

HOUSE JOURNAL

EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-SEVENTH DAY — FRIDAY, MAY 19, 2023

The house met at 10:20 a.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 1844).

Present — Mr. Speaker; Allen; Allison; Anchiá; 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(C); 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.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; 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; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Absent, Excused — Herrero; Tinderholt; Wu.

Absent — Martinez Fischer; Schatzline.

LEAVES OF ABSENCE GRANTED

On motion of Representative C.J. Harris and by unanimous consent, all members who were granted leaves of absence on the previous legislative day were granted leaves for this legislative day.

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

Wu on motion of Turner.

RULES SUSPENDED

Representative C.J. Harris moved to suspend all necessary rules to take up and consider at this time, on third reading and final passage, the bills on the local, consent, and resolutions calendar which were considered on the previous legislative day.

The motion prevailed.

MOTION FOR ONE RECORD VOTE

On motion of Representative C.J. Harris and by unanimous consent, the house agreed to use the first record vote taken for all those bills on the local, consent, and resolutions calendar that require a record vote on third reading and final passage, with the understanding that a member may record an individual vote on any bill with the journal clerk.

(Martinez Fischer and Schatzline now present)

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR THIRD READING

The following bills which were considered on second reading on the previous legislative day on the local, consent, and resolutions calendar were laid before the house, read third time, and passed by the following record vote (members registering votes and the results of the vote are shown following the bill number).

(Record 1845): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; 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.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; 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.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

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

Absent, Excused — Herrero; Tinderholt; Wu.

Absent — Bryant.

STATEMENT OF VOTE

When Record No. 1845 was taken, I was in the house but away from my desk. I would have voted yes.

Bryant

HB 3292 (Anderson, Ashby, Holland, Hull, Patterson, Paul, Slawson, and Thimesch - no) (135 - 8 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 5360 (Allison, Ashby, K. Bell, Cain, Capriglione, Cook, Darby, Dean, Gerdes, C.E. Harris, C.J. Harris, Harrison, Hayes, Hefner, Holland, Hull, Landgraf, Metcalf, Murr, Noble, Patterson, Paul, Schaefer, Shaheen, Slawson, Spiller, Swanson, Thimesch, E. Thompson, Toth, Troxclair, VanDeaver, Vasut, and Wilson - no) (109 - 34 - 2) (Isaac and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 5400 (Allison, Anderson, Ashby, K. Bell, Burns, Cain, Capriglione, