

HOUSE JOURNAL

EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

THIRTY-FOURTH DAY — TUESDAY, APRIL 4, 2023

The house met at 10:30 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 74).

Present — Mr. Speaker(C); Allen; Allison; Anchia; 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; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; 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; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slaton; 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 — Kitzman.

Absent — Gámez; Herrero.

The invocation was offered by Hector Ortiz, Catholic Diocese of Austin, Austin.

The chair recognized Representative Vasut 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:

Kitzman on motion of Gerdes.

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).

CAPITOL PHYSICIAN

The chair presented Dr. Justin Bartos of Bedford as the "Doctor for the Day."

The house welcomed Dr. Bartos and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

REGULAR ORDER OF BUSINESS SUSPENDED

On motion of Representative Metcalf and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

COMMITTEE MEETING ANNOUNCEMENTS

At 10:35 a.m., the following committee meetings were announced:

Environmental Regulation, upon adjournment today, 1W.14, for a formal meeting, to consider pending and referred business.

Ways and Means, upon adjournment today, Desk 41, for a formal meeting, to consider pending business.

Youth Health and Safety, Select, upon adjournment today, Desk 67, for a formal meeting, to consider pending business.

HR 198 - INTRODUCTION OF GUESTS

The chair recognized Representative Lozano who introduced a delegation from Kleberg County.

(Gámez now present)

HR 902 - ADOPTED

(by Orr)

Representative Orr moved to suspend all necessary rules to take up and consider at this time **HR 902**.

The motion prevailed.

The following resolution was laid before the house:

HR 902, Congratulating the La Vega High School girls' basketball team on winning the 2023 UIL 4A state championship.

HR 902 was adopted.

HR 909 - ADOPTED

(by Garcia)

Representative Garcia moved to suspend all necessary rules to take up and consider at this time **HR 909**.

The motion prevailed.

The following resolution was laid before the house:

HR 909, Recognizing the work of Texas Grandparents Raising Grandchildren.

HR 909 was adopted.

HR 873 - ADOPTED
(by Bernal, Button, Talarico, and J.E. Johnson)

Representative Bernal moved to suspend all necessary rules to take up and consider at this time **HR 873**.

The motion prevailed.

The following resolution was laid before the house:

HR 873, Recognizing April 1-7, 2023, as the Week of the Young Child.

HR 873 was adopted.

HR 938 - ADOPTED
(by C. Bell)

Representative C. Bell moved to suspend all necessary rules to take up and consider at this time **HR 938**.

The motion prevailed.

The following resolution was laid before the house:

HR 938, Recognizing April 4, 2023, as Texas State Guard Day at the State Capitol.

HR 938 was adopted.

FIVE-DAY POSTING RULE SUSPENDED

Representative Canales moved to suspend the five-day posting rule to allow the Committee on Transportation to consider **HB 2681** and **HB 5120** at 10:30 a.m. or upon final adjournment or recess or during bill referral, if permission is granted, tomorrow in E2.036.

The motion prevailed.

HB 5342 - PERMISSION TO INTRODUCE

Representative Guillen requested permission to introduce and have placed on first reading a house bill relating to the designation of a Texas Department of Transportation building in Starr County as the Eduardo "Eddie" Gracia, Jr., P.E Area Engineer And Maintenance Facility.

Permission to introduce was granted by (Record 75): 147 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; 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; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; 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; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slaton; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Kitzman.

Absent — Herrero.

STATEMENT OF VOTE

When Record No. 75 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

(Herrero now present)

GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

HB 1058 ON THIRD READING (by Goldman and Talarico)

HB 1058, A bill to be entitled An Act relating to a franchise or insurance premium tax credit for certain housing developments.

HB 1058 was passed by (Record 76): 121 Yeas, 25 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; 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.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Ordaz; Orr; Ortega; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond;

Reynolds; Rogers; Romero; Rose; Schaefer; Sherman; Shine; Smith; Smithee; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, K.; Cain; Cook; Gerdes; Harris, C.J.; Harrison; Hayes; Isaac; Leo-Wilson; Murr; Oliverson; Patterson; Schatzline; Schofield; Shaheen; Slaton; Slawson; Spiller; Stucky; Swanson; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Kitzman.

