

HOUSE JOURNAL

EIGHTY-EIGHTH LEGISLATURE, FOURTH CALLED SESSION

PROCEEDINGS

FIFTH DAY (CONTINUED) — FRIDAY, NOVEMBER 17, 2023

The house met at 10:44 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 49).

Present — Mr. Speaker(C); Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; 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; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; 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, Excused — Muñoz.

The invocation was offered by the Very Reverend Daniel Liu, chaplain, as follows:

Love is patient and kind; love is not jealous or boastful; it is not arrogant or rude. Love does not insist on its own way; it is not irritable or resentful; it does not rejoice at wrong, but rejoices in the right. Love bears all things, believes all things, hopes all things, endures all things . . . So faith, hope, love abide, these three; but the greatest of these is love (1 Corinthians 13:4-7, 13).

Lord, we ask for your help this day to let true charity guide us. May we deliberate, discuss, and debate with a sacrificial and self-giving attitude so that our service to our people may be genuine.

We also remember as a community fallen officer Jorge Pastore who is today honored for his sacrifice and mourned for his passing. We pray that his soul may rest peacefully in the mercy of God and that his family and friends be consoled

and receive the support they need in this time of sadness. We ask that you help advance the dialogue between law enforcement and the communities they serve so that our society be protected from violence and true peace promoted. Amen.

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

LEAVE OF ABSENCE GRANTED

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

Muñoz on motion of Martinez Fischer.

HR 43 - ADOPTED (by Davis)

Representative Davis moved to suspend all necessary rules to take up and consider at this time **HR 43**.

The motion prevailed.

The following resolution was laid before the house:

HR 43, In memory of Bernice Jones Washington.

HR 43 was unanimously adopted by a rising vote.

On motion of Representative Rose, the names of all the members of the house were added to **HR 43** as signers thereof.

HR 10 - ADOPTED (by Zwiener)

Representative Zwiener moved to suspend all necessary rules to take up and consider at this time **HR 10**.

The motion prevailed.

The following resolution was laid before the house:

HR 10, Paying tribute to the memory of Noah Adam Rodriguez and recognizing the Forever 15 Project.

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

On August 21, 2022, at the age of 15, Noah Adam Rodriguez lost his life to fentanyl poisoning. Born in Austin on October 9, 2006, to Janel, Noah was raised by his mother and adoptive father, Brandon. He grew up with the companionship of three siblings, Braden, Jolene, and Alnora, and he was overjoyed to welcome a baby brother, Mordecai, into the family just two weeks before his passing.

Noah was enrolled as a sophomore at Moe and Gene Johnson High School in Buda, where he distinguished himself as a member of the football team. He had played football since the age of four, and he had been part of the Cougars football team at Chapa Middle School in Kyle that went undefeated two years in a row. In addition to being a talented athlete, he was an honor roll student at his school.

Joining us this morning in the gallery at two o'clock are Noah's parents, Janel Rodriguez and Brandon Dunn. If y'all would like to rise, you may. Turning their grief into action, his family founded the Forever 15 Project in his memory. Through their nonprofit, they have made it their mission to raise awareness of the extreme dangers associated with opioids and to provide information and resources to youth and to those who know someone who is at risk. As they know, the opioid epidemic continues to inflict a heavy toll on our communities, but by channeling their grief into meaningful action the loved ones of Noah Rodriguez are helping to prevent other families from suffering the tragic loss that they have experienced.

Members, please join me both in recognizing Janel and Brandon for their tireless work and in memory of their son, Noah.

HR 10 was unanimously adopted by a rising vote.

HR 13 - ADOPTED
(by Zwiener)

Representative Zwiener moved to suspend all necessary rules to take up and consider at this time **HR 13**.

The motion prevailed.

The following resolution was laid before the house:

HR 13, Honoring La Sociedad Mutualista de Cuauhtémoc in San Marcos.

HR 13 was adopted.

RULES SUSPENDED

Representative Metcalf 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, with an indication that the memorial resolutions on the calendar were adopted by a rising vote.

The motion prevailed.

SUSPENSION
CONGRATULATORY AND MEMORIAL CALENDAR

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

HCR 6 (by Craddick), Congratulating former Midland High School baseball coach Barry Russell on his induction into the Midland ISD Hall of Legends.

