when it comes to their individual liberties. Yes, sir.

ANCHIA: And if an individual would be willing to put the rest of the community at risk of transmission and a medical professional is saying we need to interdict that transmission through a mask mandate, you prefer to rely on the judgment of that individual. Is that correct?

VASUT: I prefer to rely upon the deliberative body that is elected by and representative of the people.

ANCHIA: I think I see where you're coming from. Thank you. I think this amendment makes us far less safe in this state for future pandemics.

REPRESENTATIVE MOODY: I'm not going to take a lot of time here, which is also what we shouldn't do when we're facing a deadly pandemic. The struggle we had in communities like mine and communities across this state is that we lacked uniformity, we lacked enforcement, and we lacked the proper messaging to provide the best information to people as quickly as possible in a very chaotic environment. And masks, for some reason, sat at the center of this. And there is no question anymore about the help that these gave to us. It is not debatable anymore. But instead of reinforcing science and reinforcing those decisions going forward and allowing—and I'll be the first to tell you I wasn't excited about what the governor did either. I'm sure we all have our different opinions about one order or another and how you thought it was good or bad. The point is, for certain decisions, you need the executive to be able to make decisions for the safety and security of the entire state. And when it's unknown, the deadliness of the spread and the rapidity of the spread, you need to be able to make these decisions quickly and uniformly. That is one of the powers that I would agree the governor should have in these situations.

So what are we deciding here today? No, we're going to wait. So let's put ourselves in that environment. We're going to wait until the legislature has reconvened. By the way, who decides that? The governor. We're going to wait until the legislature's reconvened so we can decide it here in the middle of what could be a deadlier pandemic. Tell me the wisdom of that. Tell me the wisdom of that. There are some decisions that we have to make quickly, and anyone that has studied the spread of these types of diseases will tell you the quickness by which you act will determine the success or failure of your plans. We have somehow decided to politicize a mask. It's beyond me. I didn't know we could politicize basic science, but here we are. All I ask is that we keep this authority within the Office of the Governor, within the executive, and hope that he is taking on the best medical advice that he can when he's making very difficult and challenging decisions. There's no reason here today to tie our hands on a future situation that we do not know anything about yet. I ask you to vote no on this amendment.

VASUT: Members, people of Texas, I have an abiding faith and confidence in the ability of individuals to make the right decision for themselves and the community without an executive order. We don't always have to have the government tell us what to do. We're capable as individuals of doing what is right. And when it comes to the decision of whether or not to mandate a particular piece of PPE on individual citizens, I believe that that decision should either be left to them voluntarily or made by their elected representatives as a whole through a deliberative process, a deliberative process which I believe, and which I have seen as a member of a city council, can be done quickly. For that reason, I urge you to support this amendment.

A record vote was requested by Representative C. Turner.

The vote of the house was taken on adoption of Amendment No. 8 and the vote was announced yeas 71, nays 70.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 925): 71 Yeas, 72 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Coleman; Guillen; Huberty; Longoria.

The chair stated that Amendment No. 8 failed of adoption by the above vote.

(Capriglione now present)

LEAVES OF ABSENCE GRANTED

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

Coleman on motion of Walle.

The following member was granted leave of absence temporarily for today because of important business:

Longoria on motion of Hernandez.

CSHB 3 - (consideration continued)

Amendment No. 10

Representative Davis offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee report) as follows:

(1) On page 1, line 21, strike "10" and substitute "14".

(2) On page 2, line 13, strike "and".

(3) On page 2, line 15, between "successor" and the underlined period, insert the following:

(11) two members of the senate to ensure ethnic minority representation on the committee; and

(12) two members of the house of representatives to ensure ethnic minority representation on the committee

Amendment No. 10 was withdrawn.

Amendment No. 11

Representative Leach offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee printing) as follows:

(1) On page 8, line 19, strike "PROHIBITION." and substitute "PROHIBITIONS. (a)".

(2) On page 8, between lines 26 and 27, insert the following:

(b) The governor or the presiding officer of the governing body of a political subdivision may not issue an order during a declared state of pandemic disaster or local state of pandemic disaster that requires a state park to close.

Amendment No. 11 was adopted.

COMMITTEE MEETING ANNOUNCEMENT

At 7:06 p.m., the following committee meeting was announced:

Land and Resource Management, scheduled to meet at 8 a.m. tomorrow, will convene at 9:30 a.m. tomorrow, in the posted location.

CSHB 3 - (consideration continued)

REMARKS ORDERED PRINTED

Representative J. Turner moved to print all remarks on Amendment No. 8 on **CSHB 3**.

The motion prevailed.

Amendment No. 12

Representative Schofield offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (committee printing) as follows:

On page 8, line 23, strike "specific".

Amendment No. 12 was adopted.

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).

CSHB 3 - (consideration continued)

Amendment No. 13

Representative Frank offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee report) as follows:

(1) On page 8, line 24, immediately following the underlined semicolon, strike "or".

(2) On page 8, line 26, between "capacities" and the underlined period, insert the following:

; or

(3) restricts in-person visitation for residents of:

(A) nursing facilities, assisted living facilities, and intermediate care facilities for individuals with an intellectual disability that are licensed under Subtitle B, Title 4, Health and Safety Code; and

(B) state supported living centers, as defined by Section 531.002, Health and Safety Code

Amendment No. 13 was adopted.

Amendment No. 14

Representative Schofield offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (committee printing) as follows:

(1) On page 8, line 27, insert the following:

Sec. 418A.0071. COMPENSATION FOR GOVERNMENTAL ACTION. (a) Except as provided by Subsection (b), a business owner is entitled to compensation from a political subdivision for losses caused to the owner's business by an order issued by the political subdivision that:

(1) closes a business permanently or temporarily; or

(2) effectively closes a business by:

(A) limiting the business's operations to the extent that the business owner cannot effectively maintain the business; or

(B) ordering customers not to patronize the business.

(b) A business owner is not entitled to compensation under Subsection (a) if the political subdivision can demonstrate that the primary reason for the governmental action was:

(1) a judicial finding that the business:

(A) was a nuisance under Chapter 125, Civil Practice and Remedies Code, Chapter 341 or 343, Health and Safety Code, or common law; or

(B) violated other law; or

(2) a finding that the business or owner failed to:

(A) acquire or maintain a license required by the governmental entity for the business;

(B) file or maintain records required by the secretary of state; or

(C) pay taxes.

Sec. 418A.0072. ACTION AGAINST POLITICAL SUBDIVISION. (a) A business owner may bring an action against a political subdivision for compensation for damages caused to the business by a governmental action described by Section 418A.0071(a).

(b) An action under this chapter may be brought in a district court in any county in which the business is located.

Sec. 418A.0073. WAIVER OF GOVERNMENTAL IMMUNITY; PERMISSION TO SUE. Sovereign and governmental immunity to suit and from liability is waived and abolished to the extent of liability created by Sections 418A.0071 and 0072.

Amendment No. 14 - Point of Order

Representative Moody raised a point of order against further consideration of Amendment No. 14 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane. The point of order was sustained and the speaker submitted the following ruling:

RULING BY THE SPEAKER

on Amendment No. 14 to House Bill 3

Announced in the House on May 10, 2021

Representative Moody raises a point of order against further consideration of the Schofield Amendment under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane.

