

# HOUSE JOURNAL

---

---

EIGHTY-SEVENTH LEGISLATURE, REGULAR SESSION

---

---

## PROCEEDINGS

---

FIFTY-FIFTH DAY — TUESDAY, MAY 25, 2021

The house met at 10:41 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 1421).

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

Absent, Excused — Coleman.

Absent — Pacheco.

(Pacheco now present)

The invocation was offered by Representative Canales as follows:

Heavenly Father, we are gathered here in the spirit of progress and in desperate need of your love and abundant grace. We pray for our children—for their health and their education and that that education not fall victim to testing profiteers—and that our teachers be held on high and that their pensions be held even higher and out of the reach of greedy hands. We ask that you light a fire within our hearts—fire to support those men and women who first respond and who also fight the fires that burn our lands and our homes—and that you fill our hearts with the spirit of giving, so much so that our food banks overflow.

We come to pray to seek not just the wisdom of the law but also that of the creator who created that wisdom and that law. We pray for your guidance, that we take inspiration from your love of all people and that we pursue justice which is due to every human being. Lord on high—gentle, yet powerful; lowly, yet almighty; shepherd, yet king—in your gentle guidance and your power, strengthen us with your lowliness and strip us of the selfish pride that destroys us. In your greatness, lift us up so that we may aspire to greater things. Bow us. Bend us at this hour so that we and these words may become the song of our heart, our mind, and our soul. In Jesus' name we pray. Amen.

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

### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative Geren requested permission for the Committee on Local and Consent Calendars to meet while the house is in session, at 11 a.m. today, in 1W.14, to consider committee business.

Permission to meet was granted.

### **BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 27).

### **SB 678 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED**

Representative Button moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representatives C. Morales, C. Bell, and Cortez as house sponsors to **SB 678**.

The motion prevailed.

### **MAJOR STATE CALENDAR SENATE BILLS THIRD READING**

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

#### **SB 4 ON THIRD READING (Burrows - House Sponsor)**

**SB 4**, A bill to be entitled An Act relating to provisions in agreements between governmental entities and professional sports teams requiring the United States national anthem to be played at team events.

#### **SB 4 - REMARKS**

REPRESENTATIVE WU: Chair Burrows, just some clarification on your bill. The legislation that you're proposing affects contracts made between cities and sports teams, correct?

REPRESENTATIVE BURROWS: It's all local government, or all governmental entities, yes.

WU: But on one side is a governmental agency and on the other side of the contract is a private organization, individual, or company, correct?

BURROWS: Professional sports team is what it's defined as, yes.

WU: Okay, and that would be a private—that would not be another state agency, correct?

BURROWS: As far as I know, there are no governmental sports teams, yes.

WU: And from your layout yesterday, from your discussions yesterday, it seems like these contracts are already in existence. Is that correct?

BURROWS: I assume there are. I assume there are more to come.

WU: And if there are contracts already in existence, if this law went into place, existing contracts could be undone.

BURROWS: I don't believe so. I think as long as the professional sports teams, which I believe they all are playing the national anthem, could just simply continue to play the national anthem.

WU: But if one chose not to—under this law, if one chose not to—continue playing the national anthem or they chose to play a different anthem or they chose to not play the entirety of the national anthem in violation of this law, their contracts would be undone.

BURROWS: There's a provision in here that talks about what the defaults of the agreement will be. It talks about: "A governmental entity may not enter into an agreement with a professional sports team that requires financial commitment by the state or governmental entity unless the agreement includes . . ." So it's talking about new agreements.

WU: I'm sorry?

BURROWS: I believe it's talking about new agreements and what's required in new agreements by definition.

WU: Only new agreements?

BURROWS: Yes, we can look at it right here. In Section 2274.002, Provisions Required in Certain Agreements: "A governmental entity may not enter into a agreement . . ." So it's talking about the action of entering into agreement not actually invalidating existing ones.

WU: So just to be clear, if a sports team has a 10-, 20-, 30-year contract—an existing contract—they could not violate the terms of this legislation.

BURROWS: Well, they would not be—the act of entering into an agreement would not occur.

WU: Could you repeat your answer please?

BURROWS: Mr. Wu, let's look at the exact language of this because I think it answers itself. It says: "A governmental entity may not enter into an agreement with a professional sports team that requires a financial commitment by this state or governmental entity unless the agreement includes . . ." So it's not talking about old agreements that are already existing. It's talking about the action of entering into an agreement, which is what I think is specified in here. And so it's only talking about if you enter into an agreement which I take to be a new agreement.

WU: And would it be fair to say that that is only forward looking? It is not retroactive?

BURROWS: My legal reading of that, this would be what it means.

WU: So just to be extra clear for purposes of legislative intent—this legislation would not upset any existing contracts. It is not possible for this legislation to undo any existing contracts.

BURROWS: And I think there may be some other provision elsewhere, not in this law, that doesn't allow us to go retroactive on contracts as well.

WU: I'm sorry?

BURROWS: I believe there may be some other provisions out there that say we can't retroactively do contracts.

WU: Which provision is that?

BURROWS: Not in this—I'm sorry, I said other provisions in other sections of the Constitution and in the state law that require us not to undo existing agreements. This is forward looking by its own language by definition.

### REMARKS ORDERED PRINTED

Representative Wu moved to print remarks between Representative Burrows and Representative Wu on **SB 4**.

The motion prevailed.

#### Amendment No. 1

Representative Zwiener offered the following amendment to **SB 4**:

Amend **SB 4** (house committee report) on third reading as follows:

(1) On page 2, line 1, strike "will play the United States national anthem" and substitute "will".

(2) On page 2, line 3, between "event" and the underlined semicolon, insert the following:

, play:

(A) the United States national anthem; or

(B) the state song, "Texas, Our Texas," as provided by Section

3101.005

Amendment No. 1 failed of adoption.

**Amendment No. 2**

Representative Anchia offered the following amendment to **SB 4**:

Amend **SB 4** (on third reading) on page 2, line 1, between "the" and "United", by inserting "four stanzas of the".

Amendment No. 2 was withdrawn.

**SB 4** was passed by (Record 1422): 110 Yeas, 34 Nays, 3 Present, not voting.

Yeas — Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Canales; Capriglione; Cason; Clardy; Cole; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Dominguez; Ellzey; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Herrero; Holland; Howard; Huberty; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Martinez; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, E.; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Price; Raney; Raymond; Rogers; Romero; Rose; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Tinderholt; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Beckley; Bernal; Bowers; Bucy; Campos; Collier; Crockett; Deshotel; Dutton; Fierro; González, J.; González, M.; Goodwin; Hinojosa; Israel; Lucio; Martinez Fischer; Morales, C.; Morales Shaw; Perez; Ramos; Reynolds; Rodriguez; Rosenthal; Sherman; Talarico; Thompson, S.; Toth; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C); Johnson, J.D.; Turner, C.

Absent, Excused — Coleman.

Absent — Hernandez; King, T.

**STATEMENTS OF VOTE**

When Record No. 1422 was taken, I was shown voting yes. I intended to vote no.

Anchia

When Record No. 1422 was taken, I was shown voting yes. I intended to vote no.

Cole

When Record No. 1422 was taken, I was shown voting yes. I intended to vote no.

Davis

When Record No. 1422 was taken, I was shown voting yes. I intended to vote no.

Howard

When Record No. 1422 was taken, I was shown voting yes. I intended to vote no.

A. Johnson

When Record No. 1422 was taken, I was shown voting yes. I intended to vote no.

Lopez

When Record No. 1422 was taken, I was shown voting yes. I intended to vote no.

Ordaz Perez

When Record No. 1422 was taken, I was shown voting yes. I intended to vote no.

Rose

When Record No. 1422 was taken, I was shown voting yes. I intended to vote no.

Thierry

When Record No. 1422 was taken, I was shown voting no. I intended to vote yes.

Toth

### REASON FOR VOTE

Representative J. Turner submitted the following reason for vote to be printed in the journal:

I love and revere our national anthem, and appreciate its role as a civic institution and a source of national unity. When I place my hand over my heart and hear the words of "The Star-Spangled Banner," it is a reminder to me of our love for our country, and especially of our respect for those who have served, sacrificed, and even given their lives for this nation.

I voted against **SB 4** for two reasons. First, I believe that the bill is likely unconstitutional under the precedents of the United States Supreme Court. These include *Agency for Int'l Dev. v. Alliance for Open Soc'y Int'l, Inc.* (2013) and *West Virginia Bd. of Educ. v. Barnette* (1943), cases which seem to be valid interpretations of the First Amendment. (Although the bill conditions the requirement on public financial commitments, such agreements are common, and the bill appears to present an unconstitutional funding condition under the standards set forth in *Agency for Int'l Dev.*). It follows from the oath all members of the house took at the beginning of the legislative session that they should vote against any bill they believe to be unconstitutional.

Second, I believe the national anthem is even more meaningful when it is played freely, not as a result of legal compulsion. **SB 4** would change our anthem from something that is played and sung voluntarily at professional sporting events to something that is done because it is mandated by law. We should be mindful that governmental compulsion of such activities can undermine the sincere and heartfelt feelings that characterize voluntary participation.

The NBA and other professional leagues and teams have already made clear their intent to continue playing the national anthem before their games. I am confident that they would have done so without this bill. Allowing the anthem to continue to be played and sung freely would be true to the words of the anthem itself—which remind us that we are the "land of the free and the home of the brave."

### **SB 15 ON THIRD READING**

**(P. King, Stucky, Perez, and Ashby - House Sponsors)**

**SB 15**, A bill to be entitled An Act relating to the Texas Consumer Privacy Act Phase I; creating criminal offenses; increasing the punishment for an existing criminal offense.

#### **Amendment No. 1**

Representative J. Turner offered the following amendment to **SB 15**:

Amend **SB 15** (on third reading) as amended by Amendment No. 1 by P. King in added Section 730.007(a-1)(2), Transportation Code, by striking "attorney general or as part" and substituting "attorney general as part".

Amendment No. 1 was adopted.

**SB 15**, as amended, was passed by (Record 1423): 146 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Bowers; Deshotel.

### STATEMENT OF VOTE

When Record No. 1423 was taken, I was in the house but away from my desk. I would have voted yes.

Bowers

### SB 30 ON THIRD READING

#### (Leach and S. Thompson - House Sponsors)

**SB 30**, A bill to be entitled An Act relating to the removal of certain discriminatory provisions from a recorded conveyance instrument or document.

**SB 30** was passed by (Record 1424): 146 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Bowers; Deshotel.

### STATEMENTS OF VOTE

When Record No. 1424 was taken, I was in the house but away from my desk. I would have voted yes.

Bowers



When Record No. 1424 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

**SB 1580 ON THIRD READING**  
**(Paddie - House Sponsor)**

**SB 1580**, A bill to be entitled An Act relating to the use of securitization by electric cooperatives to address certain weather-related extraordinary costs and expenses.

**SB 1580** was passed by (Record 1425): 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; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Dean; Johnson, J.E.; Pacheco; Shine.

**STATEMENTS OF VOTE**

When Record No. 1425 was taken, I was in the house but away from my desk. I would have voted yes.

Dean

When Record No. 1425 was taken, I was in the house but away from my desk. I would have voted yes.

Shine

**SB 30 - RULES SUSPENDED  
HOUSE SPONSOR AUTHORIZED**

Representative Leach moved to suspend Rule 8, Section 5(d), of the House Rules to designate as house sponsors and co-sponsors for **SB 30** Representatives Wu, J.D. Johnson, and Button and all co-authors for **HB 2591**.

The motion prevailed.

**GENERAL STATE CALENDAR  
SENATE BILLS  
THIRD READING**

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

**SB 23 ON THIRD READING  
(Oliverson, Harless, et al. - House Sponsors)**

**SB 23**, A bill to be entitled An Act relating to an election to approve a reduction or reallocation of funding or resources for certain county law enforcement agencies.

**Amendment No. 1**

Representative Israel offered the following amendment to **SB 23**:

Amend **SB 23** on third reading in SECTION 1 of the bill, in added Section 120.001, Local Government Code, strike "one million" and replace with "800,000".

Amendment No. 1 failed of adoption.

**Amendment No. 2**

Representative Beckley offered the following amendment to **SB 23**:

Amend **SB 23** on third reading as follows:

On page 1, line 10, strike "of more than one million", and substitute "greater than 780,000 and less than 800,000"

A record vote was requested by Representative Ramos.

Amendment No. 2 failed of adoption by (Record 1426): 63 Yeas, 84 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; 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.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Bucy.

### **Amendment No. 3**

Representative Wu offered the following amendment to **SB 23**:

Amend **SB 23** on third reading in SECTION 1 of the bill, in added Section 120.001, Local Government Code, strike "one million" and replace with "650,000".

A record vote was requested by Representative Ramos.

Amendment No. 3 failed of adoption by (Record 1427): 65 Yeas, 82 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Bucy.

**Amendment No. 4**

Representative Hinojosa offered the following amendment to **SB 23**:

Amend **SB 23** on third reading in SECTION 1 of the bill, in added Section 120.001, Local Government Code, strike "one million" and replace with "400,000".

(Canales in the chair)

Amendment No. 4 was withdrawn.

**Amendment No. 5**

Representative Crockett offered the following amendment to **SB 23**:

Amend **SB 23** on third reading in SECTION 1 of the bill, in added Section 120.001, Local Government Code, strike "one million" and replace with "300,000".

A record vote was requested by Representative Ramos.

Amendment No. 5 failed of adoption by (Record 1428): 58 Yeas, 84 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Coleman.

Absent — Bucy; Johnson, J.E.; Pacheco; Rose; Zwiener.

**STATEMENT OF VOTE**

When Record No. 1428 was taken, I was in the house but away from my desk. I would have voted no.

Rose

**Amendment No. 6**

Representative Cole offered the following amendment to **SB 23**:

Amend **SB 23** on third reading in SECTION 1 of the bill, in added Section 120.001, Local Government Code, strike "one million" and replace with "130,000".

A record vote was requested by Representative Ramos.

Amendment No. 6 failed of adoption by (Record 1429): 61 Yeas, 82 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Coleman.

Absent — Bailes; Bucy; Capriglione; Zwiener.

**Amendment No. 7**

Representatives J.E. Johnson, Zwiener, Talarico, Canales, Israel, Reynolds, Lopez, Ortega, Howard, Anchia, Morales Shaw, Davis, Crockett, J. González, Rosenthal, and M. González offered the following amendment to **SB 23**:

Amend **SB 23** on third reading in SECTION 1 of the bill, by striking added Section 120.001, Local Government Code, and substituting the following:

Sec. 120.001. APPLICABILITY. This chapter applied only to a county with a population of:

- (1) more than 81,840 and less than 86,770;  
(2) more than 51,185 and less than 53,325; and  
(3) more than 35,160 and less than 35,705.

A record vote was requested by Representative Ramos.

Amendment No. 7 failed of adoption by (Record 1430): 62 Yeas, 81 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; 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; Geren; Goldman; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hull; 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; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Coleman.

Absent — Gates; Hunter; Meza; Price.

### STATEMENT OF VOTE

When Record No. 1430 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

### Amendment No. 8

Representative Ramos offered the following amendment to **SB 23**:

Amend **SB 23** on third reading as follows:

On page 1, line 10, strike "of more than one million", and substitute "greater than 49,000 and less than 50,000"

A record vote was requested by Representative Ramos.

Amendment No. 8 failed of adoption by (Record 1431): 61 Yeas, 82 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Campos; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; 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; 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; 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; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Coleman.

Absent — Bailes; Bucy; González, J.; Pacheco.

### **Amendment No. 9**

Representative Ramos offered the following amendment to **SB 23**:

Amend **SB 23** on third reading as follows:

On page 1, line 10, strike "of more than one million", and substitute "greater than 37,000 and less than 38,000"

(Speaker in the chair)

### **Amendment No. 9 - Point of Order**

Representative Capriglione raised a point of order against further consideration of Amendment No. 9 on the grounds that the amendment was offered solely for a dilatory purpose. The point of order was withdrawn.

A record vote was requested by Representative Ramos.

Amendment No. 9 failed of adoption by (Record 1432): 58 Yeas, 82 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bailes; Beckley; Bowers; Campos; Canales; 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.; Lopez; Lucio; Martinez; Martinez Fischer; 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.; Walle; Wu; Zwiener.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Bernal; Bucy; Ellzey; Gervin-Hawkins; Jetton; Meza; Swanson; Vo.

### STATEMENTS OF VOTE

When Record No. 1432 was taken, I was shown voting no. I intended to vote yes.

Cole

When Record No. 1432 was taken, I was in the house but away from my desk. I would have voted no.

Ellzey

When Record No. 1432 was taken, I was in the house but away from my desk. I would have voted yes.

Gervin-Hawkins

When Record No. 1432 was taken, my vote failed to register. I would have voted no.

Jetton

When Record No. 1432 was taken, I was shown voting no. I intended to vote yes.

Minjarez

When Record No. 1432 was taken, I was in the house but away from my desk. I would have voted no.

Swanson

### Amendment No. 10

Representative Bernal offered the following amendment to **SB 23**:

Amend **SB 23** on third reading in SECTION 1 of the bill, by striking Section 120.001, Local Government Code, and substituting the following:

Sec. 120.001. APPLICABILITY. This chapter applies only to:

(1) a county with a population of one million or more; or



(2) a county that has a higher rate of murder or human trafficking per capita than the county with the lowest rate of murder or human trafficking per capita of the counties with a population of one million or more.

A record vote was requested by Representative Ramos.

Amendment No. 10 failed of adoption by (Record 1433): 62 Yeas, 80 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Ellzey; Johnson, J.D.; Morales, E.; Pacheco; Swanson; Vo.

#### STATEMENTS OF VOTE

When Record No. 1433 was taken, I was in the house but away from my desk. I would have voted no.

Ellzey

When Record No. 1433 was taken, I was in the house but away from my desk. I would have voted yes.

E. Morales

When Record No. 1433 was taken, I was in the house but away from my desk. I would have voted no.

Swanson

**HR 1701 - NOTICE OF INTRODUCTION**

Pursuant to Rule 13, Section 9(f), of the House Rules, the chair announced the introduction of **HR 1701**, suspending the limitations on the conferees for **SB 1**.

**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).

**SB 23 - (consideration continued)****Amendment No. 11**

Representative C. Turner offered the following amendment to **SB 23**:

Amend **SB 23** on third reading on page 5, between lines 23 and 24, by inserting the following:

(e) This subsection applies only to a county to which Subsection (c) applies. If the amount budgeted by the county for a law enforcement agency, excluding a 9-1-1 call center, with primary responsibility for policing, criminal investigation, and answering calls for service for a fiscal year exceeds the amount budgeted for that purpose for the preceding fiscal year, the no-new-revenue tax rate of the county for purposes of Subsection (c) is increased by the lesser of:

(1) the amount of the increase divided by the difference between the county's current total value and new property value as defined by Section 26.012, Tax Code; or

(2) the amount computed by:

(A) multiplying the amount budgeted for that purpose for the preceding fiscal year by 0.05; and

(B) dividing the amount computed under paragraph (A) by the difference between the county's current total value and new property value as defined by Section 26.012, Tax Code.

A record vote was requested by Representative Ramos.

Amendment No. 11 failed of adoption by (Record 1434): 62 Yeas, 84 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; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Herrero; Spiller.

### STATEMENT OF VOTE

When Record No. 1434 was taken, I was shown voting no. I intended to vote yes.

Muñoz

#### Amendment No. 12

Representatives Moody and Schofield offered the following amendment to **SB 23**:

Amend **SB 23** on third reading in SECTION 1 of the bill, in added Section 120.002(c), Local Government Code, as follows:

(1) In Subdivision (3), strike "or".

(2) In Subdivision (4), between "agency" and the underlined period, insert the following:

; or

(5) for a county that has implemented a policy that prohibits the county's law enforcement agency from using money from a civil asset forfeiture, money obtained before the implementation of the policy from a forfeiture or from the proceeds of a forfeiture

Amendment No. 12 was adopted.

#### Amendment No. 13

Representative J.D. Johnson offered the following amendment to **SB 23**:

Amend **SB 23** (house committee printing) on page 2, lines 20-21, by striking "Section 41.001, Election Code, does not apply to an election under this subsection.".

A record vote was requested by Representative Ramos.

Amendment No. 13 failed of adoption by (Record 1435): 57 Yeas, 85 Nays, 1 Present, not voting.

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

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

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Dutton; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Guillen; 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; Raney; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Herrero; Martinez Fischer; Pacheco; Rodriguez; Thompson, E.; Walle.

#### STATEMENTS OF VOTE

When Record No. 1435 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

When Record No. 1435 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez Fischer

When Record No. 1435 was taken, I was in the house but away from my desk. I would have voted no.

E. Thompson

When Record No. 1435 was taken, I was in the house but away from my desk. I would have voted yes.

Walle

#### Amendment No. 14

Representative J.D. Johnson offered the following amendment to **SB 23**:

Amend **SB 23** on third reading in SECTION 1 of the bill, in added Section 120.002, Local Government Code, by adding the following appropriately lettered subsection and relettering subsequent subsections of that section accordingly:

( ) Notwithstanding Subsection (b), if the commissioners court of the county finds that a proposed reduction or reallocation described by Subsection (a) affects only one precinct, the county may implement the reduction or reallocation if the reduction or reallocation is approved by the voters of the affected precinct.

A record vote was requested by Representative Ramos.

Amendment No. 14 failed of adoption by (Record 1436): 60 Yeas, 84 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Anchia; King, T.; Muñoz; Pacheco.

### STATEMENT OF VOTE

When Record No. 1436 was taken, my vote failed to register. I would have voted yes.

Muñoz

### SB 23 - POINT OF ORDER

Representative Hinojosa raised a point of order against further consideration of **SB 23** 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.

**SB 23**, as amended, was passed by (Record 1437): 86 Yeas, 59 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Canales; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Martinez; Metcalf; Meyer; Middleton; Moody; Morrison; Muñoz; Murphy; Murr; Noble; Oliverson; Paddie;

Parker; Patterson; Paul; Price; Raney; Raymond; Rogers; Schaefer; Schofield; Shaheen; Shine; Slaton; Smith; Smithee; Spiller; Stephenson; Stucky; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Cain; Slawson; Swanson.

### STATEMENTS OF VOTE

When Record No. 1437 was taken, my vote failed to register. I would have voted yes.

Cain

When Record No. 1437 was taken, I was shown voting no. I intended to vote yes.

Krause

When Record No. 1437 was taken, I was shown voting yes. I intended to vote no.

Moody

When Record No. 1437 was taken, I was shown voting no. I intended to vote yes.

Sanford

When Record No. 1437 was taken, I was in the house but away from my desk. I would have voted yes.

Slawson

When Record No. 1437 was taken, my vote failed to register. I would have voted yes.

Swanson

### SB 1047 ON THIRD READING (Smithee - House Sponsor)

**SB 1047**, A bill to be entitled An Act relating to the execution of a search warrant for taking a blood specimen from certain persons in certain intoxication offenses.

**Amendment No. 1**

Representatives A. Johnson and Smithee offered the following amendment to **SB 1047**:

Amend **SB 1047** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Article 18.10, Code of Criminal Procedure, is amended to read as follows:

Art. 18.10. HOW RETURN MADE. (a) Not later than three whole days after executing a search warrant, the officer shall return the search warrant. Upon returning the search warrant, the officer shall state on the back of the same, or on some paper attached to it, the manner in which the warrant has been executed. The officer shall also deliver to the magistrate a copy of the inventory of the property taken into his possession under the warrant. The failure of an officer to make a timely return of an executed search warrant or to submit an inventory of the property taken into the officer's possession under the warrant does not bar the admission of evidence under Article 38.23. The officer who seized the property shall retain custody of it until the magistrate issues an order directing the manner of safekeeping the property. Except as otherwise provided by Subsection (b), the [The] property may not be removed from the county in which it was seized without an order approving the removal, issued by a magistrate in the county in which the warrant was issued; provided, however, nothing herein shall prevent the officer, or his department, from forwarding any item or items seized to a laboratory for scientific analysis.

(b) For the purposes of complying with this article, property seized pursuant to a warrant executed under Article 18.067 may be removed from the county in which it was seized and returned to the county in which the warrant was issued without a court order.

Amendment No. 1 was adopted.

**SB 1047**, as amended, was passed by (Record 1438): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddock; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney;

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Allen; Beckley; Bowers; Slaton.

### STATEMENTS OF VOTE

When Record No. 1438 was taken, my vote failed to register. I would have voted yes.

Allen

When Record No. 1438 was taken, I was in the house but away from my desk. I would have voted yes.

Beckley

When Record No. 1438 was taken, I was in the house but away from my desk. I would have voted yes.

Bowers

When Record No. 1438 was taken, I was shown voting yes. I intended to vote no.

Cason

When Record No. 1438 was taken, I was in the house but away from my desk. I would have voted yes.

Slaton

### SB 64 ON THIRD READING (White - House Sponsor)

**SB 64**, A bill to be entitled An Act relating to a peer support network for certain law enforcement personnel.

#### Amendment No. 1

Representative Morales Shaw offered the following amendment to **SB 64**:

Amend **SB 64** on third reading, on page 2, between lines 9 and 10, by inserting the following:

Sec. 1701.6225. The commission shall publish the peer-to-peer training materials produced under this section on the commission's Internet website.

Amendment No. 1 was adopted.

**SB 64**, as amended, was passed by (Record 1439): 140 Yeas, 0 Nays, 2 Present, not voting.



Yeas — Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Ellzey; Fierro; Frank; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; 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; White; Wilson; Wu; Zwiener.

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

Absent, Excused — Coleman.

Absent — Allen; Beckley; Bowers; Frullo; Pacheco; Raney; Walle.

#### **STATEMENTS OF VOTE**

When Record No. 1439 was taken, I was in the house but away from my desk. I would have voted yes.

Allen

When Record No. 1439 was taken, I was in the house but away from my desk. I would have voted yes.

Beckley

When Record No. 1439 was taken, I was in the house but away from my desk. I would have voted yes.

Bowers

When Record No. 1439 was taken, I was in the house but away from my desk. I would have voted yes.

Raney

When Record No. 1439 was taken, my vote failed to register. I would have voted yes.