HCR 7 (by Craddick), Congratulating Jerod Foster on being named a Distinguished Alumni by the Texas Tech Alumni Association.

HCR 8 (by Craddick), Congratulating John Billingsley of Dallas on being named a Distinguished Alumni by the Texas Tech Alumni Association.

HCR 9 (by Craddick), Congratulating John C. Owens of Lubbock on being named a Distinguished Alumni by the Texas Tech Alumni Association.

HCR 10 (by Craddick), Congratulating Terri McColloch on her induction into the Midland ISD Hall of Legends.

HCR 11 (by Craddick), Congratulating Tyrone Thurman on his induction into the Midland ISD Hall of Legends.

HCR 12 (by Craddick), Paying tribute to Terry Williamson on the occasion of his posthumous induction into the Midland ISD Hall of Legends.

HCR 13 (by Craddick), Congratulating Jesse Benavidez on his induction into the Midland ISD Hall of Legends.

HCR 14 (by Craddick), Congratulating Fred Underwood on being named a Distinguished Alumni by the Texas Tech Alumni Association.

HR 5 (by Meyer), Congratulating Chris Young, executive vice president and general manager of the Texas Rangers, on helping the team win the 2023 World Series.

HR 7 (by Zwiener), Commemorating the 2023 Eddie Durham Jazz Fest hosted by the Calaboose African American History Museum.

HR 8 (by Zwiener), Congratulating Dr. Jaime Chahin on his retirement from Texas State University.

HR 9 (by Zwiener), Commending Isabel Vega-Alvarado for her service with the Caldwell, Comal, and Hays Community Supervision and Corrections Department.

HR 14 (by C.E. Harris), Congratulating Mark Thomas on his retirement as president and CEO of the Taylor Economic Development Corporation.

HR 15 (by Burns), Honoring Kyle Park for his contributions to Texas music.

HR 16 (by Burns), Honoring the members of The Texas Trio for their contributions to Texas music and culture.

HR 17 (by Tinderholt), Congratulating the Texas Rangers on winning the 2023 World Series.

HR 18 (by Buckley), Honoring Richard Milburn Academy in Killeen on the occasion of its 25th anniversary.

HR 19 (by Buckley), Congratulating Harker Heights High School athletic trainer Andy Wilson on his retirement from Killeen ISD.

HR 20 (by Thimesch), Congratulating Lavinia Masters on her induction into the Texas Women's Hall of Fame.

HR 21 (by Zwiener), Congratulating Anna Temple on taking part in the 2023 National Rural Electric Cooperative Association Government-in-Action Youth Tour.

HR 22 (by Zwiener), Commemorating Ralph Gonzales Day in San Marcos.

HR 24 (by Turner), Commending Ben Lai for his service as a legislative intern in the office of State Representative Chris Turner.

HR 25 (by Turner), Commending Andrew Paumen for his service as a legislative intern in the office of State Representative Chris Turner.

HR 26 (by Stucky), Honoring Beth Marie's Old Fashioned Ice Cream on its 25th anniversary.

HR 27 (by Stucky), Congratulating the boys' high school cross country team from Slidell ISD on winning the 1A title at the 2023 UIL Cross Country State Championships.

HR 28 (by Thimesch), Commemorating the dedication of the Argyle ISD administration building honoring Dr. Telena Wright.

HR 30 (by Schofield), Commemorating the 100th anniversary of the death of the Honorable Lee J. Rountree of Bryan.

HR 31 (by Harless), Commemorating the grand opening of the Visual and Performing Arts Center at Lone Star College-University Park.

HR 33 (by Harless), Honoring Georgan Reitmeier for her service on the Klein ISD Board of Trustees.

HR 34 (by Jetton), Congratulating Cinco Ranch High School on receiving the inaugural Katy Cup Champions award.

HR 35 (by Longoria), Congratulating the band Grupo Frontera on its success.

HR 36 (by Herrero), Honoring Dr. Manuel Flores and Adan Chavez for their achievements as radio broadcasters.

HR 37 (by Turner), Congratulating Dr. Bill Coppola on his retirement as president of Tarrant County College Southeast Campus.