Absent — González, M.; Rosenthal.

STATEMENTS OF VOTE

When Record No. 76 was taken, I was shown voting yes. I intended to vote no.

Dorazio

When Record No. 76 was taken, I was shown voting yes. I intended to vote no.

Holland

When Record No. 76 was taken, I was shown voting no. I intended to vote yes.

Murr

HB 1964 ON THIRD READING (by Hernandez and Cain)

HB 1964. A bill to be entitled An Act relating to the release of a motor vehicle accident report to an employee or authorized representative of a vehicle storage facility.

HB 1964 was passed by (Record 77): 141 Yeas, 6 Nays, 2 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; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; 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.; 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.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal;

Schaefer; Schatzline; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Leo-Wilson; Schofield; Slaton; Swanson; Tinderholt; Toth.

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

Absent, Excused — Kitzman.

STATEMENTS OF VOTE

When Record No. 77 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 77 was taken, I was shown voting yes. I intended to vote no.

Harrison

When Record No. 77 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 77 was taken, I was shown voting present, not voting. I intended to vote yes.

Rogers

When Record No. 77 was taken, I was shown voting yes. I intended to vote no.

Schaefer

HB 617 ON THIRD READING (by Darby, Guerra, and Clardy)

HB 617, A bill to be entitled An Act relating to a pilot project to provide emergency telemedicine medical services and telehealth services in rural areas.

HB 617 was passed by (Record 78): 142 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; 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; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; 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; Ortega; Patterson; Paul; Perez;

Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vo; Walle; Wilson; Wu.

Nays — Cain; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Kitzman.

Absent — Button; Jetton; Thierry; Zwiener.

STATEMENTS OF VOTE

When Record No. 78 was taken, I was shown voting no. I intended to vote yes.

Cain

When Record No. 78 was taken, I was in the house but away from my desk. I would have voted yes.

Jetton

When Record No. 78 was taken, I was shown voting yes. I intended to vote no.

Schaefer

When Record No. 78 was taken, I was shown voting no. I intended to vote yes.

Vasut

When Record No. 78 was taken, my vote failed to register. I would have voted yes.

Zwiener

HB 49 ON THIRD READING

(by Klick)

HB 49, A bill to be entitled An Act relating to public access to certain hospital investigation information and materials.

HB 49 was passed by (Record 79): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bungarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; 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.;

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; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Kitzman.

Absent — Vasut.

STATEMENT OF VOTE

When Record No. 79 was taken, I was in the house but away from my desk. I would have voted yes.

Vasut

HB 140 ON THIRD READING

(by M. González, Frank, Lozano, Noble, C.E. Harris, et al.)

HB 140, A bill to be entitled An Act relating to the provision of certain co-navigation services to individuals who are deaf-blind.

HB 140 was passed by (Record 80): 124 Yeas, 21 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; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; 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.; 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; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Smithee; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Cain; Dorazio; Harris, C.J.; Harrison; Hayes; Leo-Wilson; Paul; Schaefer; Schatzline; Shaheen; Slaton; Slawson; Smith; Spiller; Stucky; Swanson; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Kitzman.

Absent — Dean; DeAyala; Morales Shaw.

STATEMENTS OF VOTE

When Record No. 80 was taken, I was in the house but away from my desk. I would have voted yes.

Dean

When Record No. 80 was taken, I was in the house but away from my desk. I would have voted yes.

DeAyala

When Record No. 80 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 80 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 80 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

HB 336 ON THIRD READING (by Toth and Noble)

HB 336, A bill to be entitled An Act relating to notice regarding certain benefits for which a representative payee or fiduciary has been appointed for a child in the conservatorship of the Department of Family and Protective Services.

HB 336 was passed by (Record 81): 147 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; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; 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.; 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.; Morrison; Muñoz; 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; Slaton;

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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Kitzman.

Absent — Morales Shaw.

STATEMENT OF VOTE

When Record No. 81 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

HB 1599 ON THIRD READING

(by Bucy, Harless, Oliverson, Jetton, et al.)