Walle

#### **SB 398 ON THIRD READING (Deshotel - House Sponsor)**

**SB 398**, A bill to be entitled An Act relating to distributed renewable generation resources.

**Amendment No. 1**

Representative Zwiener offered the following amendment to **SB 398**:

Amend **SB 398** (house committee printing) on third reading by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter C, Chapter 39, Utilities Code, is amended by adding Section 39.1015 to read as follows:

Sec. 39.1015. CONSUMER PROTECTIONS FOR CERTAIN DISTRIBUTED RENEWABLE GENERATION AND ELECTRIC STORAGE RESOURCES. (a) A residential or small commercial customer is entitled to have access to distributed renewable generation and energy storage resources to:

- (1) generate and export electricity to the grid;
- (2) consume electricity from the grid; and
- (3) reduce the customer's use of electricity from the grid.

(b) A residential or small commercial customer is entitled to store energy at the location of the customer's connection to the grid.

(c) A residential or small commercial customer that installs a distributed renewable generation or energy storage resource is entitled to timely approval of an interconnection agreement and interconnection of the distributed renewable generation or energy storage resource with the customer's transmission and distribution utility or electric utility in accordance with Section 39.554 or 39.916, as applicable. A residential or small commercial customer is entitled to timely approval of any permission to operate or any other approval required for the customer to use the customer's distributed renewable generation or energy storage resource.

(d) A residential or small commercial customer is entitled to timely notice from the customer's transmission and distribution utility or electric utility of an improvement and the cost of the improvement to the distribution grid that must be made to allow the customer to install or expand existing distributed renewable generation or energy storage resources.

(e) Except for a charge to recover a cost described by Subsection (d), an electric utility or a retail electric provider may not impose a rate or charge on a residential or small commercial customer or require a residential or small commercial customer to take service under a tariff or service plan that applies only to customers who have installed distributed renewable generation or energy storage resources.

(f) An electric utility or a retail electric provider may not charge a residential or small commercial customer a fee solely because the customer elects to discontinue service from the utility or provider.

(g) An electric utility may not charge a residential or small commercial customer with a distributed renewable generation or energy storage resource a fee to reconnect to the electric grid that is more than the fee charged to a customer in the same rate class who does not have a distributed renewable generation or energy storage resource, except the interconnection fee applicable to the original installation of the distributed renewable generation or energy storage resource.

(h) A residential or small commercial customer is entitled to interconnect in a manner that allows the customer to receive power from the customer's energy storage resource when the electric grid is not operating if the customer's distributed renewable generation resource is equipped with an inverter or other technology that complies with a standard developed by a federal agency or standards widely used by industry and other states that enables the distributed renewable generation resource to safely provide power to the customer when the electric grid is not operating.

(i) A residential or commercial customer who installs a distributed renewable generation or energy storage resource, regardless of ownership or financing structure of the resource, is entitled to the same interconnection rules, metering rules and programs, and incentive programs that may be provided to other customers by the retail electric provider, transmission and distribution utility, municipally owned utility, or electric cooperative that serves the customer.

(j) The commission by rule shall provide standards for billing and crediting mechanisms for distributed renewable generation resources. The standards must:

(1) calculate the value and benefits of distributed renewable generation resources, considering the benefits of distributed renewable generation to the distribution grid, including time-based and performance-based benefits, technology capabilities, increased resiliency, and present and future grid needs;

(2) ensure that the billing and crediting mechanism is understandable and easy to use for customers; and

(3) be applicable to a customer with distributed renewable generation installed in any part of this state, regardless of whether the customer is served by a retail electric provider, transmission and distribution utility, municipally owned utility, or an electric cooperative.

SECTION \_\_\_\_\_. The Public Utility Commission of Texas shall adopt rules required by Section 39.1015(j), Utilities Code, as added by this Act, not later than September 1, 2022.

### **Amendment No. 1 - Point of Order**

Representative Slaton raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane.

(Harris in the chair)

The point of order was withdrawn.

Amendment No. 1 was withdrawn.

**SB 398** was passed by (Record 1440): 126 Yeas, 16 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cortez; Crockett; Cyrier; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty;

Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Sherman; Shine; Slaton; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Bell, C.; Cain; Cook; Craddick; Hefner; Holland; Landgraf; Middleton; Murr; Noble; Patterson; Schaefer; Shaheen; Slawson; Vasut; Wilson.

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

Absent, Excused — Coleman.

Absent — Darby; Davis; Harless; Raney; Toth.

#### STATEMENTS OF VOTE

When Record No. 1440 was taken, I was in the house but away from my desk. I would have voted yes.

Harless

When Record No. 1440 was taken, I was in the house but away from my desk. I would have voted yes.

Raney

When Record No. 1440 was taken, I was shown voting yes. I intended to vote no.

Rogers

When Record No. 1440 was taken, I was shown voting yes. I intended to vote no.

Tinderholt

When Record No. 1440 was taken, my vote failed to register. I would have voted no.

Toth

When Record No. 1440 was taken, I was shown voting yes. I intended to vote no.

White

#### SB 331 ON THIRD READING

**(Button, Cain, J. González, Hinojosa, and Shaheen - House Sponsors)**

**SB 331**, A bill to be entitled An Act relating to eligibility to serve as an interpreter in an election.

**Amendment No. 1**

Representative Wu offered the following amendment to **SB 331**:

Amend **SB 331** on third reading as follows:

(1) On page 1, line 6, between "PERMITTED." and "If an", insert "(a)".

(2) On page 1, between lines 10 and 11, insert the following:

(b) An election officer may not use different procedures for a voter being assisted by an interpreter except as directed by this subchapter. An election officer may not permit a watcher to make any audio or visual recording of a voter being assisted by an interpreter.

Amendment No. 1 was withdrawn.

**Amendment No. 2**

Representative Crockett offered the following amendment to **SB 331**:

Amend **SB 331** on third reading as follows:

(1) On page 1, line 14, strike ":".

(2) On page 1, line 15, strike "(1)".

(3) On page 1, line 17, strike "; and".

(4) Strike page 1, lines 18 through 21, and substitute the following:

~~[must be a registered voter of the county in which the voter needing the interpreter resides].~~

Amendment No. 2 was withdrawn.

**SB 331 - REMARKS**

REPRESENTATIVE MORALES SHAW: Chairwoman Button, that's the question I had, the one I presented to Representative Crockett. My district is 65 percent Latino, and I've seen people show up at the polls, and they realize they might have a question, and no one's there to answer it. Does your bill allow for someone to—if someone is there that happens to speak their language and is willing to interpret for them—does your bill allow for them to utilize that person as an interpreter volunteer to help them at the poll?

REPRESENTATIVE BUTTON: If this person happened to be the choice of person by the voter or designated by the election officer, that can be done. But it has to meet those criteria.

MORALES SHAW: Oh, good. So that's a yes, thank you. And then my last question, and thank you so much for this bill, Chairwoman Button, is just I wanted to make sure—I didn't fully analyze **SB 7**, but do you know if there's any part of **SB 7** that would nullify or supersede or cancel out any part of your bill?

BUTTON: My understanding is no because you can that tell the joint sponsors—including Chairman Cain, Vice-chair Jessica González, Representative Hinojosa, and Representative Shaheen, who has a lot of immigrants in his district—they all agree with that. So that has been considered, but I do appreciate your interest very much.

MORALES SHAW: So nothing in **SB 7** is intended to supersede anything in your bill?

BUTTON: This has been incorporated in there just because Senator Nathan Johnson would like to have his bill pass as a separate bill, and I think that's a good idea. That's what we're doing.

**SB 331** was passed by (Record 1441): 134 Yeas, 10 Nays, 2 Present, not voting.

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

Nays — Biedermann; Krause; Middleton; Murr; Oliverson; Patterson; Schaefer; Schofield; Slaton; Tinderholt.

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

Absent, Excused — Coleman.

Absent — Johnson, J.D.; Pacheco; Smithee.

#### STATEMENTS OF VOTE

When Record No. 1441 was taken, I was shown voting yes. I intended to vote no.

Hefner

When Record No. 1441 was taken, I was shown voting yes. I intended to vote no.

Holland

When Record No. 1441 was taken, I was in the house but away from my desk. I would have voted yes.

Smithee

#### **SB 790 ON THIRD READING** **(Howard - House Sponsor)**

**SB 790**, A bill to be entitled An Act relating to county authority to balance bill for county air ambulance services.

**SB 790** was passed by (Record 1442): 117 Yeas, 26 Nays, 2 Present, not voting.

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

Nays — Bell, C.; Biedermann; Bonnen; Cain; Capriglione; Cason; Cook; Cyrier; Hefner; Holland; Hunter; Krause; Leman; Middleton; Patterson; Paul; Rogers; Sanford; Schaefer; Shaheen; Slawson; Smith; Tinderholt; Toth; Vasut; Wilson.

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

Absent, Excused — Coleman.

Absent — Campos; Johnson, J.D.; Pacheco; White.

#### STATEMENTS OF VOTE

When Record No. 1442 was taken, I was in the house but away from my desk. I would have voted yes.

Campos

When Record No. 1442 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 1442 was taken, I was shown voting yes. I intended to vote no.

Slaton

When Record No. 1442 was taken, I was shown voting yes. I intended to vote no.

Swanson

When Record No. 1442 was taken, I was in the house but away from my desk. I would have voted no.

White

**SB 1427 ON THIRD READING**  
**(Shine - House Sponsor)**

**SB 1427**, A bill to be entitled An Act relating to the applicability of the temporary exemption from ad valorem taxation of a portion of the appraised value of certain property damaged by a disaster.

**SB 1427** was passed by (Record 1443): 139 Yeas, 3 Nays, 3 Present, not voting.

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

Nays — Fierro; Meza; Walle.

Present, not voting — Mr. Speaker; Harris(C); Johnson, A.

Absent, Excused — Coleman.

Absent — Davis; Johnson, J.D.; Klick; Pacheco.

**STATEMENTS OF VOTE**

When Record No. 1443 was taken, I was shown voting yes. I intended to vote no.

Allen

When Record No. 1443 was taken, I was shown voting yes. I intended to vote no.

Anchia

When Record No. 1443 was taken, I was shown voting yes. I intended to vote no.

Beckley



When Record No. 1443 was taken, I was shown voting yes. I intended to vote no.

Bernal

When Record No. 1443 was taken, I was shown voting yes. I intended to vote no.

Bowers

When Record No. 1443 was taken, I was shown voting yes. I intended to vote no.

Collier

When Record No. 1443 was taken, I was in the house but away from my desk. I would have voted yes.

Davis

When Record No. 1443 was taken, I was shown voting yes. I intended to vote no.

J. González

When Record No. 1443 was taken, I was shown voting yes. I intended to vote no.

M. González

When Record No. 1443 was taken, I was shown voting yes. I intended to vote no.

Goodwin

When Record No. 1443 was taken, I was shown voting present, not voting. I intended to vote no.

A. Johnson

When Record No. 1443 was taken, I was shown voting yes. I intended to vote no.

Martinez

When Record No. 1443 was taken, I was shown voting yes. I intended to vote no.

Rodriguez

When Record No. 1443 was taken, I was shown voting yes. I intended to vote no.

Sherman

When Record No. 1443 was taken, I was shown voting yes. I intended to vote no.

Zwiener

**SB 335 ON THIRD READING**  
**(Wu - House Sponsor)**

**SB 335**, A bill to be entitled An Act relating to the taking of a specimen to test for intoxication and retention and preservation of toxicological evidence of certain intoxication offenses.

**SB 335** was passed by (Record 1444): 104 Yeas, 39 Nays, 2 Present, not voting.

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

Nays — Ashby; Biedermann; Cain; Capriglione; Cook; Cyrier; Dean; Ellzey; Harless; Hefner; Holland; Hull; King, K.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Metcalf; Middleton; Noble; Oliverson; Patterson; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Slawson; Smith; Stucky; Swanson; Tinderholt; Toth; Vasut; Wilson.

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

Absent, Excused — Coleman.

Absent — Davis; Johnson, J.D.; Pacheco; Reynolds.

**STATEMENTS OF VOTE**

When Record No. 1444 was taken, I was shown voting yes. I intended to vote no.

Anderson

When Record No. 1444 was taken, I was in the house but away from my desk. I would have voted yes.

Davis

When Record No. 1444 was taken, I was in the house but away from my desk. I would have voted yes.

Reynolds

When Record No. 1444 was taken, I was shown voting yes. I intended to vote no.

Slaton

**REMARKS ORDERED PRINTED**

Representative Goodwin moved to print remarks between Representative Morales Shaw and Representative Button on **SB 331**.

The motion prevailed.

**SB 477 ON THIRD READING  
(Meyer - House Sponsor)**

**SB 477**, A bill to be entitled An Act relating to the administration and collection of sales and use taxes and certain fees applicable to sales involving marketplace providers.

**SB 477** was passed by (Record 1445): 130 Yeas, 15 Nays, 2 Present, not voting.

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

Nays — Biedermann; Cain; Cason; Hefner; Holland; Patterson; Schaefer; Shaheen; Slaton; Spiller; Swanson; Tinderholt; Toth; White; Wilson.

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

Absent, Excused — Coleman.

Absent — Johnson, J.D.; Pacheco.

**SB 794 ON THIRD READING  
(Meyer - House Sponsor)**

**SB 794**, A bill to be entitled An Act relating to eligibility for the exemption from ad valorem taxation of the residence homestead of a totally disabled veteran.

**SB 794** was passed by (Record 1446): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; 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; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Lemam; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

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

Absent, Excused — Coleman.

Absent — Clardy; Johnson, J.D.; Morales Shaw; Pacheco.

#### STATEMENT OF VOTE

When Record No. 1446 was taken, I was in the house but away from my desk. I would have voted yes.

Morales Shaw

#### SB 797 ON THIRD READING

**(Oliverson, Huberty, Hefner, Anderson, Noble, et al. - House Sponsors)**

**SB 797**, A bill to be entitled An Act relating to the display of the national motto in public schools and institutions of higher education.

#### **Amendment No. 1**

Representative Goodwin offered the following amendment to **SB 797**:

Amend **SB 797** on third reading on page 1, line 10, by striking "each" and substituting "at least one".

A record vote was requested by Representative Goodwin.

Amendment No. 1 failed of adoption by (Record 1447): 59 Yeas, 84 Nays, 2 Present, not voting.

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

Morales, C.; Morales, E.; Morales Shaw; Neave; Ordaz Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Slaton; 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; Dutton; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Guerra; Guillen; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Muñoz; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Coleman.

Absent — Johnson, J.D.; Ortega; Pacheco; Perez.

### STATEMENT OF VOTE

When Record No. 1447 was taken, I was shown voting no. I intended to vote yes.

Guerra

### Amendment No. 2

Representative Ramos offered the following amendment to **SB 797**:

Amend **SB 797** on third reading as follows:

(1) On page 1, line 7, strike "A public" and substitute insert "Subject to Subsection (d), a [A] public".

(2) On page 2, between lines 5 and 6, insert the following:

(d) On a petition signed by a majority of parents of the students at a school district or open-enrollment charter school campus, the board of trustees of the district or the governing body of the school may elect, through a public vote, to exempt the campus from the application of the requirements of this section. Subsection (a) does not apply to a district or school campus that is exempt from the requirements of this section under a vote conducted in accordance with this subsection.

Amendment No. 2 failed of adoption.

### SB 797 - REMARKS

REPRESENTATIVE HINOJOSA: I appreciate you giving me this opportunity to discuss something we just privately discussed, because I'm trying to understand exactly what this bill means for our public schools. And there's a couple of places here where the word "must" is used. And I want to make sure that in the context of this bill the word "must" doesn't mean that somehow the school must find somebody to donate this. But can you explain to me what you mean by that in this legislation?

REPRESENTATIVE OLIVERSON: It's a great question, and I appreciate you bringing that to me, Representative Hinojosa. So basically what it simply says is that if a not-for-profit, the PTA, somebody presents a school district with framed copies of the national motto as specified in this bill, containing the American flag and the Texas flag, that they can't just throw them in the trash. They have to put them up. It says in a conspicuous location, and that's all it says.

HINOJOSA: And so the "must" is to the fact of if they do receive it, then they have to put it up, but it's not a "must"—

OLIVERSON: Yes, ma'am, but they're not obligated to go out and find somebody to donate them.

HINOJOSA: Okay, and then there's a second use of the word "must" about containing certain representations under Subsection (b) of this section. Can you describe what that's about?

OLIVERSON: Right, so we just wanted to keep it real simple. So it's basically the national motto, which is above the dais for reference, and the American flag and the Texas flag and that's it. It doesn't contain anything else.

HINOJOSA: Okay, and so the representation that is donated must have the flag.

OLIVERSON: That's right. And so for that representation, whatever is donated, to be valid under this, it has to look like what is described here.

### REMARKS ORDERED PRINTED

Representative Hinojosa moved to print remarks between Representative Oliverson and Representative Hinojosa on **SB 797**.

The motion prevailed.

**SB 797** was passed by (Record 1448): 106 Yeas, 35 Nays, 4 Present, not voting.

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

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Hinojosa; Howard; Israel; Johnson, A.; Lopez; Morales Shaw; Ramos; Reynolds; Rodriguez; Rose; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker; Harris(C); Rosenthal; Wilson.

Absent, Excused — Coleman.

Absent — Johnson, J.D.; Meza; Morales, C.; Pacheco.

### STATEMENTS OF VOTE

When Record No. 1448 was taken, I was shown voting yes. I intended to vote no.

Guerra

When Record No. 1448 was taken, I was in the house but away from my desk. I would have voted no.

C. Morales

When Record No. 1448 was taken, I was shown voting yes. I intended to vote no.

Ortega

When Record No. 1448 was taken, I was shown voting present, not voting. I intended to vote yes.

Rosenthal

When Record No. 1448 was taken, I was shown voting present, not voting. I intended to vote yes.

Wilson

### SB 1387 ON THIRD READING

**(Clardy, Hefner, Cain, Jetton, Swanson, et al. - House Sponsors)**

**SB 1387**, A bill to be entitled An Act relating to a requirement that a voting system used in an election in this state be manufactured, stored, and held in the United States by a company headquartered in the United States.

**SB 1387** was passed by (Record 1449): 108 Yeas, 35 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Ellzey; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; Guerra; Guillen; Harless; Hefner; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Martinez Fischer; Metcalf; Meyer; Middleton; Minjarez; Morales, C.; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Perez; Price;

Raney; Raymond; Reynolds; Rogers; Romero; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, J.; VanDeaver; Vasut; Vo; White; Wilson.

Nays — Allen; Anchia; Beckley; Bowers; Bucy; Cole; Collier; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Longoria; Lopez; Lucio; Martinez; Meza; Moody; Morales, E.; Ordaz Perez; Ramos; Rodriguez; Rose; Sherman; Talarico; Turner, C.; Walle; Wu; Zwiener.

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

Absent, Excused — Coleman.

Absent — Johnson, J.D.; Morales Shaw; Ortega; Pacheco.

### STATEMENTS OF VOTE

When Record No. 1449 was taken, I was shown voting yes. I intended to vote no.

Guerra

When Record No. 1449 was taken, I was shown voting yes. I intended to vote no.

Martinez Fischer

When Record No. 1449 was taken, my vote failed to register. I would have voted no.

Morales Shaw

### SB 1111 ON THIRD READING

**(Paul, Anderson, Tinderholt, E. Thompson, and Schofield - House Sponsors)**

**SB 1111**, A bill to be entitled An Act relating to the residence address of a voter for purposes of a response to a confirmation notice sent by the voter registrar.

### SB 1111 - REMARKS

REPRESENTATIVE PAUL: This is a bill that takes care of improper voting boxes.

REPRESENTATIVE J. GONZÁLEZ: Could you—and I know you and I've had several discussions on this bill—but can you walk me through what an individual without an address, what do they need to do in order for them to be able to vote or register to vote?

PAUL: This bill has got nothing to do with registration.

J. GONZÁLEZ: It has to do with their address. I'm just asking you because we talked about this affecting the homeless community, and so I just want to clarify that because you said that it doesn't. So I just want to make sure that it doesn't.



PAUL: Well, you asked about registration. It doesn't have to do with registration. It has to do with residence.

J. GONZÁLEZ: Okay, so on page 1 of your bill, lines 19-23, it says simply having a PO box, that that would trigger the registrar to send confirmation notice to the voter, right? So a person can use a PO box as of now to register to vote?

PAUL: No, they can't use a PO box already. That's already current law.

J. GONZÁLEZ: But in your bill it says the words "similar location." What does that include, "similar location"?

PAUL: Like I said, this takes care of a commercial box.

J. GONZÁLEZ: Would that include a nonprofit that does mail service for the homeless?

PAUL: That's irrelevant.

J. GONZÁLEZ: It's not irrelevant because there's concern from these nonprofits and from ministries, and so I'm addressing those concerns.

PAUL: If they registered using a commercial box, they can't do that.

J. GONZÁLEZ: So it would not include a nonprofit that has mail service for homeless people, right?

PAUL: Homeless people would register using whatever address that they're located at saying that they're homeless. So if they live at 4th and Elm, they would put 4th and Elm. That's got nothing to do with this box where they wouldn't register at. That would be their address where they live.

J. GONZÁLEZ: It does have to do with bill.

PAUL: They can still get mail anywhere they want. It's got nothing to do with mail. It's just where the live.

J. GONZÁLEZ: I'm looking at the language of your bill, so this is relevant to your bill. On page 2, line 24, which is the official confirmation notice response, does that sworn affirmation require access to having to have a notary?

PAUL: No, the affidavit doesn't require a notary.

J. GONZÁLEZ: I'm sorry?

PAUL: It does not require a notary.

J. GONZÁLEZ: Okay, so they don't have to get a notarized document?

PAUL: No.

J. GONZÁLEZ: And then what about on page 3, line 8, where it says "a photocopy." Would that not require a person to have access to a photocopier, a copy machine?

PAUL: If they registered in a wrong location that it's illegal to register at, they would have to get a photocopy to show that.

J. GONZÁLEZ: Okay, so it would require for someone to have to have access to a copy machine.

PAUL: No. Everybody does.

J. GONZÁLEZ: On page 4, lines 7-12, Subsection (b) requires the execution of an affidavit. Did you know that executing an affidavit requires for somebody to have access to a notary?

PAUL: It can, but it doesn't say they have to.

J. GONZÁLEZ: It says "executing an affidavit." Typically, an affidavit requires for the document to be notarized.

PAUL: I don't think so but we're unadvised.

J. GONZÁLEZ: Okay. Are you aware that a number of churches and other nonprofits provide mail services for those without an address to be able to receive mail?

PAUL: The only address they have to have is what's required by DPS to show residence.

J. GONZÁLEZ: Are you aware that the National Voter Registration Act encourages those nonprofits to register their clients to vote? Or those folks who are taking advantage of those services?

PAUL: This bill is in compliance with the National Voter Registration Act.

J. GONZÁLEZ: Well, I mean, I offered an amendment yesterday that I was hoping that you would accept that would address the concern that some of these nonprofits and churches have so that folks who are homeless are able to stay registered to vote once they receive that notice. Because they may not have a consistent—

PAUL: It's not necessary.

J. GONZÁLEZ: So are you aware that many of these nonprofits routinely register their clients to vote as part of their intake process?

PAUL: I'll take your word for it.

### **Amendment No. 1**

Representative Bucy offered the following amendment to **SB 1111**:

Amend **SB 1111** (house committee printing) on third reading as follows:

(1) Strike page 1, lines 17 through 18, and substitute the following:

SECTION 2. Section 15.051, Election Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

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

(a-1) A registrar does not have reason to believe that a voter's current residence requires confirmation under Subsection (a) solely because the residence address corresponds to a location that is not a traditional residence or is not zoned as a residential property. Before requiring confirmation for a residence address under this subsection, a registrar must make a good faith effort to determine whether the residence address corresponds to a church, shelter, residential office, or other property that might serve as a residence.

(3) On page 3, line 1, between "residence" and "evidence", insert "or is subject to Section 15.051(a-1)".

### AMENDMENT NO. 1 - REMARKS

REPRESENTATIVE BUCY: This amendment seeks to clarify some problematically vague language in the current bill. Currently, the bill uses the phrase "commercial post office box or similar location that does not correspond to a residence." But the language provides no context as to what types of locations a registrar should consider to be similar to a commercial post office. Does it mean just other mailing facilities? Does it mean any other residentially zoned address? This amendment is just trying to clarify this. We're trying to avoid unnecessary lawsuits. We're trying to save taxpayer money. We're trying to avoid witch hunts. We just want to clarify what we mean.

The intent of this bill, as we've been told, is about using commercial box offices. So this amendment would simply clarify that the proof of residence requirements of the bill do not apply to nontraditional residences such as a church, shelter, or business serving as a residence. It would make sure that registrars know that the language or similar location means the location is similar to a commercial post office box and that a person definitely would not be living there. We're saying do a little due diligence before you question people's residency. That's all we're asking. Let's avoid lawsuits. It's going to cost all of us money.

A record vote was requested by Representative Bucy.

Amendment No. 1 failed of adoption by (Record 1450): 63 Yeas, 80 Nays, 2 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; Hinojosa; Howard; Israel; Johnson, A.; 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; 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; Frank; Frullo; Gates; Geren; Goldman; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Coleman.

Absent — Ellzey; Herrero; Johnson, J.D.; Ramos.

### STATEMENT OF VOTE

When Record No. 1450 was taken, I was in the house but away from my desk. I would have voted no.

Ellzey

### Amendment No. 2

Representative Israel offered the following amendment to **SB 1111**:

Amend **SB 1111** (house committee printing) by striking page 5, lines 6-10.

### AMENDMENT NO. 2 - REMARKS

REPRESENTATIVE ISRAEL: This is an amendment designed to eliminate some duplicating language. On page 5, lines 6 through 10, are a duplicate of what's on the prior page.

Amendment No. 2 failed of adoption.

### SB 1111 - REMARKS

REPRESENTATIVE COLLIER: Representative Paul, I just wanted to go over these documents on page 3. It says: "Documentation of Residence for Purposes of Confirmation Notice Responses." So what I've gathered based on reading the bill is that what you're trying to prevent is a potential voter from moving into a particular precinct or district just because of the election. So is there a way that a voter can decide—how would you know that they're not doing that? Would that be the documentation that you're asking for?

REPRESENTATIVE PAUL: Yes. This is a bill to make sure that you don't move into—just register using one of these boxes for purposes of voting only.

COLLIER: Okay, and so I heard Representative González talking about people who are homeless. My understanding is that a homeless individual can set their address at any location that they deem appropriate.

PAUL: Yes, that's not a box.

COLLIER: Okay. So if—

PAUL: It's like I said. They could register at 4th and Elm. If they're living off of I-35 at 7th Street, they can put that and register at that address.

COLLIER: And so if they do that, how would you know that they were doing that to influence the outcome of an election? How would you be able to show that?

PAUL: Well, that wouldn't have anything to do with them and this bill because they are registered at an address. They use an address to register.

COLLIER: Okay, so if they are already registered. So what you're trying to get at is those individuals in between who already have an address and then they are moving to a new address for the sole purpose of—

PAUL: Then they would register at the new address. They wouldn't go register at some box somewhere.

COLLIER: Okay. So if a person is in an in-between time—like say, for instance, I believe that DPS says that we have 30 days to change our driver's license. So if I'm in the between time—

PAUL: It doesn't apply to that.

COLLIER: It would not apply to that. All right. So then is any of the documentation on page 3, are any of these free to purchase or to obtain?

PAUL: Say again?

COLLIER: Are any of the documentation—so on page 3, you have listed what is acceptable to verify a voter's residence: a driver's license, a personal identification card, a license to carry, an appraisal district document showing the address that the person claims as a homestead, a utility bill—

PAUL: Yes, those are items that are declared by the DPS as lawful for showing of residence.

COLLIER: Sure. Are any of these free?

PAUL: Yes.

COLLIER: Okay, which one is free?

PAUL: I'm not advised right now.

COLLIER: You're not advised which one is free?

PAUL: There's free things on there. So this is—again, these are people that have already registered to vote. It's got nothing to do with registering. All it is is confirming their residence. These are people that, if you had it to register to vote, if you had the free piece of documentation to register vote, you used it and voted. You registered. So it's the same.

COLLIER: Well, I understand you think it's simple, but I have constituents who are concerned that this may be an onerous requirement placed on them. So I just want to make sure there is something that is free.

PAUL: Whatever they had to register to vote, they have it. That means they had it, so it's not onerous.

COLLIER: But you're trying to crack down on those who you say are moving to influence the outcome of an election, right?

PAUL: They may.

COLLIER: Well, that's what the purpose of this bill is.

PAUL: Well, we know that's what people have done.

COLLIER: Well, I'm just saying so you're trying to crack down on that. So if I already have a voter registration card for my address, what you're trying to cut out is from me from moving to a different location—

PAUL: No, it's not.

COLLIER: Well, you're saying that I need to prove that I didn't move to influence the outcome of an election. And in order to do that, I need to provide these following—

PAUL: It's got nothing to do with you moving.

COLLIER: Okay. Well, if I designate an address?

PAUL: If you're voting at the address that you reside in, this would never affect.

COLLIER: Okay, but I'm just trying to figure out how you can prove that someone didn't move to influence the outcome? How are you going to prove that it was that?

PAUL: They would have to register at this box. Because once you register at the box and you don't live there, then you would have a problem. Nobody moving is not a problem.

COLLIER: Isn't that what we do now?

PAUL: Say again?

COLLIER: I thought that that's what you do now. I thought that right now in order for me to register to vote I declare an address. So I don't understand the issue you're trying to address. What is the problem?

PAUL: It's up to law enforcement.

COLLIER: I'm sorry. What's up to law enforcement?

PAUL: To make a determination.

COLLIER: As to someone's address?

PAUL: If you did it illegally.

COLLIER: So who would bring those charges? Who would bring the complaint?

PAUL: If your registered in one of these boxes that you do not live at, then it would be breaking the law.

COLLIER: Okay, so who would file the complaint in this case to address your bill? If there's a violation of the provisions?

PAUL: The voter registrar or a citizen.

COLLIER: Any citizen can file a complaint?

PAUL: Yes.

COLLIER: And who would they file it with?

PAUL: With the voter registrar.

COLLIER: So they would file a complaint with the voter registrar who would then do what?

PAUL: Then they would investigate and make sure that's the case.

COLLIER: The voter registrar would investigate to make sure that the person did not move to influence an outcome of an election?

PAUL: If they tried to say that they lived in a box.

COLLIER: That they lived in a box? You mean like a tent?

PAUL: No, if they lived in a box that you're calling a PO box.

COLLIER: Oh, okay. So if somebody—

PAUL: You have to say your address, so it can't be a box.

COLLIER: Well, the college students who get their mail at a PO box, is that address in the—

PAUL: It's got nothing to do with college students, and they're exempt from any of this.

COLLIER: I'm just trying to figure out—so if I find out that somebody has moved, they've checked a PO box, this is only addressing PO boxes?

PAUL: Again, it's got nothing to do with moving.

COLLIER: Okay. So this is me declaring a particular PO box? Is that what this is trying to address? Saying that you cannot use a PO box?

PAUL: You already can't register in a PO box. This is taking care of somebody that's in a commercial box.

COLLIER: I'm sorry? A what?

PAUL: A commercial box.

COLLIER: A commercial box?

PAUL: Have you been to a UPS store and seen those commercial mailboxes?

COLLIER: Okay. So can you give me an example of a commercial box so that we were clear?

PAUL: I just did.

COLLIER: I'm sorry. I don't know what that is. What is it?

PAUL: UPS.

COLLIER: UPS. Okay, thank you. So if somebody utilizes UPS as their address, you're saying that that's not going to be acceptable, because you believe that that's a loophole in the current law. I'm just trying to understand what your bill—

PAUL: That's correct. Yes, that can't be your residence.

COLLIER: Okay, all right. Well, thank you for clarifying that. So this bill doesn't have anything to do with someone who's homeless, because they're not going to use a UPS box, right?

PAUL: That's right. They're going to have to use whatever address they live at.

COLLIER: They're going to use 4th and whatever you said.

PAUL: That's right.

COLLIER: 4th and Elm, right? Okay. So what we have gathered is that a person who declares a particular address, they will not be able to use anything that is offered for free, because the items that you have listed here all cost money.

PAUL: Well, they obviously have that because they registered to vote.

COLLIER: Well, I don't think every registered voter has money.

PAUL: Well, they must have had it because they registered to vote. You can't register to vote without that. It's got nothing with registration because people already registered.

COLLIER: There is a document that is free that is available through DPS, but I don't see that on your list. I don't see that on this list. That's all I'm saying. I don't see that document on this list. Would you be willing to accept an amendment that would provide for that document to be available as proof of residence?

PAUL: No, because we've already vetted this with the DPS. Anything else doesn't have that residency on it.

(Speaker in the chair)

**SB 1111** was passed by (Record 1451): 81 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; Frullo; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; 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.

Absent — Gates; Johnson, J.D.



**SB 109 ON THIRD READING**  
**(Meyer - House Sponsor)**

**SB 109**, A bill to be entitled An Act relating to the criminal offense of fraudulent securing of document execution.

**SB 109** was passed by (Record 1452): 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; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Gates; Johnson, J.D.; Middleton; Schofield.

**STATEMENT OF VOTE**

When Record No. 1452 was taken, I was shown voting yes. I intended to vote no.

Cason

**SB 678 ON THIRD READING**  
**(Button - House Sponsor)**

**SB 678**, A bill to be entitled An Act relating to the creation of the small business disaster recovery loan program.

**SB 678** was passed by (Record 1453): 109 Yeas, 37 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Bonnen; Bowers; Bucy; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez;

Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schofield; Sherman; Smithee; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; White; Wu; Zwiener.

Nays — Bell, C.; Biedermann; Buckley; Burns; Cain; Capriglione; Cason; Cook; Dean; Frank; Gates; Harris; Hefner; Holland; Krause; Lambert; Landgraf; Leman; Middleton; Murr; Noble; Patterson; Price; Sanford; Schaefer; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Swanson; Tinderholt; Toth; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Hull; Johnson, J.D.

#### STATEMENTS OF VOTE

When Record No. 1453 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 1453 was taken, I was shown voting yes. I intended to vote no.

Oliverson

When Record No. 1453 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 1453 was taken, I was shown voting yes. I intended to vote no.

Paul

#### SB 1531 ON THIRD READING (C. Turner - House Sponsor)

**SB 1531**, A bill to be entitled An Act relating to formula funding for excess undergraduate credit hours at public institutions of higher education and to the tuition rate that may be charged for those credit hours.

**SB 1531** was passed by (Record 1454): 73 Yeas, 72 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Burns; Campos; Canales; Cole; Collier; Cortez; Crockett; Darby; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin;

Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Spiller; Stephenson; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Dean; 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; Metcalf; Meyer; Middleton; Murphy; Murr; Noble; Paddie; Parker; Patterson; Paul; Price; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Johnson, J.D.; Larson; Morrison.

### **SB 1582 ON THIRD READING** **(White - House Sponsor)**

**SB 1582**, A bill to be entitled An Act relating to examinations for applicants for or holders of licenses or registrations to perform certain activities pertaining to compressed natural gas or liquefied natural gas.

**SB 1582** was passed by (Record 1455): 145 Yeas, 0 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Herrero; Lozano; Perez.

### STATEMENT OF VOTE

When Record No. 1455 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

### SB 1816 ON THIRD READING (E. Thompson - House Sponsor)

**SB 1816**, A bill to be entitled An Act relating to certain temporary vehicle permits and tags.

### REMARKS ORDERED PRINTED

Representative J.E. Johnson moved to print all remarks on **SB 1111**.

The motion prevailed.

### SB 1816 - (consideration continued)

#### Amendment No. 1

Representative Herrero offered the following amendment to **SB 1816**:

Amend **SB 1816** on third reading by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter G, Chapter 504, Transportation Code, is amended by adding Section 504.675 to read as follows:

Sec. 504.675. VETERANS EXPOSED TO OPEN BURN PITS. (a) The department shall issue specialty license plates to honor members of the United States armed forces who were exposed to open burn pits during their military service. The license plates must include:

(1) the words "Burn Pits 360 Veterans Organization"; and

(2) a depiction of the Burn Pits 360 nonprofit organization logo.

(b) After deduction of the department's administrative costs, the remainder of the fee for issuance of the license plates shall be deposited to the credit of the open burn pit registry fund established under Section 99.008, Health and Safety Code.

(c) Section 504.702 does not apply to a specialty license plate issued under this section.

SECTION \_\_\_\_\_. Chapter 99, Health and Safety Code, as added by Chapter 153 (**HB 306**), Acts of the 86th Legislature, Regular Session, 2019, is amended by adding Section 99.008 to read as follows:

Sec. 99.008. OPEN BURN PIT REGISTRY FUND. (a) The open burn pit registry fund is a special fund in the state treasury outside the general revenue fund. The fund is composed of:

(1) money transferred to the fund at the direction of the legislature;

(2) gifts and grants contributed to the fund;

(3) the earnings of the fund; and

(4) money deposited to the credit of the fund under Section 504.675,

Transportation Code.

(b) Money in the fund may be appropriated only to the department. The department may use the money only for the creation and maintenance of the open burn pit registry established under Section 99.003, except that the department may use the money for any other purpose of the department consistent with legislative appropriation of the money if the department finds that the registry is adequately funded and contributions to the fund exceed the amount necessary for the registry to be adequately funded.

Amendment No. 1 was adopted.

**SB 1816**, as amended, was passed by (Record 1456): 138 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Bucy; Craddick; Dominguez; Herrero; Johnson, J.D.; Johnson, J.E.; Leach; Pacheco; Parker; Rogers.

#### STATEMENTS OF VOTE

When Record No. 1456 was taken, I was in the house but away from my desk. I would have voted yes.

Bucy

When Record No. 1456 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

When Record No. 1456 was taken, I was in the house but away from my desk. I would have voted yes.

Parker

When Record No. 1456 was taken, I was in the house but away from my desk. I would have voted yes.

Rogers

**SB 1668 ON THIRD READING**  
**(Raney - House Sponsor)**

**SB 1668**, A bill to be entitled An Act relating to certification and examination requirements for persons engaged in liquefied petroleum gas activities.

**SB 1668** was passed by (Record 1457): 145 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Capriglione; Johnson, J.D.; Leach.

**SB 165 ON THIRD READING**  
**(Fierro - House Sponsor)**

**SB 165**, A bill to be entitled An Act relating to an exception to dropped course limitations at public institutions of higher education for courses dropped during a disaster that results in a bar or limit on in-person course attendance.

**SB 165** was passed by (Record 1458): 101 Yeas, 46 Nays, 1 Present, not voting.

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

Nays — Bell, C.; Biedermann; Bonnen; Buckley; Burns; Cain; Cason; Cyrier; Dean; Gates; Goldman; Harless; Harris; Hefner; Holland; Hull; Jetton; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Lemán; Metcalf; Middleton; Murr; Oliverson; Paddie; Patterson; Paul; Sanford; Schaefer; Shaheen; Slaton; Slawson; Smith; Stucky; Swanson; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Johnson, J.D.

**SB 1764 ON THIRD READING**  
**(Shine - House Sponsor)**

**SB 1764**, A bill to be entitled An Act relating to the payment of delinquent ad valorem taxes on property subject to a tax sale.

**SB 1764** was passed by (Record 1459): 147 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; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland;

Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Martinez Fischer.

### STATEMENT OF VOTE

When Record No. 1459 was taken, my vote failed to register. I would have voted yes.

Martinez Fischer

### SB 112 ON THIRD READING (Sherman and White - House Sponsors)

**SB 112**, A bill to be entitled An Act relating to the procedures for the installation and use of tracking equipment and for access to certain communications and location information by law enforcement and the admissibility of certain evidence obtained through those procedures.

**SB 112** was passed by (Record 1460): 120 Yeas, 22 Nays, 3 Present, not voting.

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



Nays — Biedermann; Cain; Cyrier; Dean; Gates; Harris; Holland; Klick; Krause; Metcalf; Middleton; Noble; Oliverson; Patterson; Sanford; Schaefer; Shaheen; Slawson; Swanson; Toth; Vasut; Wilson.

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

Absent, Excused — Coleman.

Absent — Campos; Crockett; Hinojosa; Raney.

### STATEMENTS OF VOTE

When Record No. 1460 was taken, I was shown voting yes. I intended to vote no.

Dominguez

When Record No. 1460 was taken, I was shown voting present, not voting. I intended to vote no.

Hefner

When Record No. 1460 was taken, I was shown voting present, not voting. I intended to vote yes.

Neave

When Record No. 1460 was taken, I was shown voting no. I intended to vote yes.

Patterson

When Record No. 1460 was taken, I was shown voting yes. I intended to vote no.

Slaton

When Record No. 1460 was taken, I was shown voting no. I intended to vote yes.

Swanson

### SB 1780 ON THIRD READING (Burrows, Walle, and Bonnen - House Sponsors)

**SB 1780**, A bill to be entitled An Act relating to the protection of public health in this state, including through the establishment of the Texas Epidemic Public Health Institute at The University of Texas Health Science Center at Houston.

**SB 1780** was passed by (Record 1461): 122 Yeas, 24 Nays, 1 Present, not voting.

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

Huberty; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Sherman; Shine; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Biedermann; Cain; Cason; Cyrier; Gates; Harris; Hefner; Hull; Krause; Leman; Metcalf; Middleton; Patterson; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Swanson; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Frank; King, T.

### STATEMENTS OF VOTE

When Record No. 1461 was taken, my vote failed to register. I would have voted yes.

Frank

When Record No. 1461 was taken, I was in the house but away from my desk. I would have voted yes.

T. King

### SB 2158 ON THIRD READING (Frank - House Sponsor)

**SB 2158**, A bill to be entitled An Act relating to requiring the Texas Education Agency to provide identification kits to school districts and open-enrollment charter schools for distribution to the parent or legal custodian of certain students.

**SB 2158** was passed by (Record 1462): 113 Yeas, 32 Nays, 2 Present, not voting.

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

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

Nays — Bell, C.; Biedermann; Bonnen; Burns; Cain; Cason; Cyrier; Gates; Goldman; Harless; Harris; Hefner; Holland; Krause; Leach; Leman; Metcalf; Middleton; Murr; Oliverson; Patterson; Rogers; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Tinderholt; Toth; Vasut; Wilson.

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

Absent, Excused — Coleman.

Absent — Cook; Johnson, J.E.

### STATEMENTS OF VOTE

When Record No. 1462 was taken, my vote failed to register. I would have voted no.

Cook

When Record No. 1462 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 1462 was taken, I was shown voting no. I intended to vote yes.

Goldman

When Record No. 1462 was taken, I was shown voting yes. I intended to vote no.

Spiller

### SB 424 ON THIRD READING (Hunter - House Sponsor)

**SB 424**, A bill to be entitled An Act relating to state agency enforcement of laws regulating small businesses.

#### Amendment No. 1

Representative Hunter offered the following amendment to **SB 424**:

Amend **SB 424** on third reading by striking the SECTION of the bill amending Section 6002.159, Insurance Code, as added by Amendment No. 1 by Clardy.

Amendment No. 1 was adopted.

**SB 424**, as amended, was passed by (Record 1463): 145 Yeas, 0 Nays, 1 Present, not voting.

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

Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Holland; Rose; Stephenson.

#### STATEMENTS OF VOTE

When Record No. 1463 was taken, I was in the house but away from my desk. I would have voted yes.

Holland

When Record No. 1463 was taken, my vote failed to register. I would have voted yes.

Rose

#### RECESS

Representative Holland moved that the house recess until 4:30 p.m. today.

The motion prevailed.

The house accordingly, at 4:01 p.m., recessed until 4:30 p.m. today.

#### AFTERNOON SESSION

The house met at 4:39 p.m. and was called to order by the speaker.

#### GENERAL STATE CALENDAR

(consideration continued)

#### SB 938 ON THIRD READING

(Holland - House Sponsor)

**SB 938**, A bill to be entitled An Act relating to an exemption from the franchise tax and certain filing fees for certain businesses owned by veterans during an initial period of operation in the state.

**SB 938** was passed by (Record 1464): 104 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cyrier; Darby; Dean; Deshotel; Fierro; Frank; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Hull; Hunter; Israel; Johnson, A.; Johnson, J.D.; King, T.; Klick; Krause; Lambert; Landgraf; Leach; Leman; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Muñoz; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Parker; Patterson; Paul; Perez; Price; Raymond; Rogers; Rose; Sanford; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, J.; VanDeaver; Vasut; Wilson; Zwiener.

Nays — Cason.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Anchia; Bucy; Crockett; Davis; Dominguez; Dutton; Ellzey; Frullo; Gates; Geren; Guillen; Harless; Howard; Huberty; Jetton; Johnson, J.E.; Kacal; King, K.; King, P.; Kuempel; Larson; Lopez; Martinez Fischer; Morales Shaw; Morrison; Murphy; Pacheco; Paddie; Ramos; Raney; Reynolds; Rodriguez; Romero; Rosenthal; Schaefer; Schofield; Slaton; Talarico; Turner, C.; Vo; Walle; White; Wu.

### STATEMENTS OF VOTE

When Record No. 1464 was taken, my vote failed to register. I would have voted yes.

Crockett

When Record No. 1464 was taken, I was in the house but away from my desk. I would have voted yes.

Ellzey

When Record No. 1464 was taken, I was in the house but away from my desk. I would have voted yes.

Geren

When Record No. 1464 was taken, I was in the house but away from my desk. I would have voted yes.

Guillen

When Record No. 1464 was taken, I was in the house but away from my desk. I would have voted yes.

Harless

When Record No. 1464 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez Fischer

When Record No. 1464 was taken, I was temporarily out of the house chamber. I would have voted yes.

Morales Shaw

When Record No. 1464 was taken, I was in the house but away from my desk. I would have voted yes.

Ramos

When Record No. 1464 was taken, I was in the house but away from my desk. I would have voted yes.

Raney

When Record No. 1464 was taken, I was in the house but away from my desk. I would have voted yes.

Reynolds

When Record No. 1464 was taken, I was in the house but away from my desk. I would have voted yes.

White

**SB 1179 ON THIRD READING**  
**(Anderson - House Sponsor)**

**SB 1179**, A bill to be entitled An Act relating to the procedure for donating juror reimbursements.

**SB 1179** was passed by (Record 1465): 123 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Anchia; Bucy; Crockett; Davis; Dominguez; Dutton; Gates; Guillen; Howard; Israel; Jetton; Johnson, J.E.; Kacal; Kuempel; Longoria; Lucio; Morales, E.; Morales Shaw; Ortega; Ramos; Raymond; Rosenthal; Talarico; Turner, C.; Vo.

### STATEMENTS OF VOTE

When Record No. 1465 was taken, my vote failed to register. I would have voted yes.

Crockett

When Record No. 1465 was taken, I was in the house but away from my desk. I would have voted yes.

Guillen

When Record No. 1465 was taken, I was in the house but away from my desk. I would have voted yes.

E. Morales

When Record No. 1465 was taken, I was temporarily out of the house chamber. I would have voted yes.

Morales Shaw

When Record No. 1465 was taken, I was in the house but away from my desk. I would have voted yes.

Ramos

When Record No. 1465 was taken, I was in the house but away from my desk. I would have voted yes.

Raymond

### SB 1341 ON THIRD READING (Shaheen - House Sponsor)

**SB 1341**, A bill to be entitled An Act relating to eligibility for certain benefits provided under public assistance programs.

#### Amendment No. 1

Representative Goldman offered the following amendment to **SB 1341**:

Amend **SB 1341** (house committee printing) on third reading as follows:

(1) On page 1, line 13, between "34," and "Human", insert "or Chapter 33".

(2) On page 3, insert a new SECTION 2 to read as follows and renumber subsequent SECTIONS of bill accordingly.

SECTION 2. To maximize federal funds and address the public assistance integrity of the state administered nutritional programs operated under Chapter 33, Human Resources Code and Chapter 12, Agriculture Code, the commission shall cooperate with the commissioner in performing an efficiency audit to be conducted by the state auditor to investigate and assess the effectiveness of

achieving desirable outcomes of sound fiscal management, efficiency and services delivered and for consistency with the goals established by 531.03, Government Code as follows:

Sec. 12.00251. FOOD AND NUTRITION DIVISION EFFICIENCY AUDIT. (a) For purposes of this section, "efficiency audit" means an investigation of the operations of the department's food and nutrition division by the state auditor to examine fiscal management, efficiency, and outcomes for children and families served by the department's public school food and nutrition programs, including consistency and quality of communications with stakeholders and the utilization of federal resources.

(b) During the state fiscal year ending August 31, 2022, and every fourth year after that date, the state auditor shall conduct an efficiency audit.

(c) In a year in which an efficiency audit is completed as required by this section, the efficiency audit may satisfy, to the extent applicable, the department's annual internal audit requirements under Chapter 2102, Government Code.

(d) The department shall pay the costs associated with an efficiency audit required under this section using money appropriated for administrative and internal audit operations in the state fiscal year the audit is conducted.

(e) If the department fails to pay the costs associated with an efficiency audit as required by Subsection (d), the amount appropriated to the department by the legislature for the next state fiscal biennium may not exceed the department's baseline budget.

(f) Not later than March 1 of the state fiscal year in which an efficiency audit is required under this section, the state auditor and commissioner, in collaboration with the food and nutrition division of the departments, shall assess and recommend improvements to the efficiency of services and communications with stakeholders associated and involved with the department's food and nutrition programs.

(g) The state auditor shall complete the efficiency audit not later than the 90th day after the date the audit is initiated.

(h) The state auditor and commissioner, in collaboration with public schools and other food and nutrition program stakeholders, shall establish the scope of the efficiency audit and determine the areas of investigation for the audit, including:

(1) reviewing the department's resources to determine whether they are being used effectively and efficiently to achieve desired outcomes for rural and urban school districts and the goals established by 531.003, Government Code.

(2) reviewing the quality, choice, and nutritional balance of food prepared and provided to children and the impact to rural and urban families served by the food and nutrition division of the department;

(3) identifying cost savings or reallocations of resources; and

(4) identifying opportunities for improving services through consolidation of essential functions, outsourcing, and elimination of duplicative efforts.



(i) Not later than November 1 of the calendar year an efficiency audit is conducted, the state auditor shall prepare and submit a report of the audit and recommendations for efficiency improvements to the governor, the Legislative Budget Board, the commissioner, and the chairs of the standing committees of the senate and house of representatives with primary jurisdiction over the department.

**Amendment No. 1 - Point of Order**

Representative Hinojosa raised a point of order against further consideration of Amendment No. 1 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. 1 was withdrawn.

**SB 1341** was passed by (Record 1466): 89 Yeas, 51 Nays, 1 Present, not voting.

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

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Cole; Collier; Cortez; Crockett; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; Longoria; Lopez; Lucio; Martinez; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Ramos; 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.

Absent — Campos; Davis; Deshotel; Johnson, J.D.; Martinez Fischer; Morales Shaw; Reynolds; Rodriguez.

**STATEMENTS OF VOTE**

When Record No. 1466 was taken, I was in the house but away from my desk. I would have voted yes.

Campos

When Record No. 1466 was taken, my vote failed to register. I would have voted no.

Martinez Fischer

When Record No. 1466 was taken, I was temporarily out of the house chamber. I would have voted no.

Morales Shaw

When Record No. 1466 was taken, I was in the house but away from my desk. I would have voted no.

Reynolds

When Record No. 1466 was taken, I was in the house but away from my desk. I would have voted no.

Rodriguez

**SB 1697 ON THIRD READING**  
**(K. King and Pacheco - House Sponsors)**

**SB 1697**, A bill to be entitled An Act relating to allowing parents and guardians to elect for a student to repeat or retake a course or grade.

**SB 1697** was passed by (Record 1467): 147 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; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Johnson, J.D.

**SB 1602 ON THIRD READING**  
**(E. Thompson - House Sponsor)**

**SB 1602**, A bill to be entitled An Act relating to nonrenewal of certain property and casualty insurance policies for the insured's failure to cooperate in a claim investigation, settlement, or defense.

**SB 1602** was passed by (Record 1468): 96 Yeas, 50 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Turner, C.; Wu.

### STATEMENTS OF VOTE

When Record No. 1468 was taken, I was shown voting yes. I intended to vote no.

Allen

When Record No. 1468 was taken, I was shown voting yes. I intended to vote no.

Martinez Fischer

### SB 741 ON THIRD READING (Sanford - House Sponsor)

**SB 741**, A bill to be entitled An Act relating to the carrying or storage of a handgun by a school marshal.

#### Amendment No. 1

Representative Ortega offered the following amendment to **SB 741**:

Amend **SB 741** (house committee printing) on third reading as follows:

(1) On page 1, line 10, strike "school, but" and substitute the following:

school only if the carrying of a concealed handgun or the possession of a handgun on the physical premises of a school by a school marshal is approved by an affirmative vote of the board of trustees or the governing body, and [school, but]

(2) On page 2, line 12, strike "school, but" and substitute the following: school only if the carrying of a concealed handgun or the possession of a handgun on the physical premises of a school by a school marshal is approved by an affirmative vote of the governing body, and [school, but]

(3) On page 3, line 10, strike "campus, but" and substitute the following: only if the carrying of a concealed handgun or the possession of a handgun on the physical premises of the campus by a school marshal is approved by an affirmative vote of the governing body of the open-enrollment charter school, and [-but]

A record vote was requested by Representative Ortega.

Amendment No. 1 failed of adoption by (Record 1469): 62 Yeas, 82 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; 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.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; 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; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Dutton; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Buckley; Campos; Johnson, J.D.; Pacheco.

## **Amendment No. 2**

Representative Goodwin offered the following amendment to **SB 741**:

Amend **SB 741** on third reading as follows:

(1) On page 1, lines 21 and 22, strike "or other locked and secured location".

(2) On page 2, lines 21 and 22, strike "or other locked and secured location".

(3) On page 3, line 22, strike "or other locked and secured location".

A record vote was requested by Representative Goodwin.

Amendment No. 2 failed of adoption by (Record 1470): 66 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; 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.

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; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

**SB 741** was passed by (Record 1471): 91 Yeas, 53 Nays, 1 Present, not voting.

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

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Israel; Johnson,

A.; Johnson, J.D.; Johnson, J.E.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, J.; Vo; Walle; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Morales Shaw; Pacheco; Turner, C.; Wu.

### STATEMENT OF VOTE

When Record No. 1471 was taken, I was in the house but away from my desk. I would have voted no.

Morales Shaw

### SB 793 ON THIRD READING (P. King - House Sponsor)

**SB 793**, A bill to be entitled An Act relating to a ribbon for certain service members of the military who served in support of operations to secure this state's international border.

**SB 793** was passed by (Record 1472): 146 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Johnson, J.D.; Stephenson.

**SB 783 ON THIRD READING**  
**(Murphy - House Sponsor)**

**SB 783**, A bill to be entitled An Act relating to the purchase of iron and steel products made in the United States for certain projects by public institutions of higher education.

**SB 783** was passed by (Record 1473): 142 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Coleman.

Absent — Darby; Geren; Johnson, J.D.; King, P.; Swanson.

**SB 475 ON THIRD READING**  
**(Capriglione - House Sponsor)**

**SB 475**, A bill to be entitled An Act relating to state agency and local government information management and security, including establishment of the state risk and authorization management program and the Texas volunteer incident response team; authorizing fees.

**SB 475** was passed by (Record 1474): 147 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; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.;

Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Lucio.

### **SB 484 ON THIRD READING (Leach - House Sponsor)**

**SB 484**, A bill to be entitled An Act relating to the right of a member of the state military forces to retain private legal counsel and file a civil action.

**SB 484** was passed by (Record 1475): 148 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; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.



**SB 63 ON THIRD READING**  
**(Meyer - House Sponsor)**

**SB 63**, A bill to be entitled An Act relating to the system for appraising property for ad valorem tax purposes.

**SB 63** was passed by (Record 1476): 145 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Hinojosa; Morales, E.; Ordaz Perez.

**STATEMENTS OF VOTE**

When Record No. 1476 was taken, I was in the house but away from my desk. I would have voted yes.

E. Morales

When Record No. 1476 was taken, I was temporarily out of the house chamber. I would have voted yes.

Ordaz Perez

**SB 204 ON THIRD READING**  
**(Huberty - House Sponsor)**

**SB 204**, A bill to be entitled An Act relating to the operation of a public school transportation system.

**SB 204** was passed by (Record 1477): 115 Yeas, 28 Nays, 1 Present, not voting.

Yeas — Allison; Anchia; Anderson; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Collier; Cook; Cortez; Craddick; Cyrier; Darby; Dean; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Middleton; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Price; Raney; Raymond; Rogers; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Tinderholt; Toth; Turner, C.; VanDeaver; Vasut; Vo; Walle; White; Wilson.

Nays — Allen; Ashby; Beckley; Bowers; Clardy; Cole; Crockett; Davis; Deshotel; Dutton; González, J.; Johnson, J.D.; King, K.; King, T.; Larson; Longoria; Meza; Morales, C.; Morales, E.; Perez; Ramos; Reynolds; Romero; Thierry; Thompson, S.; Turner, J.; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Dominguez; Israel; Morales Shaw; Ordaz Perez; Rodriguez.

### STATEMENTS OF VOTE

When Record No. 1477 was taken, I was shown voting yes. I intended to vote no.

Guerra

When Record No. 1477 was taken, I was shown voting yes. I intended to vote no.

Hinojosa

When Record No. 1477 was taken, I was shown voting yes. I intended to vote no.

Kacal

When Record No. 1477 was taken, I was shown voting no. I intended to vote yes.

E. Morales

When Record No. 1477 was taken, my vote failed to register. I would have voted no.

Morales Shaw

When Record No. 1477 was taken, I was temporarily out of the house chamber. I would have voted yes.

Ordaz Perez

When Record No. 1477 was taken, I was in the house but away from my desk. I would have voted no.

Rodriguez

**SB 62 ON THIRD READING**  
**(Smithee - House Sponsor)**

**SB 62**, A bill to be entitled An Act relating to permitting the Texas Ethics Commission to provide seminars and charge an attendance fee for those seminars.

**SB 62** was passed by (Record 1478): 117 Yeas, 30 Nays, 1 Present, not voting.

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

Nays — Ashby; Burns; Cain; Cason; Cook; Gates; Harris; Hefner; Holland; Hull; Krause; Leach; Middleton; Murr; Noble; Oliverson; Patterson; Paul; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Spiller; Stucky; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Johnson, J.E.

**STATEMENTS OF VOTE**

When Record No. 1478 was taken, I was shown voting yes. I intended to vote no.

Biedermann

When Record No. 1478 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 1478 was taken, I was shown voting yes. I intended to vote no.

Landgraf

When Record No. 1478 was taken, I was shown voting yes. I intended to vote no.

Leman

When Record No. 1478 was taken, I was shown voting yes. I intended to vote no.

Shine

**SB 800 ON THIRD READING**  
**(Paddie - House Sponsor)**

**SB 800**, A bill to be entitled An Act relating to certain required reports or information received or prepared by state agencies and other governmental entities.

**SB 800** was passed by (Record 1479): 145 Yeas, 1 Nays, 1 Present, not voting.

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

Nays — Hull.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Hernandez; Lucio.

**SB 799 ON THIRD READING**  
**(Paddie - House Sponsor)**

**SB 799**, A bill to be entitled An Act relating to contracting procedures and requirements for governmental entities.

**Amendment No. 1**

Representative M. González offered the following amendment to **SB 799**:

Amend **SB 799** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subtitle C, Title 2, Health and Safety Code, is amended by adding Chapter 65 to read as follows:

CHAPTER 65. HOME-DELIVERED MEAL PROGRAM

Sec. 65.0001. DEFINITIONS. In this chapter:

(1) "Area agency on aging" means:

(A) an area agency on aging designated under 42 U.S.C. Section 3025(a)(2)(A); or

(B) a state agency performing the functions of an area agency on aging under 42 U.S.C. Section 3025(b)(5).

(2) "Client" means an individual who is elderly or has a disability and who receives a meal under the program.

(3) "Program" means the home-delivered meal program under this chapter.

(4) "Provider" means a meal provider who contracts with the commission or an area agency on aging to provide and deliver home-delivered meals under the program.

Sec. 65.0002. APPLICABILITY. This chapter does not apply to home-delivered meals provided through the Medicaid managed care program under Chapter 533, Government Code.

Sec. 65.0003. PROGRAM REQUIREMENTS. (a) The commission shall maintain and revise as necessary operating guidelines for a home-delivered meal program to effectively and efficiently provide meal deliveries to individuals who are elderly or have a disability.

(b) The commission may contract with a meal provider to provide home-delivered meals under the program.

(c) In awarding a contract to a provider, the commission or area agency on aging shall:

(1) prioritize providers who:

(A) conduct a face-to-face client visit;

(B) deliver hot meals for the program; and

(C) comply with reporting requirements for the nutrition services incentive program established under 42 U.S.C. Section 3030a;

(2) give extra consideration to providers capable of delivering meals to clients in both rural and urban areas;

(3) give extra consideration to providers with the capacity to deliver meals to eligible individuals who are currently on an interest or other waiting list for services under the program;

(4) consider the individual dietary needs of clients through condition-specific menus; and

(5) negotiate enhanced meal rates to ensure program efficacy.

SECTION \_\_\_\_\_. The executive commissioner of the Health and Human Services Commission shall adopt rules necessary to implement Chapter 65, Health and Safety Code, as added by this Act.

Amendment No. 1 was adopted.

**SB 799**, as amended, was passed by (Record 1480): 143 Yeas, 2 Nays, 3 Present, not voting.

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

Nays — Middleton; Noble.

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

Absent, Excused — Coleman.

Absent — Sanford.

**SB 403 ON THIRD READING**  
**(Gervin-Hawkins - House Sponsor)**

**SB 403**, A bill to be entitled An Act relating to a right of first refusal applicable to the sale of housing developments that have received certain financial assistance administered by the Texas Department of Housing and Community Affairs.

**SB 403** was passed by (Record 1481): 87 Yeas, 59 Nays, 1 Present, not voting.

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

Nays — Anderson; Ashby; Bell, C.; Biedermann; Bonnen; Buckley; Burns; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Dean; Gates; Goldman; Harless; Harris; Hefner; Holland; Hull; King, K.; King, P.; Klick; Krause; Lambert; Landgraf; Leach; Leman; Lozano; Metcalf; Middleton; Murr; Noble; Oliverson; Parker; Patterson; Paul; Price; Rogers; 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.

Absent — Frank; Moody.

#### STATEMENTS OF VOTE

When Record No. 1481 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 1481 was taken, I was shown voting yes. I intended to vote no.

Frullo

When Record No. 1481 was taken, I was shown voting yes. I intended to vote no.

Kuempel

#### SB 957 ON THIRD READING (Krause - House Sponsor)

**SB 957**, A bill to be entitled An Act relating to the denial or reduction of an award otherwise payable under the Crime Victims' Compensation Act.

**SB 957** was passed by (Record 1482): 147 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; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel;

Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Howard.

### **SB 766 ON THIRD READING**

#### **(Leach, S. Thompson, Hunter, and Thierry - House Sponsors)**

**SB 766**, A bill to be entitled An Act relating to sexually oriented businesses, including a requirement to participate in the federal electronic verification of employment authorization program, or E-verify, and restricting the age of persons employed by or allowed on the premises; creating criminal offenses.

**SB 766** was passed by (Record 1483): 144 Yeas, 0 Nays, 1 Present, not voting.

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



Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Bowers; Deshotel; Pacheco; Stephenson.

### STATEMENTS OF VOTE

When Record No. 1483 was taken, I was in the house but away from my desk. I would have voted yes.

Bowers

When Record No. 1483 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

### SB 828 ON THIRD READING (Paddie - House Sponsor)

**SB 828**, A bill to be entitled An Act relating to the use of municipal hotel occupancy tax revenue in certain municipalities.

#### Amendment No. 1

Representative Toth offered the following amendment to **SB 828**:

Amend **SB 828** on third reading as follows:

(1) Strike the SECTION of the bill amending Section 351.101(m), Tax Code, as added by second reading Floor Amendment No. 5 by Toth.

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

SECTION \_\_\_\_\_. Section 351.101, Tax Code, is amended by adding Subsections (m-2) and (m-3) to read as follows:

(m-2) In addition to other authorized uses, a municipality described by Subsection (m) may use revenue derived from the tax authorized by this chapter to directly enhance and promote tourism and the convention and hotel industry by constructing an extension of a road or wastewater pipeline if:

(1) the extension will primarily serve hotels located in the municipality that are adjacent to the extension;

(2) the extension is not more than one-half mile in length; and

(3) on the date the revenue is spent for the extension, the municipality contains more hotel rooms than single family residences.

(m-3) Subsection (m-2) and this subsection expire January 1, 2023.

Amendment No. 1 was adopted. (Ellzey recorded voting no.)

#### Amendment No. 2

Representative E. Morales offered the following amendment to **SB 828**:

Amend **SB 828** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 352.002(d), Tax Code, is amended to read as follows:

(d) The tax imposed by a county authorized by Subsection (a)(6) [~~(a)(4), (6)~~], (8), (9), (10), (11), (14), (15), (17), (19), (20), (21), (23), or (29) to impose the tax does not apply to a hotel located in a municipality that imposes a tax under Chapter 351 applicable to the hotel. This subsection does not apply to:

(1) a county authorized by Subsection (a)(6) to impose the tax that:

(A) has a population of less than 40,000 and adjoins the most populous county in this state; or

(B) has a population of more than 200,000 and borders the Neches River; or

(2) a county authorized by Subsection (a)(9) to impose the tax that has a population of more than 9,000.

SECTION \_\_\_\_\_. Section 352.003, Tax Code, is amended by adding Subsection (y) to read as follows:

(y) The tax rate in a county authorized to impose the tax under Section 352.002(a)(4) may not exceed two percent of the price paid for a room in a hotel.

SECTION \_\_\_\_\_. Subchapter B, Chapter 352, Tax Code, is amended by adding Section 352.114 to read as follows:

Sec. 352.114. USE OF REVENUE: CERTAIN COUNTIES CONTAINING AN INDIAN RESERVATION. (a) In addition to the purposes authorized by this chapter, the revenue from a tax imposed under this chapter by a county authorized to impose the tax under Section 352.002(a)(4) may be used to make repairs and improvements to the county airport or to provide reimbursement for repairs and improvements to the airport.

(b) A county to which this section applies may not use revenue from a tax imposed under this chapter for a purpose described by Subsection (a) in a total amount that would exceed the amount of hotel revenue in the county that is likely to be reasonably attributable to guests traveling through the airport during the 15-year period beginning on the date the county first uses the tax revenue for that purpose.

(c) A county to which this section applies may not use revenue from a tax imposed under this chapter for a purpose described by Subsection (a) after the 10th anniversary of the date the county first uses the revenue for that purpose.

Amendment No. 2 was adopted. (Ellzey recorded voting no.)

**SB 828**, as amended, was passed by (Record 1484): 96 Yeas, 49 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, K.; Bernal; Bowers; Bucy; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cortez; Craddick; Crockett; Darby; Davis; Deshotel; Dominguez; Dutton; Fierro; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, P.; King, T.; Klick; Kuempel; Larson; Longoria; Lopez; Lozano; Lucio; Martinez Fischer; Meyer; Meza; Minjarez; Morales, C.;

Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Paddie; Parker; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Smithee; Stephenson; Talarico; Thierry; Thompson, S.; Toth; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Ashby; Bell, C.; Biedermann; Bonnen; Buckley; Burns; Cain; Capriglione; Cason; Cook; Cyrier; Dean; Ellzey; Frank; Harris; Hefner; Holland; Hull; King, K.; Krause; Lambert; Landgraf; Leach; Leman; Metcalf; Middleton; Murr; Noble; Oliverson; Patterson; Paul; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Martinez; Moody; Pacheco.

### STATEMENT OF VOTE

When Record No. 1484 was taken, I was shown voting yes. I intended to vote no.

Parker

### SB 907 ON THIRD READING (Lambert - House Sponsor)

**SB 907**, A bill to be entitled An Act relating to the application for and issuance of a marriage license through the use of remote technology.

**SB 907** was passed by (Record 1485): 136 Yeas, 9 Nays, 1 Present, not voting.

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

Nays — Cain; Leman; Middleton; Murr; Oliverson; Patterson; Slawson; Swanson; Toth.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Beckley; Button; Lucio.

**SB 1267 ON THIRD READING**  
**(Lozano - House Sponsor)**

**SB 1267**, A bill to be entitled An Act relating to continuing education and training requirements for educators and other school district personnel.

**Amendment No. 1**

Representatives M. González, Larson, Parker, and Price offered the following amendment to **SB 1267**:

Amend **SB 1267** on third reading as follows:

(1) In the SECTION of the bill amending Section 38.0041(c), Education Code, in amended Subdivision (1) of that section, strike "(1) must be provided in accordance with the policy adopted under Section 21.4515 [~~as part of a new employee orientation, to all new school district and open enrollment charter school employees and~~]" and substitute the following:

(1) must be provided:

(A) in accordance with the policy adopted under Section 21.4515;  
and

(B) [~~;~~] as part of any [~~a~~] new employee orientation for [~~to~~] all new school district educators [~~and open enrollment charter school employees and~~

(2) In the SECTION of the bill amending Section 38.036(c)(1), Education Code, in added paragraph (A) of that subdivision, strike "and".

(3) In the SECTION of the bill amending Section 38.036(c)(1), Education Code, in added paragraph (B) of that subdivision, strike "Section 21.4515 [~~(2) as part of any new employee orientation for all new school district educators~~];" and" and substitute the following:

Section 21.4515; and

(C) [~~(2)~~] as part of any new employee orientation for all new school district educators; and

Amendment No. 1 was withdrawn.

Representative Lozano moved to postpone consideration of **SB 1267** until 6:15 p.m. today.

The motion prevailed.

**SB 1094 ON THIRD READING**  
**(Frullo - House Sponsor)**

**SB 1094**, A bill to be entitled An Act relating to the payment of certain education expenses using the state's programs for paying, prepaying, or saving toward the costs of attending an institution of higher education.

**SB 1094** was passed by (Record 1486): 138 Yeas, 1 Nays, 1 Present, not voting.

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

Nays — Swanson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Dutton; González, J.; González, M.; Johnson, J.D.; King, K.; Muñoz; Neave; Pacheco; Slawson.

### STATEMENTS OF VOTE

When Record No. 1486 was taken, my vote failed to register. I would have voted yes.

Muñoz

When Record No. 1486 was taken, I was in the house but away from my desk. I would have voted yes.

Neave

### SB 1088 ON THIRD READING (Shine - House Sponsor)

**SB 1088**, A bill to be entitled An Act relating to the applicability of provisions entitling certain lessees to receive a copy of a notice of appraised value delivered to a property owner by the chief appraiser of an appraisal district.

**SB 1088** was passed by (Record 1487): 141 Yeas, 1 Nays, 1 Present, not voting.

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

Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Swanson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Dutton; Frank; Huberty; King, K.; Pacheco; Slawson.

**SB 916 ON THIRD READING**  
**(Meyer - House Sponsor)**

**SB 916**, A bill to be entitled An Act relating to certain information regarding appraisal district noncompliance and property values in the Texas Department of Licensing and Regulation records of a professional property tax appraiser serving as chief appraiser for the district.

**SB 916** was passed by (Record 1488): 140 Yeas, 3 Nays, 1 Present, not voting.

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

Nays — Cain; Swanson; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman.

Absent — Dean; Geren; Johnson, J.D.; Shine; Slawson.

### STATEMENTS OF VOTE

When Record No. 1488 was taken, I was shown voting no. I intended to vote yes.

Cain

When Record No. 1488 was taken, I was in the house but away from my desk. I would have voted yes.

Dean

When Record No. 1488 was taken, I was in the house but away from my desk. I would have voted yes.

Geren

When Record No. 1488 was taken, I was shown voting yes. I intended to vote no.

Schaefer

When Record No. 1488 was taken, I was shown voting yes. I intended to vote no.

Toth

When Record No. 1488 was taken, I was shown voting no. I intended to vote yes.

Vasut

### SB 2038 ON THIRD READING

(Dean, Oliverson, and Guillen - House Sponsors)

**SB 2038**, A bill to be entitled An Act relating to prices and fees charged by certain freestanding emergency medical care facilities during a declared state of disaster; providing administrative penalties.

**SB 2038** was passed by (Record 1489): 127 Yeas, 18 Nays, 2 Present, not voting.

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

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

Nays — Cain; Cason; Gates; Harris; Hefner; Holland; Krause; Metcalf; Middleton; Patterson; Schaefer; Shaheen; Slaton; Swanson; Tinderholt; Toth; Vasut; Wilson.

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

Absent, Excused — Coleman.

Absent — Johnson, J.D.; Slawson.

### STATEMENTS OF VOTE

When Record No. 1489 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 1489 was taken, I was shown voting present, not voting. I intended to vote yes.

Ramos

When Record No. 1489 was taken, my vote failed to register. I would have voted no.

Slawson

### SB 69 ON THIRD READING

#### (White, Reynolds, Rose, and S. Thompson - House Sponsors)

**SB 69**, A bill to be entitled An Act relating to prohibiting peace officers from using neck restraints during a search or arrest.

(Goldman in the chair)

**SB 69** was passed by (Record 1490): 141 Yeas, 5 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddock; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raney; Raymond;



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

Nays — Hefner; Patterson; Swanson; Toth; Wilson.

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

Absent, Excused — Coleman.

Absent — Slawson.

### STATEMENTS OF VOTE

When Record No. 1490 was taken, I was shown voting yes. I intended to vote no.

Slaton

When Record No. 1490 was taken, I was in the house but away from my desk. I would have voted no.

Slawson

### SCR 29 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED

Representative Paddie moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representative Rose as a house sponsor to **SCR 29**.

The motion prevailed.

### SB 678 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED

Representative Button moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representative Neave as a house sponsor to **SB 678**.

The motion prevailed.

### SB 69 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED

Representative White moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representatives Morales Shaw and Crockett as house sponsors to **SB 69**.

The motion prevailed.

### SB 799 - VOTE RECONSIDERED

Representative Frank moved to reconsider the vote by which **SB 799**, as amended, was passed by Record No. 1480.

The motion to reconsider prevailed.

### SB 799 ON THIRD READING (Paddie - House Sponsor)

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

**SB 799**, A bill to be entitled An Act relating to contracting procedures and requirements for governmental entities.

**SB 799** was read third time earlier today and was passed, as amended, by Record No. 1480.

**Amendment No. 1 - Vote Reconsidered**

Representative M. González moved to reconsider the vote by which Amendment No. 1 was adopted.

The motion to reconsider prevailed.

Amendment No. 1 was withdrawn.

**SB 799** was passed by (Record 1491): 145 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Coleman.

Absent — Frullo; Harris.

**STATEMENT OF VOTE**

When Record No. 1491 was taken, my vote failed to register. I would have voted yes.

Harris

**POSTPONED BUSINESS**

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

**CSSB 1281 ON SECOND READING**  
**(P. King - House Sponsor)**

**CSSB 1281**, A bill to be entitled An Act relating to a reliability assessment of the ERCOT power grid and certificates of public convenience and necessity for certain transmission projects.

**CSSB 1281** was read second time on May 24 and was postponed until 6 a.m. today.

**Amendment No. 1**

Representative Darby offered the following amendment to **CSSB 1281**:

Amend **CSSB 1281** (house committee printing) as follows:

(1) On page 1, line 11, strike "load-serving".

(2) On page 2, strike lines 2 through 8 and substitute the following:

historical load, forecasted load growth, and additional load currently seeking interconnection.

**AMENDMENT NO. 1 - REMARKS**

REPRESENTATIVE ZWIENER: It's been a privilege to work on this legislation with you for the past couple of days and I really appreciate how you advocate for Texas energy all across the board. So this piece around interconnections and the three mile language, I know that's something that we were all very supportive of. Can you explain how that helps Texas consumers?

REPRESENTATIVE DARBY: The purpose is and one thing we learned in the recent storm is we need some transmission. And what this bill does, what **CSSB 1281** does, is advance some of those interconnect projects closer. There are provisions in the bill that allow a transmission to be built quickly without having to obtain PUC or ERCOT approval. This advances those projects forward. We also learned during the storm that we need energy storage and other provisions. We need to locate transmission near the load growth, and this bill does that now.

ZWIENER: And so this language makes it easier for us to get more energy onto the grid sooner and helps us reduce congestion in transmission and better serve all Texas customers. Is that correct?

DARBY: Exactly, and it has the potential for reducing transmission costs, also.

ZWIENER: And my understanding of this amendment is that, as I think Representative King mentioned and you've mentioned, it's been heavily negotiated but this is good for all of our energy producers, good for our transmission and distribution utilities, and good for our consumers, whether those are individual Texas homeowners or big Texas industrial businesses. Is that right?

DARBY: Absolutely, and I want to thank you for all your work in making this possible, and I want to publicly thank Chairman King for all his efforts in regard to negotiating this bill, and I want to thank all the stakeholders who spent a lot of time and energy on this bill. This is an important bill, and I think it moves this

state forward in a lot of aspects on how we transmit generation and encourage generation in this state, and I want to thank both of you for all the work that you've done and in connection with moving this bill forward.

Amendment No. 1 was adopted.

### **CSSB 1281 - STATEMENT OF LEGISLATIVE INTENT**

ZWIENER: Thank you so much, Representative King. It has also been a pleasure to work with you on this legislation. I'm so glad that your initial legislation to cut through red tape, that we've been able to expand to cut through even more red tape here in Texas. I do want to ask you a couple questions on legislative intent. Representative King, is it your understanding that this bill will help our Texas power grid serve all of its consumers, including all sectors—residential, commercial, and industrial?

REPRESENTATIVE P. KING: It is.

ZWIENER: As you know, for the past 20 years we have had a test in the transmission planning process referred to as the production cost savings test. Does **CSSB 1281** require the Public Utility Commission or ERCOT to eliminate that test?

P. KING: No, it does not. It stays in statute—or stays in rule.

ZWIENER: I'm really glad we could clear that up because I know that was one of the big concerns of some of the stakeholders. Is it your intent to simply add this specific test known as the consumer test to better address transmission congestion and ensure cost savings for all consumers and to deliver power to a growing population and a growing economy?

P. KING: Yes, it is. The production test will remain in rule and then this will be established through this bill.

ZWIENER: Based on the commitments made by all stakeholders to amend this bill and support it as amended, is it your intent to ask the senate to concur with these changes and to try and hew closely to this bill if a conference committee does occur?

P. KING: We're going do our best.

**CSSB 1281**, as amended, was passed to third reading.

### **REMARKS ORDERED PRINTED**

Representative Zwiener moved to print remarks between Representative Darby and Representative Zwiener on Amendment No. 1 and Representative P. King and Representative Zwiener on **CSSB 1281**.

The motion prevailed.

**CSSB 10 ON SECOND READING**  
**(Paddie - House Sponsor)**

**CSSB 10**, A bill to be entitled An Act relating to certain requirements applicable to political subdivisions and other entities that engage in lobbying and to the applicability of lobbyist registration requirements to a person who provides legal services to a political subdivision.

**CSSB 10** was read second time on May 24, postponed until 8 p.m. May 24, and was again postponed until 6 a.m. today.

Representative Paddie moved to postpone consideration of **CSSB 10** until 7:30 p.m. today.

The motion prevailed.

**SB 1282 ON SECOND READING**  
**(Paddie and Vasut - House Sponsors)**

**SB 1282**, A bill to be entitled An Act relating to cost recovery for costs arising from the interconnection of certain electric generation facilities with the ERCOT transmission system.

**SB 1282** was read second time on May 24 and was postponed until 6:15 a.m. today.

Representative Paddie moved to postpone consideration of **SB 1282** until 10 a.m. Sunday, July 4.

The motion prevailed.

**SB 12 ON SECOND READING**  
**(Sanford, Metcalf, Smithee, et al. - House Sponsors)**

**SB 12**, A bill to be entitled An Act relating to complaint procedures and disclosure requirements for social media platforms and to the censorship of users' expressions by an interactive computer service.

**SB 12** was read second time on May 24, postponed until 5:15 p.m. May 24, postponed until 8 p.m. May 24, and was again postponed until 10 a.m. today.

Representative Sanford moved to postpone consideration of **SB 12** until 7:40 p.m. today.

The motion prevailed.

**SB 2185 ON SECOND READING**  
**(Canales - House Sponsor)**

**SB 2185**, A bill to be entitled An Act relating to procedures for the dissolution of the Hidalgo County Water Improvement District No. 3.

**SB 2185** was read second time on May 23, postponed until May 24, and was again postponed until 5 p.m. today.

**Amendment No. 1**

Representative Canales offered the following amendment to **SB 2185**:

Amend **SB 2185** (house committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. In this Act, "district" means the Hidalgo County Water Improvement District No. 3.

SECTION 2. GENERAL MANAGER. The general manager shall be an employee of the district. The general manager serves at the pleasure of and reports only to the board. The general manager may not serve as a director on the board of directors of the district.

SECTION 3. EDUCATION PROGRAM. (a) The district's board of directors shall establish a program of education for the district's directors that includes information on:

- (1) the history of the district;
- (2) the district's statutory authority;
- (3) laws applicable to the district, including the requirements of Chapters 551 and 552, Government Code;
- (4) relevant legal developments related to water district governance;
- (5) the duties and responsibilities of the district's board of directors;
- (6) conflict of interest laws and other laws related to public officials;
- (7) any applicable ethics policies adopted by the Texas Commission on Environmental Quality or the Texas Ethics Commission.

(b) The district shall pay any costs associated with the development of the education program from district revenue.

(c) The education program may include training provided by an organization offering courses that have been approved by the Texas Commission on Environmental Quality.

(d) The district's board of directors may adopt bylaws modifying the education program as necessary to meet district needs.

SECTION 4. EDUCATION FOR DIRECTORS. (a) Each director of the district shall complete the education program established under Section 3 of this Act before the first anniversary of the date on which the director was appointed or elected. A director serving on the district's board of directors on the effective date of this Act shall complete the education program not later than September 1, 2022.

(b) The district shall reimburse a director of the district for the reasonable expenses incurred by the director in attending the education program.

(c) A director of the district who is elected to serve a subsequent term shall fulfill the education requirements specified by district bylaws.

SECTION 5. PROHIBITED CONDUCT FOR DIRECTORS AND DISTRICT EMPLOYEES. A director of the district or a district employee may not:

- (1) accept or solicit any gift, favor, or service that:
  - (A) might reasonably influence the director or employee in the discharge of an official duty; or

(B) the director or employee knows or should know is offered with the intent to influence the director's or employee's official conduct;

(2) accept other employment or engage in a business or professional activity that the director or employee might reasonably expect would require or induce the director or employee to disclose confidential information acquired in the course of the director's or employee's duties under this chapter;

(3) accept other employment or compensation that could reasonably be expected to impair the director's or employee's independent judgment in the performance of the director's or employee's duties under this chapter;

(4) make personal investments that could reasonably be expected to create a substantial conflict between the director's or employee's private interest and the interest of the district;

(5) intentionally or knowingly solicit, accept, or agree to accept a benefit for the director's or employee's exercise of powers under this chapter or performance of duties under this chapter in favor of a third party; or

(6) have a personal interest in an agreement executed by the district.

#### SECTION 6. SEARCHABLE DISTRICT EXPENDITURE DATABASE.

(a) The district shall establish and post on the district's Internet website a database of district check register reporters, including district expenditures and contracts. The database must include the amount, date, description, payor, and payee of the expenditures and, if applicable, parties to the contract.

(b) The district may not include in the database developed under Subsection (a) a district employee's salary or personal identifying information, as defined by Section 521.002, Business & Commerce Code.

(c) The district shall prominently display a link to the database established under this section on the district's Internet website. The information provided in the district check register reports must be updated monthly.

(d) The district shall keep in the database information required by this section related to an adopted budget until the third anniversary of the date the budget was adopted.

SECTION 7. This Act takes effect September 1, 2021.

Amendment No. 1 was adopted.

**SB 2185**, as amended, was passed to third reading.

#### **SB 1267 ON THIRD READING (Lozano - House Sponsor)**

**SB 1267**, A bill to be entitled An Act relating to continuing education and training requirements for educators and other school district personnel.

**SB 1267** was read third time earlier today, amendments were offered and disposed of, and **SB 1267** was postponed until this time.

#### **Amendment No. 2**

Representative M. González offered the following amendment to **SB 1267**:

Amend **SB 1267** on third reading as follows:

(1) In the SECTION of the bill amending Section 38.0041(c), Education Code, in amended Subdivision (1) of that subsection, strike "(1) must be provided in accordance with the policy adopted under Section 21.4515 [~~as part of a new employee orientation, to all new school district and open enrollment charter school employees and~~]" and substitute the following:

(1) must be provided:

(A) in accordance with the policy adopted under Section 21.4515;

and

(B) [~~as part of a new employee orientation~~] to all new school district and open-enrollment charter school employees [~~and~~

(2) In the SECTION of the bill amending Section 38.036(c)(1), Education Code, in added Paragraph (A) of that subdivision, strike "and".

(3) In the SECTION of the bill amending Section 38.036(c)(1), Education Code, in added Paragraph (B) of that subdivision, strike "Section 21.4515 [~~as part of any new employee orientation for all new school district educators~~]; and" and substitute the following:

Section 21.4515; and

(C) [~~as part of any new employee orientation for all new school district educators; and~~]

Amendment No. 2 was adopted.

**SB 1267**, as amended, was passed by (Record 1492): 112 Yeas, 27 Nays, 2 Present, not voting.

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

Nays — Bell, C.; Biedermann; Bonnen; Buckley; Cain; Cyrier; Gates; Harris; Hefner; Kacal; Krause; Leman; Metcalf; Middleton; Patterson; Paul; Price; Schaefer; Schofield; Shaheen; Slawson; Swanson; Tinderholt; Toth; Vasut; White; Wilson.

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

Absent, Excused — Coleman.

Absent — Cason; Holland; Larson; Meyer; Murr; Perez; Sherman; Slaton.



**STATEMENTS OF VOTE**

When Record No. 1492 was taken, I was in the house but away from my desk. I would have voted yes.

Cason

When Record No. 1492 was taken, I was in the house but away from my desk. I would have voted yes.

Holland

When Record No. 1492 was taken, I was in the house but away from my desk. I would have voted no.

Murr

When Record No. 1492 was taken, I was shown voting yes. I intended to vote no.

Noble

When Record No. 1492 was taken, I was in the house but away from my desk. I would have voted no.

Slaton

**MAJOR STATE CALENDAR  
SENATE BILLS  
SECOND READING**

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

**SB 14 ON SECOND READING**

**(P. King, Paddie, Metcalf, Burrows, Lucio, et al. - House Sponsors)**

**SB 14**, A bill to be entitled An Act relating to the regulation by a municipality or county of certain employment benefits and policies.

**Amendment No. 1**

Representative P. King offered the following amendment to **SB 14**:

Amend **SB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-17), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) employment and safety protections afforded by state and federal law to employees and prospective employees;

**AMENDMENT NO. 1 - REMARKS**

REPRESENTATIVE J.E. JOHNSON: Representative King, I appreciate you working with us. I wanted to clarify some issues for the purposes of legislative intent. As you are well aware, many local ordinances affect nondiscrimination policies that are designed to protect the LGBT community, amongst others. Does **SB 14** have any language that would modify, amend, repeal, or alter any current nondiscrimination ordinance here in Texas?

REPRESENTATIVE P. KING: I'm going to read this because I want to be very specific and make sure we get into the record the things that we need to get into the record. **SB 14** makes it clear that only ordinances regulating employment that exceed state or federal law can be preempted. The SCOTUS *Bostock* decision from June 2020 makes it clear that Title VII of the Civil Rights Act of 1964 already prohibits employment discrimination against LGBTQ workers. Thus, ordinances that prohibit LGBTQ employment discrimination do not exceed federal law and are not impacted by **SB 14**.

J.E. JOHNSON: So just to confirm, it is not your intent or the intent of the bill to affect any local nondiscrimination ordinances. Is that correct?

P. KING: Correct, because federal law Title VII trumps **SB 14** and anything else we do at the state or local level.

J.E. JOHNSON: And likewise, it is not your intent or the intent of the bill that it would prohibit any municipality from passing any type of nondiscrimination ordinance in the future. Is that correct?

P. KING: This bill does not prohibit that. It does not empower that, but it does not prohibit that. It's just neutral to it.

#### REMARKS ORDERED PRINTED

Representative J.E. Johnson moved to print remarks between Representative P. King and Representative J.E. Johnson on Amendment No. 1 on **SB 14**.

The motion prevailed.

Amendment No. 1 was adopted.

#### Amendment No. 2

Representatives Lucio, Ordaz Perez, and Morales Shaw offered the following amendment to **SB 14**:

Amend **SB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code, by striking Subdivision (2) (page 2, lines 5-7), substituting the following appropriately numbered subdivisions, and renumbering subsequent subdivisions accordingly:

( ) the authority of a municipality or county to negotiate the terms of employment with employees of the municipality or county, or the employees' designated bargaining agent;

( ) an ordinance, order, rule, regulation, or policy relating to terms of employment for employees of a municipality or county, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2021;

Amendment No. 2 was adopted.

**Amendment No. 3**

Representatives Lucio, Meza, and Morales Shaw offered the following amendment to **SB 14**:

Amend **SB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-17), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy that requires rest breaks or water breaks for employees, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2021;

Amendment No. 3 was adopted.

**Amendment No. 4**

Representatives Cain, Buckley, Deshotel, Meyer, Howard, S. Thompson, Krause, Moody, Sanford, White, Fierro, and Leach offered the following amendment to **SB 14**:

Amend **SB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-17), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy limiting or prohibiting an employer from including a question regarding a job applicant's criminal history record information on an initial employment application form, provided that the ordinance, order, rule, regulation, or policy:

(A) does not apply to an applicant for a position for which consideration of criminal history record information is required by law; and

(B) clearly allows an employer to inquire into and consider an applicant's criminal history record information once the employer has determined that the applicant is otherwise qualified and has conditionally offered the applicant employment or has invited the applicant to an interview;

Amendment No. 4 was adopted.

**Amendment No. 5**

Representative Israel offered the following amendment to **SB 14**:

Amend **SB 14** (house committee report) on page 1, line 21, by striking "exceed or".

Amendment No. 5 failed of adoption.

**Amendment No. 6**

Representative Campos offered the following amendment to **SB 14**:

Amend **SB 14** (house committee report) as follows:

(1) On page 1, line 19, strike "or enforce".

(2) On page 2, line 2, between "policy" and "that", insert "adopted on or after September 1, 2021,".

(3) On page 2, lines 12-14, strike "regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2021".

(4) On page 2, strike lines 18-20, and substitute the following:

SECTION 2. Chapter 83, Labor Code, as added by this Act, applies only to an ordinance, order, rule, regulation, or policy adopted on or after the effective date of this Act. An ordinance, order, rule, regulation, or policy adopted before the effective date of this Act is governed by the law in effect on the date the ordinance, order, rule, regulation, or policy was adopted, and the former law is continued in effect for that purpose.

Amendment No. 6 was withdrawn.

#### **Amendment No. 7**

Representative Israel offered the following amendment to **SB 14**:

Amend **SB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-17), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy that prohibits discrimination, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2021;

Amendment No. 7 was withdrawn.

#### **Amendment No. 8**

Representative Lopez offered the following amendment to **SB 14**:

Amend **SB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-17), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy that prohibits discrimination on the basis of military service history or veteran status, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2021;

Amendment No. 8 was withdrawn.

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

Representative Goodwin offered the following amendment to **SB 14**:

Amend **SB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-17), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy relating to the protection of worker health and safety, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2021;

Amendment No. 9 failed of adoption.

**Amendment No. 10**

Representative M. González offered the following amendment to **SB 14**:

Amend **SB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-17), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy that prohibits or otherwise regulates wage theft, as defined by the Texas Labor Code, Texas Penal Code, or the United States Fair Labor Standards Act, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2021;

A record vote was requested by Representative Ramos.

Amendment No. 10 failed of adoption by (Record 1493): 61 Yeas, 81 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; 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.; Longoria; Lopez; Lucio; Martinez; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Harless; Harris; Hefner; Holland; Huberty; Hull; 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; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Coleman.

Absent — Canales; Hunter; Martinez Fischer; Rodriguez; Walle.

**STATEMENTS OF VOTE**

When Record No. 1493 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

When Record No. 1493 was taken, I was temporarily out of the house chamber. I would have voted yes.

Martinez Fischer

**Amendment No. 11**

Representative Bucy offered the following amendment to **SB 14**:

Amend **SB 14** (house committee report) on page 1 as follows:

(1) Strike added Section 83.001(2), Labor Code (lines 12 and 13), and renumber subsequent subdivisions of that section accordingly.

(2) On line 20, between "policy" and "requiring", insert "applicable to an employer that employs 15 or more employees".

A record vote was requested by Representative Ramos.

Amendment No. 11 failed of adoption by (Record 1494): 62 Yeas, 81 Nays, 2 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.; Longoria; 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; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lopez; Lozano; Lucio; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; Wilson.

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

Absent, Excused — Coleman.

Absent — Clardy; Dominguez; King, T.; White.

**STATEMENT OF VOTE**

When Record No. 1494 was taken, I was in the house but away from my desk. I would have voted no.

White

**Amendment No. 12**

Representative Zwiener offered the following amendment to **SB 14**:

Amend **SB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-17), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2021, that prohibits sexual harassment, including any unwelcome, sex-based verbal or physical conduct that unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive working environment for the employee;

A record vote was requested by Representative Ramos.

Amendment No. 12 failed of adoption by (Record 1495): 58 Yeas, 81 Nays, 2 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; Guillen; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lopez; Martinez; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

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

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

Absent, Excused — Coleman.

Absent — Guerra; Herrero; Hunter; Johnson, J.D.; Martinez Fischer; Meza; Rodriguez; Walle.

**STATEMENTS OF VOTE**

When Record No. 1495 was taken, my vote failed to register. I would have voted yes.

Guerra

When Record No. 1495 was taken, I was temporarily out of the house chamber. I would have voted yes.

Martinez Fischer

### **Amendment No. 13**

Representative Ordaz Perez offered the following amendment to **SB 14**:

Amend **SB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-17), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2021, that provides for a family leave pool to be used by employees for:

(A) the birth of an employee's child;

(B) the placement of a child under 18 years of age with an employee for foster care or adoption;

(C) the placement of any person 18 years of age or older requiring guardianship with an employee; or

(D) a serious illness suffered by an employee or an employee's immediate family member;

Amendment No. 13 was withdrawn.

### **Amendment No. 14**

Representative Bowers offered the following amendment to **SB 14**:

Amend **SB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-17), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy that prohibits discrimination on the basis of hair style, hair texture, or hair type, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2021;

Amendment No. 14 was withdrawn.

### **SB 14 - POINT OF ORDER**

Representative Ortega raised a point of order against further consideration of **SB 14** 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.

Representative P. King moved to postpone consideration of **SB 14** until 10 p.m. today.

The motion prevailed.

### **POSTPONED BUSINESS**

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



**CSSB 10 ON SECOND READING**  
**(Paddie - House Sponsor)**

**CSSB 10**, A bill to be entitled An Act relating to certain requirements applicable to political subdivisions and other entities that engage in lobbying and to the applicability of lobbyist registration requirements to a person who provides legal services to a political subdivision.

**CSSB 10** was read second time on May 24, postponed until 8 p.m. May 24, postponed until 6 a.m. today, and was again postponed until this time.

Representative Paddie moved to postpone consideration of **CSSB 10** until 10:05 p.m. today.

The motion prevailed.

**SB 12 ON SECOND READING**  
**(Sanford, Metcalf, Smithee, et al. - House Sponsors)**

**SB 12**, A bill to be entitled An Act relating to complaint procedures and disclosure requirements for social media platforms and to the censorship of users' expressions by an interactive computer service.

**SB 12** was read second time on May 24, postponed until 5:15 p.m. May 24, postponed until 8 p.m. May 24, postponed until 10 a.m. today, and was again postponed until this time.

**SB 12 - POINT OF ORDER**

Representative Israel raised a point of order against further consideration of **SB 12** 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.

Representative Sanford moved to postpone consideration of **SB 12** until 11:30 p.m. today.

The motion prevailed.

**MAJOR STATE CALENDAR**  
**(consideration continued)**

**SB 2233 ON SECOND READING**  
**(Howard and S. Thompson - House Sponsors)**

**SB 2233**, A bill to be entitled An Act relating to the completion of sexual harassment prevention training and ethics training to register as a lobbyist.

**Amendment No. 1**

Representative Howard offered the following amendment to **SB 2233**:

Amend **SB 2233** (house committee report) as follows:

(1) On page 3, between lines 4 and 5, insert the following:

(b) The commission must consult with at least one statewide sexual assault coalition or association regarding the conducting of and material to be included in a sexual harassment prevention training course before approving the course. The course must be trauma informed.

(2) On page 3, line 5, strike "(b)" and substitute "(c)".

(3) On page 3, line 7, strike "(c)" and substitute "(d)".

Amendment No. 1 was adopted.

### **Amendment No. 2**

Representative Minjarez offered the following amendment to **SB 2233**:

Amend **SB 2233** (house committee report) on page 3, line 4, following the underlined period, by adding "The commission may not approve a training course unless the course includes bystander intervention training.".

Amendment No. 2 was adopted.

### **Amendment No. 3**

Representative Minjarez offered the following amendment to **SB 2233**:

Amend **SB 2233** (house committee report) as follows:

(1) On page 3, line 4, following the underlined period, add "The commission may not approve a training course unless the course takes into consideration and includes material relevant to the unique nature of the legislature.".

(2) On page 3, line 13, following the underlined period, add "The commission may not approve a training course unless the course takes into consideration and includes material relevant to the unique nature of the legislature.".

Amendment No. 3 was adopted.

### **Amendment No. 4**

Representative Minjarez offered the following amendment to **SB 2233**:

Amend **SB 2233** (house committee report) as follows:

(1) On page 3, between lines 6 and 7, insert the following:

(c) The commission shall post on the commission's Internet website each certificate of completion submitted to the commission under this section. The commission shall ensure that each posted certificate is stamped with the date and time the certificate was submitted to the commission.

(2) On page 3, line 7, strike "(c)" and substitute "(d)".

(3) On page 3, between lines 15 and 16, insert the following:

(c) The commission shall post on the commission's Internet website each certificate of completion submitted to the commission under this section. The commission shall ensure that each posted certificate is stamped with the date and time the certificate was submitted to the commission.

(4) On page 3, line 16, strike "(c)" and substitute "(d)".

Amendment No. 4 was adopted.

**SB 2233**, as amended, was passed to third reading.

**SB 1336 ON SECOND READING****(Bonnen, Oliverson, Paul, Krause, and Schofield - House Sponsors)**

**SB 1336**, A bill to be entitled An Act relating to a limit on the rate of growth of certain appropriations.

**SB 1336** was passed to third reading.

**SB 966 ON SECOND READING****(Klick - House Sponsor)**

**SB 966**, A bill to be entitled An Act relating to legislative oversight during a public health disaster or public health emergency, including the establishment of a legislative public health oversight board.

**SB 966** was passed to third reading.

**SB 321 ON SECOND READING****(Bonnen - House Sponsor)**

**SB 321**, A bill to be entitled An Act relating to contributions to, benefits from, and the administration of the Employees Retirement System of Texas.

**SB 321 - POINT OF ORDER**

Representative Israel raised a point of order against further consideration of **SB 321** under Rule 4, Section 18(b), and Rule 4, Section 32(b)(10), of the House Rules on the grounds that the witness list was inaccurate. The point of order was withdrawn.

**SB 321** was passed to third reading. (Anchia, Bernal, Bucy, Cortez, Gervin-Hawkins, Hinojosa, Howard, Hunter, Lopez, Martinez Fischer, Minjarez, Muñoz, Ortega, Rosenthal, Talarico, and Zwiener recorded voting no.)

(Speaker in the chair)

**SB 968 ON SECOND READING****(Klick - House Sponsor)**

**SB 968**, A bill to be entitled An Act relating to public health disaster and public health emergency preparedness and response; providing a civil penalty.

**SB 968** was passed to third reading.

**SB 1232 ON SECOND READING****(Bonnen - House Sponsor)**

**SB 1232**, A bill to be entitled An Act relating to the management and investment of the permanent school fund, including authorizing the creation of the Texas Permanent School Fund Corporation to manage and invest the fund and limiting the authority of the School Land Board to manage and invest the fund if the corporation is created.

**Amendment No. 1**

Representative Bonnen offered the following amendment to **SB 1232**:

Amend **SB 1232** (house committee printing) on page 7 as follows:

(1) On lines 3 and 4, strike "from a list of the following six nominees".

(2) On line 6, strike the underlined colon and substitute an underlined period.

(3) Strike lines 7 through 10.

Amendment No. 1 was adopted.

**SB 1232**, as amended, was passed to third reading.

**CSSB 29 ON SECOND READING**  
**(Dutton and K. King - House Sponsors)**

**CSSB 29**, A bill to be entitled An Act relating to requiring public school students to compete in interscholastic athletic competitions based on sex and a study conducted by the University Interscholastic League on the effects of allowing a student to participate in an athletic competition designated for the sex opposite to the student's sex.

Representative Lozano moved to postpone consideration of **CSSB 29** until 11:30 p.m. today.

The motion prevailed. (Ashby, C. Bell, K. Bell, Bonnen, Buckley, Burns, Burrows, Cain, Capriglione, Cason, Clardy, Cook, Cyrier, Ellzey, Goldman, Harris, Hefner, Holland, Hull, Jetton, PKing, Krause, Lambert, Landgraf, Leach, Lemman, Metcalf, Middleton, Murr, Noble, Oliverson, Parker, Patterson, Paul, Sanford, Schaefer, Schofield, Shaheen, Slaton, Slawson, Smith, Spiller, Stucky, Swanson, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

**POSTPONED BUSINESS**

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

**SB 14 ON SECOND READING**

**(P. King, Paddie, Metcalf, Burrows, Lucio, et al. - House Sponsors)**

**SB 14**, A bill to be entitled An Act relating to the regulation by a municipality or county of certain employment benefits and policies.

**SB 14** was read second time earlier today, amendments were offered and disposed of, and **SB 14** was postponed until this time.

Representative P. King moved to postpone consideration of **SB 14** until 10:15 p.m. today.

The motion prevailed.

**MAJOR STATE CALENDAR**  
**(consideration continued)**

**SB 1365 ON SECOND READING**

**(Huberty, Dutton, K. King, Murphy, and Oliverson - House Sponsors)**

**SB 1365**, A bill to be entitled An Act relating to public school organization, accountability, and fiscal management.

**Amendment No. 1**

Representative Huberty offered the following amendment to **SB 1365**:

Amend **SB 1365** (house committee report) by striking all below the enacting clause and substituting the following:

**ARTICLE 1. STATE AND LOCAL ORGANIZATION AND GOVERNANCE**

**SECTION 1.01.** Section 7.055, Education Code, is amended by adding Subsection (d) to read as follows:

(d) Notwithstanding any other law, the commissioner's power to delegate ministerial and executive functions under Subsection (b)(5) is a valid delegation of authority.

**SECTION 1.02.** Section 11.151(b), Education Code, is amended to read as follows:

(b) Except as provided by Sections 39A.201 and 39A.202, the [The] trustees as a body corporate have the exclusive power and duty to govern and oversee the management of the public schools of the district. All powers and duties not specifically delegated by statute to the agency or to the State Board of Education are reserved for the trustees, and the agency may not substitute its judgment for the lawful exercise of those powers and duties by the trustees.

**SECTION 1.03.** Section 11.1511(a), Education Code, is amended to read as follows:

(a) In addition to powers and duties under Section 11.151 or other law, the board of trustees of an independent school district has the powers and duties provided by Subsection (b), except as otherwise provided by Sections 39A.201 and 39A.202.

**ARTICLE 2. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY**

**SECTION 2.01.** Chapter 5, Education Code, is amended by adding Section 5.003 to read as follows:

Sec. 5.003. APPEAL. If an order, decision, or determination is described as final in Chapter 7, 11, 12, 39, or 39A, an interlocutory or intermediate order, decision, report, or determination made or reached before the final order, decision, or determination may be appealed only as specifically authorized by this code or a rule adopted under this code.

**SECTION 2.02.** Sections 12.1141(b) and (d), Education Code, are amended to read as follows:

(b) At the end of the term of a charter for an open-enrollment charter school, if a charter holder submits to the commissioner a petition for expedited renewal of the charter, the charter automatically renews unless, not later than the 30th day after the date the charter holder submits the petition, the commissioner provides written notice to the charter holder that expedited renewal of the charter is denied. The commissioner may not deny expedited renewal of a charter if:

(1) the charter holder has been assigned the highest or second highest performance rating under Subchapter C, Chapter 39, for the three preceding school years;

(2) the charter holder has been assigned a financial performance accountability rating under Subchapter D, Chapter 39, indicating financial performance that is satisfactory or better for the three preceding school years; and

(3) no campus operating under the charter has been assigned an unacceptable [~~the lowest~~] performance rating under Subchapter C, Chapter 39, for the three preceding school years or such a campus has been closed.

(d) At the end of the term of a charter for an open-enrollment charter school, if a charter holder submits to the commissioner a petition for renewal of the charter, the commissioner may not renew the charter and shall allow the charter to expire if:

(1) the charter holder has been assigned an unacceptable [~~the lowest~~] performance rating under Subchapter C, Chapter 39, for any three of the five preceding school years;

(2) the charter holder has been assigned a financial accountability performance rating under Subchapter D, Chapter 39, indicating financial performance that is lower than satisfactory for any three of the five preceding school years;

(3) the charter holder has been assigned any combination of the ratings described by Subdivision (1) or (2) for any three of the five preceding school years; or

(4) any campus operating under the charter has been assigned an unacceptable [~~the lowest~~] performance rating under Subchapter C, Chapter 39, for the three preceding school years and such a campus has not been closed.

SECTION 2.03. Section 29.202(a), Education Code, is amended to read as follows:

(a) A student is eligible to receive a public education grant or to attend another public school in the district in which the student resides under this subchapter if the student is assigned to attend a public school campus assigned an unacceptable performance rating that is made publicly available under Section 39.054 ~~for:~~

~~[(1) the student achievement domain under Section 39.053(e)(1); and~~

~~[(2) the school progress domain under Section 39.053(e)(2)].~~

SECTION 2.04. Sections 39.057 and 39.058, Education Code, are transferred to Subchapter A, Chapter 39, Education Code, redesignated as Sections 39.003 and 39.004, Education Code, and amended to read as follows:

Sec. 39.003 [~~39.057~~]. SPECIAL [~~ACCREDITATION~~] INVESTIGATIONS. (a) The commissioner may authorize special [~~accreditation~~] investigations to be conducted:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(16) as the commissioner otherwise determines necessary.

(b) If the agency's findings in an investigation under Subsection (a)(6) indicate that the board of trustees has observed a lawfully adopted policy that does not otherwise violate a law or rule, the agency may not substitute its judgment for that of the board.

(c) The commissioner may authorize special [~~accreditation~~] investigations to be conducted in response to repeated complaints submitted to the agency concerning imposition of excessive paperwork requirements on classroom teachers.

(d) Based on the results of a special [~~accreditation~~] investigation, the commissioner may:

- (1) take appropriate action under Chapter 39A;
- (2) lower the school district's accreditation status or a district's or campus's accountability rating; or
- (3) take action under both Subdivisions (1) and (2).

(e) At any time before issuing a report with the agency's final findings, the commissioner may defer taking an action under Subsection (d) until:

(1) a person who is a third party, selected by the commissioner, has reviewed programs or other subjects of an investigation under this section and submitted a report identifying problems and proposing solutions;

(2) a district completes a corrective action plan developed by the commissioner; or

(3) the completion of actions under both Subdivisions (1) and (2).

(f) Based on the results of an action taken under Subsection (e), the commissioner may decline to take the deferred action under Subsection (d) [Regardless of whether the commissioner lowers the school district's accreditation status or a district's or campus's performance rating under Subsection (d), the commissioner may take action under Section 39A.002 or 39A.051 if the commissioner determines that the action is necessary to improve any area of a district's or campus's performance, including the district's financial accounting practices].

Sec. 39.004 [~~39.058~~]. CONDUCT OF SPECIAL [~~ACCREDITATION~~] INVESTIGATIONS. (a) The agency shall adopt written procedures for conducting special [~~accreditation~~] investigations [~~under this subchapter~~], including procedures that allow the agency to obtain information from district employees in a manner that prevents a district or campus from screening the information. The agency shall make the procedures available on the agency Internet website. Agency staff must be trained in the procedures and must follow the procedures in conducting the special [~~accreditation~~] investigation.

(a-1) During the pendency of a special investigation under this section, the agency is not required to disclose the identity of any witness.

(b) After completing a special [~~accreditation~~] investigation, the agency shall present preliminary findings to any person or entity the agency finds has violated a law, rule, or policy. [~~Before issuing a report with its final findings, the agency must provide a person or entity the agency finds has violated a law, rule, or policy an opportunity for an informal review by the commissioner or a designated hearing examiner.~~]

(c) In presenting the agency's preliminary findings to a school district under Subsection (b), the agency:

(1) shall provide to the district a written report of the agency's preliminary findings of the investigation;



(2) shall provide to the district any evidence relied on by the agency in making the preliminary findings;

(3) shall disclose to the district the identity of any witness whose statements the agency relied on in making the preliminary findings; and

(4) may not include recommended sanctions or interventions.

(d) A written report of preliminary findings under Subsection (c) and all associated materials produced by the agency in support of the report are excepted from public disclosure as audit working papers of the agency under Section 552.116, Government Code. A school district may publicly release a report of preliminary findings only if the release is approved by an affirmative vote of the board of trustees of the district.

(e) Unless otherwise provided by law, all evidence collected by the agency in connection with a special investigation, including witness statements and videos of agency interviews, are confidential and not subject to disclosure under Chapter 552, Government Code, except that evidence described by this section may be disclosed:

(1) to a person with a legitimate interest in the investigation; or

(2) in connection with an administrative or other legal proceeding brought under this title.

(f) Not later than 30 days after the date on which the board of trustees of the school district receives the written report of the preliminary findings under Subsection (c), the board of trustees of a school district may accept the agency's findings or respond in writing to the agency.

(g) The agency shall consider any response submitted by the board of trustees of the school district under Subsection (f) before providing the board of trustees of a school district a final report in writing that includes proposed sanctions or interventions.

(h) Before the commissioner determines to order a sanction or intervention based on a final report, other than a sanction or intervention described by Section 39.005, the commissioner or the commissioner's designee shall provide an informal review. An informal review provided under this section is not a contested case for purposes of Chapter 2001, Government Code.

(i) In conducting a special investigation under Section 39.003, the commissioner or the commissioner's designee may subpoena a current or former school district employee, agent, or official to compel the employee, agent, or official to attend a deposition or produce documents reasonably necessary for the investigation.

(j) If a person fails to comply with a subpoena issued under Subsection (i), the commissioner, acting through the attorney general, may file suit to enforce the subpoena in a district court in this state. On a finding that good cause exists for issuing the subpoena, the court shall order the person to comply with the subpoena and the court may punish a person who fails to obey the court order.

(k) A court may not enjoin a special investigation conducted under this section prior to the conclusion of the special investigation.

(l) A school district must exhaust the administrative remedies provided under this subchapter before appealing the findings or final recommendations of a special investigation conducted under this section to a court.

SECTION 2.05. Subchapter A, Chapter 39, Education Code, is amended by adding Sections 39.005, 39.006, and 39.007 to read as follows:

Sec. 39.005. HEARING FOLLOWING INVESTIGATION. (a) This section applies to a school district that is the subject of a special investigation conducted under Section 39.003 that resulted in a final report in which the agency recommends the appointment of a board of managers, alternative management of a campus, or closure of the district or a district campus.

(b) Except as provided by Subsection (c), not later than 15 days after the date on which the board of trustees of the school district receives the final report of a special investigation under Section 39.004(g), a board of trustees of a school district to which this section applies may request a hearing if the board of trustees disagrees with the final report or a sanction or intervention recommended by the agency in the report.

(c) A school district and the agency may agree in writing to extend the time period for requesting a hearing under Subsection (b) by not more than an additional 30 days.

(d) If a board of trustees of a school district requests a hearing under Subsection (b), the hearing shall be conducted by the State Office of Administrative Hearings unless the district and the agency agree in writing to the appointment of another qualified person to conduct the hearing.

(e) Except as otherwise provided by this subchapter, a hearing conducted under this section is a contested case under Chapter 2001, Government Code.

(f) A hearing conducted under this section shall be held at the administrative offices of the school district that requested the hearing or at another location within the geographic boundaries of the district agreed to by the district and the agency, unless the district and the agency agree in writing to a different location.

(g) To protect the privacy of a witness who is a child, the hearing examiner or the person conducting the hearing may:

(1) close the hearing to receive the testimony of the witness; or

(2) order that the testimony or a statement of the witness be presented using the procedures prescribed by Article 38.071, Code of Criminal Procedure.

(h) Not later than 90 days after the date on which the school district requests a hearing under Subsection (b), the hearing examiner or the person conducting the hearing shall issue and submit to the commissioner findings of fact and conclusions of law. The hearing examiner or the person conducting the hearing may not issue a recommendation for relief.

(i) A hearing conducted under this section may not be held on a Saturday, Sunday, or state or federal holiday, unless agreed to by the school district that requested the hearing and the agency.

Sec. 39.006. COMMISSIONER DETERMINATION. (a) After a hearing is conducted under Section 39.005, the commissioner shall provide an opportunity for the agency and the school district to present oral argument to the

commissioner regarding the disagreement that formed the basis of the hearing. The commissioner shall provide the agency and the district with equal time for oral argument.

(b) After hearing any oral argument presented under Subsection (a), the commissioner shall issue a written decision to the school district that contains:

- (1) findings of fact;
- (2) conclusions of law; and
- (3) sanctions, interventions, or other actions authorized by law.

(c) In determining the written decision under Subsection (b), the commissioner shall consider:

- (1) the record of the hearing conducted under Section 39.005;
- (2) the findings of fact and conclusions of law issued by the hearing examiner or the person conducting the hearing under Section 39.005(h); and
- (3) the oral arguments presented under Subsection (a).

(d) The commissioner may accept, reject, or amend the conclusions of law issued by the hearing examiner or the person who conducted the hearing under Section 39.005 regarding the interpretation of a provision of this code.

(e) The commissioner may not reject or amend a finding of fact issued by the hearing examiner or the person who conducted the hearing under Section 39.005, unless the commissioner, after reviewing the record, determines that a finding of fact is not supported by substantial, admissible evidence.

(f) The commissioner shall provide in writing the legal basis and reason for any amendment or rejection of a finding of fact or conclusion of law made by the hearing examiner or the person who conducted the hearing under Section 39.005.

Sec. 39.007. JUDICIAL APPEAL. (a) Notwithstanding Chapter 2001, Government Code, a school district may only appeal a decision made by the commissioner under Section 39.006 in accordance with this section.

(b) A school district may appeal a decision made by the commissioner under Section 39.006 to:

(1) a district court with jurisdiction in the county in which the school district's central administrative offices are located; or

(2) a district court in Travis County, if agreed to by the school district and the commissioner.

(c) A school district must file an appeal under this section not later than 30 days after the date on which the district received the written decision of the commissioner under Section 39.006(b).

(d) The filing of an appeal under this section does not affect or stay the enforcement of the commissioner's written decision issued under Section 39.006(b).

(e) A court hearing an appeal under this section shall review the decision issued by the commissioner under Section 39.006(b) under the substantial evidence rule as provided by Subchapter G, Chapter 2001, Government Code, after examining:

(1) the evidentiary record of the hearing conducted under Section 39.005;

(2) the findings of fact issued by the hearing examiner or the person that conducted the hearing under Section 39.005; and

(3) any amendment or rejection of a finding of fact made by the commissioner under Section 39.006.

(f) A court hearing an appeal under this section may not take additional evidence.

(g) A court hearing an appeal under this section may review any amendment to or rejection of a finding of fact made by the commissioner. If the court determines that the amendment or rejection was not supported by substantial evidence, the court shall reject the commissioner's amended finding of fact and consider instead the original finding issued by the hearing examiner or the person who conducted the hearing under Section 39.005.

(h) Notwithstanding Section 2001.174, Government Code, the court may not reverse or remand a decision issued by the commissioner under Section 39.006(b) based on a procedural error or irregularity made by the commissioner, an agency investigator, or the hearing examiner or the person who conducted the hearing under Section 39.005, unless the court determines that the procedural error or irregularity is likely to have caused an erroneous decision by the commissioner.

SECTION 2.06. Section 39.054, Education Code, is amended by amending Subsections (a), (a-3), and (b-1) and adding Subsections (a-4) and (a-5) to read as follows:

(a) Except as provided by Subsection (a-4), the [The] commissioner shall adopt rules to evaluate school district and campus performance and assign each district and campus an overall performance rating of A, B, C, D, or F. In addition to the overall performance rating, the commissioner shall assign each district and campus a separate domain performance rating of A, B, C, D, or F for each domain under Section 39.053(c). An overall or domain performance rating of A reflects exemplary performance. An overall or domain performance rating of B reflects recognized performance. An overall or domain performance rating of C reflects acceptable performance. An overall or domain performance rating of D reflects performance that needs improvement. An overall or domain performance rating of F reflects unacceptable performance. A district may not receive an overall or domain performance rating of A if the district includes any campus with a corresponding overall or domain performance rating of D or F. If a school district has been approved under Section 39.0544 to assign campus performance ratings and the commissioner has not assigned a campus an overall performance rating of D or F, the commissioner shall assign the campus an overall performance rating based on the school district assigned performance rating under Section 39.0544. [A reference in law to an acceptable rating or acceptable performance includes an overall or domain performance rating of A, B, C, or D or performance that is exemplary, recognized, or acceptable performance or performance that needs improvement.]

(a-3) Not later than August 15 of each year, the following information [performance ratings of each district and campus] shall be made publicly available as provided by rules adopted under this section:

(1) the performance ratings for each school district and campus; and  
(2) if applicable, the number of consecutive school years of unacceptable performance ratings for each district and campus.

(a-4) Notwithstanding any other law, the commissioner may assign a school district or campus an overall performance rating of "Not Rated" if the commissioner determines that the assignment of a performance rating of A, B, C, D, or F would be inappropriate because:

(1) the district or campus is located in an area that is subject to a declaration of a state of disaster under Chapter 418, Government Code, and due to the disaster, performance indicators for the district or campus are difficult to measure or evaluate and would not accurately reflect quality of learning and achievement for the district or campus;

(2) the district or campus has experienced breaches or other failures in data integrity to the extent that accurate analysis of data regarding performance indicators is not possible;

(3) the number of students enrolled in the district or campus is insufficient to accurately evaluate the performance of the district or campus; or

(4) for other reasons outside the control of the district or campus, the performance indicators would not accurately reflect quality of learning and achievement for the district or campus.

(a-5) Notwithstanding any other law, an overall performance rating of "Not Rated" is not included in calculating consecutive school years of unacceptable performance ratings and is not considered a break in consecutive school years of unacceptable performance ratings for purposes of any provision of this code.

(b-1) Consideration of the effectiveness of district programs under Section 39.052(b)(2)(B) or (C):

(1) must:

(A) be based on data collected through the Public Education Information Management System (PEIMS) for purposes of accountability under this chapter; and

(B) include the results of assessments required under Section 39.023; and

(2) may be based on the results of a special [~~accreditation~~] investigation conducted under Section 39.003 [~~39.057~~].

SECTION 2.07. Subchapter C, Chapter 39, Education Code, is amended by adding Section 39.0543 to read as follows:

Sec. 39.0543. PERFORMANCE RATING REQUIRING INTERVENTION OR OTHER ACTION. (a) A reference in law to an acceptable performance rating or acceptable performance includes an overall or domain performance rating of A, B, or C or performance that is exemplary, recognized, or acceptable. A reference in law to an unacceptable performance rating or unacceptable performance includes an overall or domain performance rating of F. For the purposes of public reporting requirements, an overall or domain performance rating of D shall be referred to as performance that needs improvement.

(b) A reference in law to an acceptable performance rating or acceptable performance for a school district, open-enrollment charter school, district campus, or charter school campus includes an overall performance rating of D if, since previously receiving an overall performance rating of C or higher, the district, charter school, district campus, or charter school campus:

(1) has not previously received more than one overall performance rating of D; or

(2) has not received an overall performance rating of F.

(b-1) For the purposes of this section, an overall performance rating issued in a previous school year for a school district, open-enrollment charter school, district campus, or charter school campus of:

(1) met standard, academically acceptable, recognized, exemplary, A, B, or C is considered to be a performance rating of C or higher; and

(2) performance that needs improvement, academically unacceptable, or F is considered to be a rating of F.

(b-2) For purposes of determining whether a reference in law to an acceptable performance rating or acceptable performance includes an overall performance rating of D under Subsection (b), a performance rating of D assigned to a school district, open-enrollment charter school, district campus, or charter school campus prior to the 2018-2019 school year shall not be considered.

(b-3) Subsections (b-1) and (b-2) and this subsection expire September 1, 2027.

(c) A reference in law to an unacceptable performance rating or unacceptable performance includes a performance rating of D if the rating does not satisfy Subsection (b).

(d) For purposes of Subsection (b), a school district, open-enrollment charter school, district campus, or charter school campus that has never received an overall performance rating shall be considered to have previously received an overall performance rating of C or higher.

SECTION 2.08. Subchapter C, Chapter 39, Education Code, is amended by adding Sections 39.0545 and 39.0546 to read as follows:

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

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

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

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

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

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

(e) If the commissioner determines that the campus would not be assigned an acceptable performance rating, the commissioner shall instead assign the campus a rating of "Not Rated."

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

(g) This section expires September 1, 2027.

Sec. 39.0546. COVID-19 RECOVERY ACCOUNTABILITY FOR 2021-2022 SCHOOL YEAR. (a) Notwithstanding any other law, the commissioner shall assign to a school district or campus a rating of "Not Rated" for the 2021-2022 school year, unless, after reviewing the district or campus under the methods and standards adopted under Section 39.054, the commissioner determines the district or campus should be assigned an overall performance rating of C or higher.

(b) Regardless of the rating assigned under this section, if the commissioner would have otherwise assigned a campus an unacceptable performance rating, the campus is considered to be a campus assigned an unacceptable performance rating for purposes of determining a student's eligibility for a public education grant under Section 29.202.

(c) Notwithstanding any other law, the commissioner shall take an action described by Section 39A.111(1) or (2) if a campus:

(1) is not assigned an overall performance rating of C or higher for the 2021-2022 school year; and

(2) has been assigned an unacceptable performance rating for five or more school years prior to the 2021-2022 school year.

(d) This section expires September 1, 2028.

SECTION 2.09. Sections 39.151(a), (b), and (e), Education Code, are amended to read as follows:

(a) The commissioner by rule shall provide a process for a school district or open-enrollment charter school to challenge an agency decision made under this chapter relating to an academic or financial accountability rating that affects the district or school, including a determination of consecutive school years of unacceptable performance ratings.

(b) The rules under Subsection (a) must provide for the commissioner to appoint a committee to make recommendations to the commissioner on a challenge made to an agency decision relating to an academic performance rating or determination, including a determination of consecutive school years of

unacceptable performance ratings, or financial accountability rating. The commissioner may not appoint an agency employee as a member of the committee.

(e) A school district or open-enrollment charter school may not challenge an agency decision relating to an academic or financial accountability rating under this chapter, including a decision relating to a determination of consecutive school years of unacceptable performance ratings, in another proceeding if the district or school has had an opportunity to challenge the decision under this section.

SECTION 2.10. Section 39A.003, Education Code, is amended by adding Subsection (d) to read as follows:

(d) A conservator or management team may exercise the powers and duties defined by the commissioner under Subsection (a) or described by Subsection (c) regardless of whether the conservator or management team was appointed to oversee the operations of a school district in its entirety or the operations of a certain campus within the district.

SECTION 2.11. Section 39A.004, Education Code, is amended to read as follows:

Sec. 39A.004. APPOINTMENT OF BOARD OF MANAGERS. The commissioner may appoint a board of managers to exercise the powers and duties of a school district's board of trustees if the district is subject to commissioner action under:

(1) Section 39A.001(1) [~~39A.004~~] and:

(A) [~~(A)~~] has a current accreditation status of accredited-warned or accredited-probation;

(B) [~~(B)~~] fails to satisfy any standard under Section 39.054(e); or

(C) [~~(C)~~] fails to satisfy financial accountability standards as determined by commissioner rule; or

(2) Section 39A.001(2).

SECTION 2.12. Sections 39A.006(a) and (b), Education Code, are amended to read as follows:

(a) This section applies:

(1) regardless of whether a school district has satisfied the accreditation criteria; and

(2) to a conservator or management team appointed under any provision of this title, regardless of the scope or any changes to the scope of the conservator's or team's oversight.

(b) If for two consecutive school years, including the current school year, a school district has had a conservator or management team assigned to the district or a district campus for any reason under this title, the commissioner may appoint a board of managers to exercise the powers and duties of the board of trustees of the district.

SECTION 2.13. Section 39A.061(b), Education Code, is amended to read as follows:



(b) The commissioner may authorize a targeted improvement plan, ~~or~~ an updated targeted improvement plan, or a local improvement plan to supersede the provisions of and satisfy the requirements of developing, reviewing, and revising a campus improvement plan under Subchapter F, Chapter 11.

SECTION 2.14. Subchapter B, Chapter 39A, Education Code, is amended by adding Section 39A.065 to read as follows:

Sec. 39A.065. LOCAL IMPROVEMENT PLAN. (a) A school district, open-enrollment charter school, district campus, or charter school campus that is assigned a rating of D that qualifies under Section 39.0543(b) shall develop and implement a local improvement plan.

(b) A local improvement plan must be presented to the board of trustees of the school district or governing board of the open-enrollment charter school.

(c) The commissioner shall adopt rules to establish requirements for a local improvement plan components and training. The commissioner may not require a school district or open-enrollment charter school to submit the local improvement plan to the agency.

SECTION 2.15. Section 39A.102, Education Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) Subject to Subsection (b-1), the ~~The~~ commissioner may appoint a monitor, conservator, management team, or board of managers to the school district to ensure and oversee district-level support to low-performing campuses and the implementation of the updated targeted improvement plan.

(b-1) The commissioner shall appoint a conservator to a school district under Subsection (b) unless and until:

(1) each campus in the district for which a campus turnaround plan has been ordered under Section 39A.101 receives an acceptable performance rating for the school year; or

(2) the commissioner determines a conservator is not necessary.

SECTION 2.16. The heading to Section 39A.110, Education Code, is amended to read as follows:

Sec. 39A.110. MODIFICATION OF ~~[CHANGE IN]~~ CAMPUS TURNAROUND PLAN ~~[PERFORMANCE RATING]~~.

SECTION 2.17. Section 39A.110, Education Code, is amended by adding Subsection (c) to read as follows:

(c) The commissioner may authorize modification of an approved campus turnaround plan if the commissioner determines that due to a change in circumstances occurring after the plan's approval under Section 39A.107, a modification of the plan is necessary to achieve the plan's objectives.

SECTION 2.18. Section 39A.111, Education Code, is amended to read as follows:

Sec. 39A.111. CONTINUED UNACCEPTABLE PERFORMANCE RATING. If a campus is considered to have an unacceptable performance rating for five ~~[three]~~ consecutive school years ~~[after the campus is ordered to submit a campus turnaround plan under Section 39A.101]~~, the commissioner, subject to Section 39A.112, shall order:

(1) appointment of a board of managers to govern the school district as provided by Section 39A.202; or

(2) closure of the campus.

SECTION 2.19. Subchapter C, Chapter 39A, Education Code, is amended by adding Sections 39A.117 and 39A.118 to read as follows:

Sec. 39A.117. INTERVENTION FOR CERTAIN DISTRICTS OR CAMPUSES. (a) For purposes of this section:

(1) an acceptable performance rating includes:

(A) a rating of met standard, academically acceptable, recognized, exemplary, A, B, or C; or

(B) a rating of D that meets the requirements of Section 39.0543(b);

(2) an unacceptable performance rating includes:

(A) a rating of performance that needs improvement, academically unacceptable, or F; or

(B) a rating of D that meets the requirements of Section 39.0543(c); and

(3) a rating of "Not Rated" is not considered an acceptable or unacceptable performance rating and may not be considered a break in consecutive years of unacceptable performance.

(b) As soon as practicable after the effective date of **SB 1365**, 87th Legislature, Regular Session, 2021, or similar legislation, the commissioner shall:

(1) determine the number of school years of unacceptable performance ratings occurring after the 2012-2013 school year for each school district, open-enrollment charter school, district campus, or charter school campus by determining the number of unacceptable performance ratings assigned to each district, charter school, district campus, or charter school campus since the most recent acceptable performance rating was assigned to the district, charter school, district campus, or charter school campus; and

(2) use the number of school years of unacceptable performance ratings as the base number of consecutive years of unacceptable performance for which the performance rating in the 2021-2022 school year will be added.

(c) Exemptions from interventions authorized under Sections 11.174 and 28.020 and Section 5, Chapter 919 (**HB 4205**), Acts of the 86th Legislature, Regular Session, 2019, apply to an intervention ordered under this section and the commissioner shall make necessary modifications to an intervention ordered under this section in accordance with those provisions of law.

(d) This section may not be construed to:

(1) provide a school district or open-enrollment charter school additional remedies or appellate or other review for previous interventions, sanctions, or performance ratings ordered or assigned; or

(2) prohibit the commissioner from taking any action or ordering any intervention or sanction otherwise authorized by law.

(e) To the extent of a conflict with any other transition provision affecting this section, this transition provision prevails.

(f) This section expires September 1, 2027.

Sec. 39A.118. INTERVENTION IF ASSIGNED CERTAIN PERFORMANCE NEEDS IMPROVEMENT RATING. (a) Until another performance rating is issued, the agency may not implement the intervention or sanctions listed under Subsection (b) for a school district, open-enrollment charter school, district campus, or charter school campus, if the performance rating initiating the action under Subsection (b) is based on the first or second overall performance rating of D, since previously receiving a rating of C or higher.