HR 38 (by C.E. Harris), Honoring Senior Access on the occasion of its 30th anniversary.

HR 40 (by Paul), Congratulating Larry Nikiel on his retirement from St. Bernadette Catholic Church.

HR 45 (by Bumgarner), Congratulating Chief Andy Kancel on his retirement from the Flower Mound Police Department.

HR 46 (by Dutton), Congratulating Bertha M. Dorian of Houston on her 90th birthday.

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

HCR 4 (by Craddick), In memory of former state representative Walter David Counts Jr. of Knox City.

HCR 15 (by Vasut), In memory of former Brazoria County sheriff and judge E. J. "Joe" King.

HR 6 (by Meyer), In memory of the Reverend Bryan Dunagan of Dallas.

HR 11 (by Zwiener), In memory of Mary Elisa Espinoza.

HR 12 (by J. Lopez), In memory of Robert Lake Tumberlinson of San Benito.

HR 29 (by Zwiener), In memory of Dr. Elvin Holt of San Marcos.

HR 32 (by Lujan), In memory of Patricia Ann Phillips Johnson.

HR 39 (by C.E. Harris), In memory of Christopher Thomas Branham.

HR 41 (by C. Bell), In memory of Brent Dorman of Centerville.

HR 42 (by Herrero), In memory of Leslie Paul Boone.

HR 44 (by Patterson), In memory of John Curtis Dillard II of The Colony.

SCR 3 (Craddick - House Sponsor), In memory of Winifred Yates Waller.

REMARKS ORDERED PRINTED

Representative Moody moved to print remarks by Representative Zwiener on **HR 10**.

The motion prevailed.

HR 46 - NAMES ADDED

On motion of Representative Dutton, the names of all the members of the house were added to **HR 46** as signers thereof.

ADDRESS BY REPRESENTATIVE HINOJOSA

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

Today is a very important day. It is the birthday of my husband, John Philip Donisi. Yay him, yes, please applaud for him. And John, I'm sorry I cannot be with you today. It's mostly the governor's fault. I will make it up to you. Thank you for everything you do for us and I hope you have a wonderful birthday.

REMARKS ORDERED PRINTED

Representative Martinez Fischer moved to print remarks by Representative Hinojosa.

The motion prevailed.

MESSAGE FROM THE SENATE

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

CONSTITUTIONAL AMENDMENTS CALENDAR

HOUSE JOINT RESOLUTIONS

SECOND READING

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

HJR 1 ON SECOND READING
(by K. King, K. Bell, VanDeaver, et al.)

HJR 1, A joint resolution proposing a constitutional amendment creating the state school safety fund to provide ongoing financial support for projects that ensure the safety of public schools in this state and providing for the transfer of certain general revenues to that fund, the economic stabilization fund, and the state highway fund.

Amendment No. 1

Representative K. King offered the following amendment to **HJR 1**:

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

- (1) On page 2, strike lines 7 through 9 and substitute the following:
 - (1) one-half to the state highway ~~[economic stabilization]~~ fund;
- (2) On page 2, line 13, strike "state highway" and substitute "economic stabilization [state highway]".
- (3) On page 2, line 22, strike "as" and substitute "in amounts".
- (4) On page 3, lines 17 and 18, strike "comptroller of public accounts" and substitute "commissioner of education, or the successor public officer of this state with authority over primary and secondary education".
- (5) On page 4, at the end of line 7, insert "and".
- (6) On page 4, line 9, strike the underlined semicolon and substitute an underlined period.
- (7) On page 4, strike lines 10 through 18, substitute the following appropriately lettered subsection, and reletter subsequent subsections accordingly:
 - () Not later than the 90th day of each state fiscal year, the commissioner of education, or the successor public officer of this state with authority over primary and secondary education, shall:
 - (1) determine the amount of any unencumbered appropriations for the support and maintenance of public schools for the preceding state fiscal year;
 - (2) report the determination made under Subdivision (1) of this subsection to the comptroller of public accounts; and
 - (3) after making the report required under Subdivision (2) of this subsection, transfer the unencumbered appropriations identified under Subdivision (1) of this subsection to the state school safety fund.

Amendment No. 1 was adopted.