The subject of the bill is state and local government responses to a pandemic disaster. Floor Amendment No. 1, adopted earlier by the House, expressly provides that the bill does not create any cause of action as a remedy for a violation of the bill's provisions.

The Schofield Amendment would create a cause of action not only for a violation of the bill's provisions but for any governmental action that results in a business's closure. The major purpose of an amendment determines its germaneness. 87 H. Jour. 830 (2021). The purpose of the Schofield Amendment is to create a cause of action. The amendment is not germane.

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

The ruling precluded further consideration of Amendment No. 14.

(Longoria now present)

Amendment No. 15

Representative Davis offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee report) as follows:

(1) On page 1, line 21, strike "10" and substitute "14".

(2) On page 2, line 13, strike "and".

(3) On page 2, line 15, between "successor" and the underlined period, insert the following:

; and

(11) two additional members appointed by the lieutenant governor and two additional members appointed by the speaker of the house to ensure ethnic minority representation on the committee from the respective ethnic communities.

Amendment No. 15 was adopted.

Amendment No. 16

Representative Middleton offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee printing) by inserting the following on page 8, between lines 26 and 27:

Sec. 418A.0071. PROHIBITION ON CLOSURE OF PUBLIC BEACHES. During a declared state of pandemic disaster or local state of pandemic disaster governmental entity, including a political subdivision and state agency, may not issue an order, promulgate a rule, adopt or enforce a policy, or otherwise restrict access to a public beach, as defined by Chapter 61, Natural Resources Code.

Amendment No. 17

Representative Lucio offered the following amendment to Amendment No. 16:

Amend Amendment No. 16 by Middleton amending **CSHB 3**, on lines 7 and 8, between "access to" and "a public" by inserting "or a means of accessing".

Amendment No. 17 was adopted.

Amendment No. 16, as amended, was adopted.

Amendment No. 18

Representative Lucio offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee report) on page 9, between lines 24 and 25, by inserting the following:

(f) The immunity provided by this section applies for nursing facilities licensed under Chapter 242, Health and Safety Code, only with respect to an act or omission that occurred before November 1, 2020.

Amendment No. 18 was adopted.

Amendment No. 19

Representative Moody offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee report) as follows:

(1) On page 9, line 27, between "to" and "Section", insert "this section and".

(2) On page 10, between lines 4 and 5, insert the following:

(c) An executive order, proclamation, or regulation issued by the governor under this chapter may not suspend a provision in the Code of Criminal Procedure or Penal Code.

Amendment No. 19 was withdrawn.

Amendment No. 20

Representative Schaefer offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee printing) as follows:

(1) On page 11, strike line 11 and substitute the following:

(2) Section 418.0155;

(3) Sections 418.016(a), (b), (c), (d), and (e);

(2) On page 11, line 12, strike "(3)" and substitute "(4)"

(3) On page 11, insert the following between lines 12 and 13 and renumber the remaining subdivisions accordingly:

(5) Section 418.020(c);

(4) On page 11, insert the following between lines 14 and 15:

(c) The governor may not suspend a state agency order or rule except as specifically authorized by this chapter. The governor may suspend the orders or rules of a state agency if strict compliance with the orders or rules would in any way prevent, hinder, or delay necessary action or prompt response in coping with a pandemic disaster.

(d) During a pandemic disaster declared by the governor and notwithstanding any other law, the contracting requirements in Subtitle D, Title 10, that inhibit or prevent prompt response to a pandemic disaster do not apply to a state agency in contracting for goods or services related to the declared pandemic disaster.

(e) On request of a political subdivision, the governor may waive or suspend a deadline imposed by the orders or rules of a state agency on the political subdivision, including a deadline relating to a budget or ad valorem tax, if the waiver or suspension is reasonably necessary to cope with a pandemic disaster.

(f) Under regulations prescribed by the governor, the governor may temporarily suspend or modify for a period of not more than 60 days any public health, safety, zoning, intrastate transportation, or other regulation if by proclamation the governor considers the suspension or modification essential to provide temporary housing or emergency shelter for pandemic disaster victims.

(g) The governor's office, using existing resources, shall compile and maintain a comprehensive list of state agency rules that may require suspension during a pandemic disaster.

(h) On request by the governor's office, a state agency that would be impacted by the suspension of a rule on the list compiled under Subsection (g) shall review the list for accuracy and shall advise the governor's office regarding any rules that should be added to the list.

Amendment No. 20 - Point of Order

Representative Lucio raised a point of order against further consideration of Amendment No. 20 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane. The point of order was withdrawn.

Amendment No. 20 was withdrawn.

Amendment No. 21

Representative Collier offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee report) as follows:

(1) On page 1, line 21, strike "10" and substitute "12".

(2) On page 2, line 13, strike "and".

(3) On page 2, line 15, between "successor" and the underlined period, insert the following:

⋮

() the chair of the House Committee on Criminal Jurisprudence or its successor; and

() the chair of the Senate Committee on Criminal Justice or its successor

(4) Appropriately number the subdivisions added by item (3) of this amendment.

Amendment No. 21 was adopted.

Amendment No. 22

Representative Martinez Fischer offered the following amendment to **CSHB 3**:

Amend **CSHB 3**, on page 2, between lines 15 and 16, by inserting the following:

(c) Notwithstanding Subsection (b), any member of the senate or house of representatives may submit a written request to the joint chairs of the committee to participate in the committee's proceedings to the extent practical. When participation is not practical, the joint chairs of the committee must establish procedures for requesting members to audit proceedings and must provide to requesting members updates on committee proceedings.

Amendment No. 22 was adopted.

Amendment No. 23

Representative C. Turner offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee report) on page 12, between lines 20 and 21, by inserting the following:

(c-1) In determining whether to terminate a provision of a proclamation, order, or rule for a declared state of pandemic disaster, the Pandemic Disaster Legislative Oversight Committee established under Chapter 329 must consider whether the provision is based on a recommendation or guideline from the Centers for Disease Control and Prevention, the Department of State Health Services, or any other federal or state health care agency. The committee shall provide a written explanation justifying the terminating of a provision based on a recommendation or guideline described by this subsection.

Amendment No. 23 failed of adoption.

Amendment No. 24

Representative Schofield offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee report) as follows:

(1) On page 7, line 27, immediately following the underlined semicolon, strike "or".

(2) On page 8, line 2, between "vaccination" and the underlined period, insert the following:

; or

(13) authorize any governmental official to force a business to close or limit the operating capacity or use of a business

(3) On page 10, strike lines 9-10.

(4) On page 10, line 11, strike "(2)" and substitute "(1)".

(5) On page 10, line 12, strike "(3)" and substitute "(2)".

Amendment No. 24 was adopted.

Amendment No. 25

Representative Shaheen offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee report) on page 16, between lines 19 and 20, by inserting the following:

Sec. 418A.152. EMERGENCY MANAGEMENT SYSTEM. The division, in collaboration with other appropriate persons selected by the division, shall:

(1) establish a statewide emergency management system to respond to a declared state of pandemic disaster;

(2) to the extent practicable include private wireless communication, Internet, and cable service providers in the system; and

(3) use the satellite communications equipment and mobile telephone towers of the participating providers under Subdivision (2) to assist in responding to a declared state of pandemic disaster.

Amendment No. 25 was adopted.

Amendment No. 26

Representative Lucio offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 418A.103, Government Code, as added by this Act, applies only to a political subdivision the presiding officer of the governing body of which issues an order requiring the closure of a private business in response to a pandemic disaster, as defined by Section 418A.003, Government Code, as added by this Act, on or after the effective date of this Act.

Amendment No. 26 was withdrawn.

Amendment No. 27

Representatives Metcalf and Oliverson offered the following amendment to **CSHB 3**:

Amend **CSHB 3** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) Subchapter A, Chapter 241, Health and Safety Code, is amended by adding Section 241.012 to read as follows:

Sec. 241.012. IN-PERSON HOSPITAL VISITATION DURING PERIOD OF DISASTER. (a) In this section:

(1) "Hospital" means a hospital licensed under this chapter.

(2) "Qualifying official disaster order" means an order, proclamation, or other instrument issued by the governor, another official of this state, or the governing body or an official of a political subdivision of this state declaring a disaster that has infectious disease as the basis for the declared disaster.

(3) "Qualifying period of disaster" means the period of time the area in which a hospital is located is declared to be a disaster area by a qualifying official disaster order.

(4) "Religious counselor" means an individual acting substantially in a pastoral or religious capacity to provide spiritual counsel to other individuals.

(b) A hospital may not during a qualifying period of disaster prohibit in-person visitation with a patient receiving care or treatment at the hospital unless federal law or a federal agency requires the hospital to prohibit in-person visitation during that period.

(c) Notwithstanding Subsection (b), a hospital may during a qualifying period of disaster:

(1) restrict the number of visitors a patient receiving care or treatment at the hospital may receive to not fewer than one;

(2) require a visitor to the hospital to:

(A) complete a health screening before entering the hospital; and

(B) wear personal protective equipment at all times while visiting a patient at the hospital; and

(3) deny entry to or remove from the hospital's premises a visitor who fails or refuses to:

(A) submit to or meet the requirements of a health screening administered by the hospital; or

(B) wear personal protective equipment that meets the hospital's infection control and safety requirements in the manner prescribed by the hospital.

(d) A health screening administered by a hospital under this section must be conducted in a manner that, at a minimum, complies with:

(1) hospital policy; and

(2) if applicable, guidance or directives issued by the commission, the Centers for Medicare and Medicaid Services, or another agency with regulatory authority over the hospital.

(e) Notwithstanding any other law, neither a hospital nor a physician providing health care services on the hospital's premises is subject to civil or criminal liability or an administrative penalty if a visitor contracts an infectious disease while on the hospital's premises during a qualifying period of disaster or, in connection with a visit to the hospital, spreads an infectious disease to any other individual, except where intentional misconduct or gross negligence by the hospital or the physician is shown. A physician who in good faith takes, or fails to take, an action under this section is not subject to civil or criminal liability or disciplinary action for the physician's action or failure to act under this section.

(f) This section may not be construed as requiring a hospital to:

(1) provide a specific type of personal protective equipment to a visitor to the hospital; or

(2) allow in-person visitation with a patient receiving care or treatment at the hospital if an attending physician determines that in-person visitation with that patient may lead to the transmission of an infectious agent that poses a serious community health risk.

(g) A determination made by an attending physician under Subsection (f)(2) is valid for not more than five days after the date the determination is made unless renewed by an attending physician.

(h) If a visitor to a hospital is denied in-person visitation with a patient receiving care or treatment at a hospital because of a determination made by an attending physician under Subsection (f)(2), the hospital shall:

(1) provide each day a written or oral update of the patient's condition to the visitor if the visitor:

(A) is authorized by the patient to receive relevant health information regarding the patient;

(B) has authority to receive the patient's health information under an advance directive or medical power of attorney; or

(C) is otherwise the patient's surrogate decision-maker regarding the patient's health care needs under hospital policy and other applicable law; and

(2) notify the person who receives the daily update required under Subdivision (1) of the estimated date and time at which the patient will be discharged from the hospital.

(i) Notwithstanding any other provision of this section, a hospital may not prohibit in-person visitation by a religious counselor with a patient who is receiving care or treatment at the hospital and who is seriously ill or dying for a reason other than the religious counselor's failure to comply with a requirement described by Subsection (c)(2).

(j) In the event of a conflict between this section and any provision of a qualifying official disaster order, this section prevails.

(b) Notwithstanding any other provision of this Act, this section takes effect September 1, 2021.

Amendment No. 27 was adopted.

A record vote was requested by Representative Biedermann.

CSHB 3, as amended, was passed to engrossment by (Record 926): 92 Yeas, 45 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Canales; Capriglione; Cason; Clardy; Cook; Cortez; Craddick; Cyrier; Darby; Deshotel; Dominguez; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Holland; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Meza; Middleton; Moody; Morales, E.; Murphy; Murr; Neave; Noble; Oliverson; Paddie; Patterson; Paul; Raymond; Rogers; Romero; Sanford; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Cole; Collier; Crockett; Davis; Dutton; Gervin-Hawkins; González, J.; Goodwin; Herrero; Hinojosa; Howard; Israel; Lopez; Minjarez; Morales, C.; Morales Shaw;

Muñoz; Ordaz Perez; Ortega; Pacheco; Perez; Price; Ramos; Reynolds; Rose; Rosenthal; Schaefer; Sherman; Slaton; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Dean; González, M.; Huberty; Johnson, J.D.; Larson; Martinez Fischer; Morrison; Parker; Rodriguez; White.

STATEMENTS OF VOTE

When Record No. 926 was taken, I was shown voting no. I intended to vote yes.

Collier

When Record No. 926 was taken, I was in the house but away from my desk. I would have voted yes.

Dean

When Record No. 926 was taken, I was shown voting yes. I intended to vote no.

Fierro

When Record No. 926 was taken, I was shown voting no. I intended to vote yes.

J. González

When Record No. 926 was taken, I was in the house but away from my desk. I would have voted yes.

M. González

When Record No. 926 was taken, I was in the house but away from my desk. I would have voted yes.

Huberty

When Record No. 926 was taken, I was shown voting yes. I intended to vote no.

A. Johnson

When Record No. 926 was taken, my vote failed to register. I would have voted yes.

Martinez Fischer

When Record No. 926 was taken, I was shown voting no. I intended to vote yes.

Muñoz

When Record No. 926 was taken, I was in the house but away from my desk. I would have voted no.

Parker

When Record No. 926 was taken, I was in the house but away from my desk. I would have voted no.

Rodriguez

When Record No. 926 was taken, I was shown voting no. I intended to vote yes.

Sherman

When Record No. 926 was taken, I was shown voting no. I intended to vote yes.

Thierry

When Record No. 926 was taken, my vote failed to register. I would have voted yes.

White

REASON FOR VOTE

Representative Parker submitted the following reason for vote to be printed in the journal:

I am opposed to increasing the power of the executive branch and was opposed to **CSHB 3** as originally written. At the time the vote was taken, I was on the floor and speaking with the attorneys who assist members in drafting amendments in an effort to amend the bill. That amendment was accepted on third reading; however, due to the distance between the drafting attorneys and my desk, I was unable to make it back to my desk in order to cast a vote. I would have voted no.

