

# HOUSE JOURNAL

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EIGHTY-EIGHTH LEGISLATURE, SECOND CALLED SESSION

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## PROCEEDINGS

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FIFTH DAY (CONTINUED) — THURSDAY, JULY 13, 2023

The house met at 1:34 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 7).

Present — Mr. Speaker(C); Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton, F.; Johnson, A.; Johnson, J.E.; Jones, J.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Absent — Bonnen; Cole; Gámez; González, M.; Johnson, J.D.; Jones, V.; Ortega.

The invocation was offered by the Very Reverend Christopher Downey, Diocese of Austin, Austin.

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

(Cole now present)

## RESOLUTIONS REFERRED TO COMMITTEES

Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

**MOMENT OF SILENCE OBSERVED**

REPRESENTATIVE SHINE: Members, we lost a very dear friend and a long-term individual who had been involved in this legislature for over 40 years, Mario Martinez. When I served in the house 35 years ago, he was a chief of staff and became a lobbyist. But he's worked with a lot of members in this house for all of those years. A man of God—it was always about you or us; it was never about Mario. We had his service this morning, and I just want folks to know that this man touched the hearts of so many of our lives. He was a mentor, he was a friend, he was someone that prayed for you, and he was someone that prayed with you. He leaves behind his wife, Louann, and two daughters, Avery and McKenna. A very good personal friend of mine that had been a friend for many, many years.

REPRESENTATIVE GUILLEN: Mario Martinez was a good friend—a good friend not only to me but to many of you on this floor. I first met Mario when I first got elected 20 something years ago, and we quickly became close friends. Over the years, we became really close friends, and there was hardly a day that I wasn't in Austin that I wasn't with Mario at some point. We often liked to frequent our favorite spots around town—Carmelo's for a long time, a place we called Sonny's, and a few other places.

He had a big impact on this building and on Austin. He was from Bay City, out in Matagorda County. That's where he grew up, and that's the city that his dad would later become mayor of. He moved over here in 1975 and for almost 50 years he first worked here, but always worked here in this building. He married his wife, Louann, in 1994 right here in this rotunda. He often told us the story of when he married Louann that Louann wanted candelabras in the rotunda. The preservation board wasn't having it, and so he had to call on some very good friends of his to intervene and make sure it happened. And by God, he got the candelabras with all the candles in the rotunda for the ceremony. He's got two daughters, Avery and McKenna. Both of them worked here and continue to work here. The whole family—Louann, of course, started out in the building and continues to work in the Capitol.

He, over the years, has made plenty of friends, and in the last couple of weeks, of course, I've heard so many stories from folks that he had an impact on—young lobbyists and young staffers that he took in under his wing and worked with them and helped them. Mario was a good friend to many of us, and he'll be dearly missed. I'd ask y'all to join me in a moment of silence in honor of our friend, Mario Martinez.

**REMARKS ORDERED PRINTED**

Representative Moody moved to print remarks by Representatives Guillen and Shine.

The motion prevailed.

### LEAVES OF ABSENCE GRANTED

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

Sherman on motion of Collier.

(Bonnen now present)

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

Ortega on motion of Hinojosa.

(Gámez now present)

### RULES SUSPENDED

Representative C.J. Harris moved to suspend all necessary rules to consider and adopt the congratulatory and memorial resolutions listed on the suspension congratulatory and memorial calendar, which will be entered in the journal, and that the journal indicate the memorial resolutions on the calendar were adopted by a rising vote.

A record vote was requested.

The motion prevailed by (Record 8): 131 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cole; Collier; Cook; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton, F.; Johnson, A.; Johnson, J.E.; Jones, J.; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Orr; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Ortega; Sherman.

Absent — Campos; Canales; Cortez; Gates; González, M.; Guerra; Johnson, J.D.; Jones, V.; Kacal; Manuel; Ordaz; Ramos; Romero; Troxclair; Wu.

**SUSPENSION  
CONGRATULATORY AND MEMORIAL CALENDAR**

The following congratulatory resolutions were submitted for inclusion in the journal and were adopted:

**HR 2** (by Allison), Congratulating Frances Tankersley Messer on her 100th birthday.

**HR 4** (by C. Bell), Congratulating the Magnolia West High School baseball team on winning the 2023 UIL 5A state championship.

**HR 5** (by Buckley), Honoring Jim Yeonopolus on his retirement as chancellor of Central Texas College.

**HR 6** (by Buckley), Congratulating Dr. Marc Nigliazzo on his retirement as president of Texas A&M University-Central Texas.

**HR 12** (by Meyer), Honoring ocularist William Randall "Randy" Trawnik of Dallas for his contributions to his profession.

**HR 15** (by Bumgarner), Congratulating Jacob Gholston of Flower Mound High School on being selected as the 2023 Baseball Player of the Year by the Dallas Morning News.

**HR 20** (by Collier), Honoring Nana's Kitchen as a noteworthy member of the Fort Worth business community.

**HR 21** (by Bucy), Congratulating Megan and Clayton Travis of Austin on the birth of their daughter, Annie Quinn Travis.

**HR 24** (by Longoria), Congratulating Agent Joe Mireles of Hidalgo County on his selection as the South Region Officer of the Year by the Texas Narcotic Officers Association.

**HR 25** (by Longoria), Congratulating Kelley McCormick of Hidalgo County on his selection as the Prosecutor of the Year by the Texas Narcotic Officers Association.

**HR 26** (by Longoria), Congratulating Deputy Constable Alfonso Fuentes of Hidalgo County Precinct 4 and his K9 partner, Max, on being named the Canine Detection Team of the Year by the Texas Narcotic Officers Association.

**HR 27** (by E. Morales), Congratulating Jessies "Cacho" Sandoval on his retirement as the director of public works for the City of Eagle Pass.

The following memorial resolutions were submitted for inclusion in the journal and were unanimously adopted by a rising vote:

**HR 1** (by Meyer), In memory of Norma Lynn Knobel Hunt of Dallas.

**HR 3** (by Schofield), In memory of Karon Kaye Tinsley Goolsby of Katy.

**HR 7** (by Price), In memory of Joyce McCoy Swinford of Dumas.

**HR 8** (by Price), In memory of Thomas Roy Ferguson of Dumas.

**HR 9** (by Shine), In memory of Mario A. Martinez.

**HR 10** (by Thimesch), In memory of David Brian Brazil, former head football coach at Hebron High School in Carrollton.

**HR 11** (by Allen), In memory of Dr. John Frederic Parrish of Houston.

**HR 13** (by Morrison), In memory of Patrick Michael Escalante of Victoria.

**HR 14** (by Bumgarner), In memory of Donald Joseph Shields of Flower Mound.

**HR 16** (by Howard), In memory of Mary Ann Dodds.

**HR 17** (by Howard), In memory of Alyson Evans Anderson of Austin.

**HR 18** (by Howard), In memory of Peter R. Rose of Austin.

**HR 19** (by Hefner), In memory of Shayne Self Priefert of Mount Pleasant.

**HR 22** (by Wilson), In memory of Stacy Taliaferro Parker.

**HR 23** (by Herrero), In memory of Teofilo Reyes Alonso of Robstown.

### LEAVE OF ABSENCE GRANTED

Representative Kuempel requested to grant leave of absence for Representative K. King for the remainder of today because of important business in the district.

A record vote was requested.

The request for leave of absence was granted by (Record 9): 125 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Bell, C.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cole; Collier; Cook; Craddick; Cunningham; Darby; Davis; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gerdes; Geren; Goldman; González, J.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton, F.; Johnson, A.; Johnson, J.E.; Jones, J.; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Martinez Fischer; Metcalf; Meyer; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Orr; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

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

Absent, Excused — Ortega; Sherman.

Absent — Ashby; Bell, K.; Campos; Canales; Cortez; Dean; Gates; Gervin-Hawkins; González, M.; Johnson, J.D.; Jones, V.; Kacal; Manuel; Martinez; Morales Shaw; Ordaz; Ramos; Thierry; Toth; Troxclair.

### STATEMENT OF VOTE

When Record No. 9 was taken, I was shown voting yes but was absent because of important business in the district.

K. King

### LEAVES OF ABSENCE GRANTED

The following members requested to grant leaves of absence for the designated members for the remainder of today because of important business in the district:

Longoria on behalf of Guerra

Price on behalf of Kacal

The following members requested to grant leaves of absence for the designated members for today because of important business in the district:

Moody on behalf of M. González

Reynolds on behalf of V. Jones

A record vote was requested.