HB 1599, A bill to be entitled An Act relating to implementation of an express lane option for determining eligibility and enrolling certain individuals in Medicaid or the child health plan program.

HB 1599 was passed by (Record 82): 106 Yeas, 40 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burrows; Button; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; Dutton; Flores; Frank; Gámez; Garcia; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.J.; Hernandez; Herrero; Hinojosa; Holland; Howard; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Klick; Kuempel; Lalani; Lambert; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Oliverson; Ordaz; Orr; Ortega; Patterson; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Shine; Smith; Talarico; Thierry; Thimesch; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, C.; Bell, K.; Burns; Cain; DeAyala; Dorazio; Frazier; Gerdes; Harris, C.E.; Harrison; Hayes; Hefner; Hull; Isaac; Landgraf; Leach; Leo-Wilson; Metcalf; Morrison; Murr; Noble; Paul; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Slaton; Slawson; Smithee; Spiller; Stucky; Swanson; Tepper; Thompson, E.; Tinderholt; Toth; Troxclair; Vasut; Wilson.

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

Absent, Excused — Kitzman.

Absent — Gates.

STATEMENTS OF VOTE

When Record No. 82 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 82 was taken, I was in the house but away from my desk. I would have voted no.

Gates

When Record No. 82 was taken, I was shown voting yes. I intended to vote no.

Holland

MAJOR STATE CALENDAR HOUSE BILLS SECOND READING

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

CSHB 4 ON SECOND READING (by Capriglione, Longoria, Burrows, et al.)

CSHB 4, A bill to be entitled An Act relating to the regulation of the collection, use, processing, and treatment of consumers' personal data by certain business entities; imposing a civil penalty.

A record vote was requested by Representative Slaton.

CSHB 4 was passed to engrossment by (Record 83): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; 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; Garcia; 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.; 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; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slaton; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Kitzman.

Absent — Bailes; Ordaz.

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

**HB 456 ON SECOND READING
(by Craddick, Geren, Cook, Burrows, and Rose)**

HB 456, A bill to be entitled An Act relating to an exemption from ad valorem taxation of certain royalty interests owned by a charitable organization.

A record vote was requested by Representative Slaton.

HB 456 was passed to engrossment by (Record 84): 142 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; 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; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Kacal; King, K.; King, T.; 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.; Morrison; Muñoz; 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; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Hayes; Slaton; Spiller.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Kitzman.

Absent — Jones, V.; Morales Shaw; Toth.

STATEMENTS OF VOTE

When Record No. 84 was taken, I was shown voting yes. I intended to vote no.

Cain

When Record No. 84 was taken, I was in the house but away from my desk. I would have voted yes.

V. Jones

When Record No. 84 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

When Record No. 84 was taken, I was in the house but away from my desk. I would have voted no.

Toth

CSHB 2468 ON SECOND READING
(by Burrows, Tepper, Longoria, et al.)

CSHB 2468. A bill to be entitled An Act relating to the eligibility of an injured employee for lifetime income benefits under the workers' compensation system.

Amendment No. 1

Representative Burrows offered the following amendment to **CSHB 2468**:

Amend **CSHB 2468** (house committee printing) as follows:

(1) On page 1, lines 5-6, between "by" and "adding", insert "amending Subsection (j) and".

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

(j) An employee is not entitled to temporary income benefits, or to lifetime income benefits under Section 408.1615, if applicable to the employee, and an insurance carrier is authorized to suspend the payment of those ~~temporary income~~ benefits, during and for a period in which the employee fails to submit to an examination required by Subsection (a) or (f) or if applicable, Section 408.1615(h), unless the commissioner determines that the employee had good cause for the failure to submit to the examination. The commissioner may order temporary income benefits or lifetime income benefits under Section 408.1615, as applicable, to be paid for the period for which the commissioner determined that the employee had good cause. The commissioner by rule shall ensure that:

(1) an employee receives reasonable notice of an examination and the insurance carrier's basis for suspension; and

(2) the employee is provided a reasonable opportunity to reschedule an examination for good cause.

(3) On page 1, line 9, strike "eligible to receive" and substitute "entitled to".