(a-1) For purposes of this section, a performance rating of D assigned prior to the 2018-2019 school year shall not be considered. This subsection expires September 1, 2027.

(b) The following interventions or sanctions are subject to a pause under Subsection (a):

(1) revocation of a charter under Section 12.115(c);

(2) annexation under Section 13.054;

(3) change in accreditation status under rules adopted for accreditation under Section 39.052; and

(4) interventions or sanctions under Section 39A.101(a), 39A.107(a) or (c), or 39A.111.

(c) The performance rating identified under Subsection (a):

(1) may not be included in calculating consecutive school years of unacceptable performance ratings; and

(2) is not considered a break in consecutive school years of unacceptable performance ratings.

(d) Interventions or sanctions implemented prior to a pause under Subsection (a) shall continue during a school year for which interventions or sanctions listed under Subsection (b) are paused.

(e) This section does not apply to a commissioner action based on performance or reasons not listed as interventions or sanctions under Subsection (b).

(f) For purposes of Subsection (a), a school district, open-enrollment charter school, district campus, or charter school campus that has never previously been assigned an overall performance rating shall be considered to have previously received an overall performance rating of C or higher.

SECTION 2.20. Section 39A.201(a), Education Code, is amended to read as follows:

(a) Notwithstanding Section 11.151(b) or 11.1511(a) or any other provision of this code, a [A] board of managers may exercise all of the powers and duties assigned to a board of trustees of a school district by law, rule, or regulation.

SECTION 2.21. Section 39A.202(a), Education Code, is amended to read as follows:

(a) Notwithstanding Section 11.151(b) or 11.1511(a) or any other provision of this code, if [H] the commissioner appoints a board of managers to govern a school district:

(1) the powers of the board of trustees of the district are suspended for the period of the appointment; and

(2) the commissioner shall appoint a district superintendent.

SECTION 2.22. Section 39A.301(a), Education Code, is amended to read as follows:

(a) A school district or open-enrollment charter school must appeal under this section if the district or charter school ~~that~~ intends to challenge a decision by the commissioner under this chapter to:

- (1) close the district or a district campus or the charter school;
- (2) ~~or to~~ pursue alternative management of a district campus or the charter school;
- (3) appoint a board of managers to the district or charter school; or
- (4) appoint a conservator or management team to the district or charter school must appeal the decision under this section.

SECTION 2.23. Section 39A.116, Education Code, is transferred to Subchapter Z, Chapter 39A, Education Code, redesignated as Section 39A.906, Education Code, and amended to read as follows:

Sec. 39A.906 ~~39A.116~~. COMMISSIONER AUTHORITY. A decision by the commissioner under Chapter 39 or this chapter ~~subchapter~~ is final and may not be appealed unless an applicable provision of Chapter 39 or this chapter provides otherwise.

SECTION 2.24. Section 39A.0545, Education Code, is repealed.

SECTION 2.25. (a) Sections 39.003 and 39.004, Education Code, as redesignated and amended by this Act, and Sections 39.005, 39.006, and 39.007, Education Code, as added by this Act, apply to a special investigation authorized, initiated, opened, or finalized on or after the effective date of this Act. A special investigation authorized or initiated by the Texas Education Agency under Section 39.057, Education Code, before the effective date of this Act that is open and not finalized on the effective date of this Act, shall be continued as if authorized by Section 39.003, Education Code, as redesignated and amended by this Act, and proceed subject to Section 39.004, Education Code, as redesignated and amended by this Act, and Sections 39.005, 39.006, and 39.007, Education Code, as added by this Act.

(b) Section 39A.006, Education Code, as amended by this Act, applies to a conservator or management team assigned to a school district before, on, or after the effective date of this Act.

SECTION 2.26. If this Act takes effect later than August 15, 2021, the Texas Education Agency shall publish the consecutive school years of unacceptable performance ratings as required by Section 39.054(a-3), Education Code, as amended by this Act, for each school district and campus as soon as practicable after the effective date of this Act.

SECTION 2.27. As soon as practicable after the effective date of this Act, the commissioner of education shall adopt rules to develop and implement alternative methods and standards for evaluating the performance of a campus for the 2020-2021 school year as required by Section 39.0545, Education Code, as added by this Act.

### ARTICLE 3. PUBLIC SCHOOL FISCAL MANAGEMENT

SECTION 3.01. Section 44.052(c), Education Code, is amended to read as follows:

(c) A trustee of a school district who votes to approve any expenditure of school funds in violation of a provision of this code, for a purpose for which those funds may not be spent, or in excess of the item or items appropriated in the adopted budget or a supplementary or amended budget commits an offense. An offense under this subsection is a Class C misdemeanor.

SECTION 3.02. Section 45.105, Education Code, is amended by amending Subsection (c) and adding Subsection (c-1) to read as follows:

(c) Local school funds from district taxes, tuition fees of students not entitled to a free education, other local sources, and state funds not designated for a specific purpose may be used for the purposes listed for state and county available funds and for purchasing appliances and supplies, paying insurance premiums, paying janitors and other employees, buying school sites, buying, building, repairing, and renting school buildings, including acquiring school buildings and sites by leasing through annual payments with an ultimate option to purchase, and, except as provided by Subsection (c-1), for other purposes necessary in the conduct of the public schools determined by the board of trustees. The accounts and vouchers for county districts must be approved by the county superintendent. If the state available school fund in any municipality or district is sufficient to maintain the schools in any year for at least eight months and leave a surplus, the surplus may be spent for the purposes listed in this subsection.

(c-1) Funds described by Subsection (c) may not be used to initiate or maintain any action or proceeding against the state or an agency or officer of the state arising out of a decision, order, or determination that is final and unappealable under a provision of this code, except that funds may be used for an action or proceeding that is specifically authorized by a provision of this code or a rule adopted under this code and that results in a final and unappealable decision, order, or determination.

SECTION 3.03. Section 48.201, Education Code, is amended to read as follows:

Sec. 48.201. PURPOSE. The purpose of the tier two component of the Foundation School Program is to provide each school district with the opportunity to provide the basic program and to supplement that program at a level of its own choice. An allotment under this subchapter may be used for any legal purpose other than:

(1) capital outlay or debt service; or  
(2) a purpose prohibited by Section 45.105(c-1) or another provision of this code.

SECTION 3.04. Section 39A.203, Education Code, is repealed.

SECTION 3.05. Section 44.052(c), Education Code, as amended by this Act, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

## ARTICLE 4. CONFORMING AMENDMENTS

SECTION 4.01. Section 7.028(a), Education Code, is amended to read as follows:

(a) Except as provided by Section 21.006(k), 22.093(l), 22.096, 28.006, 29.001(5), 29.010(a), 38.003, or 39.003 [~~39.057~~], the agency may monitor compliance with requirements applicable to a process or program provided by a school district, campus, program, or school granted charters under Chapter 12, including the process described by Subchapter F, Chapter 11, or a program described by Subchapter B, C, D, E, F, H, or I, Chapter 29, or Subchapter A, Chapter 37, only as necessary to ensure:

- (1) compliance with federal law and regulations;
- (2) financial accountability, including compliance with grant requirements;
- (3) data integrity for purposes of:
  - (A) the Public Education Information Management System (PEIMS); and
  - (B) accountability under Chapters 39 and 39A; and
- (4) qualification for funding under Chapter 48.

SECTION 4.02. Section 12.013(b), Education Code, is amended to read as follows:

- (b) A home-rule school district is subject to:
- (1) a provision of this title establishing a criminal offense;
  - (2) a provision of this title relating to limitations on liability; and
  - (3) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:
    - (A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;
    - (B) educator certification under Chapter 21 and educator rights under Sections 21.407, 21.408, and 22.001;
    - (C) criminal history records under Subchapter C, Chapter 22;
    - (D) student admissions under Section 25.001;
    - (E) school attendance under Sections 25.085, 25.086, and 25.087;
    - (F) inter-district or inter-county transfers of students under Subchapter B, Chapter 25;
    - (G) elementary class size limits under Section 25.112, in the case of any campus in the district that fails to satisfy any standard under Section 39.054(e);
    - (H) high school graduation under Section 28.025;
    - (I) special education programs under Subchapter A, Chapter 29;
    - (J) bilingual education under Subchapter B, Chapter 29;
    - (K) prekindergarten programs under Subchapter E, Chapter 29;
    - (L) safety provisions relating to the transportation of students under Sections 34.002, 34.003, 34.004, and 34.008;
    - (M) computation and distribution of state aid under Chapters 31, 43, and 48;

- (N) extracurricular activities under Section 33.081;
- (O) health and safety under Chapter 38;
- (P) the provisions of Subchapter A, Chapter 39;
- (Q) public school accountability and special investigations under Subchapters A, B, C, D, and J, Chapter 39, and Chapter 39A;
- (R) [~~(Q)~~] options for local revenue levels in excess of entitlement under Chapter 49;
- (S) [~~(R)~~] a bond or other obligation or tax rate under Chapters 43, 45, and 48; and
- (T) [~~(S)~~] purchasing under Chapter 44.

SECTION 4.03. Section 12.056(b), Education Code, is amended to read as follows:

(b) A campus or program for which a charter is granted under this subchapter is subject to:

- (1) a provision of this title establishing a criminal offense; and
- (2) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

(A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;

- (B) criminal history records under Subchapter C, Chapter 22;
- (C) high school graduation under Section 28.025;
- (D) special education programs under Subchapter A, Chapter 29;
- (E) bilingual education under Subchapter B, Chapter 29;
- (F) prekindergarten programs under Subchapter E, Chapter 29;
- (G) extracurricular activities under Section 33.081;
- (H) health and safety under Chapter 38;
- (I) the provisions of Subchapter A, Chapter 39;
- (J) public school accountability and special investigations under Subchapters A, B, C, D, F, and J, Chapter 39, and Chapter 39A; and
- (K) [~~(J)~~] the duty to discharge or refuse to hire certain employees or applicants for employment under Section 12.1059.

SECTION 4.04. Section 12.104(b), Education Code, as amended by Chapters 262 (**HB 1597**), 464 (**SB 11**), 467 (**HB 4170**), and 943 (**HB 3**), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

- (b) An open-enrollment charter school is subject to:
  - (1) a provision of this title establishing a criminal offense;
  - (2) the provisions in Chapter 554, Government Code; and
  - (3) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

(A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;

- (B) criminal history records under Subchapter C, Chapter 22;

- (C) reading instruments and accelerated reading instruction programs under Section 28.006;
- (D) accelerated instruction under Section 28.0211;
- (E) high school graduation requirements under Section 28.025;
- (F) special education programs under Subchapter A, Chapter 29;
- (G) bilingual education under Subchapter B, Chapter 29;
- (H) prekindergarten programs under Subchapter E or E-1, Chapter 29;
- (I) extracurricular activities under Section 33.081;
- (J) discipline management practices or behavior management techniques under Section 37.0021;
- (K) health and safety under Chapter 38;
- (L) the provisions of Subchapter A, Chapter 39;
- (M) public school accountability and special investigations under Subchapters A, B, C, D, F, G, and J, Chapter 39, and Chapter 39A;
- ~~(N) [(M)]~~ the requirement under Section 21.006 to report an educator's misconduct;
- ~~(O) [(N)]~~ intensive programs of instruction under Section 28.0213;
- ~~(P) [(O)]~~ the right of a school employee to report a crime, as provided by Section 37.148;
- ~~(Q) [(P)]~~ bullying prevention policies and procedures under Section 37.0832;
- ~~(R) [(Q)]~~ the right of a school under Section 37.0052 to place a student who has engaged in certain bullying behavior in a disciplinary alternative education program or to expel the student;
- ~~(S) [(R)]~~ the right under Section 37.0151 to report to local law enforcement certain conduct constituting assault or harassment;
- ~~(T) [(S)]~~ a parent's right to information regarding the provision of assistance for learning difficulties to the parent's child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);
- ~~(U) [(T)]~~ establishment of residency under Section 25.001;
- ~~(V) [(U)]~~ school safety requirements under Sections 37.108, 37.1081, 37.1082, 37.109, 37.113, 37.114, 37.115, 37.207, and 37.2071;
- ~~(W) [(V)]~~ the early childhood literacy and mathematics proficiency plans under Section 11.185; and
- ~~(X) [(W)]~~ the college, career, and military readiness plans under Section 11.186.

SECTION 4.05. Section 12.1162(a), Education Code, is amended to read as follows:

(a) The commissioner shall take any of the actions described by Subsection (b) or by Section 39A.001, 39A.002, 39A.004, 39A.005, or 39A.007, to the extent the commissioner determines necessary, if an open-enrollment charter school, as determined by a report issued under Section 39.004(b) ~~[39.058(b)]~~:

- (1) commits a material violation of the school's charter;
- (2) fails to satisfy generally accepted accounting standards of fiscal management; or



(3) fails to comply with this subchapter or another applicable rule or law.

SECTION 4.06. Section 39.0302(a), Education Code, is amended to read as follows:

(a) During an agency investigation or audit of a school district under Section 39.0301(e) or (f), a special [~~an accreditation~~] investigation under Section 39.003(a)(8) [~~39.057(a)(8)~~] or (14), a compliance review under Section 21.006(k), 22.093(l), or 22.096, or an investigation by the State Board for Educator Certification of an educator for an alleged violation of an assessment instrument security procedure established under Section 39.0301(a), the commissioner may issue a subpoena to compel the attendance of a relevant witness or the production, for inspection or copying, of relevant evidence that is located in this state.

SECTION 4.07. Section 39.056(h), Education Code, is amended to read as follows:

(h) The commissioner may at any time convert a monitoring review to a special [~~accreditation~~] investigation under Section 39.003 [~~39.057~~], provided the commissioner promptly notifies the school district of the conversion.

SECTION 4.08. Section 39A.001, Education Code, is amended to read as follows:

Sec. 39A.001. GROUNDS FOR COMMISSIONER ACTION. The commissioner shall take any of the actions authorized by this subchapter to the extent the commissioner determines necessary if:

(1) a school district does not satisfy:

(A) the accreditation criteria under Section 39.052;

(B) the academic performance standards under Section 39.053 or 39.054; or

(C) any financial accountability standard as determined by commissioner rule; or

(2) the commissioner considers the action to be appropriate on the basis of a special [~~accreditation~~] investigation under Section 39.003 [~~39.057~~].

SECTION 4.09. Sections 39A.256(a) and (b), Education Code, are amended to read as follows:

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

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

SECTION 4.10. To the extent of any conflict, this article prevails over another Act of the 87th Legislature, Regular Session, 2021, relating to nonsubstantive additions to and corrections in enacted codes.

## ARTICLE 5. EFFECTIVE DATE

SECTION 5.01. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

Amendment No. 1 was adopted.

**SB 1365**, as amended, was passed to third reading. (Herrero and Hunter recorded voting no.)

**POSTPONED BUSINESS**

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

**CSSB 10 ON SECOND READING**  
**(Paddie - House Sponsor)**

**CSSB 10**, A bill to be entitled An Act relating to certain requirements applicable to political subdivisions and other entities that engage in lobbying and to the applicability of lobbyist registration requirements to a person who provides legal services to a political subdivision.

**CSSB 10** was read second time on May 24, postponed until 8 p.m. May 24, postponed until 6 a.m. today, postponed until 7:30 p.m. today, and was again postponed until this time.

Representative Paddie moved to postpone consideration of **CSSB 10** until 10 a.m. Saturday, September 18.

The motion prevailed. (Ashby, C. Bell, K. Bell, Bonnen, Buckley, Burns, Burrows, Button, Cain, Capriglione, Cason, Clardy, Cook, Cyrier, Ellzey, Goldman, Harris, Hefner, Holland, Hull, Jetton, P. King, Krause, Lambert, Landgraf, Leach, Leman, Metcalf, Meyer, Middleton, Murr, Noble, Oliverson, Parker, Patterson, Paul, Rogers, Sanford, Schaefer, Schofield, Shaheen, Slaton, Slawson, Smith, Spiller, Stucky, Swanson, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

**SB 14 ON SECOND READING**

**(P. King, Paddie, Metcalf, Burrows, Lucio, et al. - House Sponsors)**

**SB 14**, A bill to be entitled An Act relating to the regulation by a municipality or county of certain employment benefits and policies.

**SB 14** was read second time earlier today, amendments were offered and disposed of, **SB 14** was postponed until 10:15 p.m. today, and was again postponed until this time.

**Amendment No. 15**

Representative Walle offered the following amendment to **SB 14**:

Amend **SB 14** (house committee report) on page 1, by striking lines 23 and 24 and substituting "or scheduling practices."

Amendment No. 15 was adopted.

**Amendment No. 16**

Representatives Bowers, Patterson, Geren, Vasut, Reynolds, Cain, Krause, and Oliverson offered the following amendment to **SB 14**:

Amend **SB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-17), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy that prohibits discrimination on the basis of hair style, hair texture, or hair type, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2021;

Amendment No. 16 was adopted.

**SB 14**, as amended, was passed to third reading.

**GENERAL STATE CALENDAR  
SENATE BILLS  
SECOND READING**

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

**SB 576 ON SECOND READING  
(Lozano - House Sponsor)**

**SB 576**, A bill to be entitled An Act relating to the prosecution and punishment of the offense of smuggling of persons.

**SB 576** was passed to third reading.

**CSSB 452 ON SECOND READING  
(Rose - House Sponsor)**

**CSSB 452**, A bill to be entitled An Act relating to prevention and early intervention programs and practices.

**CSSB 452** was passed to third reading.

**SB 36 ON SECOND READING  
(C. Turner - House Sponsor)**

**SB 36**, A bill to be entitled An Act relating to the offense of hazing.

**Amendment No. 1**

Representative C. Turner offered the following amendment to **SB 36**:

Amend **SB 36** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.91931 to read as follows:

Sec. 51.91931. COLLABORATIVE TASK FORCE ON HIGHER EDUCATION MENTAL HEALTH SERVICES. (a) In this section:

(1) "Coordinating board" means the Texas Higher Education Coordinating Board.

(2) "Institution of higher education" has the meaning assigned by Section 61.003.

(3) "Task force" means the Collaborative Task Force on Higher Education Mental Health Services.

(b) The Collaborative Task Force on Higher Education Mental Health Services is established to study and evaluate mental health services provided at institutions of higher education directly to students enrolled at the institution, including students who have experienced hazing. The task force shall:

(1) research the capacity of institutions of higher education to identify and address the mental health needs of students, including students who have experienced hazing, including for each institution:

(A) performing an equity analysis of the provision of services at the institution, including analyzing the number of mental health providers on campus, the length of time a student must wait for an appointment, partner referrals, length of treatment, and the types of services provided;

(B) the mental health provider-to-student ratios;

(C) the number of community partnerships and referrals for inpatient or outpatient mental health treatment;

(D) the total amount of funds and the total amount of funds as a percentage of the institution's budget allocated to direct mental health support services;

(E) campus-wide needs assessment of mental health climate and student experiences accessing mental health care; and

(F) staff and faculty mental health training opportunities, such as mental health first aid and suicide prevention initiatives, as well as staff and faculty opportunities to receive mental health care;

(2) identify institutional, environmental, and social barriers that directly impact student mental health and well-being, including incidents of hazing; and

(3) explore innovative and effective approaches to meeting the mental health needs of students, with specific focus on first generation college students, students of color, economically disadvantaged students, students who are parents, students of various sexual orientations, survivors of sexual assault, students who have experienced hazing, students who are immigrants, students who are or were previously in the conservatorship of the Department of Family and Protective Services, and students from rural communities, including:

(A) stigma reduction and awareness initiatives;

(B) peer support initiatives;

(C) action plans based on campus assessment;

(D) recruiting and retaining counseling staff of color;

(E) telehealth accessibility and expansion; and

(F) addressing trauma and cultivating resiliency.

(c) The task force is composed of:

(1) the commissioner of higher education or the commissioner's designee;

(2) the following additional members appointed by the commissioner of higher education:

(A) three students who are enrolled at an institution of higher education in this state, at least one of whom is enrolled in a certificate program or a junior college;

(B) two persons who provide mental health services at an institution of higher education and who are:

(i) a psychologist, as defined by Section 501.002, Occupations Code;

(ii) a licensed professional counselor, as defined by Section 503.002, Occupations Code; or

(iii) a licensed clinical social worker, as defined by Section 505.002, Occupations Code;

(C) one person who is a psychiatrist;

(D) two persons who are higher education administrators and who oversee the provision of mental health services at an institution of higher education;

(E) one person who is a member of a foundation that invests in mental health services provided at institutions of higher education;

(F) one person who is an employee of an institution of higher education designated under Subsection (k) or (l); and

(G) three people who are employees of nonprofit organizations that specialize in mental health for young adults or college students; and

(3) for any other entity the task force considers necessary, one person appointed by the task force for each such entity.

(d) Persons appointed to serve on the task force shall be selected to represent the racial, ethnic, and socioeconomic diversity of this state.

(e) Chapter 2110, Government Code, does not apply to the task force.

(f) The commissioner of higher education is designated as the interim presiding officer for purposes of calling and conducting the initial meeting of the task force.

(g) The task force:

(1) shall at its initial meeting select a presiding officer from among its members for the purpose of calling and conducting meetings; and

(2) may select an assistant presiding officer and a secretary from among its members.

(h) A member of the task force may not receive compensation or reimbursement for service on the task force.

(i) After its initial meeting, the task force shall meet at least twice each year at a time and place determined by the presiding officer. The task force may meet at other times the task force considers appropriate. The presiding officer may call a meeting on the presiding officer's own motion.

(j) The task force may meet by teleconference.

(k) The commissioner of higher education shall designate one institution of higher education with experience in evaluating mental health services to serve as the lead institution for the task force. The institution designated under this subsection shall provide faculty, staff, and administrative support services to the task force as determined necessary by the task force.

(l) The commissioner of higher education shall designate two institutions of higher education with experience in evaluating mental health services to assist the task force and the lead institution.

(m) In making a designation under Subsections (k) and (l), the commissioner of higher education shall give preference to at least one predominantly black institution, as defined by 20 U.S.C. Section 1067q(c)(9).

(n) The coordinating board shall maintain the data collected by the task force and the work product of the task force.

(o) The task force shall ensure that data gathered, information studied, and evaluations conducted under this section:

(1) are collected and maintained in compliance with federal law regarding confidentiality of student medical or educational information, including the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.) and any state law relating to the privacy of student or health information; and

(2) may not be shared with a federal agency or state agency, except as otherwise provided by law.

(p) The coordinating board may accept gifts, grants, or donations on behalf of the task force to carry out the task force's duties under this section.

(q) Not later than December 1, 2024, the task force shall submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the coordinating board a report of the results of the task force's activities conducted under this section and any recommendations for legislative or other action.

(r) The task force is abolished and this section expires September 1, 2025.

Amendment No. 1 was adopted.

**SB 36**, as amended, was passed to third reading.

**SB 1716 ON SECOND READING**  
**(Bonnen and Dutton - House Sponsors)**

**SB 1716**, A bill to be entitled An Act relating to a supplemental special education services and instructional materials program for certain public school students receiving special education services.

**Amendment No. 1 (Committee Amendment No. 1)**

Representative VanDeaver offered the following committee amendment to **SB 1716**:

Amend **SB 1716** (senate engrossed version) as follows:

(1) On page 4, between lines 24 and 25, insert the following:

Sec. 29.048. LIST OF SUPPLEMENTAL SPECIAL EDUCATION SERVICES. The admission, review, and dismissal committee of a student approved for participation in the program shall provide to the student's parent at an admission, review, and dismissal committee meeting for the student a list of supplemental special education services provided by agency-approved providers for which an account maintained under Section 29.042(b) for the student may be used. Supplemental special education services not included on the list may still be eligible under this section if the services otherwise meet the requirements of this subchapter.

(2) On page 4, line 25, strike "29.048" and substitute "29.049".

(3) On page 5, between lines 1 and 2, insert the following:

Sec. 29.050. EXPIRATION. This subchapter expires September 1, 2024.

Amendment No. 1 was adopted.

### **Amendment No. 2 (Committee Amendment No. 2)**

On behalf of Representative K. Bell, Representative VanDeaver offered the following committee amendment to **SB 1716**:

Amend **SB 1716** (senate engrossed version) as follows:

(1) On page 2, line 9, by striking "credit" and replace with "grant".

(2) On page 2, line 13, by striking "credit" and replace with "grant".

(3) On page 2, line 18, by striking "credits" and replace with "grants".

(4) On page 2, line 21, by striking "CREDIT" and replace with "GRANT".

(5) On page 2, line 23, by striking "credit" and replace with "grant".

Amendment No. 2 was adopted.

### **Amendment No. 3 (Committee Amendment No. 3)**

Representative Buckley offered the following committee amendment to **SB 1716**:

Amend **SB 1716** as follows:

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

(d) The agency shall designate one or more regional education service centers to administer the program.

Amendment No. 3 was adopted.

**SB 1716**, as amended, was passed to third reading.

### **SB 1888 ON SECOND READING (Parker - House Sponsor)**

**SB 1888**, A bill to be entitled An Act relating to the establishment of certain programs to facilitate early high school graduation and enrollment at public institutions of higher education and to the repeal of the Early High School Graduation Scholarship program.

**SB 1888** was passed to third reading.

**SB 1936 ON SECOND READING**  
**(Cook and Swanson - House Sponsors)**

**SB 1936**, A bill to be entitled An Act relating to the beginning and ending possession times in certain standard possession orders in a suit affecting the parent-child relationship.

**Amendment No. 1**

On behalf of Representative Dutton, Representative Cook offered the following amendment to **SB 1936**:

Amend **SB 1936** (house committee report) as follows:

(1) On page 1, line 17, strike "and (8)" and substitute "(8), and (9)".