MESSAGE FROM THE SENATE

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

POSTPONED BUSINESS

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

CSHB 4387 ON SECOND READING

(by M. González, VanDeaver, Stucky, and Raney)

CSHB 4387, A bill to be entitled An Act relating to the establishment of the Texas Transfer Grant Pilot Program.

CSHB 4387 was read second time earlier today and was postponed until this time.

A record vote was requested by Representative Biedermann.

CSHB 4387 was passed to engrossment by (Record 927): 83 Yeas, 61 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Beckley; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Cole; Collier; Cortez; Craddick; Crockett; Davis; Dean; Deshotel; Dominguez; Dutton;

Fierro; Frank; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, A.; Johnson, J.E.; King, K.; Lambert; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sherman; Stucky; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Cain; Cason; Clardy; Cook; Cyrier; Darby; Ellzey; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, P.; King, T.; Klick; Krause; Kuempel; Landgraf; Larson; Leach; Leman; Metcalf; Middleton; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Swanson; Thompson, E.; Tinderholt; Toth; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Geren; Johnson, J.D.; Moody.

STATEMENTS OF VOTE

When Record No. 927 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 927 was taken, I was shown voting no. I intended to vote yes.

T. King

CSHB 3920 ON SECOND READING (by Dean and Thierry)

CSHB 3920, A bill to be entitled An Act relating to an application to vote early by mail on the grounds of disability or confinement for child birth.

CSHB 3920 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Goodwin offered the following amendment to **CSHB 3920**:

Amend **CSHB 3920** (house committee printing) on page 1 by striking lines 17 and 18 and substituting the following:

(2) is expecting to give birth within three weeks before or after election day.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Zwiener offered the following amendment to **CSHB 3920**:

Amend **CSHB 3920** (house committee printing) on page 1, lines 23 and 24, by striking "otherwise prevent the voter from leaving the voter's residence" and substituting "prevent the voter from appearing at the polling place on election day without a likelihood of needing personal assistance or of injuring the voter's health".

Amendment No. 2 was adopted.

COMMITTEE MEETING ANNOUNCEMENT

At 8:41 p.m., the following committee meeting was announced:

Calendars, 9:30 p.m. today, 3W.9, for a formal meeting, to consider a calendar.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Burrows requested permission for the Committee on Calendars to meet while the house is in session, at 9:30 p.m. today, in 3W.9, to consider a calendar.

Permission to meet was granted.

CSHB 3920 - (consideration continued)

Representative Dean moved to postpone consideration of **CSHB 3920** until 10 a.m. Thursday, May 13.

The motion prevailed.

CSHB 4018 ON SECOND READING

(by Capriglione, Guillen, Frank, Shaheen, and E. Morales)

CSHB 4018, A bill to be entitled An Act relating to legislative oversight and funding of improvement and modernization projects for state agency information resources.

CSHB 4018 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Capriglione offered the following amendment to **CSHB 4018**:

Amend **CSHB 4018** (house committee report) as follows:

(1) On page 2, between lines 6 and 7, insert the following:

(e) In this section, "state agency" has the meaning assigned by Section 2052.101.

(2) On page 2, line 9, strike "section, "committee"" and substitute:

(1) "Committee"

(3) On page 2, between lines 11 and 12, insert the following:

(2) "State agency" has the meaning assigned by Section 2052.101.

Amendment No. 1 was adopted.

A record vote was requested by Representative Biedermann.

CSHB 4018, as amended, was passed to engrossment by (Record 928): 125 Yeas, 19 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burrows; Button; Campos; Capriglione; 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; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Kuempel; Lambert; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Shaheen; Sherman; Shine; Smith; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Biedermann; Burns; Cain; Canales; Cason; Hefner; King, P.; Krause; Landgraf; Middleton; Murr; Parker; Patterson; Slawson; Smith; Swanson; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Metcalf; Schaefer; Slaton.

STATEMENTS OF VOTE

When Record No. 928 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 928 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 928 was taken, my vote failed to register. I would have voted no.

Metcalf

When Record No. 928 was taken, I was shown voting no. I intended to vote yes.

Parker

When Record No. 928 was taken, I was in the house but away from my desk. I would have voted no.

Schaefer

When Record No. 928 was taken, I was in the house but away from my desk. I would have voted no.

Slaton

When Record No. 928 was taken, I was shown voting yes. I intended to vote no.

Tinderholt

GENERAL STATE CALENDAR
(consideration continued)

HB 1987 ON SECOND READING
(by Vasut, et al.)

HB 1987, A bill to be entitled An Act relating to eligibility requirements to hold a political party office.

Amendment No. 1

Representative Vasut offered the following amendment to **HB 1987**:

Amend **HB 1987** (house committee printing) as follows:

(1) On line 5, strike "Section 161.005(a), Election Code, is" and substitute "Sections 161.005(a) and (c), Election Code, are".

(2) Strike line 11 and substitute the following:

~~(2)~~ except as provided by Subsection (c), not be a

(3) Strike line 16 and substitute the following:

(c) A candidate for nomination or election to, or the holder of, an elective office of the federal, state, or county government is eligible to serve as an officer ~~[a county or precinct chair]~~ of a political party to which Chapter 181 applies.

(4) Renumber SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Vasut offered the following amendment to **HB 1987**:

Amend **HB 1987** (house committee printing) as follows:

(1) Between lines 15 and 16, insert the following appropriately numbered section and renumber the other sections accordingly:

Section _____. Section 161.005, Election Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) For purposes of this section, the following are officers of a political party: precinct chair, county chair, and a member, vice chair, and chair of a state executive committee of a political party.

Amendment No. 2 was adopted.

HB 1987, as amended, was passed to engrossment.

HB 1476 ON SECOND READING
(by K. Bell, Leach, Cyrier, Romero, and Raymond)

HB 1476, A bill to be entitled An Act relating to a vendor's remedies for nonpayment of a contract with this state or a political subdivision of this state.

HB 1476 was passed to engrossment.

CSHB 1793 ON SECOND READING
(by J.E. Johnson and Sanford)

CSHB 1793, A bill to be entitled An Act relating to prohibiting oral releases for automobile insurance claims.

CSHB 1793 was passed to engrossment. (Ashby, K. Bell, Darby, Dean, Geren, Lambert, and Shine recorded voting no.)

SB 1277 ON SECOND READING
(J. Turner - House Sponsor)

SB 1277, A bill to be entitled An Act relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district.

SB 1277 was considered in lieu of **HB 4403**.

SB 1277 was passed to third reading. (Ashby, Darby, Dean, Geren, Lambert, and Shine recorded voting no.)

HB 4403 - LAID ON THE TABLE SUBJECT TO CALL

Representative J. Turner moved to lay **HB 4403** on the table subject to call.

The motion prevailed.

CSHB 2822 ON SECOND READING
(by Hull, Oliverson, Guillen, et al.)

CSHB 2822, A bill to be entitled An Act relating to the availability of antipsychotic prescription drugs under the vendor drug program and Medicaid managed care.