The requests for leaves of absence were granted by (Record 10): 111 Yeas, 18 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Capriglione; Clardy; Cole; Collier; Cook; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dutton; Flores; Frank; Gámez; Garcia; Geren; Goldman; González, J.; Goodwin; Guillen; Harless; Harris, C.E.; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton, F.; Johnson, A.; Johnson, J.E.; Jones, J.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Orr; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Rose; Rosenthal; Schaefer; Schofield; Shaheen; Shine; Smithee; Spiller; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bumgarner; Cain; Dorazio; Frazier; Gerdes; Harris, C.J.; Harrison; Leo-Wilson; Patterson; Schatzline; Slawson; Smith; Stucky; Swanson; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — King, K.; Ortega; Sherman.

Absent — Campos; Canales; Cortez; Gates; Gervin-Hawkins; González, M.; Guerra; Johnson, J.D.; Jones, V.; Kacal; Manuel; Martinez; Morales, E.; Ordaz; Romero; Troxclair.

**RULES SUSPENDED  
HOUSE SPONSOR AUTHORIZED**

Representative Meyer moved to suspend Rule 8, Section 5(d), of the House Rules to designate as co-sponsors for **SB 2** and **SB 3** all co-authors for **HB 2** and **HB 3** who sign on to **HB 2** and **HB 3** before **SB 2** and **SB 3** pass the house.

A record vote was requested.

The motion prevailed by (Record 11): 120 Yeas, 6 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cole; Collier; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gerdes; Geren; Goldman; Goodwin; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton, F.; Johnson, A.; Johnson, J.E.; Jones, J.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Martinez Fischer; Metcalf; Meyer; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Orr; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Bryant; Davis; González, J.; Morales, C.; Morales Shaw; Ramos.

Present, not voting — Mr. Speaker(C).

Absent, Excused — González, M.; Guerra; Jones, V.; Kacal; King, K.; Ortega; Sherman.

Absent — Bucy; Campos; Canales; Cortez; Gates; Gervin-Hawkins; Johnson, J.D.; Manuel; Martinez; Meza; Moody; Morales, E.; Ordaz; Romero; Troxclair.

**HOUSE AT EASE**

At 2:03 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 2:42 p.m.

**LEAVE OF ABSENCE GRANTED**

Representative Neave Criado requested to grant leave of absence for Representative Romero for the remainder of today because of important business in the district.

A record vote was requested.

The request for leave of absence was granted by (Record 12): 97 Yeas, 33 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Burns; Burrows; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Flores; Frank; Frazier; Gámez; Garcia; Geren; Goldman; González, J.; Goodwin; Guillen; Harless; Harris, C.E.; Hayes; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; Jones, J.; King, T.; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Murr; Neave Criado; Noble; Oliverson; Ordaz; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Rose; Rosenthal; Schaefer; Schofield; Shine; Smithee; Stucky; Talarico; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; Vo; Walle; Wu; Zwiener.

Nays — Bailes; Bell, C.; Bell, K.; Bumgarner; Button; Cain; Dorazio; Gerdes; Harris, C.J.; Harrison; Hefner; Holland; Hull; Hunter; Isaac; Jetton, F.; Kitzman; Lozano; Lujan; Orr; Patterson; Schatzline; Shaheen; Slawson; Smith; Spiller; Swanson; Tepper; Tinderholt; Toth; VanDeaver; Vasut; Wilson.

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

Absent, Excused — González, M.; Guerra; Jones, V.; Kacal; King, K.; Ortega; Sherman.

Absent — Bucy; Campos; Canales; Dutton; Gates; Gervin-Hawkins; Johnson, J.D.; Klick; Muñoz; Romero.

#### STATEMENTS OF VOTE

When Record No. 12 was taken, I was shown voting no. I intended to vote yes.

F. Jetton

When Record No. 12 was taken, I was shown voting yes. I intended to vote no.

J. Lopez

#### MAJOR STATE CALENDAR HOUSE BILLS SECOND READING

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

#### SB 3 ON SECOND READING

**(Geren, Meyer, Darby, Hefner, Raymond, et al. - House Sponsors)**

**SB 3**, A bill to be entitled An Act relating to the amount of the total revenue exemption for the franchise tax and the exclusion of certain taxable entities from the requirement to file a franchise tax report.

**SB 3** was considered in lieu of **HB 3**.

**SB 3** was passed to third reading by (Record 13): 127 Yeas, 5 Nays, 2 Present, not voting.



Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cole; Collier; Cook; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Goldman; González, J.; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton, F.; Johnson, A.; Johnson, J.E.; Jones, J.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Moody; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Nays — Goodwin; Meza; Morales, C.; Ramos; Wu.

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

Absent, Excused — González, M.; Guerra; Jones, V.; Kacal; King, K.; Ortega; Romero; Sherman.

Absent — Bucy; Campos; Canales; Cortez; Dutton; Gervin-Hawkins; Johnson, J.D.

### STATEMENTS OF VOTE

When Record No. 13 was taken, I was absent because of important business in the district. I would have voted yes.

Canales

When Record No. 13 was taken, I was shown voting present, not voting. I intended to vote yes.

Flores

When Record No. 13 was taken, I was in the house but away from my desk. I would have voted yes.

Gervin-Hawkins

### HB 3 - LAID ON THE TABLE SUBJECT TO CALL

Representative Geren moved to lay **HB 3** on the table subject to call.

The motion prevailed.

### SB 2 ON SECOND READING

**(Meyer, Metcalf, Burrows, Raymond, Thierry, et al. - House Sponsors)**

**SB 2**, A bill to be entitled An Act relating to providing property tax relief through the public school finance system, exemptions, limitations on appraisals and taxes, and property tax administration; authorizing the imposition of a fee.

**SB 2** was considered in lieu of **HB 2**.

### LEAVE OF ABSENCE GRANTED

Representative Garcia requested to grant leave of absence for Representative Campos for the remainder of today because of important business in the district.

A record vote was requested.

The request for leave of absence was granted by (Record 14): 100 Yeas, 34 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bell, C.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Flores; Frank; Frazier; Gámez; Garcia; Gates; Geren; Goldman; González, J.; Goodwin; Guillen; Harless; Hayes; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; Jones, J.; King, T.; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, R.; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Rosenthal; Schaefer; Schofield; Shine; Smithee; Stucky; Talarico; Thierry; Thimesch; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bailes; Bell, K.; Bumgarner; Cain; Dorazio; Gerdes; Harris, C.E.; Harris, C.J.; Harrison; Hefner; Holland; Hull; Hunter; Isaac; Jetton, F.; Kitzman; Leo-Wilson; Lopez, J.; Lozano; Orr; Patterson; Schatzline; Shaheen; Slawson; Smith; Spiller; Swanson; Tepper; Thompson, E.; Tinderholt; Toth; Troxclair; Vasut; Wilson.

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

Absent, Excused — González, M.; Guerra; Jones, V.; Kacal; King, K.; Ortega; Romero; Sherman.

Absent — Campos; Canales; Dutton; Gervin-Hawkins; Johnson, J.D.

### STATEMENT OF VOTE

When Record No. 14 was taken, I was shown voting no. I intended to vote yes.

F. Jetton

### SB 2 - (consideration continued)

#### Amendment No. 1

Representatives Bryant, C. Morales, Ramos, Goodwin, and Wu offered the following amendment to **SB 2**:

Amend **SB 2** (house committee report) as follows:

(1) On page 1, line 20, strike "107" and substitute "06".

(2) On page 3, between lines 13 and 14, insert the following subsection and renumber subsequent subsections accordingly:

(b) For the 2023-2024 and 2024-2025 school years, a school district that compresses its tax rate as a result of Section 48.2555 is entitled to an additional allotment, which shall be used in the manner prescribed by Section 48.051(c), equal to \$1,000 for each student in average daily attendance, not including the time students spend each day in special education programs in an instructional arrangement other than mainstream or career and technology education programs, for which an additional allotment is made under Subchapter C.

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

Representative Cain raised a point of order against further consideration of Amendment No. 1 under Article III, Section 40, of the Texas Constitution on the grounds that the subject matter of the amendment is not included in the governor's proclamation. The point of order was withdrawn.

Amendment No. 1 was withdrawn.