HJR 1, as amended, was adopted by (Record 50): 144 Yeas, 3 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; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hefner; Hernandez; Herrero; Hinojosa;

Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; 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; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; 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.

Nays — Cain; Harrison; Schaefer.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Muñoz.

GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

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

HB 1 ON SECOND READING (by Buckley, et al.)

HB 1, A bill to be entitled An Act relating to primary and secondary education, including the certification, compensation, and health coverage of certain public school employees, the public school finance system, special education in public schools, the establishment of an education savings account program, measures to support the education of public school students that include certain educational grant programs, reading instruction, and early childhood education, the provision of virtual education, and public school accountability.

Representative Buckley moved to postpone consideration of **HB 1** until after second reading consideration of **HB 2**.

The motion prevailed.

HB 2 ON SECOND READING (by K. King, Buckley, Ashby, Dutton, et al.)

HB 2, A bill to be entitled An Act relating to measures for ensuring safety and security in public schools, including the establishment of a school safety grant program and a school safety plan implementation grant program, and the allocation of certain constitutional transfers of money to the state school safety fund, the economic stabilization fund, and the state highway fund.

Amendment No. 1

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

Amend **HB 2** (house committee printing) as follows:

(1) On page 5, line 25, strike "and" and substitute "[~~and~~]".

(2) On page 6, line 2, between "school" and the period, insert the following;
; and

(6) implementing the Texas Overdose Prevention Program - Schools (TOPPS) developed by The University of Texas San Antonio Health Science Center.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Landgraf offered the following amendment to **HB 2**:

Amend **HB 2** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Article 42.037(w), Code of Criminal Procedure, is amended to read as follows:

(w) If a defendant is convicted of an offense under Section 42.0601, Penal Code, or an offense punishable under Section 42.06(b)(2), Penal Code, the court may order the defendant to make restitution to an entity for the reasonable costs of the emergency response by that entity resulting from the false report.

SECTION _____. Section 42.06(b), Penal Code, is amended to read as follows:

(b) An offense under this section is a Class A misdemeanor, except that the offense is:

(1) a state jail felony if [unless] the false report is of an emergency involving [a public or private institution of higher education or involving a public primary or secondary school]; public communications, public transportation, public water, gas, or power supply or other public service; or

(2) a felony of the third degree if the false report is of an emergency involving:

(A) a public or private institution of higher education; or

(B) a public or private primary or secondary school [in which event the offense is a state jail felony].

SECTION _____. Article 42.037, Code of Criminal Procedure, and Section 42.06, Penal Code, as amended by this Act, apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense was committed before that date.

Amendment No. 2 was withdrawn.

Amendment No. 3

Representative Swanson offered the following amendment to **HB 2**:

Amend **HB 2** (house committee report) on page 6, between lines 24 and 25, by inserting the following appropriately lettered subsection:

() A school district or open-enrollment charter school may use a grant awarded under Section 37.1087 to conduct a psychological or psychiatric examination or test of or provide psychological or psychiatric treatment to a student only if, before conducting the examination or test or providing the treatment, the district or school obtains written consent for the examination, test, or treatment from the student's parent. For purposes of this subsection:

(1) "Psychological or psychiatric examination or test" means a method designed to elicit information regarding an attitude, habit, trait, opinion, belief, feeling, or mental disorder or a condition thought to lead to a mental disorder, regardless of the manner in which the method is presented or characterized, including a method that is presented or characterized as a survey, check-in, or screening or is embedded in an academic lesson.

(2) "Psychological or psychiatric treatment" means the planned, systematic use of a method or technique that is designed to affect behavioral, emotional, or attitudinal characteristics of an individual or group.

Amendment No. 3 - Point of Order

Representative Zwiener raised a point of order against further consideration of Amendment No. 3 under Rule 11, Section 2, of the House Rules. The speaker overruled the point of order, announcing his decision to the house as follows:

Representative Zwiener raises a point of order against further consideration of the Swanson Amendment under Rule 11, Section 2, on the grounds that the amendment is not germane to the bill.

The bill creates a new school safety grant program and specifies the permissible uses of the grant by transferring current law criteria that governs the use of the school safety allotment repealed by the bill. The Swanson Amendment would require parental consent before grant funds could be used to administer certain mental health diagnostic instruments.