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

SECTION \_\_\_\_\_. Section 153.317(a), Family Code, is amended to read as follows:

(a) If elected by a conservator, the court shall alter the standard possession order under Sections 153.312, 153.314, and 153.315 to provide for one or more of the following alternative beginning and ending possession times for the described periods of possession, unless the court finds that the election is not in the best interest of the child:

(1) for weekend periods of possession under Section 153.312(a)(1) during the regular school term:

(A) beginning at the time the child's school is regularly dismissed;

(B) ending at the time the child's school resumes after the weekend; or

(C) beginning at the time described by paragraph (A) and ending at the time described by paragraph (B);

(2) for Thursday periods of possession under Section 153.312(a)(2):

(A) beginning at the time the child's school is regularly dismissed;

(B) ending at the time the child's school resumes on Friday; or

(C) beginning at the time described by paragraph (A) and ending at the time described by paragraph (B);

(3) for spring vacation periods of possession under Section 153.312(b)(1), beginning at the time the child's school is dismissed for those vacations;

(4) for Christmas school vacation periods of possession under Section 153.314(1), beginning at the time the child's school is dismissed for the vacation;

(5) for Thanksgiving holiday periods of possession under Section 153.314(3), beginning at the time the child's school is dismissed for the holiday;

(6) for Father's Day periods of possession under Section 153.314(5), ending at 8 a.m. on the Monday after Father's Day weekend;

(7) for Mother's Day periods of possession under Section 153.314(6):

(A) beginning at the time the child's school is regularly dismissed on the Friday preceding Mother's Day;

(B) ending at the time the child's school resumes after Mother's

Day; or



(C) beginning at the time described by paragraph (A) and ending at the time described by paragraph (B); ~~or~~

(8) for weekend periods of possession that are extended under Section 153.315(b) by a student holiday or teacher in-service day that falls on a Friday, beginning at the time the child's school is regularly dismissed on Thursday; or

(9) for weekend periods of possession that are extended under Section 153.315(a) by a student holiday or teacher in-service day that falls on a Monday, ending at 8 a.m. Tuesday.

Amendment No. 1 was adopted.

**SB 1936**, as amended, was passed to third reading.

**SB 1921 ON SECOND READING**  
**(Guillen - House Sponsor)**

**SB 1921**, A bill to be entitled An Act relating to Medicaid reimbursement for the provision of certain behavioral health and physical health services.

**Amendment No. 1**

Representative Guillen offered the following amendment to **SB 1921**:

Amend **SB 1921** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 32.024, Human Resources Code, is amended by adding Subsection (ll) to read as follows:

(ll) The commission shall provide medical assistance reimbursement to an authorized wound care education and training services provider and establish outcome measures for evaluating the physical health care outcomes of recipients who receive wound care education and training services from an authorized wound care education and training services provider.

SECTION \_\_\_\_\_. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.0285 to read as follows:

Sec. 32.0285. CALCULATION OF MEDICAL EDUCATION ADD-ON FOR REIMBURSEMENT OF TEACHING HOSPITALS THAT PROVIDE BEHAVIORAL HEALTH AND PHYSICAL HEALTH SERVICES. The commission shall, on request from a teaching hospital that provides behavioral health and physical health services, update on a biannual basis the education adjustment factor used to calculate the medical education add-on using the most current Medicare education adjustment factor data available under 42 C.F.R. Section 412.105 at the time the commission makes the update.

SECTION \_\_\_\_\_. Section 32.0285, Human Resources Code, as added by this Act, applies only to a request from a teaching hospital that is made on or after September 1, 2022.

Amendment No. 1 was adopted.

**SB 1921**, as amended, was passed to third reading.

**SB 2081 ON SECOND READING**  
**(Talarico - House Sponsor)**

**SB 2081**, A bill to be entitled An Act relating to class size limits for prekindergarten classes provided by or on behalf of public schools.

**SB 2081** was passed to third reading. (Dean and Shine recorded voting no.)

**CSSB 248 ON SECOND READING**  
**(Thierry - House Sponsor)**

**CSSB 248**, A bill to be entitled An Act relating to the sale of cigarettes, tobacco products, and e-cigarettes; requiring occupational permits; imposing fees; providing civil and administrative penalties; creating criminal offenses.

**Amendment No. 1**

Representative Thierry offered the following amendment to **CSSB 248**:

Amend **CSSB 248** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Chapter 155, Tax Code, is amended by adding Subchapter B-1 to read as follows:

SUBCHAPTER B-1. TAX ON ALTERNATIVE NICOTINE PRODUCTS

Sec. 155.031. DEFINITION. In this subchapter:

(1) "Alternative nicotine product" means a noncombustible product containing nicotine, but not containing tobacco leaf, that is intended for human consumption, whether chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. The term does not include an e-cigarette as defined by Section 161.081, Health and Safety Code, a vapor product, or a product regulated as a drug or device by the United States Food and Drug Administration.

(2) "Alternative nicotine product retailer" means a person who engages in the business of selling alternative nicotine products.

Sec. 155.032. APPLICATION OF OTHER PROVISIONS OF CHAPTER. Except as otherwise provided by this subchapter:

(1) the provisions of this chapter applicable to the regulation of the distribution or sale of tobacco products apply to the distribution and sale of an alternative nicotine product, including the requirement to obtain a permit in the manner provided by Subchapter C;

(2) an alternative nicotine product retailer is subject to disciplinary action under Subchapter H, Chapter 161, Health and Safety Code, to the same extent a cigarette, e-cigarette, or tobacco product retailer is subject to disciplinary action under that subchapter; and

(3) the tax imposed under this subchapter on an alternative nicotine product is administered, imposed, collected, and enforced in the same manner as the taxes imposed on tobacco products under this chapter are administered, imposed, collected, and enforced.

Sec. 155.033. TAX IMPOSED ON ALTERNATIVE NICOTINE PRODUCTS. (a) A tax is imposed and becomes payable when a permit holder receives alternative nicotine products for the purpose of making a first sale in this state.

(b) The tax rate for each container or package of an alternative nicotine product is \$1.22 per ounce and a proportionate rate on all fractional parts of an ounce.

(c) The computation of the tax under this section is based on the net weight as listed by the manufacturer. The total tax imposed on a unit of alternative nicotine products that contains two or more individual containers or packages is the sum of the taxes imposed by this section on each individual container or package intended for sale or distribution at retail.

Amendment No. 1 was adopted.

**CSSB 248**, as amended, was passed to third reading. (Dean and Shine recorded voting no.)

**CSSB 1495 ON SECOND READING  
(J. Turner - House Sponsor)**

**CSSB 1495**, A bill to be entitled An Act relating to certain criminal offenses related to highways and motor vehicles; creating a criminal offense; increasing a criminal penalty.

**CSSB 1495** was passed to third reading.

**CSSB 1696 ON SECOND READING  
(Wilson - House Sponsor)**

**CSSB 1696**, A bill to be entitled An Act relating to establishing a system for the sharing of information regarding cyber attacks or other cybersecurity incidents occurring in schools in this state.

**CSSB 1696** was passed to third reading.

**CSSB 2050 ON SECOND READING  
(Allison and Meza - House Sponsors)**

**CSSB 2050**, A bill to be entitled An Act relating to bullying and cyberbullying in public schools.

**CSSB 2050** was passed to third reading.

**SB 1418 ON SECOND READING  
(Wilson - House Sponsor)**

**SB 1418**, A bill to be entitled An Act relating to the compensation of the presiding judge of an early ballot voting board.

**SB 1418** was passed to third reading.

**SB 1261 ON SECOND READING**  
**(Landgraf - House Sponsor)**

**SB 1261**, A bill to be entitled An Act relating to the exclusive jurisdiction of the state to regulate greenhouse gas emissions in this state and the express preemption of local regulation of those emissions.

Representative Landgraf moved to postpone consideration of **SB 1261** until 11:35 p.m. today.

The motion prevailed.

**CSSB 1145 ON SECOND READING**  
**(Buckley - House Sponsor)**

**CSSB 1145**, A bill to be entitled An Act relating to the advertising and labeling of certain food products.

**CSSB 1145 - POINT OF ORDER**

Representative Biedermann raised a point of order against further consideration of **CSSB 1145** under Rule 4, Section 40 and 41, and Rule 11, Section 2, of the House Rules on the grounds that the committee substitute is not germane.

(Harris in the chair)

The point of order was withdrawn.

Representative Buckley moved to postpone consideration of **CSSB 1145** until 11:40 p.m. today.

The motion prevailed.

**SB 969 ON SECOND READING**  
**(Klick - House Sponsor)**

**SB 969**, A bill to be entitled An Act relating to reporting procedures for and information concerning public health disasters and to certain public health studies; providing a civil penalty.

**SB 969** was passed to third reading.

**CSSB 984 ON SECOND READING**  
**(Klick - House Sponsor)**

**CSSB 984**, A bill to be entitled An Act relating to public health disaster and public health emergency preparedness and response, including the operation of the Task Force on Infectious Disease Preparedness and Response.

**CSSB 984** was passed to third reading.

**CSSB 967 ON SECOND READING**  
**(Klick - House Sponsor)**

**CSSB 967**, A bill to be entitled An Act relating to the expiration and extension of certain public health orders issued by a health authority.

(Speaker in the chair)

CSSB 967 was passed to third reading.

**SB 1059 ON SECOND READING**  
**(Klick - House Sponsor)**

**SB 1059**, A bill to be entitled An Act relating to the process for determining the Medicaid eligibility of certain former foster care youth.

**SB 1059** was passed to third reading.

**SB 507 ON SECOND READING**  
**(Anderson - House Sponsor)**

**SB 507**, A bill to be entitled An Act relating to an accommodation process authorizing the use of state highway rights-of-way by broadband-only providers.

**SB 507** was passed to third reading.

**SB 68 ON SECOND READING**  
**(Reynolds, White, S. Thompson, Coleman, and Crockett - House Sponsors)**

**SB 68**, A bill to be entitled An Act relating to a duty for peace officers to intervene and make a report when a peace officer uses excessive force.

**Amendment No. 1**

Representative Krause offered the following amendment to **SB 68**:

Amend **SB 68** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Sections 37.09(c) and (d), Penal Code, are amended to read as follows:

(c) An offense under Subsection (a), ~~[or Subsection]~~ (d)(1), or (d)(3) is a felony of the third degree, unless the thing altered, destroyed, or concealed is a human corpse, in which case the offense is a felony of the second degree. An offense under Subsection (d)(2) is a Class A misdemeanor.

(d) A person commits an offense if the person:

(1) knowing that an offense has been committed, alters, destroys, or conceals any record, document, or thing with intent to impair its verity, legibility, or availability as evidence in any subsequent investigation of or official proceeding related to the offense; ~~[or]~~

(2) observes a human corpse under circumstances in which a reasonable person would believe that an offense had been committed, knows or reasonably should know that a law enforcement agency is not aware of the existence of or location of the corpse, and fails to report the existence of and location of the corpse to a law enforcement agency; or

(3) is a peace officer or other employee of a law enforcement agency who alters, destroys, or conceals another person's audio, visual, or photographic recording of a peace officer's performance of official duties:

(A) without obtaining that other person's written consent; and

(B) with intent to impair the recording's verity, intelligibility, or availability as evidence in any subsequent investigation of or official proceeding related to the peace officer's performance of official duties.

SECTION \_\_\_\_\_. Section 38.15(c), Penal Code, is amended to read as follows:

(c) It is a defense to prosecution under Subsection (a)(1) that the conduct engaged in by the defendant:

(1) was intended to warn a person operating a motor vehicle of the presence of a peace officer who was enforcing Subtitle C, Title 7, Transportation Code; or

(2) consisted only of filming, recording, photographing, documenting, or observing a peace officer, if before or while engaging in the conduct, the defendant obeyed any reasonable and lawful order by a peace officer to change the defendant's proximity or position.

SECTION \_\_\_\_\_. Section 542.501, Transportation Code, is amended to read as follows:

Sec. 542.501. OBEDIENCE REQUIRED TO PEACE [~~POLICE~~] OFFICERS, SCHOOL CROSSING GUARDS, AND ESCORT FLAGGERS.

(a) A person may not wilfully fail or refuse to comply with a lawful order or direction of:

(1) a peace [~~police~~] officer, subject to Subsection (b);

(2) a school crossing guard who:

(A) is performing crossing guard duties in a school crosswalk to stop and yield to a pedestrian; or

(B) has been trained under Section 600.004 and is directing traffic in a school crossing zone; or

(3) an escort flagger who is directing or controlling the flow of traffic in accordance with a permit issued by the Texas Department of Motor Vehicles under Subtitle E for the movement of an oversize or overweight vehicle.

(b) Subsection (a)(1) does not apply to an order or direction to cease filming, recording, photographing, documenting, or observing a peace officer while the officer is engaged in the performance of official duties. This subsection does not prohibit a peace officer from giving the person a reasonable and lawful order or direction to change the person's proximity or position relative to a peace officer who is engaged in the performance of official duties.

SECTION \_\_\_\_\_. Section 37.09, Penal Code, as amended by this Act, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION \_\_\_\_\_. (a) Except as provided by Subsection (b) of this section, Section 38.15, Penal Code, and Section 542.501, Transportation Code, as amended by this Act, apply to the prosecution of an offense under one of those sections commenced before, on, or after the effective date of this Act.

(b) A final conviction for an offense under Section 38.15, Penal Code, or Section 542.501, Transportation Code, that exists on the effective date of this Act is unaffected by this Act.

Amendment No. 1 was adopted.

**SB 68**, as amended, was passed to third reading. (Dean and Shine recorded voting no.)

**SB 598 ON SECOND READING**  
**(Jetton - House Sponsor)**

**SB 598**, A bill to be entitled An Act relating to auditable voting systems.

**Amendment No. 1**

Representative Jetton offered the following amendment to **SB 598**:

Amend **SB 598** (house committee report) as follows:

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

SECTION \_\_\_\_\_. Section 121.003, Election Code, is amended by adding Subdivision (14) to read as follows:

(14) "Auditable voting system" means a voting system that:

(A) uses, creates, or displays a paper record that may be read by the voter and that is deposited by the voter into a secure ballot box; and

(B) is not capable of being connected to the Internet or any other computer network or electronic device.

SECTION \_\_\_\_\_. Subchapter H, Chapter 127, Election Code, is amended by adding Section 127.2015 to read as follows:

Sec. 127.2015. PARTIAL COUNT OF AUDITABLE VOTING SYSTEM BALLOTS BY GENERAL CUSTODIAN. (a) In this section, "ballot box" means all ballot boxes used for the deposit of voters' marked ballots at a polling place or early voting polling place, whether one or multiple physical ballot boxes were used.

(b) Notwithstanding Section 127.201, not later than 24 hours after all ballots have been counted in an election, the general custodian of election records in each county shall conduct by hand a partial count of ballots cast for a selected number of ballot boxes. Each ballot box selected must be from a polling place in which an auditable voting system was used, and the number of ballot boxes selected for the partial count shall be the greater of:

(1) two; or

(2) 10 percent of the number of ballot boxes used in the election, rounded up to the nearest even number.

(c) Not later than 18 hours after the completion of the initial counting or tabulation of election results and with not less than six hours' notice given to each participant, the general custodian of election records shall conduct a telephone conference call with the following persons:

(1) the general custodian;

(2) the county chair of the political party who received the most votes in the county in the most recently preceding gubernatorial election, or the chair's designee;

(3) the county chair of the political party who received the second most votes in the county in the most recently preceding gubernatorial election, or the chair's designee;

(4) up to three additional persons selected by each person participating under Subdivisions (2) and (3); and

(5) if a person described by Subdivision (2) or (3) does not attend, a person appointed by the state chair of the person's party to replace that person and up to three additional persons appointed by the state chair to replace the persons described by Subdivision (4).

(d) During the conference call under Subsection (c), the general custodian of election records shall allow each party chair or party chair's representative to select ballot boxes to be subject to a partial count conducted under this section. The chairs shall alternate selections, beginning with the chair of the party that received the most votes in the county in the most recently preceding gubernatorial election, until the number of ballot boxes selected for the partial count has satisfied the requirement of Subsection (b).

(d-1) If a party leader or representative fails to attend the conference call as required under Subsection (c), the secretary of state shall select ballot boxes for the partial count at random on the party's behalf.

(e) The general custodian of election records shall complete the partial count not later than 24 hours before the time for conducting the canvass of the election.

(f) The general custodian of election records shall post a notice of the date, hour, and place of the partial count in the custodian's office and on the county's Internet website, if the county maintains a website, at least 18 hours before beginning the count and shall post the results of the count in the same manner immediately after the conclusion of the count. The notice must identify the ballot boxes chosen for the count.

(g) A watcher may be present at all stages of the partial count if appointed by a candidate in the election from the moment a ballot box is taken from its place of storage until the count is completed and all ballot boxes examined in the count are returned to the place of storage. A watcher must deliver a certificate of appointment to the general custodian of election records at the time the watcher reports for service. The certificate must be in writing and must include:

(1) the printed name and signature of the watcher;

(2) the election subject to the partial count; and

(3) the printed name and signature of the candidate making the appointment.

(h) The secretary of state may appoint personnel to assist with the partial count, including applicable voting system technicians or representatives and persons who have assisted with the design and implementation of the count.



(i) If a partial count conducted under this section reveals a disparity of more than 0.25 percent between the initial reported outcome of an election at a polling place and the results determined by the partial count, notwithstanding any other law, an automatic recount under Chapter 216 must be conducted in the county for the election in which the disparity is identified. The recount shall be a manual recount by hand of paper records in accordance with Subchapter A, Chapter 214. All candidates in the election and the county chair of any political party in the county must be notified by the general custodian of election records.

(j) The secretary of state may not waive any requirements of this section.

(2) On page 1, line 9, strike "2026;" and substitute "2024;".

(3) On page 3, line 16, strike "2026" and substitute "2024".

(4) On page 3, lines 21 through 26, strike added Subsection 129.003(a), Election Code, and reletter subsequent subsections of Section 129.003, Election Code, and cross-references to those subsections accordingly.

(5) On page 5, line 5, strike "November 3, 2026" and substitute "November 5, 2024".

(6) On page 5, line 12, strike "2026" and substitute "2024".

(7) On page 5, line 27, strike "2026" and substitute "2024".

(8) On page 6, line 8, strike "2026" and substitute "2024".

Amendment No. 1 was adopted.

#### **Amendment No. 1 - Vote Reconsidered**

Representative Jetton moved to reconsider the vote by which Amendment No. 1 was adopted.

The motion to reconsider prevailed.

Amendment No. 1 was withdrawn.

**SB 598** was passed to third reading.

#### **SB 617 ON SECOND READING (Wilson - House Sponsor)**

**SB 617**, A bill to be entitled An Act relating to the regulation of certain direct sales of food to consumers and a limitation on the fee amount for certain permits.

**SB 617** was passed to third reading.

#### **SB 768 ON SECOND READING (A. Johnson - House Sponsor)**

**SB 768**, A bill to be entitled An Act relating to increasing the criminal penalties for manufacture or delivery of fentanyl and related substances; creating a criminal offense.

**SB 768** was passed to third reading.

#### **SB 113 ON SECOND READING (Rodriguez - House Sponsor)**

**SB 113**, A bill to be entitled An Act relating to community land trusts.

**SB 113** was passed to third reading.

**SB 149 ON SECOND READING  
(Goldman - House Sponsor)**

**SB 149**, A bill to be entitled An Act relating to the prosecution of the offense of operation of an unmanned aircraft over certain facilities.

**SB 149** was passed to third reading.

**CSSB 185 ON SECOND READING  
(White - House Sponsor)**

**CSSB 185**, A bill to be entitled An Act relating to the time for entering a final order in certain suits affecting the parent-child relationship involving the Department of Family and Protective Services.

**CSSB 185** was passed to third reading.

**CSSB 225 ON SECOND READING  
(Sanford - House Sponsor)**

**CSSB 225**, A bill to be entitled An Act relating to the regulation of certain child-care facilities and family homes.

**CSSB 225** was passed to third reading.

**SB 334 ON SECOND READING  
(Goodwin - House Sponsor)**

**SB 334**, A bill to be entitled An Act relating to disclosure under the public information law of certain records of an appraisal district.

**SB 334** was passed to third reading.

**SB 415 ON SECOND READING  
(Holland, Paddie, Hernandez, Lucio, and Harless - House Sponsors)**

**SB 415**, A bill to be entitled An Act relating to use of electric energy storage facilities in the ERCOT power region.

**SB 415** was passed to third reading.

**SB 500 ON SECOND READING  
(Rose - House Sponsor)**

**SB 500**, A bill to be entitled An Act relating to creating the criminal offense of operating a boarding home facility without a permit in certain counties and municipalities.

**SB 500** was passed to third reading.

**SB 518 ON SECOND READING  
(Morrison - House Sponsor)**

**SB 518**, A bill to be entitled An Act relating to the use of certain data collected by the Texas Workforce Commission to determine general prevailing wage rates for certain public work contracts.

**Amendment No. 1**

Representative Hinojosa offered the following amendment to **SB 518**:

Amend **SB 518** by striking the enacting clause.

**MIDNIGHT**

The proceedings continued after 12 a.m. and the following actions occurred on Wednesday, May 26:

**SB 518 - POINT OF ORDER**

Representative Dutton raised a point of order against further consideration of **SB 518** and the calendar under Rule 8, Section 13(c), of the House Rules on the grounds that the deadline for consideration of senate bills on second reading had passed. The point of order was sustained.

The ruling precluded further consideration of **SB 518** and the calendar.

**RECESS**

Representatives Guillen and Reynolds moved that the house recess until 9 a.m. today in memory of Kate Nuber McVey of Kyle and George Floyd of Houston.

The motion prevailed.

The house accordingly, at 12:01 a.m. Wednesday, May 26, recessed until 9 a.m. today.

---

**ADDENDUM**

---

**SIGNED BY THE SPEAKER**

The following bills and resolutions were today signed in the presence of the house by the speaker:

**House List No. 27**

**HB 428, HB 531, HB 738, HB 1338, HB 1382, HB 1407, HB 1475, HB 1476, HB 1522, HB 1576, HB 1603, HB 1616, HB 1677, HB 1729, HB 1920, HB 1938, HB 1967, HB 2080, HB 2090, HB 2091, HB 2171, HB 2213, HB 2326, HB 2366, HB 2430, HB 2509, HB 2581, HB 2822, HB 2893, HB 3442, HB 3516, HB 3629, HB 3959, HB 4030, HB 4158**

**MESSAGES FROM THE SENATE**

The following messages from the senate were today received by the house:

**Message No. 2**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Tuesday, May 25, 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:

**SCR 58** Perry  
Recognizing the Lubbock Christian University women's basketball team for winning a national championship.

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 22**  
Senate Conferees: Springer - Chair/Bettencourt/Blanco/Hughes/Zaffirini

**SB 49**  
Senate Conferees: Zaffirini - Chair/Birdwell/Huffman/Hughes/Whitmire

**SB 281**  
Senate Conferees: Hinojosa - Chair/Birdwell/Huffman/Nichols/Whitmire

**SB 288**  
Senate Conferees: Seliger - Chair/Lucio/Nichols/Perry/Taylor

**SB 383**  
Senate Conferees: Powell - Chair/Blanco/Campbell/Perry/Seliger

**SB 572**  
Senate Conferees: Springer - Chair/Bettencourt/Buckingham/Campbell/Lucio

**SB 601**  
Senate Conferees: Perry - Chair/Gutierrez/Kolkhorst/Springer/Taylor

**SB 626**  
Senate Conferees: Zaffirini - Chair/Campbell/Hinojosa/Huffman/Hughes

**SB 696**  
Senate Conferees: Zaffirini - Chair/Alvarado/Birdwell/Seliger/Taylor

**SB 703**  
Senate Conferees: Buckingham - Chair/Campbell/Paxton/Perry/Powell

**SB 713**  
Senate Conferees: Buckingham - Chair/Campbell/Hall/Lucio/Schwertner

**SB 1138**

Senate Conferees: Hughes - Chair/Blanco/Kolkhorst/Lucio/Perry

**SB 1160**

Senate Conferees: Taylor - Chair/Alvarado/Bettencourt/Miles/Perry

**SB 1263**

Senate Conferees: Birdwell - Chair/Hancock/Hinojosa/Lucio/Nichols

**SB 1308**

Senate Conferees: Blanco - Chair/Alvarado/Hinojosa/Kolkhorst/Nichols

**SB 1315**

Senate Conferees: Lucio - Chair/Bettencourt/Hinojosa/Nichols/Taylor

**SB 1356**

Senate Conferees: Hughes - Chair/Lucio/Perry/Powell/Taylor

**SB 1588**

Senate Conferees: Hughes - Chair/Hancock/Nichols/Paxton/Whitmire

**SB 1831**

Senate Conferees: Taylor - Chair/Alvarado/Huffman/Nelson/Whitmire

**SB 2154**

Senate Conferees: Schwertner - Chair/Creighton/Huffman/Hughes/Johnson

THE SENATE HAS GRANTED THE REQUEST OF THE HOUSE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

**HB 3282**

Senate Conferees: Nichols - Chair/Hancock/Hinojosa/Seliger/West

Respectfully,

Patsy Spaw

Secretary of the Senate

---

**APPENDIX**

---

**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**May 24**

Defense and Veterans' Affairs - **SCR 50**

Judiciary and Civil Jurisprudence - **SCR 31**

**ENROLLED**

**May 24 - HB 428, HB 531, HB 738, HB 1338, HB 1382, HB 1407, HB 1475, HB 1476, HB 1522, HB 1576, HB 1603, HB 1616, HB 1677, HB 1729, HB 1920, HB 1938, HB 1967, HB 2080, HB 2090, HB 2091, HB 2171, HB 2213, HB 2326, HB 2366, HB 2430, HB 2509, HB 2581, HB 2822, HB 2893, HB 3442, HB 3516, HB 3629, HB 3959, HB 4030,**

**HB 4158****SENT TO THE GOVERNOR**

**May 24 - HB 159, HB 315, HB 699, HB 781, HB 840, HB 1005, HB 1011, HB 1049, HB 1069, HB 1080, HB 1133, HB 1213, HB 1227, HB 1228, HB 1257, HB 1264, HB 1276, HB 1296, HB 1297, HB 1372, HB 1387, HB 1397, HB 1401, HB 1403, HB 1419, HB 1434, HB 1484, HB 1543, HB 1544, HB 1571, HB 1693, HB 1728, HB 1752, HB 1777, HB 1792, HB 1799, HB 2048, HB 2094, HB 2112, HB 2167, HB 2223, HB 2748, HB 3041, HB 3395, HB 3496, HB 3514, HB 3615, HB 4080, HCR 106**

**SIGNED BY THE GOVERNOR**

**May 24 - HB 103, HB 317, HB 719, HB 788, HB 1759, HB 2494, HB 2586, HB 2749, HB 3067, HB 3390, HB 3401**