(4) On page 3, line 23, strike "eligibility for" and substitute "continuing entitlement to".

(5) On page 4, line 5, strike "eligibility for" and substitute "continuing entitlement to".

(6) On page 4, between lines 6 and 7, insert the following subsections, reletter subsequent subsections, and correct cross-references to those relettered subsections accordingly:

(g) Notwithstanding Subsection (f), an insurance carrier may review an employee's continuing entitlement to lifetime income benefits under this section regardless of the date on which the insurance carrier most recently reviewed the employee's continuing entitlement, if:

(1) the employee certifies to the insurance carrier under Subsection (e) that the employee was not employed in any capacity during the preceding year;

(2) the insurance carrier provides evidence to the commissioner that the certification provided by the employee under Subsection (e) is not accurate; and

(3) the commissioner notifies the insurance carrier that the commissioner has determined that the evidence provided by the insurance carrier is sufficient to show that the certification provided by the employee under Subsection (e) may not be accurate.

(h) An insurance carrier reviewing an employee's continuing entitlement under Subsection (f) or (g) shall request the commissioner to order a medical examination conducted by a designated doctor under Section 408.0041. Except as otherwise provided by this section, the requirements of Section 408.0041 apply to an examination ordered under this subsection to the same extent as if the examination were ordered under Section 408.0041(a).

(7) On page 4, lines 10-11, strike "certify the employee's eligibility under" and substitute "complete the annual certification required by".

(8) On page 4, line 12, strike "408.0041(k-1)" and substitute "408.0041(j) or (k-1)".

(9) On page 4, line 16, strike "certify the employee's eligibility" and substitute "complete the annual certification".

(10) On page 4, line 20, strike "form and manner for" and substitute "deadline for the submission and the form and the manner of the submission of".

(11) On page 4, strike lines 23 through 27 and substitute the following:

(A) the review of an employee's continuing entitlement to lifetime income benefits under this section;

(B) the suspension and reinstatement of lifetime income benefits under this section; and

(C) the termination of lifetime income benefits under this section on a final determination that an employee is no longer entitled to the benefits.

Amendment No. 1 was adopted.

CSHB 2468, as amended, was passed to engrossment.

CSHB 471 ON SECOND READING

(by Patterson, Capriglione, Burrows, Canales, Lujan, et al.)

CSHB 471, A bill to be entitled An Act relating to the entitlement to and claims for benefits for certain first responders and other employees related to illness and injury.

Amendment No. 1

Representative Patterson offered the following amendment to **CSHB 471**:

Amend **CSHB 471** (house committee printing) as follows:

(1) On page 6, line 21, between "services" and the comma, insert "law enforcement".

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

SECTION _____. Section 504.051(a), Labor Code, is amended to read as follows:

(a) Benefits provided under this chapter shall be offset:

(1) to the extent applicable, by any amount for incapacity received as provided by:

(A) Chapter 143 or 177A, Local Government Code; or

(B) any other statute in effect on June 19, 1975, that provides for the payment for incapacity to work because of injury on the job that is also covered by this chapter; and

(2) by any amount paid under Article III, Section 52e, of the Texas Constitution, as added in 1967.

SECTION _____. Section 504.051(a), Labor Code, as amended by this Act, applies only to a claim for workers' compensation benefits filed on or after the effective date of this Act. A claim filed before that date is governed by the law as it existed on the date the claim was filed, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Patterson offered the following amendment to **CSHB 471**:

Amend **CSHB 471** (house committee printing) as follows:

(1) On page 1, lines 7 and 8, strike "COUNTY AND MUNICIPAL".

(2) On page 1, line 9, immediately after "PERSONNEL", add "OF POLITICAL SUBDIVISION".

(3) In each instance where it appears, strike "county or municipality" and substitute "political subdivision" (page 1, line 13, lines 15 and 16, and lines 21 and 22, and page 2, line 6 and line 11).

(4) On page 2, lines 13 and 14, strike "county's or municipality's" and substitute "political subdivision's".

Amendment No. 2 was adopted.

CSHB 471, as amended, was passed to engrossment.