The use of existing law criteria for a statutory successor does not alter the fact that the criteria are essentially re-enacted for a different program and thus the criteria are open to amendment under these circumstances. Because the bill establishes a new grant program, the Swanson Amendment is a validly phrased exception to the requirements of the bill. See 88 H. Jour. 2882 (2023) (example where an amendment was not a validly phrased limitation).

Accordingly, the point of order is respectfully overruled.

Amendment No. 3 was withdrawn.

Amendment No. 4

Representative Ramos offered the following amendment to **HB 2**:

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

(1) On page 4, line 21, between "(2)" and "providing", insert "subject to Subsection (a-1),".

(2) On page 5, line 14, strike "chaplains" and substitute "nonphysician mental health professionals, as defined by Section 38.0101 [chaplains]".

(3) On page 6, between lines 2 and 3, insert the following:

(a-1) A school district or open-enrollment charter school may use a grant awarded under Section 37.1087 for a purpose described by Subsection (a)(2) only if the district or school has employed or contracted with mental health personnel for each district or school campus.

A record vote was requested.

Amendment No. 4 failed of adoption by (Record 51): 60 Yeas, 84 Nays, 1 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; 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; Kacal; King, K.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; 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 — Muñoz.

Absent — Campos; Garcia; Herrero.

STATEMENTS OF VOTE

When Record No. 51 was taken, I was in the house but away from my desk. I would have voted yes.

Campos

When Record No. 51 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia

Amendment No. 5

Representative Swanson offered the following amendment to **HB 2**:

Amend **HB 2** (house committee report) on page 6, between lines 24 and 25, by inserting the following appropriately lettered subsection:

() A school district or open-enrollment charter school that receives a grant awarded under Section 37.1087 to conduct a psychological or psychiatric examination or test of or provide psychological or psychiatric treatment to a student may only do so if, before conducting the examination or test or providing the treatment, the district or school obtains written consent for the examination, test, or, treatment from the student's parent or guardian. For purposes of this subsection:

(1) "Psychological or psychiatric examination or test" means a method designed to elicit information regarding an attitude, habit, trait, opinion, belief, feeling, or mental disorder or a condition thought to lead to a mental disorder, regardless of the manner in which the method is presented or characterized, including a method that is presented or characterized as a survey, check-in, or screening or is embedded in an academic lesson.

(2) "Psychological or psychiatric treatment" means the planned, systematic use of a method or technique that is designed to affect behavioral, emotional, or attitudinal characteristics of an individual or group.

Amendment No. 6

Representative Moody offered the following amendment to Amendment No. 5:

Amend Amendment No. 5 by Swanson on page 1, line 8, between "if" and the underlined comma by inserting "conducting the examination or test or providing the treatment is part of a threat assessment under Section 37.115 or,".

Amendment No. 6 was adopted.

Amendment No. 5 - Point of Order

Representative Zwiener raised a point of order against further consideration of Amendment No. 5 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane. The point of order was withdrawn.

Amendment No. 7

Representative Collier offered the following amendment to Amendment No. 5:

Amend Amendment No. 5 by Swanson as follows:

(1) On page 1, line 3, strike "subsection" and substitute "subsections".

(2) On page 1, line 23, immediately following the underlined period, add the following:

() This section may not be construed to require an employee of a school district to obtain the written consent of a child's parent before verbally asking the child about the child's general well-being, and for purposes of this section, the term "check-in" does not include such an inquiry.

() Nothing in this section may be construed to affect:

(1) a child's consent to counseling under Section 32.004, Family Code;

or

(2) the duty to report child abuse or neglect under Chapter 261, Family Code, or an investigation of a report of abuse or neglect under that chapter.

(Goldman in the chair)

A record vote was requested.

Amendment No. 7 failed of adoption by (Record 52): 62 Yeas, 83 Nays, 2 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Guerra; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; 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; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; 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; Goldman(C).

Absent, Excused — Muñoz.

Absent — Goodwin.

STATEMENT OF VOTE

When Record No. 52 was taken, I was in the house but away from my desk. I would have voted yes.

Goodwin

A record vote was requested.

Amendment No. 5, as amended, was adopted by (Record 53): 83 Yeas, 59 Nays, 3 Present, not voting.