CSHB 2822 was passed to engrossment. (Ashby, K. Bell, Dean, Geren, Leach, and Shine recorded voting no.)

CSHB 4661 ON SECOND READING
(by S. Thompson, Howard, Neave, Goldman, et al.)

CSHB 4661, A bill to be entitled An Act relating to sexual harassment by lobbyists.

Amendment No. 1

Representative S. Thompson offered the following amendment to **CSHB 4661**:

Amend **CSHB 4661** (house committee printing) as follows:

(1) Strike page 1, line 4, through page 2, line 23.

(2) Strike "305.0281" and substitute "572.103" in each of the following places it appears:

- (A) page 3, line 2;
- (B) page 3, line 8;
- (C) page 3, line 18; and
- (D) page 4, line 1.

(3) On page 4, line 6, strike "shall" and substitute "may, after notice and an opportunity for a hearing before the commission,".

(4) Strike page 4, lines 9 through 14, and substitute the following:

(c) A hearing under Subsection (b) may be held by electronic means.

(5) On page 4, line 17, strike "305.0031" and substitute "572.102".

(6) On page 4, line 21, strike "305.0031(a)(1)(A)" and substitute "572.102(b)(1)(A)".

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

SECTION _____. Chapter 572, Government Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. SEXUAL HARASSMENT

Sec. 572.101. DEFINITION. In this subchapter, "sexual harassment" means an unwelcome sexual advance, a request for a sexual favor, or any other verbal or physical conduct of a sexual nature if:

(1) submission to or rejection of the advance, request, or conduct is used as the basis for a decision in making an expenditure authorized by Chapter 305 or Title 15, Election Code;

(2) the advance, request, or conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment; or

(3) the advance, request, or conduct unreasonably interferes with a person's exercise or enjoyment of any right, privilege, power, or immunity, either explicitly or implicitly.

Sec. 572.102. SEXUAL HARASSMENT TRAINING REQUIRED. (a) Each member of the legislature, official holding an elected statewide executive branch office, or individual elected to the legislature or a statewide executive branch office shall:

(1) complete a sexual harassment training program approved by the commission not later than the 60th day after each uniform election date in November; and

(2) file with the commission written evidence of completing the program on a form prescribed by the commission.

(b) An individual required to register under Chapter 305 shall:

(1) complete:

(A) an initial sexual harassment training program approved by the commission not later than the 30th day after the date the individual files an initial registration under Section 305.005; and

(B) an additional sexual harassment training program approved by the commission not later than each two-year anniversary of the deadline under Paragraph (A); and

(2) file with the commission written evidence of completing each program on a form prescribed by the commission.

(c) The commission shall approve one or more sexual harassment training programs for purposes of Subsections (a) and (b). The commission may approve a sexual harassment training program that is made available by a house of the legislature to members, officers, and employees of that house.

(d) A sexual harassment training program approved by the commission must provide an individual with written evidence of completion of the program on a form prescribed by the commission.

(e) A sexual harassment training program approved by the commission may be offered online or in-person.

Sec. 572.103. SEXUAL HARASSMENT PROHIBITED. Each member of the legislature, official holding an elected statewide executive branch office, individual elected to the legislature or a statewide executive branch office, or individual required to register under Chapter 305 may not intentionally or knowingly engage in conduct that constitutes sexual harassment.

Amendment No. 2

Representative S. Thompson offered the following amendment to Amendment No. 1:

Amend Amendment No. 1 by S. Thompson amending **CSHB 4661** by adding the following:

(1) On page 2, line 17:
or elected to or appointed to a statewide executive branch office shall:

(2) On page 3, lines 20-21:
or elected to or appointed to a statewide executive branch office,

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

CSHB 4661, as amended, was passed to engrossment.

CSHB 4545 ON SECOND READING (by Dutton)

CSHB 4545, A bill to be entitled An Act relating to the assessment of public school students and the purchase of certain instruction-related materials, the establishment of a strong foundations grant program, providing accelerated instruction for students who fail to achieve satisfactory performance on certain assessment instruments, and an accelerated learning and sustainment outcomes bonus allotment under the foundation school program.

Amendment No. 1

Representatives K. King and Krause offered the following amendment to **CSHB 4545**:

Amend **CSHB 4545** (house committee printing) by striking page 1, lines 10 through 22, and renumbering subsequent SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

Amendment No. 2

Representatives Krause and K. King offered the following amendment to **CSHB 4545**:

Amend **CSHB 4545** (house committee printing) by striking page 15, line 1 through page 17, line 4, and renumbering subsequent SECTIONS of the bill accordingly.

Amendment No. 2 was adopted.

CSHB 4545, as amended, was passed to engrossment. (Ashby, K. Bell, Darby, Dean, Geren, Hefner, Hunter, Lambert, Metcalf, Schaefer, and Shine recorded voting no.)

HB 225 ON SECOND READING

(by S. Thompson, Collier, Hernandez, Krause, et al.)

HB 225, A bill to be entitled An Act relating to the procedure for an application for a writ of habeas corpus based on certain new evidence.

HB 225 was passed to engrossment.

HB 1252 ON SECOND READING

(by Moody, S. Thompson, E. Thompson, et al.)

HB 1252, A bill to be entitled An Act relating to the limitation period for filing a complaint and requesting a special education impartial due process hearing.

HB 1252 was passed to engrossment. (Anderson, K. Bell, and Dean recorded voting no.)

CSHB 1504 ON SECOND READING

(by C. Morales, Wu, Allen, et al.)

CSHB 1504, A bill to be entitled An Act relating to ethnic studies instruction in public schools.

Amendment No. 1

Representative C. Morales offered the following amendment to **CSHB 1504**:

Amend **CSHB 1504** (house committee report) on page 3, line 9, by striking "and" and substituting "or".

Amendment No. 1 was adopted.

CSHB 1504, as amended, was passed to engrossment. (Anderson, Ashby, K. Bell, Darby, Dean, Geren, Lambert, and Shine recorded voting no.)

COMMITTEE MEETING ANNOUNCEMENT

At 9:30 p.m., the following committee meeting was announced:

Public Education, scheduled to meet at 8 a.m. tomorrow, will convene at 9 a.m. tomorrow in the posted location.

CSHB 3979 ON SECOND READING
(by Toth, Leach, Metcalf, Bonnen, Parker, et al.)

CSHB 3979, A bill to be entitled An Act relating to the social studies curriculum in public schools.

Amendment No. 1

Representative Toth offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee report) as follows:

(1) On page 2, strike lines 6 through 8, and substitute the following:

(h-3) For any social studies course in the required curriculum:

(2) On page 2, lines 9 and 10, strike "current events or widely debated and currently controversial issues" and substitute "a particular current event or widely debated and currently controversial issue".

(3) On page 2, line 12, strike "topics" and substitute "a topic".

(4) On page 2, line 14, strike "those topics" and substitute "the topic".

(5) On page 3, line 1, strike "practicum" and substitute "internship, practicum,".

(6) On page 3, line 18, strike "or sex".

(7) On page 3, line 21, between "character" and "is", insert ", standing, or worth".

CSHB 3979 - POINT OF ORDER

Representative M. González raised a point of order against further consideration of **CSHB 3979** under Rule 8, Section 1(a)(1), of the House Rules on the grounds that the bill caption failed to give reasonable notice of the subject of the bill.