#### **Amendment No. 2**

Representative Bryant offered the following amendment to **SB 2**:

Amend **SB 2** (house committee report) as follows:

(1) On page 1, line 20, strike "107" and substitute "06".  
(2) On page 3, between lines 13 and 14, insert the following subsection and renumber subsequent subsections accordingly:

(b) For the 2023-2024 and 2024-2025 school years, a school district that does not raise its tax rate as a result of Section 48.2555 is entitled to an additional allotment, which shall be used in the manner prescribed by Section 48.051(c), equal to \$1,000 for each student in average daily attendance, not including the time students spend each day in special education programs in an instructional arrangement other than mainstream or career and technology education programs, for which an additional allotment is made under Subchapter C.

#### **Amendment No. 2 - Point of Order**

Representative C.J. Harris raised a point of order against further consideration of Amendment No. 2 under Article III, Section 40, of the Texas Constitution. The speaker sustained the point of order, announcing his decision to the house as follows:

Representative C.J. Harris raises a point of order against further consideration of the Bryant Amendment under Article III, Section 40, of the Texas Constitution on the grounds that the subject matter of the amendment is not included in the governor's proclamation.

The proclamation submits the subject of "legislation relating to providing property tax relief through the public school finance system, exemptions, limitations on appraisals and taxes, and property tax administration." The Bryant Amendment provides additional money to all school districts through the school finance system in a sum certain. The chair is advised by budget staff that the amendment does not provide direct property tax relief.

The proclamation "confine[s] the business to a particular field which may be covered in such way as the Legislature may determine." *E.g.*, 87 H. Jour. 2d C.S. 354 (2021); 55 H. Jour. 1st C.S. 156 (1957). While there is some discretion to legislate in the designated field, that discretion is not boundless. The field in this case is confined to legislation providing property tax relief, which the amendment does not do.

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

The ruling precluded further consideration of Amendment No. 2.

### LEAVE OF ABSENCE GRANTED

Representative Lozano requested to grant leave of absence for Representative Canales for the remainder of today because of important business in the district.

A record vote was requested.

The request for leave of absence was granted by (Record 15): 92 Yeas, 36 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Bernal; Bhojani; Bonnen; Bowers; Bryant; Burns; Burrows; Button; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Darby; Davis; Dean; Dutton; Frank; Gámez; Garcia; Geren; Goldman; González, J.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Holland; Howard; Hunter; Jetton, F.; Johnson, A.; Johnson, J.E.; Jones, J.; King, T.; Kuempel; Lalani; Landgraf; Leach; Longoria; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murr; Neave Criado; Oliverson; Ordaz; Orr; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Rose; Rosenthal; Schaefer; Schofield; Shine; Smith; Smithee; Spiller; Talarico; Tepper; Thierry; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bailes; Bell, C.; Bell, K.; Buckley; Bumgarner; Cain; Cunningham; DeAyala; Dorazio; Frazier; Gates; Gerdes; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hefner; Hull; Isaac; Kitzman; Klick; Lambert; Leo-Wilson; Lopez, J.; Noble; Patterson; Schatzline; Slawson; Stucky; Swanson; Thimesch; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; González, M.; Guerra; Jones, V.; Kacal; King, K.; Ortega; Romero; Sherman.

Absent — Ashby; Bucy; Canales; Clardy; Flores; Gervin-Hawkins; Hayes; Johnson, J.D.; Morales Shaw; Ramos; Shaheen.

### STATEMENT OF VOTE

When Record No. 15 was taken, I was shown voting no. I intended to vote yes.

Stucky

**PARLIAMENTARY INQUIRY**

REPRESENTATIVE FLORES: If I would like to ask questions on the amendment, does a point of order take precedence over that, or can I ask a question of the presenter of the amendment?

SPEAKER PHELAN: The point of order takes precedence over the amendment.

FLORES: And the rule is what number?

SPEAKER: A member has a right to raise a point of order at any time.

FLORES: And we can't ask questions on the amendment at any time?

SPEAKER: Not if a point of order has been raised.

FLORES: But if it hasn't been raised, can I be here to ask a question on the amendment first?

SPEAKER: A member has a right to raise a procedural objection when the amendment is laid out.

FLORES: Okay, but when it's laid out, I can't ask a question—the point of order takes precedence?

SPEAKER: A member may not block the back mic to prevent a point of order from being raised.

FLORES: But I have a genuine question about the amendments, so I would like to at least have my question answered before a point of order's raised so I can hear it.

SPEAKER: The body may not discuss matters that are out of order if a point of order has been raised.

FLORES: What's the difference between standing in line and blocking the mic?

REPRESENTATIVE RAMOS: Is the suggestion from the speaker that we all just stand and wait until somebody figures out if they want to call a point of order before we can ask a question on an amendment? Is that what the instruction is? In other words, when the amendment is filed and we have questions, are we just supposed to stand and wait until somebody figures out if they want to do a point of order before the floor is open for us to ask questions on the amendment? And if so, how long are we supposed to wait?

SPEAKER: If a member is seeking a point of order, the chair will recognize that member on a point of order.

RAMOS: If the amendment is just filed and it's not even registered yet, there is, typically, no point of order because it is just coming up. Unless it's handed to somebody else by the parliamentarian, there is no way that one would know to file a point of order—to raise one—because we are all receiving information about the amendment at the same time. So if, in fact, somebody is here to ask a question on that just-filed amendment, how is it that we cannot ask questions and the other individuals already know to have a point of order on an amendment that was just filed seconds before?

SPEAKER: Ms. Ramos, the amendments are scanned into the FAS that the whole body has access to, and a member who wants to raise a point of order on the amendment and recognizes it as a point of order, they will be recognized for that motion.

RAMOS: So that individual who wants to raise a point of order has to get in line? If there is somebody ready to ask a question since, as you just mentioned, all the amendments are filed and I have a question on that amendment, I want to ask a question on that amendment. So I can ask that question, we respect each other—that you're standing in line for your turn to raise whatever issue that you want to raise. Is that correct? Because nobody knows if I'm raising a point of order or whoever else in line.

SPEAKER: Ms. Ramos, if the chair is aware that someone at the back mic has a point of order on an amendment before the house, then the chair will recognize that member for the point of order—under Rule 5, Section 24.

RAMOS: So what you're telling us is the chair will be aware of the points of order from certain individuals prior to amendments being raised? The speaker already knows those points of order are going to be on whatever amendments before anybody can ask questions on those amendments because you just said the speaker will be aware of those points of order and recognized prior to the opportunity for any questions to be asked on those filed amendments?

SPEAKER: That is not what the chair said, Ms. Ramos. The chair said if I am aware of a member who is going to the back mic to raise a point of order, under Rule 5, Section 24, I will recognize that member for the point of order, which is what this chair has done throughout the 87th Regular Session and the special sessions, and the 88th Regular Session and its special sessions for all members on the house floor. That has been the prevailing ruling of the chair.

RAMOS: In other instances, when one is raising a point of order, it is common practice that an individual is asking questions about the amendment, and then, throughout those questions—at that time after asking a couple of the questions to get more clarification on whether they want to proceed with the point of order or not, that is still proper procedure here, is that correct? Where you may not know if that individual is asking questions on the amendment, and after the questioning, they choose to proceed with the point of order that they are going to raise. That is still proper procedure, correct?

SPEAKER: If the chair is not aware that a member is raising a point of order, the chair will not recognize that member on that point of order. But if the chair knows of a member who is raising a point of order, then he will recognize that member. That is required under the rules of the Texas House of Representatives.

REPRESENTATIVE MORALES SHAW: Just as you stated that when you are aware of a member having a point of order, you will recognize them, if you are aware that a member of this elected body has questions, will you also recognize them?

SPEAKER: Representative, it is dilatory to recognize a member to ask questions on a bill when you know there is a member who has a point of order on that particular piece of legislation. Otherwise, the chair will recognize members as they approach the back mic in the order in which they are. But if a member has a point of order on a piece of legislation, the chair recognizes that member.

MORALES SHAW: Are you saying Rule 5, Section 24, states that a person with a point of order goes before somebody with questions in fact as a matter of rule?

SPEAKER: Yes, under Rule 5, Section 24, the chair will recognize that member who has a point of order.

MORALES SHAW: Mr. Speaker, Representative Bryant has attempted three times to include teachers' pay, renters, and other issues by way of amendment, and each time there has been a point called before an opportunity for him to be heard. Are you saying that for the rest of today's session, anyone who has a question or an amendment will be foreclosed and shut down from being heard by this body and by the public that's watching right now—the State of Texas?

SPEAKER: Ms. Morales Shaw, that is not a proper parliamentary inquiry. The chair will continue to preserve the deliberative process of the house.

REPRESENTATIVE WU: I would like to inform the chair that I have a potential point of order on every amendment that's going to be raised today. I would like to be able to listen to the layout to decide if I want to raise the point of order or not.

SPEAKER: Mr. Wu, I would bring those points of order down front and visit with the parliamentarians.

WU: After I hear what the amendment is really about.

SPEAKER: That's your prerogative, Mr. Wu. Any member wishing to immediately call a point of order will be recognized for that motion.

WU: The rule that you just stated—where is that in the House Rules? I've already stated that I have a potential objection to an amendment that's coming up. I would like to listen to whether or not my concerns are validated. Does one point of order take precedence over another point of order?

SPEAKER: Mr. Wu, there is no amendment before the house right now. It's a hypothetical parliamentary inquiry, and there is no amendment before the house right now.

WU: Mr. Speaker, we've been answering hypothetical inquiries this entire time. We've been asking about who takes precedence and what takes precedence.

SPEAKER: There were questions about the rules of the Texas House, and the chair answered those questions. The chair would like to lay out the next amendment.

**SB 2 - (consideration continued)****Amendment No. 3**

Representative Bryant offered the following amendment to **SB 2**:

Amend **SB 2** (house committee report) as follows:

(1) On page 1, line 20, strike "107" and substitute "06".

(2) On page 3, between lines 13 and 14, insert the following subsection and renumber subsequent subsections accordingly:

(b) A school district that did not for the 2023-2024 and 2024-2025 school years, a school district that lowers its tax rate as a result of Section 48.2555 is entitled to an additional allotment, which shall be used in the manner prescribed by Section 48.051(c), equal to \$1,000 for each student in average daily attendance, not including the time students spend each day in special education programs in an instructional arrangement other than mainstream or career and technology education programs, for which an additional allotment is made under Subchapter C.

Amendment No. 3 was withdrawn.

**Amendment No. 4**

Representative Bryant offered the following amendment to **SB 2**:

Amend **SB 2** (house committee report) as follows:

(1) On page 1, line 20, strike "107" and substitute "06".

(2) On page 3, between lines 13 and 14, insert the following subsection and renumber subsequent subsections accordingly:

(b) A school district that did not for the 2023-2024 and 2024-2025 school years, a school district that lowers its tax rate is entitled to an additional allotment, which shall be used in the manner prescribed by Section 48.051(c), equal to \$1,000 for each student in average daily attendance, not including the time students spend each day in special education programs in an instructional arrangement other than mainstream or career and technology education programs, for which an additional allotment is made under Subchapter C.

**Amendment No. 4 - Point of Order**

Representative C.J. Harris raised a point of order against further consideration of Amendment No. 4 under Article III, Section 40, of the Texas Constitution on the grounds that the subject matter of the amendment is not included in the governor's proclamation. The point of order was withdrawn.

Amendment No. 4 was withdrawn.

**Amendment No. 5**

Representatives Martinez Fischer, Reynolds, and Neave Criado offered the following amendment to **SB 2**:

Amend **SB 2** (house committee report) as follows:

(1) On page 1, line 12, strike "and 48.283" and substitute ", 48.283, and 48.284".

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



Sec. 48.284. ADDITIONAL STATE AID FOR DISTRICTS IMPACTED BY 2023-2024 SCHOOL YEAR COMPRESSION. For each school year, a school district is entitled to additional state aid in an amount equal to 50 percent of the difference, if the difference is greater than zero, between:

(1) the amount of maintenance and operations tax revenue the district would have received for the current school year if the district's maximum compressed tax rate had not been reduced under Section 48.2555, as added by SB 2, Acts of the 88th Legislature, 2nd Called Session, 2023; and

(2) the amount of maintenance and operations tax revenue the district receives in the current school year.

#### **Amendment No. 5 - Point of Order**

Representative C.J. Harris raised a point of order against further consideration of Amendment No. 5 under Article III, Section 40, of the Texas Constitution. The speaker sustained the point of order, announcing his decision to the house as follows:

Mr. Harris of Anderson raises a point of order against further consideration of the Martinez Fischer Amendment under Article III, Section 40, of the Texas Constitution on the grounds that the subject matter of the amendment is not included in the governor's proclamation.

The proclamation submits the subject of "legislation relating to providing property tax relief through the public school finance system, exemptions, limitations on appraisals and taxes, and property tax administration." The Martinez Fischer Amendment provides additional sums certain through the school finance system to all school districts. The amendment's author concedes that the amendment would provide additional funds to school districts beyond the bill's incidental hold harmless provisions. The chair is advised by budget staff that the amendment does not provide direct property tax relief.

The proclamation "confine[s] the business to a particular field which may be covered in such way as the Legislature may determine." *E.g.*, 87 H. Jour. 2d C.S. 354 (2021); 55 H. Jour. 1st C.S. 156 (1957). While there is some discretion to legislate in the designated field, that discretion is not boundless. The field in this case is confined to legislation providing property tax relief, which the amendment does not do.

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

The ruling precluded further consideration of Amendment No. 5.

#### **REMARKS ORDERED PRINTED**

Representative Morales Shaw moved to print remarks between the chair and Representatives Flores, Ramos, Morales Shaw, and Wu.

A record vote was requested.

The motion prevailed by (Record 16): 86 Yeas, 41 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Bailes; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Burns; Burrows; Button; Cole; Collier; Cook; Cortez; Craddick; Dean; DeAyala; Dutton; Flores; Frank; Frazier; Gámez; García; Geren; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guillen; Hernandez; Herrero; Hunter; Johnson, A.; Johnson, J.E.; Jones, J.; King, T.; Kuempel; Lalani; Landgraf; Leach; Longoria; Lopez, R.; Lozano; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rose; Rosenthal; Schaefer; Shine; Smithee; Talarico; Thimesch; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, C.; Buckley; Bumgarner; Cain; Cunningham; Dorazio; Gates; Gerdes; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Isaac; Jetton, F.; Kitzman; Klick; Lambert; Leo-Wilson; Lopez, J.; Lujan; Orr; Patterson; Rogers; Schatzline; Schofield; Shaheen; Slawson; Smith; Spiller; Stucky; Swanson; Tepper; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Canales; González, M.; Guerra; Jones, V.; Kacal; King, K.; Ortega; Romero; Sherman.

Absent — Ashby; Bucy; Capriglione; Clardy; Darby; Davis; Hinojosa; Howard; Johnson, J.D.; Morales, C.; Thierry.

### STATEMENT OF VOTE

When Record No. 16 was taken, I was shown voting no. I intended to vote yes.

Gates

### HOUSE AT EASE

At 4:25 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 4:53 p.m.

### SB 2 - (consideration continued)

#### Amendment No. 6

Representatives Bryant, C. Morales, Ramos, Goodwin, and Lalani offered the following amendment to **SB 2**:

Amend **SB 2** (house committee report) as follows:

(1) On page 3, line 18, strike "An" and substitute "Subject to Subsection (b-1), an".

(2) On page 3, line 19, strike "\$100,000" and substitute "the greater of \$100,000 or 25 percent".

(3) On page 3, after line 23, insert the following:

(b-1) An exemption of 25 percent of the appraised value of the adult's residence homestead may not exceed \$200,000 of the appraised value of the adult's residence homestead.

A record vote was requested.

Amendment No. 6 failed of adoption by (Record 17): 51 Yeas, 79 Nays, 1 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Cole; Collier; Davis; Dorazio; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; Goodwin; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; Jones, J.; King, T.; Lalani; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Neave Criado; Ordaz; Perez; Plesa; Ramos; Reynolds; Rose; Rosenthal; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Frank; Frazier; Gates; Gerdes; Geren; Goldman; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton, F.; Kitzman; Klick; Kuempel; Lambert; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Raymond; Rogers; Schaefer; Schatzline; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Canales; González, M.; Guerra; Jones, V.; Kacal; King, K.; Ortega; Romero; Sherman.

Absent — Cortez; Dutton; Guillen; Johnson, J.D.; Landgraf; Longoria; Muñoz; Schofield.

### STATEMENT OF VOTE

When Record No. 17 was taken, I was temporarily out of the house chamber. I would have voted no.

Landgraf

### Amendment No. 7

Representative Zwiener offered the following amendment to **SB 2**:

Amend **SB 2** (house committee report) on page 3, line 10, between "year" and "if", by inserting ", as adjusted by the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), U.S. city average, published monthly by the United States Bureau of Labor Statistics, or its successor in function, for the preceding state fiscal year,".

A record vote was requested.