Yeas — 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; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lozano; Lujan; Metcalf; Meyer; Morales Shaw; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Allen; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Lopez, R.; Manuel; Martínez; Martínez Fischer; Meza; Moody; Morales, C.; Morales, E.; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

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

Absent, Excused — Muñoz.

Absent — Anchía; Hernandez; Longoria.

A record vote was requested.

HB 2, as amended, was passed to engrossment by (Record 54): 145 Yeas, 2 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; Campos; Canales; Capriglione; Clardy; Cole; Cook; Cortez; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman(C); González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martínez; Martínez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; 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; Wu; Zwiener.

Nays — Collier; Sherman.

Present, not voting — Mr. Speaker.

Absent, Excused — Muñoz.

STATEMENT OF VOTE

When Record No. 54 was taken, I was shown voting no. I intended to vote yes.

Sherman

(Speaker in the chair)

POSTPONED BUSINESS

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

HB 1 ON SECOND READING

(by Buckley, et al.)

HB 1, A bill to be entitled An Act relating to primary and secondary education, including the certification, compensation, and health coverage of certain public school employees, the public school finance system, special education in public schools, the establishment of an education savings account program, measures to support the education of public school students that include certain educational grant programs, reading instruction, and early childhood education, the provision of virtual education, and public school accountability.

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

Amendment No. 1

Representative Buckley offered the following amendment to **HB 1**:

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

(1) On page 93, line 17, strike "and".

(2) On page 93, line 19, between "expenses" and the underlined period, insert the following:

; and

(E) accept, track, review, and resolve inquiries and complaints regarding the program

(3) On page 93, line 27, strike "and".

(4) On page 94, line 4, between "products" and the underlined period, insert the following:

; and

(3) reviewing and resolving inquiries and complaints regarding the program from prospective applicants, applicants, and program participants

(5) On page 95, line 5, between "school" and the underlined semicolon, insert ", including from a home school".

(6) On page 97, line 26, between "(2)" and "expenses", insert "a description of".

(7) On page 98, line 3, between "process" and the underlined semicolon, insert "under this section".

(8) On page 98, line 4, between "process" and the underlined semicolon, insert "under this section".

(9) On page 98, line 24, strike "Subsections (e) and" and substitute "Subsection".

(10) On page 99, line 27, between "school" and the underlined semicolon, insert ", including from a home school".

(11) On page 103, line 19, strike "or uniforms".

(12) On page 103, line 20, between "enrolled" and the underlined comma, insert "or being home schooled".

(13) On page 103, between lines 22 and 23, insert the following appropriately numbered subdivision and renumber subsequent subdivisions of the section accordingly:

() the purchase of uniforms required by a private school in which the child is enrolled, including purchases made through a third-party vendor of educational products;

(14) On page 104, line 14, between "devices" and "prescribed", insert "required by a private school in which the child is enrolled or".

(15) On page 104, line 19, strike "academic".

(16) On page 105, line 14, strike "29.362(g)" and substitute "29.362(f)".

(17) On page 106, lines 6 through 8, strike "Regardless of the deadline by which the participating parent applies for enrollment in the program under Section 29.356(a) and except" and substitute "Except".

(18) On page 106, lines 9 through 11, strike "a participating parent shall receive each school year that the parent's child participates in the program" and substitute "the comptroller shall distribute each school year to each participating child's account".

(19) On page 106, strike line 24 and substitute "comptroller distributes to the child's account under Subsection (a)".

(20) On page 107, line 15, between "parent's" and "child", insert "participating".

(21) Strike page 108, line 23, through page 109, line 3, and substitute the following:

(c) Not later than the 10th business day after each quarter, each certified educational assistance organization shall submit to the comptroller an invoice for services rendered in administering the program for that quarter. The total amount disbursed to all certified educational

(22) On page 109, line 26, between "parent's" and "child", insert "participating".

(23) On page 111, strike line 2 and substitute "participant, education service provider, or vendor of educational".

(24) On page 111, lines 18 and 19, strike "or a requirement" and substitute "and the requirements".

(25) On page 111, line 22, between "parent's" and "child", insert "participating".