(Smith in the chair)

The point of order was withdrawn.

Amendment No. 1 was adopted.

CSHB 3979 - POINT OF ORDER

Representative M. González raised a point of order against further consideration of **CSHB 3979** under Rule 8, Section 1(a)(1), of the House Rules on the grounds that the bill caption failed to give reasonable notice of the subject of the bill.

(Murr in the chair)

The point of order was withdrawn.

Amendment No. 2

Representative Toth offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee report) as follows:

(1) On page 4, on line 1, after the underlined semicolon, strike "or"

(2) On page 4, between lines 4 and 5, insert:

(ix) that the advent of slavery in the territory that is now the United States constituted the true founding of the United States; or

(x) that, with respect to their relationship to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up to, the authentic founding principles of the United States, which include liberty and equality.

(C) require an understanding of The 1619 Project.

(Speaker in the chair)

A record vote was requested by Representative M. González.

Amendment No. 2 was adopted by (Record 929): 77 Yeas, 64 Nays, 1 Present, not voting.

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

Nays — Allen; Anchia; Beckley; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; 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.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Bernal; Dutton; Frullo; Hunter; King, K.; Kuempel.

STATEMENT OF VOTE

When Record No. 929 was taken, I was in the house but away from my desk. I would have voted yes.

Frullo

REMARKS ORDERED PRINTED

Representative Anchia moved to print all remarks on **CSHB 3979**.

The motion prevailed. [Please refer to the supplement to this journal for the text of the debate on **CSHB 3979**.]

Amendment No. 3

Representative Toth offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

A record vote was requested by Representative M. González.

Amendment No. 3 was adopted by (Record 930): 77 Yeas, 65 Nays, 1 Present, not voting.

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

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; 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.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Dutton; Frullo; King, K.; Kuempel; Murphy.

STATEMENT OF VOTE

When Record No. 930 was taken, I was in the house but away from my desk. I would have voted yes.

Frullo

CSHB 3979 - POINT OF ORDER

Representative Zwiener raised a point of order against further consideration of **CSHB 3979** under Rule 4, Section 32(c)(5), of the House Rules on the grounds that the comparison section of the bill analysis is materially misleading. The point of order was withdrawn.

Amendment No. 4

Representative Ramos offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee report) on page 2 as follows:

(1) On line 3, strike "and".

(2) On line 5, between "States" and the underlined period, insert the following:

; and

(G) writings from Frederick Douglass's newspaper, the North Star

Amendment No. 4 was adopted.

Amendment No. 5

Representative J.D. Johnson offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee printing) as follows:

(1) On page 2, line 3, strike "and".

(2) On page 2, line 5, between "States" and the underlined period, insert the following appropriately lettered paragraphs and reletter subsequent paragraphs accordingly:

() the Book of Negroes;

() the Fugitive Slave Acts of 1793 and 1850; and

() the Indian Removal Act

Amendment No. 5 was adopted.

CSHB 3979 - POINT OF ORDER

Representative M. González raised a point of order against further consideration of **CSHB 3979** under Rule 4, Section 32(c)(3), of the House Rules on the grounds that the rulemaking authority statement in the bill analysis is incorrect. The point of order was withdrawn.

Amendment No. 6

Representative J.D. Johnson offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee printing) as follows:

(1) On page 1, line 17, strike "and".

(2) On page 2, line 5, between "States" and the underlined period, insert the following appropriately numbered subdivision and renumber subsequent subdivisions of the subsection accordingly:

; and

() historical documents related to the civic accomplishments of marginalized populations, including documents related to:

- (A) the Chicano movement;
- (B) women's suffrage and equal rights;
- (C) the civil rights movement;
- (D) the Snyder Act of 1924; and
- (E) the American labor movement

Amendment No. 6 was adopted.

Amendment No. 7

Representatives Talarico and Toth offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee printing) as follows:

- (1) On page 1, line 17, strike "and".
- (2) On page 2, line 5, between "States" and the underlined period, insert the following:
; and

(5) The history of white supremacy, including but not limited to the institution of slavery, the eugenics movement, and the Ku Klux Klan, and the ways in which it is morally wrong

Amendment No. 7 was adopted.

Amendment No. 8

Representative Slaton offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee report) on page 2 as follows:

- (1) On line 3, strike "and".
- (2) On line 5, between "States" and the underlined period, insert the following:
; and

(G) Thomas Jefferson's letter to the Danbury Baptists

Amendment No. 8 was adopted.

Amendment No. 9

Representative Sherman offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee report) as follows:

- (1) On page 1, line 17, strike "and".
- (2) On page 2, line 5, between "States" and the underlined period, insert the following:
; and

(5) the history and importance of the civil rights movement, including the following documents:

(A) Martin Luther King Jr.'s Letter from Birmingham Jail and I Have a Dream speech;

(B) the federal Civil Rights Act of 1964 (42 U.S.C. Section 2000a et seq.);

(C) the United States Supreme Court's decision in Brown v. Board of Education;

(D) the Emancipation Proclamation;

(E) the Universal Declaration of Human Rights; and

(F) the Thirteenth, Fourteenth, and Fifteenth Amendments to the United States Constitution

(G) the United States Court of Appeals for the Ninth Circuit decision in Mendez v. Westminster;

(H) Frederick Douglass's Narrative of the Life of Frederick Douglass, an American Slave

(I) The life and work Cesar Chavez

(J) The life and work of Dolores Huerta

Amendment No. 9 was adopted.

Amendment No. 10

Representative J. González offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee report) as follows:

(1) On page 1, line 17, strike "and".

(2) On page 2, line 5, between "States" and the underlined period, insert the following:
; and

(5) to the history and importance of the women's suffrage movement, including the following documents:

(A) the federal Voting Rights Act of 1965 (52 U.S.C. Section 10101 et seq.);

(B) the Fifteenth, Nineteenth, and Twenty-Sixth Amendments to the United States Constitution;

(C) Abigail Adam's letter Remember the Ladies;

(D) the works of Susan B. Anthony; and

(E) the Declaration of Sentiments

Amendment No. 10 was adopted.

Amendment No. 11

Representative Ramos offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee report) on page 2 as follows:

(1) On line 3, strike "and".

(2) On line 5, between "States" and the underlined period, insert the following:
; and

(G) William Still's Underground Railroad Records

Amendment No. 11 was adopted.

Amendment No. 12

Representative Reynolds offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee report) on page 2 by striking lines 4 and 5 and substituting the following lettered paragraph:

() the writings of and about the founding fathers and mothers and other founding persons of the United States, including the writings of and about:

- (i) George Washington;
- (ii) Ona Judge;
- (iii) Thomas Jefferson;
- (iv) Sally Hemings; and
- (v) any other founding persons of the United States.

Amendment No. 13

Representative Reynolds offered the following amendment to Amendment No. 12:

Amend the Reynolds Amendment on page 1, line 6, by striking "and about".

Amendment No. 13 was adopted.

Amendment No. 12, as amended, was adopted.