Amendment No. 7 failed of adoption by (Record 18): 51 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Cole; Collier; Davis; Flores; Gámez; García; Gervin-Hawkins; González, J.; Goodwin; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; Jones, J.; King, T.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Neave Criado; Ordaz; Perez; Plesa; Ramos; Reynolds; Rose; Rosenthal; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Geren; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton, F.; Kitzman; Klick; Kuempel; Lambert; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Raymond; Rogers; Schaefer; Schatzline; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Canales; González, M.; Guerra; Jones, V.; Kacal; King, K.; Ortega; Romero; Sherman.

Absent — Cortez; Dutton; Johnson, J.D.; Landgraf; Muñoz; Schofield.

### STATEMENT OF VOTE

When Record No. 18 was taken, I was temporarily out of the house chamber. I would have voted no.

Landgraf

### Amendment No. 8

Representatives Harrison, Isaac, Tinderholt, Schatzline, Toth, and Schaefer offered the following amendment to **SB 2**:

Amend **SB 2** (house committee report) by adding the following appropriately numbered SECTION to Article 2 of the bill and renumbering the subsequent SECTIONS of that article accordingly:

SECTION 2.02. Chapter 47, Education Code, is amended by adding Section 47.007 to read as follows:

Sec. 47.007. CERTAIN UNSPENT MONEY DEDICATED FOR SCHOOL DISTRICT AD VALOREM TAX RATE REDUCTION. (a) The comptroller shall:

(1) allocate for deposit to the credit of the fund an amount of general revenue received in the state fiscal biennium beginning September 1, 2023, that exceeds the total amount of money appropriated by **HB 1**, 88th Legislature, Regular Session, 2023 (the General Appropriations Act), for that biennium; and

(2) periodically deposit to the credit of the fund the general revenue allocated under Subdivision (1), with the final deposit to be made not later than the 90th day of the next state fiscal biennium.

(b) Money deposited to the credit of the fund under Subsection (a) may be appropriated from the fund only for the purpose of reducing school district maintenance and operations ad valorem tax rates for the state fiscal biennium beginning September 1, 2025.

(c) This section expires September 1, 2027.

### **Amendment No. 8 - Point of Order**

Representative Bonnen raised a point of order against further consideration of Amendment No. 8 under Rule 11, Section 2, of the House Rules. The speaker sustained the point of order, announcing his decision to the house as follows:

Mr. Bonnen raises a point of order against further consideration of the Harrison Amendment under Rule 11, Section 2, of the House Rules of Procedure on the grounds that the amendment is not germane.

The amendment would impound revenue in excess of the amount appropriated for the 2023-2024 biennium and transfer that impounded revenue to the tax reduction and excellence in education fund. It would then restrict the current law authorization for both the appropriation and use of the impounded funds by a future legislature.

The major purpose of an amendment determines its germaneness. 47 H. Jour. 1123 (1941). The purpose of the amendment is to alter current law governing the appropriation of money. That is not the same purpose as providing direct property tax relief. The amendment is not germane.

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

The ruling precluded further consideration of Amendment No. 8.

### **LEAVE OF ABSENCE GRANTED**

Representative Manuel requested to grant leave of absence for Representative J.D. Johnson for today because of important business in the district.

A record vote was requested.

The request for leave of absence was granted by (Record 19): 75 Yeas, 57 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Bernal; Bhojani; Bonnen; Bowers; Bryant; Burns; Burrows; Button; Cole; Collier; Cook; Cortez; Craddick; Davis; Dutton; Flores; Frank; Gámez; Garcia; Geren; Gervin-Hawkins; González, J.; Goodwin; Guillen; Hayes; Hernandez; Herrero; Hinojosa; Howard; Jetton, F.; Johnson, A.; Johnson, J.E.; Jones, J.; King, T.; Lalani; Leach; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Moody; Morales, C.; Morales, E.; Neave Criado; Noble; Oliverson; Ordaz; Paul; Perez; Plesa; Price; Ramos; Raymond; Reynolds; Rose; Rosenthal; Schofield; Smithee; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Ashby; Bailes; Bell, C.; Bell, K.; Buckley; Bumgarner; Cain; Capriglione; Clardy; Cunningham; Darby; Dean; DeAyala; Dorazio; Frazier; Gates; Gerdes; Goldman; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hefner;

Holland; Hull; Hunter; Isaac; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leo-Wilson; Lopez, J.; Lozano; Lujan; Morrison; Murr; Orr; Patterson; Raney; Rogers; Schaefer; Schatzline; Shaheen; Shine; Slawson; Smith; Spiller; Stucky; Tepper; Thimesch; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Canales; González, M.; Guerra; Jones, V.; Kacal; King, K.; Ortega; Romero; Sherman.

Absent — Bucy; Johnson, J.D.; Meza; Morales Shaw; Muñoz; Swanson.

### STATEMENT OF VOTE

When Record No. 19 was taken, I was in the house but away from my desk. I would have voted no.

Swanson

### SB 2 - (consideration continued)

#### Amendment No. 9

Representative E. Morales offered the following amendment to **SB 2**:

Amend **SB 2** (house committee report) on page 3 as follows:

(1) On lines 15 and 16, strike "Section 11.13, Tax Code, is amended by amending Subsection (b) and adding Subsection (n-1)" and substitute "Section 11.13(b), Tax Code, is amended".

(2) Strike lines 24 through 27.

Amendment No. 9 was withdrawn.

#### Amendment No. 10

Representative E. Morales offered the following amendment to **SB 2**:

Amend **SB 2** (house committee report) as follows:

(1) Add the following appropriately numbered article to the bill and renumber subsequent articles and references to those articles accordingly:

ARTICLE \_\_\_\_ . SCHOOL DISTRICT OPTIONAL HOMESTEAD  
EXEMPTION

SECTION \_\_\_\_ .01. Section 7.062(c), Education Code, is amended to read as follows:

(c) Except as otherwise provided by this subsection, if the commissioner certifies that the amount appropriated for a state fiscal year for purposes of Subchapters A and B, Chapter 46, exceeds the amount to which school districts are entitled under those subchapters for that year, the commissioner shall use the excess funds, in an amount not to exceed \$20 million in any state fiscal year, for the purpose of making grants under this section. The use of excess funds under this subsection has priority over any provision of Chapter 48 that permits or directs the use of excess foundation school program funds, including Sections 48.258[~~48.259~~] and 48.267. The commissioner is required to use excess funds

as provided by this subsection only if the commissioner is not required to reduce the total amount of state funds allocated to school districts under Section 48.266(f).

SECTION \_\_\_\_\_.02. Section 403.302(d), Government Code, is amended to read as follows:

(d) For the purposes of this section, "taxable value" means the market value of all taxable property less:

(1) the total dollar amount of any residence homestead exemptions lawfully granted under Section 11.13(b) or (c), Tax Code, in the year that is the subject of the study for each school district;

(2) ~~one-half of~~ the total dollar amount of any residence homestead exemptions granted under Section 11.13(n), Tax Code, in the year that is the subject of the study for each school district;

(3) the total dollar amount of any exemptions granted before May 31, 1993, within a reinvestment zone under agreements authorized by Chapter 312, Tax Code;

(4) subject to Subsection (e), the total dollar amount of any captured appraised value of property that:

(A) is within a reinvestment zone created on or before May 31, 1999, or is proposed to be included within the boundaries of a reinvestment zone as the boundaries of the zone and the proposed portion of tax increment paid into the tax increment fund by a school district are described in a written notification provided by the municipality or the board of directors of the zone to the governing bodies of the other taxing units in the manner provided by former Section 311.003(e), Tax Code, before May 31, 1999, and within the boundaries of the zone as those boundaries existed on September 1, 1999, including subsequent improvements to the property regardless of when made;

(B) generates taxes paid into a tax increment fund created under Chapter 311, Tax Code, under a reinvestment zone financing plan approved under Section 311.011(d), Tax Code, on or before September 1, 1999; and

(C) is eligible for tax increment financing under Chapter 311, Tax Code;

(5) the total dollar amount of any captured appraised value of property that:

(A) is within a reinvestment zone:

(i) created on or before December 31, 2008, by a municipality with a population of less than 18,000; and

(ii) the project plan for which includes the alteration, remodeling, repair, or reconstruction of a structure that is included on the National Register of Historic Places and requires that a portion of the tax increment of the zone be used for the improvement or construction of related facilities or for affordable housing;

(B) generates school district taxes that are paid into a tax increment fund created under Chapter 311, Tax Code; and

(C) is eligible for tax increment financing under Chapter 311, Tax Code;