CSHB 729 ON SECOND READING

(by Rose)

CSHB 729, A bill to be entitled An Act relating to the statewide intellectual and developmental disability coordinating council.

Amendment No. 1

Representative Rose offered the following amendment to **CSHB 729**:

Amend **CSHB 729** (house committee report) as follows:

(1) On page 2, strike lines 21 and 22, substitute the following appropriately numbered paragraphs, and renumber subsequent paragraphs accordingly:

() an individual or family member of an individual with an intellectual or developmental disability receiving home and community-based services, including under the home and community-based services (HCS) waiver program;

() an individual or family member of an individual with an intellectual or developmental disability residing in a private intermediate care facility for individuals with an intellectual disability licensed under Chapter 252, Health and Safety Code;

() an individual or family member of an individual with an intellectual or developmental disability residing in a state supported living center, as defined by Section 531.002, Health and Safety Code;

(2) On page 3, between lines 24 and 25, insert the following appropriately lettered subsection:

() Chapter 2110 does not apply to the composition of the council.

Amendment No. 1 was adopted.

A record vote was requested by Representative Slaton.

CSHB 729, as amended, was passed to engrossment by (Record 85): 107 Yeas, 38 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Cole; Collier; Craddick; Cunningham; Darby; Davis; Dean; Dutton; Flores; Frank; Gámez; Garcia; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Holland; Howard; Hunter; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Ortega; Patterson; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Talarico; Thierry; Thimesch; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Wu; Zwiener.

Nays — Bell, C.; Bumgarner; Cain; Clardy; Cook; DeAyala; Dorazio; Frazier; Gates; Gerdes; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hull; Isaac; Leo-Wilson; Metcalf; Orr; Paul; Rogers; Schaefer; Schatzline; Shaheen; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Tinderholt; Toth; Troxclair; Vasut; Wilson.

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

Absent, Excused — Kitzman.

Absent — Jetton; Walle.

STATEMENTS OF VOTE

When Record No. 85 was taken, I was shown voting present, not voting. I intended to vote yes.

Cortez

When Record No. 85 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 85 was taken, I was shown voting no. I intended to vote yes.

Gates

When Record No. 85 was taken, I was in the house but away from my desk. I would have voted yes.

Jetton

HB 1315 ON SECOND READING

(by Herrero)

HB 1315, A bill to be entitled An Act relating to the creation of the open burn pit registry fund and the issuance of specialty license plates to honor members of the United States armed forces exposed to open burn pits.

HB 1315 was passed to engrossment.

CSHB 796 ON SECOND READING

(by Button, Guillen, Turner, J. Lopez, Bumgarner, et al.)

CSHB 796, A bill to be entitled An Act relating to the creation and maintenance by an appraisal district of a publicly available Internet database of information regarding protest hearings conducted by the appraisal review board established for the district.

Amendment No. 1

Representative Cain offered the following amendment to **CSHB 796**:

Amend **CSHB 796** (house committee printing) as follows:

(1) On page 2, strike lines 15 through 17 and substitute the following:

(d) Beginning on January 1, 2025, the database shall include information for protests relating to the most recent tax year and each tax year thereafter until the database includes information for protests relating to the most recent five tax years.

(e) Beginning on January 1, 2030, the database shall include information for protests relating to the previous five tax years.

Amendment No. 1 was adopted.

CSHB 796, as amended, was passed to engrossment.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and 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 Nos. 1 and 2.)

ADJOURNMENT

Representative V. Jones moved that the house adjourn until 10 a.m. tomorrow in memory of Kirk Myers-Hill of Dallas.

The motion prevailed.

The house accordingly, at 11:34 a.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

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

HB 1525 (By Clardy), Relating to the Lavaca-Navidad River Authority, following the recommendations of the Sunset Advisory Commission; altering terms of the board of directors; specifying grounds for the removal of a member of the board of directors.

To Natural Resources.

HB 5333 (By Gates), Relating to the creation of Fort Bend County Municipal Utility District No. 252; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Land and Resource Management.

HB 5334 (By Harless), Relating to the creation of the Cypress Creek Drainage Improvement District.

To Natural Resources.