Amendment No. 14

Representative Goodwin offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee report) by striking page 2, line 6 through page 4, line 4 and substituting the following:

(h-3) For courses in the social studies curriculum in Texas history, United States history, world history, government, civics, social studies, or other similar subjects, a teacher, administrator, or other employee of a state agency, school district, or open-enrollment charter school may not:

(1) be required to engage in training, orientation, or therapy that presents any form of race or sex stereotyping or blame on the basis of race or sex; and

(2) require or make part of a course the concept that:

(A) one race or sex is inherently superior to another race or sex;

(B) an individual, by virtue of the individual's race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(C) an individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race or sex;

(D) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

(E) an individual's moral character is necessarily determined by the individual's race or sex;

(F) an individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;

(G) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of the individual's race or sex; or
(H) meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race to oppress members of another race.

A record vote was requested by Representative M. González.

Amendment No. 14 failed of adoption by (Record 931): 64 Yeas, 82 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; 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; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; 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; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Gervin-Hawkins.

STATEMENTS OF VOTE

When Record No. 931 was taken, I was temporarily out of the house chamber. I would have voted yes.

Gervin-Hawkins

When Record No. 931 was taken, I was shown voting no. I intended to vote yes.

T. King

Amendment No. 15

Representative Zwiener offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee report) on page 2, line 17, by striking "may not" and substituting "may, so long as the district, school, or teacher, does not prescribe a point of view,".

MIDNIGHT

The proceedings continued after 12 a.m. and the following actions occurred on Tuesday, May 11:

A record vote was requested by Representative M. González.

Amendment No. 15 failed of adoption by (Record 932): 47 Yeas, 69 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Campos; Collier; Cortez; Crockett; González, M.; Goodwin; Guerra; Guillen; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Ramos; Raymond; Reynolds; Rodríguez; Rogers; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Bucy; Burns; Burrows; Canales; Cole; Cyrier; Darby; Davis; Deshotel; Dominguez; Dutton; Fierro; Geren; Gervin-Hawkins; González, J.; Hernandez; Huberty; Israel; King, K.; King, T.; Larson; Longoria; Lucio; Morales, C.; Morales Shaw; Paddie; Perez; Shine; Smithee; Thompson, S.; Walle.

STATEMENTS OF VOTE

When Record No. 932 was taken, I was in the house but away from my desk. I would have voted no.

Burns

When Record No. 932 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

When Record No. 932 was taken, I was in the house but away from my desk. I would have voted no.

Cyrier

When Record No. 932 was taken, I was temporarily out of the house chamber. I would have voted yes.

Gervin-Hawkins

When Record No. 932 was taken, I was in the house but away from my desk. I would have voted yes.

C. Morales

Amendment No. 16

Representative J.D. Johnson offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee printing) as follows:

(1) On page 2, line 15, immediately following the underlined semicolon, insert "and".

(2) Strike page 2, line 16, through page 3, line 3, and substitute the following:

(3) a teacher, administrator, or other employee of a

A record vote was requested by Representative M. González.

Amendment No. 16 failed of adoption by (Record 933): 65 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; 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; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; 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; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Thompson, S.

Amendment No. 17

Representative M. González offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee printing) as follows:

(1) On page 2, strike lines 19 through 23 and substitute the following:

(A) work for, affiliation with, or service learning in association with any organization engaged in lobbying for legislation at the federal, state, or local level; or

(2) On page 2, line 27, strike "or" and substitute "and".

(3) On page 3, strike lines 1 and 2.

A record vote was requested by Representative M. González.

Amendment No. 17 failed of adoption by (Record 934): 63 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; 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.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; 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; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Dominguez; Raymond; Thompson, S.

Amendment No. 18

Representatives Collier, Neave, and Thierry offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee report) by striking added Section 28.002(h-2)(4)(D), Education Code (page 1, line 24 through page 2, line 1), and renumbering the paragraphs of the section accordingly.

Amendment No. 18 was adopted.

Amendment No. 19

Representative Capriglione offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee report) on page 3, lines 2 and 3, strike "and (4)" and substitute:

"a state agency, school district, or school may not teach, instruct, or train any administrator, teacher, staff member, or employee to adopt any of the following concepts:

(A) one race or sex is inherently superior to another race or sex;

(B) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(C) an individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race;

(D) members of one race cannot or should not attempt to treat others without respect to race;

(E) an individual's moral standing or worth is necessarily determined by his or her race or sex;

(F) an individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;

(G) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex;

(H) meritocracy or traits such as a hard work ethic are racist or sexist, or were created by members of a particular race to oppress members of another race;

(I) fault, blame, or bias should be assigned to a race or sex, or to members of a race or sex because of their race or sex; and

(5) "

Amendment No. 19 - Point of Order

Representative Zwiener raised a point of order against further consideration of Amendment No. 19 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane. The point of order was withdrawn.

Amendment No. 19 was withdrawn.

Amendment No. 20

Representative E. Morales offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee report) on page 1, between lines 14 and 15, by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

() the history of Native Americans;

Amendment No. 20 was adopted.

Amendment No. 21

Representative Herrero offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee printing) as follows:

(1) On page 1, line 17, strike "and"

(2) On page 2, line 5, between "States" and the underlined period, insert the following appropriately numbered subdivision and renumber subsequent subdivisions of the subsection accordingly:

; and

() the life and works of Dr. Hector P. Garcia;

() the American GI Forum;

() the League of United Latin American Citizens;

() Hernandez vs. Texas (1954),

Amendment No. 21 was adopted.

Amendment No. 22

Representative Anchia offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee report) as follows:

(1) On page 1, line 17, strike "and".

(2) On page 2, line 5, between "States" and the underlined period, insert the following:

; and

(5) the history of January 6, 2021, insurrection and how it was a stain on American history

A record vote was requested by Representative M. González.

Amendment No. 22 failed of adoption by (Record 935): 54 Yeas, 81 Nays, 1 Present, not voting.

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

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; 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; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Beckley; Cole; Davis; Gervin-Hawkins; González, J.; Guillen; Howard; Israel; Johnson, J.E.; Minjarez; Raymond; Thompson, S.

STATEMENTS OF VOTE

When Record No. 935 was taken, I was temporarily out of the house chamber. I would have voted yes.

Gervin-Hawkins

When Record No. 935 was taken, I was in the house but away from my desk. I would have voted yes.

Guillen

Amendment No. 23

Representatives Burns and Collier offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee report) on page 1, lines 22 and 23, by striking ", including Essays 10 and 51".

Amendment No. 23 was adopted.

Amendment No. 24

Representative M. González offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee report) by striking page 3, line 3 through page 4, line 4, and substituting the following appropriately numbered subdivision:

() a teacher, administrator, or other employee of a state agency, school district, or open-enrollment charter school may not be required to engage in training, orientation, or therapy that presents any form of race or sex stereotyping or blame on the basis of race or sex.

A record vote was requested by Representative M. González.

Amendment No. 24 failed of adoption by (Record 936): 57 Yeas, 81 Nays, 1 Present, not voting.

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

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; 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; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Beckley; Dutton; Gervin-Hawkins; González, J.; Howard; Israel; Johnson, J.E.; Minjarez; Thompson, S.

STATEMENT OF VOTE

When Record No. 936 was taken, I was temporarily out of the house chamber. I would have voted yes.