(6) the total dollar amount of any exemptions granted under Section 11.251 or 11.253, Tax Code;

(7) the difference between the comptroller's estimate of the market value and the productivity value of land that qualifies for appraisal on the basis of its productive capacity, except that the productivity value estimated by the comptroller may not exceed the fair market value of the land;

(8) the portion of the appraised value of residence homesteads of individuals who receive a tax limitation under Section 11.26, Tax Code, on which school district taxes are not imposed in the year that is the subject of the study, calculated as if the residence homesteads were appraised at the full value required by law;

(9) a portion of the market value of property not otherwise fully taxable by the district at market value because of action required by statute or the constitution of this state, other than Section 11.311, Tax Code, that, if the tax rate adopted by the district is applied to it, produces an amount equal to the difference between the tax that the district would have imposed on the property if the property were fully taxable at market value and the tax that the district is actually authorized to impose on the property, if this subsection does not otherwise require that portion to be deducted;

(10) the market value of all tangible personal property, other than manufactured homes, owned by a family or individual and not held or used for the production of income;

(11) the appraised value of property the collection of delinquent taxes on which is deferred under Section 33.06, Tax Code;

(12) the portion of the appraised value of property the collection of delinquent taxes on which is deferred under Section 33.065, Tax Code;

(13) the amount by which the market value of a residence homestead to which Section 23.23, Tax Code, applies exceeds the appraised value of that property as calculated under that section; and

(14) the total dollar amount of any exemptions granted under Section 11.35, Tax Code.

SECTION \_\_\_\_\_.03. Section 48.259, Education Code, is repealed.

(2) Add the following appropriately numbered SECTION to Article 8 of the bill and include the number of the article added in Item 1 of this amendment as appropriate:

SECTION 8. \_\_\_\_\_. Article \_\_\_\_ of this Act takes effect September 1, 2023, if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for effect on that date, Article \_\_\_\_ of this Act takes effect on the 91st day after the last day of the legislative session.

Amendment No. 10 was withdrawn.

### **Amendment No. 11**

Representative Martinez Fischer offered the following amendment to **SB 2**:

Amend **SB 2** (house committee report) as follows:



(1) Add the following appropriately numbered ARTICLE to the bill and renumber subsequent ARTICLES and cross-references to those ARTICLES accordingly:

ARTICLE \_\_\_\_ . RESIDENCE HOMESTEAD EXEMPTION FOR CERTAIN  
PUBLIC SCHOOL EMPLOYEES

SECTION \_\_\_\_ .01. Section 11.13, Tax Code, is amended by adding Subsection (s) to read as follows:

(s) An individual is entitled to an exemption from taxation by a school district of \$50,000 of the appraised value of the individual's residence homestead if the individual has been employed in one or more public primary or secondary schools as a full-time classroom teacher, librarian, certified school counselor, or school nurse for not less than eight years and is employed in such a school on January 1 of the tax year for which the individual claims the exemption.

(2) Add the following appropriately numbered SECTION to ARTICLE 8 of the bill and include the number of the article added in Item (1) of this amendment as appropriate:

SECTION 8. \_\_\_\_ . Article \_\_\_\_ of this Act takes effect January 1, 2024, but only if the constitutional amendment proposed by **HJR 2**, 88th Legislature, 2nd Called Session, 2023, is approved by the voters. If that amendment is not approved by the voters, Article \_\_\_\_ of this Act has no effect.

Amendment No. 11 was withdrawn.

**Amendment No. 12**

Representative Plesa offered the following amendment to **SB 2**:

Amend **SB 2** (house committee report) on page 21 of the bill, between lines 10 and 11, by inserting the following appropriately lettered subsection in added Section 23.231, Tax Code, and relettering the subsequent subsections of that section accordingly:

(\_\_\_\_) If the owner of property that receives a circuit breaker limitation under this section leases the property to another person, the owner shall provide an annual statement to the person to whom the property is leased stating:

(1) the difference between the amount of taxes imposed on the property in the applicable tax year and the amount of taxes that would have been imposed in that tax year if not for the limitation under this section; and

(2) that the amount of tax savings described by Subdivision (1) is being passed on to the person to whom the property is leased in the form of a monthly or annual credit against the rent charged for the property.

A record vote was requested.

Amendment No. 12 failed of adoption by (Record 20): 51 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Allen; Anchiá; Bernal; Bhojani; Bowers; Bryant; Bucy; Cole; Collier; Cortez; Davis; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; Goodwin; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; Jones, J.; King, T.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez

Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Neave Criado; Ordaz; Perez; Plesa; Ramos; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Geren; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton, F.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Raymond; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Canales; González, M.; Guerra; Johnson, J.D.; Jones, V.; Kacal; King, K.; Ortega; Romero; Sherman.

Absent — Button; Dutton; Harrison; Muñoz; Thierry.

### STATEMENTS OF VOTE

When Record No. 20 was taken, I was in the house but away from my desk. I would have voted no.

Button

When Record No. 20 was taken, I was in the house but away from my desk. I would have voted yes.

Thierry

### Amendment No. 13

Representatives Schatzline, Tinderholt, Harrison, Toth, and Schaefer offered the following amendment to **SB 2**:

Amend **SB 2** (house committee report) as follows:

- (1) On page 38, line 20, strike "nine" and substitute "12".
- (2) On page 38, line 23, strike "Three" and substitute "Six".
- (3) On page 49, line 21, strike "three" and substitute "six".
- (4) On page 49, line 22, strike "director" and substitute "three directors".
- (5) On page 49, line 23, strike "two" and substitute "three".

A record vote was requested.

Amendment No. 13 failed of adoption by (Record 21): 19 Yeas, 116 Nays, 1 Present, not voting.

Yeas — Bumgarner; Cain; Dorazio; Gates; Harrison; Isaac; Leo-Wilson; Morales Shaw; Plesa; Ramos; Schaefer; Schatzline; Smithee; Swanson; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Nays — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Flores; Frank; Frazier; Gámez; Garcia; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Jetton, F.; Johnson, A.; Johnson, J.E.; Jones, J.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morrison; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Perez; Price; Raney; Raymond; Reynolds; Rogers; Rose; Rosenthal; Schofield; Shaheen; Shine; Slawson; Smith; Spiller; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Canales; González, M.; Guerra; Johnson, J.D.; Jones, V.; Kacal; King, K.; Ortega; Romero; Sherman.

Absent — Dutton; Muñoz.

### STATEMENT OF VOTE

When Record No. 21 was taken, I was shown voting no. I intended to vote yes.

DeAyala

#### Amendment No. 14

Representatives Tinderholt, Harrison, Schatzline, Toth, and Schaefer offered the following amendment to **SB 2**:

Amend **SB 2** (house committee report) on page 40, lines 1 and 2, by striking "board of directors shall appoint by majority vote of its members" and substituting "elected members of the board of directors shall appoint by majority vote".

A record vote was requested.

Amendment No. 14 failed of adoption by (Record 22): 18 Yeas, 117 Nays, 1 Present, not voting.

Yeas — Cain; Dorazio; Gates; Harrison; Hayes; Isaac; Leo-Wilson; Morales Shaw; Price; Ramos; Schaefer; Schatzline; Smithee; Swanson; Tinderholt; Toth; Vasut; Wilson.

Nays — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Flores; Frank; Frazier; Gámez; Garcia; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Jetton, F.; Johnson, A.;

Johnson, J.E.; Jones, J.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morrison; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Perez; Plesa; Raney; Raymond; Reynolds; Rogers; Rose; Rosenthal; Schofield; Shaheen; Shine; Slawson; Smith; Spiller; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Canales; González, M.; Guerra; Johnson, J.D.; Jones, V.; Kacal; King, K.; Ortega; Romero; Sherman.

Absent — Dutton; Muñoz.

### **Amendment No. 15**

Representatives Wu, Lalani, Goodwin, Davis, Allen, Rose, Bryant, C. Morales, Howard, Garcia, S. Thompson, Ramos, Morales Shaw, Meza, Bowers, Bernal, J.E. Johnson, Walle, Collier, Perez, A. Johnson, R. Lopez, Bhojani, Martinez Fischer, E. Morales, Cole, Thierry, Manuel, Anchia, Hinojosa, Plesa, Vo, Rosenthal, Zwiener, J. Jones, Hernandez, and J. González offered the following amendment to **SB 2**:

Amend **SB 2** (house committee report) as follows:

(1) On page 37, line 12, before "BOARDS OF DIRECTORS OF APPRAISAL DISTRICTS" add "REFORMS TO THE PROPERTY TAX SYSTEM, INCLUDING PROPERTY TAX RELIEF TO RENTERS AND ELECTIONS OF"

(2) Add the following appropriately numbered SECTION to ARTICLE 5 of the bill and renumber subsequent SECTIONS and references to those SECTIONS accordingly:

SECTION \_\_\_\_\_. Chapter 5, Tax Code, is amended by adding Section 5.17 to read as follows:

Sec. 5.17. PROPERTY TAX RELIEF TO RENTAL HOUSEHOLDS. (a)  
In this section:

(1) "Fund" means the property tax relief to rental households fund established under Section 30, Article VIII, Texas Constitution.