(26) On page 112, lines 14 and 15, strike "if the participating child's account is suspended or closed under this section" and substitute "in accordance with applicable law".

(27) On page 112, between lines 19 and 20, insert the following appropriately lettered subsection:

() Notwithstanding Section 29.374, a decision of the comptroller under this section is final and not subject to appeal.

(28) On page 113, strike line 7 and substitute "participant, education service provider, or vendor of educational".

(29) On page 113, strike line 11 and substitute "organization, provider, or vendor; or".

(30) On page 116, line 18, between "of" and "the", insert "determining eligibility under Section 29.355 and producing".

(31) On page 116, line 25, between "to" and "develop", insert "confirm eligibility under Section 29.355 or".

(32) On page 117, line 23, strike "cost savings" and substitute "increased costs or savings".

(33) On page 119, at the end of line 14, strike the underlined comma and substitute "or".

(34) On page 119, line 15, strike ", or the participant's removal from the program".

Amendment No. 2

Representatives Raney, Darby, Allison, Dean, and Shine offered the following amendment to Amendment No. 1:

Amend Amendment No. 1 by Buckley by striking the text of the amendment and substituting the following:

Amend **HB 1** (house committee report) by striking ARTICLE 6 of the bill (page 90, line 17, through page 123, line 10) and renumbering subsequent ARTICLES and SECTIONS of the bill accordingly.

Amendment No. 2 - Point of Order

Representative Tinderholt raised a point of order against further consideration of Amendment No. 2 under Rule 11, Section 2, and Rule 11, Section 3, of the House Rules. The speaker overruled the point of order, announcing his decision to the house as follows:

Representative Tinderholt raises a point of order against further consideration of the Raney Amendment under Rule 11, Section 2, on the grounds that the amendment is not germane to the bill, and under Rule 11, Section 3, on the grounds that the amendment changes the original purpose of the bill.

The Buckley Amendment amends Article 6 of the bill in major particulars, with 34 separate changes to the article. The Raney Amendment would instead strike Article 6 from the bill.

The test of germaneness of an amendment to a pending amendment is its relationship to the pending amendment and not the bill to which that pending amendment is offered. 56 Tex. Legis. Man. 324 (1959); Deschler ch. 28 § 2.24. Here, the subject of both amendments is the text of Article 6.

The test for determining whether an amendment changes a bill's original purpose is whether the amendment would accomplish a result that is exactly opposite of that of the bill. *E.g.*, 87 H. Jour. 2322 (2021) Here, there are nine articles in the bill covering a range of matters related to primary and secondary education and striking Article 6, if ultimately adopted by the House, would not accomplish an exactly opposite result because major portions of the bill remain in place.

Accordingly, the point of order is respectfully overruled.

Amendment No. 2 - Point of Order

Representative Tinderholt 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 bill is not included in the governor's proclamation. The point of order was withdrawn.

Pursuant to Rule 5, Section 28, of the House Rules, Representative C.E. Harris requested an extension of speaking time on Amendment No. 2.

A record vote was requested.

The extension of time was granted by (Record 55): 78 Yeas, 61 Nays, 3 Present, not voting.

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

Nays — Allen; Anchía; Ashby; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dean; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; Lalani; Lambert; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Reynolds; Romero; Rose; Rosenthal; Sherman; Smith; Smithee; Talarico; Turner; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C); Hunter; Leo-Wilson.

Absent, Excused — Muñoz.

Absent — Geren; Herrero; King, T.; Morales Shaw; Thierry; Thompson, S.

REMARKS ORDERED PRINTED

Representative Tinderholt moved to print all remarks on **HB 1**.

The motion prevailed. [Please refer to the supplement to this journal for the text of the debate on **HB 1**.]

A record vote was requested.

Amendment No. 2 was adopted by (Record 56): 84 Yeas, 63 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Bailes; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Bucy; Burns; Campos; Canales; Clardy; Cole; Collier; Cortez; Darby; Davis; Dean; Dutton; Flores; Gámez; Garcia; Geren; Gervin-Hawkins; González,

J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Holland; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kuempel; Lalani; Lambert; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Murr; Neave Criado; Ordaz; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Smith; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Wiener.