Gervin-Hawkins

Amendment No. 25

Representative Anchia offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee printing) as follows:

(1) On page 1, line 5, strike "(h-2), (h-3), and (h-4)" and substitute "(h-2) and (h-3)".

(2) On page 4, strike lines 5 through 9.

A record vote was requested by Representative M. González.

Amendment No. 25 failed of adoption by (Record 937): 59 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Huberty; Johnson, A.; Johnson, J.D.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Beckley; Gervin-Hawkins; González, J.; Howard; Israel; Johnson, J.E.; Minjarez; Thompson, S.

STATEMENT OF VOTE

When Record No. 937 was taken, I was temporarily out of the house chamber. I would have voted yes.

Gervin-Hawkins

Amendment No. 26

Representative Talarico offered the following amendment to **CSHB 3979**:

Amend **CSHB 3979** (house committee report) as follows:

(1) On page 1, line 5, strike "and (h-4)" and substitute "(h-4), and (h-5)".

(2) On page 4, between lines 9 and 10, insert the following:

(h-5) A school district or open-enrollment charter school may not implement, interpret, or enforce any rules or student code of conduct in a manner that would result in the punishment of a student for discussing, or have a chilling effect on student discussion of, the concepts described by Subsection (h-3)(4).

Amendment No. 26 was adopted.

CSHB 3979 - POINT OF ORDER

Representative Rose raised a point of order against further consideration of **CSHB 3979** under Rule 4, Section 32(c)(2), of the House Rules on the grounds that the bill analysis is materially misleading. The point of order was withdrawn.

A record vote was requested by Representative Herrero.

CSHB 3979, as amended, was passed to engrossment by (Record 938): 81 Yeas, 52 Nays, 1 Present, not voting.

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

Nays — Allen; Anchia; Bernal; Bowers; Bucy; Canales; Cole; Collier; Cortez; Deshotel; Dominguez; Dutton; Fierro; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Johnson, A.; Johnson, J.D.; King, T.; Larson; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Ramos; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Beckley; Campos; Crockett; Davis; Gervin-Hawkins; González, J.; Guillen; Howard; Israel; Johnson, J.E.; Morales Shaw; Pacheco; Reynolds; Thompson, S.

STATEMENTS OF VOTE

When Record No. 938 was taken, I was temporarily out of the house chamber. I would have voted no.

Gervin-Hawkins

When Record No. 938 was taken, my vote failed to register. I would have voted no.

Guillen

When Record No. 938 was taken, my vote failed to register. I would have voted no.

Morales Shaw

RECESS

Representative Metcalf moved that the house recess until 10 a.m. today.

The motion prevailed.

The house accordingly, at 1:28 a.m. Tuesday, May 11, recessed until 10 a.m. today.

ADDENDUM

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

Monday, May 10, 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:

- | | | |
|---|------------|----------------------|
| HB 533 | Shine | SPONSOR: Bettencourt |
| Relating to ad valorem tax sales of personal property seized under a tax warrant. | | |
| HB 654 | Lucio III | SPONSOR: Johnson |
| Relating to the rule against perpetuities.
(Amended) | | |
| HB 1622 | Guillen | SPONSOR: Hughes |
| Relating to reporting of early voting rosters. | | |
| HB 1699 | Raney | SPONSOR: Buckingham |
| Relating to the taking of unbanded pen-reared pheasant and quail by certain landowners. | | |
| HB 1905 | Harris | SPONSOR: Taylor |
| Relating to relieving regional water planning groups of certain duties. | | |
| HCR 87 | Darby | SPONSOR: Nichols |
| In memory of former state representative John Clifford Otto. | | |
| HCR 88 | Stephenson | SPONSOR: Kolkhorst |
| Congratulating Merle Reue Hudgins of Wharton on receiving the Yellow Rose of Texas Award. | | |
| HCR 100 | Craddick | SPONSOR: Seliger |
| Congratulating Maria M. Ramirez on her retirement from the Texas Health and Human Services Commission. | | |
| HCR 102 | Craddick | SPONSOR: Seliger |
| Commending James Fuller for his service to Midland as an educator, administrator, and school board trustee. | | |

SCR 43 Hughes

In memory of Michael Phillip Smith of Tyler.

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SB 43 (30 Yeas, 0 Nays)

SB 44 (28 Yeas, 2 Nays)

THE SENATE HAS REFUSED TO CONCUR IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

SB 1438

Senate Conferees: Bettencourt - Chair/Creighton/Hinojosa/Perry/Schwertner

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Monday, May 10, 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 957 Zaffirini

Relating to the denial or reduction of an award otherwise payable under the Crime Victims' Compensation Act.

SB 1020 Hughes

Relating to the reimbursement of state employees for groceries consumed while traveling on official state business.

SB 2028 Kolkhorst

Relating to the Medicaid program, including the administration and operation of the Medicaid managed care program.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 8

Appropriations - **SB 1605**

Corrections - **SCR 1**

Elections - **SB 155, SB 1387**

Homeland Security and Public Safety - **HB 821**

Insurance - **HB 2668**

Land and Resource Management - **HB 1878, SB 2162**

Pensions, Investments, and Financial Services - **HB 3472, HB 3929**

Public Health - **HB 3711**

State Affairs - **HB 623, HB 1373, HB 1743, HB 1817, HB 2156, HB 3759, HB 4473, HCR 7, HR 253, SB 1225**

Transportation - **SB 730, SB 1124**

ENGROSSED

May 8 - HB 189, HB 269, HB 273, HB 278, HB 349, HB 466, HB 504, HB 506, HB 532, HB 981, HB 1014, HB 1075, HB 1115, HB 1207, HB 1217, HB 1231, HB 1321, HB 1361, HB 1475, HB 1497, HB 1726, HB 1863, HB 2056, HB 2107, HB 2145, HB 2209, HB 2235, HB 2237, HB 2272, HB 2274, HB 2345, HB 2428, HB 2445, HB 2521, HB 2566, HB 2645, HB 2700, HB 2708, HB 2721, HB 2758, HB 2807, HB 2811, HB 2835, HB 2850, HB 2903, HB 2936, HB 2947, HB 2951, HB 3006, HB 3009, HB 3018, HB 3026, HB 3033, HB 3088, HB 3114, HB 3135, HB 3256, HB 3324, HB 3366, HB 3387, HB 3400, HB 3413, HB 3416, HB 3481, HB 3496, HB 3514, HB 3565, HB 3566, HB 3570, HB 3597, HB 3607, HB 3682, HB 3690, HB 3773, HB 3821, HB 3833, HB 3855, HB 3864, HB 3953, HB 3957, HB 3986, HB 4048, HB 4056, HB 4080, HB 4149, HB 4153, HB 4158, HB 4166, HB 4242, HB 4295, HB 4305, HB 4426, HB 4429, HB 4454, HB 4465, HB 4477, HB 4564, HB 4571, HB 4572, HB 4583, HB 4585, HB 4588, HB 4594, HB 4606, HB 4609, HB 4610, HB 4611, HB 4614, HB 4621, HB 4626, HB 4646, HCR 24

SIGNED BY THE GOVERNOR

May 8 - HB 1195, HCR 77