HB 5335 (By Kitzman), Relating to the creation of the Fort Bend County Municipal Utility District No. 264; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Land and Resource Management.

HB 5336 (By Vasut), Relating to the powers and duties of Port Freeport; limiting the authority of certain municipalities to regulate land use by Port Freeport; and the creation of a reinvestment zone containing property owned by Port Freeport.

To Transportation.

HB 5337 (By Metcalf), Relating to the creation of the Montgomery County Municipal Utility District No. 204; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Land and Resource Management.

HB 5338 (By Paul, Cain, Oliverson, Hull, and Schofield), Relating to the Harris County Flood Control District and the transfer to it of the assets, programs, and facilities of the Harris County Toll Road Authority; providing for the appointment of the governing body.

To Natural Resources.

HB 5339 (By Metcalf), Relating to the creation of the Montgomery County Municipal Utility District No. 223; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Land and Resource Management.

HB 5340 (By Smith), Relating to the creation of the North Grayson County Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Land and Resource Management.

HB 5341 (By Cunningham), Relating to the creation of the Lake Houston Dredging and Maintenance District; providing the authority to issue bonds.

To Natural Resources.

List No. 2

SB 281 to Culture, Recreation, and Tourism.

SB 538 to Defense and Veterans' Affairs.

SB 658 to Judiciary and Civil Jurisprudence.

SB 729 to Pensions, Investments, and Financial Services.

SB 895 to Pensions, Investments, and Financial Services.

SB 1016 to State Affairs.

SB 1021 to Transportation.

SB 1023 to Transportation.

SB 1045 to Judiciary and Civil Jurisprudence.

SB 1052 to Elections.

SB 1259 to Judiciary and Civil Jurisprudence.

SB 1523 to Agriculture and Livestock.

SCR 22 to House Administration.

SCR 28 to Pensions, Investments, and Financial Services.

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

Tuesday, April 4, 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:

HCR 73 Vasut SPONSOR: Huffman
In memory of the Honorable James Ray Gayle III of Angleton.

HCR 84 Guerra SPONSOR: Hinojosa
Honoring Dr. Alberto Gutiérrez of McAllen for his years of service to the Rio Grande Valley.

SB 28 Perry
Relating to financial assistance provided and programs administered by the Texas Water Development Board.

SB 29 Birdwell
Relating to prohibited governmental entity implementation or enforcement of a vaccine mandate, mask requirement, or private business or school closure to prevent the spread of COVID-19.

SB 224 Alvarado
Relating to catalytic converters, including criminal conduct involving catalytic converters; providing an administrative penalty; creating a criminal offense; increasing a criminal penalty; increasing a fee.

SB 375 Huffman
Relating to the composition of districts for the election of members of the Texas Senate.

SB 885 Zaffirini
Relating to the grounds for terminating and reinstating a person's parental rights and the adoption of certain children.

SB 1236 Flores

Relating to the use of certain weapons in or on the bed or bank of a navigable river or stream; providing a penalty.

SB 1414 Johnson

Relating to the temporary regulation of the practice of veterinary medicine by the Texas Department of Licensing and Regulation.

SB 1598 Hancock

Relating to the composition of the Homeland Security Council.

SJR 75 Perry

Proposing a constitutional amendment creating the Texas water fund to assist in financing water projects in this state.

SCR 39 Whitmire

Granting the legislature permission to adjourn for more than three days during the period beginning on Thursday, April 6, 2023, and ending on Tuesday, April 11, 2023.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 3

Agriculture and Livestock - **HB 2308, HJR 126**

Community Safety, Select - **HB 165, HB 544, HB 1229, HB 1760, HB 2242**

Criminal Jurisprudence - **HB 352, HB 393, HB 964, HB 1221, HB 1603**

Culture, Recreation, and Tourism - **HB 540, HB 555, HB 1809**

Homeland Security and Public Safety - **HB 560**

Human Services - **HB 1008, HB 1009, HB 1167, HB 1290, HB 2229**

Natural Resources - **HB 1699, HB 2443, HB 3582**

State Affairs - **HB 2374**

Ways and Means - **HB 2691, HJR 132**