(2) "Rental household" means a household that rents the household's primary residence.

(b) The comptroller by rule shall establish a program to provide annual payments to eligible rental households in an amount determined under this section from money appropriated to the comptroller for that purpose from the fund.

(c) A rental household is eligible to receive a payment under this section if the rental household:

(1) has paid rent for the rental household's primary residence in the 12 calendar months of the year for which the rental household applies for the payment; and

(2) submits an application for the payment before a date prescribed by comptroller rule.

(d) Not later than February 1 of each year, each person who owns real property and leases that property to a rental household for use as that household's primary residence shall file with the comptroller an affidavit stating the number of monthly payments received and the amount of rent received by the person from the rental household during the preceding calendar year.

(e) Subject to Subsection (f), an eligible rental household is entitled to receive a payment under this section each year on a date prescribed by comptroller rule in an amount equal to 10 percent of the total amount of rent the rental household paid for their primary residence during the preceding calendar year up to a maximum payment of \$2500.

(f) If the comptroller determines that the total amount of payments from the fund to eligible rental households in a year as determined under Subsection (e) would exceed an amount equal to 50 percent of the balance of the fund, the comptroller shall proportionally reduce the amount of the payment to each eligible rental household for that year by the amount necessary to prevent the total amount of payments from the fund in that year from exceeding 50 percent of the balance of the fund.

(g) The comptroller:

(1) by rule shall establish the procedure and prescribe a form to be used by a rental household to apply for a payment authorized by this section and a form to be used to certify rent paid and the number of monthly payments by a person who owns real property and leases that property to a rental household for use as that household's primary residence; and

(2) may adopt additional rules necessary for the implementation and administration of this section.

(3) On page 56, line 21, strike "(b) and (c)" and substitute "(b), (c), and (d)".

(4) On page 57, after line 2, insert the following:

(d) Section 5.17, Tax Code, as added by Article 5 of this Act, takes effect on March 1, 2024.

A record vote was requested.

Amendment No. 15 failed of adoption by (Record 23): 51 Yeas, 82 Nays, 1 Present, not voting.

Yeas — Allen; Anchiá; Bernal; Bhojani; Bowers; Bryant; Bucy; Cole; Collier; Cortez; Davis; Flores; Gámez; García; Gervin-Hawkins; González, J.; Goodwin; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; Jones, J.; King, T.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Neave Criado; Ordaz; Perez; Plesa; Ramos; Reynolds; Rose; Rosenthal; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gates;

Gerdes; Geren; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Herrero; Holland; Hull; Hunter; Isaac; Jetton, F.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Raymond; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Tepper; Thimesch; Thompson, E.; Tindholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Canales; González, M.; Guerra; Johnson, J.D.; Jones, V.; Kacal; King, K.; Ortega; Romero; Sherman.

Absent — Dutton; Meyer; Muñoz; Swanson.

### STATEMENTS OF VOTE

When Record No. 23 was taken, I was in the house but away from my desk. I would have voted no.

Meyer

When Record No. 23 was taken, I was in the house but away from my desk. I would have voted no.

Swanson

### Amendment No. 16

Representative Martinez Fischer offered the following amendment to **SB 2**:

Amend **SB 2** (house committee report) as follows:

(1) Add the following appropriately numbered ARTICLE to the bill and renumber subsequent ARTICLES and cross-references to those ARTICLES accordingly:

ARTICLE \_\_\_\_ . RESIDENCE HOMESTEAD EXEMPTION FOR CERTAIN  
PUBLIC SCHOOL EMPLOYEES

SECTION \_\_\_\_ .01. Section 11.13, Tax Code, is amended by adding Subsection (s) to read as follows:

(s) An individual is entitled to an exemption from taxation by a school district of \$50,000 of the appraised value of the individual's residence homestead if the individual has been employed in one or more public primary or secondary schools as a full-time classroom teacher, librarian, certified school counselor, or school nurse for not less than eight years and is employed in such a school on January 1 of the tax year for which the individual claims the exemption.

(2) Add the following appropriately numbered SECTION to ARTICLE 8 of the bill and include the number of the article added in Item (1) of this amendment as appropriate:

SECTION 8. \_\_\_\_ . Article \_\_\_\_ of this Act takes effect January 1, 2024, but only if the constitutional amendment proposed by **HJR 2**, 88th Legislature, 2nd Called Session, 2023, is approved by the voters. If that amendment is not approved by the voters, Article \_\_\_\_ of this Act has no effect.

**Amendment No. 17**

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

Amend Amendment No. 16 by Martinez Fischer to **SB 2** (house committee report) as follows on page 1 of the amendment:

(1) On line 6, following "EMPLOYEEES", add "AND HOMESCHOOL TEACHERS".

(2) On line 14, between "nurse" and "for", insert ", or engaged as a teacher in a homeschool setting,".

(3) On line 15, between "school" and "on", insert "or engaged as a homeschool teacher".

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

Representative Zwiener raised a point of order against further consideration of Amendment No. 17 under Rule 11, Section 2, of the House Rules on the grounds that the amendment to the amendment is not germane. The point of order was withdrawn.

Amendment No. 17 was withdrawn.

A record vote was requested.

Amendment No. 16 failed of adoption by (Record 24): 54 Yeas, 78 Nays, 1 Present, not voting.

Yeas — Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Cole; Collier; Cortez; Davis; Dorazio; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; Goodwin; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; Jones, J.; King, T.; Lalani; Longoria; Lopez, R.; Lozano; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Neave Criado; Ordaz; Perez; Plesa; Ramos; Reynolds; Rose; Rosenthal; Talarico; Thierry; Thompson, S.; Tinderholt; Turner; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Frank; Frazier; Gates; Gerdes; Geren; Goldman; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton, F.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Raymond; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Tepper; Thimesch; Thompson, E.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Canales; González, M.; Guerra; Johnson, J.D.; Jones, V.; Kacal; King, K.; Ortega; Romero; Sherman.

Absent — Allen; Dutton; Guillen; Muñoz; Swanson.

## STATEMENT OF VOTE

When Record No. 24 was taken, I was in the house but away from my desk. I would have voted no.

Swanson

### Amendment No. 18

Representative Neave Criado offered the following amendment to **SB 2**:

Amend **SB 2** (house committee printing) by adding the following appropriately numbered ARTICLE to the bill and renumbering the subsequent ARTICLES and cross-references to those ARTICLES accordingly:

ARTICLE \_\_\_\_ . HOMESTEAD EXEMPTION APPLICATION  
IDENTIFICATION REQUIREMENT

SECTION \_\_\_\_ .01. Section 11.43, Tax Code, is amended by amending Subsections (f) and (j) and adding Subsection (f-1) to read as follows:

(f) The comptroller, in prescribing the contents of the application form for each kind of exemption, shall ensure that the form requires an applicant to furnish the information necessary to determine the validity of the exemption claim. The form must require an applicant to provide the applicant's name and driver's license number, personal identification certificate number, or social security account number, or to indicate that the applicant is requesting a waiver to providing that information under Subsection (f-1) if the application is for a residence homestead exemption. If the applicant is a charitable organization with a federal tax identification number, the form must allow the applicant to provide the organization's federal tax identification number in lieu of a driver's license number, personal identification certificate number, or social security account number. The comptroller shall include on the forms a notice of the penalties prescribed by Section 37.10, Penal Code, for making or filing an application containing a false statement. The comptroller shall include, on application forms for exemptions that do not have to be claimed annually, a statement explaining that the application need not be made annually and that if the exemption is allowed, the applicant has a duty to notify the chief appraiser when the applicant's entitlement to the exemption ends. In this subsection:

(1) "Driver's license" has the meaning assigned that term by Section 521.001, Transportation Code.

(2) "Personal identification certificate" means a certificate issued by the Department of Public Safety under Subchapter E, Chapter 521, Transportation Code.