Nays — Anderson; Ashby; Bell, C.; Bonnen; Buckley; Bumgarner; Burrows; Button; Cain; Capriglione; Cook; Craddick; Cunningham; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hull; Hunter; Isaac; Jetton; Kitzman; Klick; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Noble; Oliverson; Orr; Patterson; Paul; Schaefer; Schatzline; Schofield; Shaheen; Slawson; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Muñoz.

Amendment No. 2 - Double Motion to Reconsider and Table

Representative Price moved to reconsider the vote by which Amendment No. 2 was adopted and to table the motion to reconsider.

A record vote was requested.

The motion to table prevailed by (Record 57): 84 Yeas, 63 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Bailes; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Bucy; Burns; Campos; Canales; Clardy; Cole; Collier; Cortez; Darby; Davis; Dean; Dutton; Flores; Gámez; Garcia; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Holland; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kuempel; Lalani; Lambert; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Murr; Neave Criado; Ordaz; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Smith; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Wiener.

Nays — Anderson; Ashby; Bell, C.; Bonnen; Buckley; Bumgarner; Burrows; Button; Cain; Capriglione; Cook; Craddick; Cunningham; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hull; Hunter; Isaac; Jetton; Kitzman; Klick; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Noble; Oliverson; Orr; Patterson; Paul; Schaefer; Schatzline; Schofield; Shaheen; Slawson; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Muñoz.

A record vote was requested.

Amendment No. 1, as amended, was adopted by (Record 58): 84 Yeas, 63 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Bailes; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Bucy; Burns; Campos; Canales; Clardy; Cole; Collier; Cortez; Darby; Davis; Dean; Dutton; Flores; Gámez; Garcia; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Holland; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kuempel; Lalani; Lambert; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Murr; Neave Criado; Ordaz; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Smith; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Ashby; Bell, C.; Bonnen; Buckley; Bumgarner; Burrows; Button; Cain; Capriglione; Cook; Craddick; Cunningham; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hull; Hunter; Isaac; Jetton; Kitzman; Klick; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Noble; Oliverson; Orr; Patterson; Paul; Schaefer; Schatzline; Schofield; Shaheen; Slawson; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Muñoz.

Amendment No. 1 - Double Motion to Reconsider and Table

Representative Price moved to reconsider the vote by which Amendment No. 1, as amended, was adopted and to table the motion to reconsider.

A record vote was requested.

The motion to table prevailed by (Record 59): 85 Yeas, 62 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Bailes; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Bucy; Burns; Campos; Canales; Clardy; Cole; Collier; Cortez; Darby; Davis; Dean; Dutton; Flores; Gámez; Garcia; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Holland; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kuempel; Lalani; Lambert; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Murr; Neave Criado; Ordaz; Ortega;

Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Smith; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Ashby; Bell, C.; Bonnen; Buckley; Bumgarner; Burrows; Button; Cain; Capriglione; Cook; Craddick; Cunningham; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hull; Hunter; Isaac; Jetton; Kitzman; Klick; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Noble; Oliverson; Orr; Patterson; Paul; Schaefer; Schatzline; Schofield; Shaheen; Slawson; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Muñoz.

STATEMENT OF VOTE

When Record No. 59 was taken, I was shown voting yes. I intended to vote no.

Anderson

HOUSE AT EASE

At 3:58 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 4:54 p.m.

HB 1 - RECOMMITTED

Representative Buckley moved to recommit **HB 1** to the Committee on Educational Opportunity and Enrichment, Select.

The motion prevailed.

ADJOURNMENT

At 4:54 p.m., the chair announced that the house would stand adjourned until 4:55 p.m. today.

ADDENDUM

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Friday, November 17, 2023

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SCR 4 Sparks

Recognizing The University of Texas Permian Basin football team for winning the 2023 Lone Star Conference championship.

SCR 5 Sparks

In memory of James Ratliff "Jay" Hurt Jr.

SCR 6 Sparks

Recognizing the 2024 Texas Department of Public Safety Foundation BBQ Cook-Off.

SCR 7 Sparks

In memory of James Ratliff "Buzz" Hurt Sr.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

November 14

Educational Opportunity and Enrichment, Select - **HB 2, HJR 1**

November 15

Educational Opportunity and Enrichment, Select - **HB 1**