(f-1) A chief appraiser may waive the requirement that an applicant for a residence homestead exemption provide a driver's license number, personal identification certificate number, or social security account number if the person provides a copy of:

(1) a driver's license issued by another state to the applicant;

(2) a utility bill for the property subject to the claimed exemption in the applicant's or spouse's name; or



(3) closing documents for the purchase of the property subject to the claimed exemption that demonstrate the applicant or the applicant's spouse owns the property.

(j) In addition to the items required by Subsection (f), an application for a residence homestead exemption prescribed by the comptroller and authorized by Section 11.13 must:

(1) list each owner of the residence homestead and the interest of each owner;

(2) state that the applicant does not claim an exemption under that section on another residence homestead in this state or claim a residence homestead exemption on a residence homestead outside this state;

(3) state that each fact contained in the application is true;

(4) include a copy of the applicant's driver's license or state-issued personal identification certificate, or a copy of a document described by Subsection (f-1) if the applicant requests a waiver under that subsection, unless the applicant:

(A) is a resident of a facility that provides services related to health, infirmity, or aging; or

(B) is certified for participation in the address confidentiality program administered by the attorney general under Subchapter B, Chapter 58, Code of Criminal Procedure;

(5) state that the applicant has read and understands the notice of the penalties required by Subsection (f); and

(6) be signed by the applicant.

A record vote was requested.

Amendment No. 18 failed of adoption by (Record 25): 52 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bhojani; Bowers; Bryant; Bucy; Cole; Collier; Cortez; Davis; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; Goodwin; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; Jones, J.; King, T.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Neave Criado; Ordaz; Perez; Plesa; Ramos; Reynolds; Rose; Rosenthal; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Geren; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Isaac; Jetton, F.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Raymond; Rogers; Schaefer; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Canales; González, M.; Guerra; Johnson, J.D.; Jones, V.; Kacal; King, K.; Ortega; Romero; Sherman.

Absent — Dutton; Hunter; Muñoz; Schatzline.

### STATEMENT OF VOTE

When Record No. 25 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

A record vote was requested.

**SB 2** was passed to third reading by (Record 26): 132 Yeas, 4 Nays, 0 Present, not voting.

Yeas — Mr. Speaker(C); Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Flores; Frank; Frazier; Gámez; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton, F.; Johnson, A.; Johnson, J.E.; Jones, J.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Nays — Bryant; Morales, C.; Ramos; Wu.

Absent, Excused — Campos; Canales; González, M.; Guerra; Johnson, J.D.; Jones, V.; Kacal; King, K.; Ortega; Romero; Sherman.

Absent — Dutton; Garcia.

### STATEMENTS OF VOTE

When Record No. 26 was taken, I was excused because of important business in the district. I would have voted yes.

Canales

When Record No. 26 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia

**HB 2 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Meyer moved to lay **HB 2** on the table subject to call.

The motion prevailed.

**CONSTITUTIONAL AMENDMENTS CALENDAR  
HOUSE JOINT RESOLUTIONS  
SECOND READING**

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

**HJR 2 ON SECOND READING  
(by Metcalf, Meyer, Burrows, Raymond, Thierry, et al.)**

**HJR 2**, A joint resolution proposing a constitutional amendment to authorize the legislature to establish a limit on the maximum appraised value of real property other than a residence homestead for ad valorem tax purposes; to increase the amount of the exemption from ad valorem taxation by a school district applicable to residence homesteads; to adjust the amount of the limitation on school district ad valorem taxes imposed on the residence homesteads of the elderly or disabled to reflect increases in certain exemption amounts; to except certain appropriations to pay for ad valorem tax relief from the constitutional limitation on the rate of growth of appropriations; and to authorize the legislature to provide for a four-year term of office for a member of the governing body of certain appraisal entities.

**Amendment No. 1**

Representative Metcalf offered the following amendment to **HJR 2**:

Amend **HJR 2** (house committee report) as follows:

- (1) On page 1, line 16, strike "Subsection (n)" and substitute "Subsections (n) and (n-1)".
- (2) On page 2, between lines 12 and 13, insert the following:  
(n-1) This subsection and Subsection (n) of this section expire December 31, 2026.
- (3) On page 7, line 8, between "a" and "limit", insert "temporary".

A record vote was requested.

Amendment No. 1 was adopted by (Record 27): 130 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cole; Collier; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; Goodwin; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton, F.; Johnson, A.; Johnson, J.E.; Jones, J.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf;

Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smith; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Nays — Bryant; González, J.; Morales, C.; Ramos; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Canales; González, M.; Guerra; Johnson, J.D.; Jones, V.; Kacal; King, K.; Ortega; Romero; Sherman.

Absent — Cook; Dutton.

### STATEMENT OF VOTE

When Record No. 27 was taken, I was in the house but away from my desk. I would have voted yes.

Cook

#### Amendment No. 2

Representative Morales Shaw offered the following amendment to **HJR 2**:

Amend **HJR 2** (house committee report) as follows:

(1) On page 7, line 15, between "amounts;" and "to", insert "to provide supplemental payments to full-time classroom teachers in school districts;".

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

SECTION \_\_\_\_\_. Article VII, Texas Constitution, is amended by adding Section 21 to read as follows:

Sec. 21. (a) A school district is entitled to state funding for the 2023-2024 and 2024-2025 school years for each full-time classroom teacher employed by the district in the applicable school year as follows:

(1) if the district has 20,000 or more students enrolled in the preceding school year, \$2,000 per full-time classroom teacher; and

(2) if the district has fewer than 20,000 students enrolled in the preceding school year, \$6,000 per full-time classroom teacher.

(b) A school district shall use money received under this section to provide a supplemental payment to each full-time classroom teacher in the district for the applicable school year in the amount received per full-time classroom teacher under Subsection (a) of this section.

(c) For each school year for which this section provides for supplemental payments for full-time classroom teachers, there is appropriated from the general revenue fund to the Texas Education Agency the amount necessary to fund the supplemental payments provided by this section. The agency shall distribute the money to school districts in the amount required to fund the supplemental payments.

(d) This section expires September 1, 2025.

### **Amendment No. 2 - Point of Order**

Representative C.J. Harris raised a point of order against further consideration of Amendment No. 2 under Article III, Section 40, of the Texas Constitution on the grounds that the subject matter of the amendment is not included in the governor's proclamation. The point of order was withdrawn.

Amendment No. 2 was withdrawn.

**HJR 2**, as amended, was adopted by (Record 28): 132 Yeas, 5 Nays, 0 Present, not voting.

Yeas — Mr. Speaker(C); Allen; Allison; Anchiá; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; Goodwin; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton, F.; Johnson, A.; Johnson, J.E.; Jones, J.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Nays — Bryant; González, J.; Morales, C.; Ramos; Wu.

Absent, Excused — Campos; Canales; González, M.; Guerra; Johnson, J.D.; Jones, V.; Kacal; King, K.; Ortega; Romero; Sherman.

Absent — Dutton.

### **STATEMENT OF VOTE**

When Record No. 28 was taken, I was excused because of important business in the district. I would have voted yes.

Canales

## ADJOURNMENT

Representative Geren moved that the house adjourn until 6:45 p.m. today.

The motion prevailed.

The house accordingly, at 6:42 p.m., adjourned until 6:45 p.m. today.

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## ADDENDUM

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### REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

#### List No. 1

**HR 21** (By Bucy), Congratulating Megan and Clayton Travis of Austin on the birth of their daughter, Annie Quinn Travis.

To Resolutions Calendars.

**HR 22** (By Wilson), In memory of Stacy Taliaferro Parker.

To Resolutions Calendars.

**HR 23** (By Herrero), In memory of Teofilo Reyes Alonso of Robstown.

To Resolutions Calendars.

**HR 24** (By Longoria), Congratulating Agent Joe Mireles of Hidalgo County on his selection as the South Region Officer of the Year by the Texas Narcotic Officers Association.

To Resolutions Calendars.

**HR 25** (By Longoria), Congratulating Kelley McCormick of Hidalgo County on his selection as the Prosecutor of the Year by the Texas Narcotic Officers Association.

To Resolutions Calendars.

**HR 26** (By Longoria), Congratulating Deputy Constable Alfonso Fuentes of Hidalgo County Precinct 4 and his K9 partner, Max, on being named the Canine Detection Team of the Year by the Texas Narcotic Officers Association.

To Resolutions Calendars.

**HR 27** (By E. Morales), Congratulating Jessies "Cacho" Sandoval on his retirement as the director of public works for the City of Eagle Pass.

To Resolutions Calendars.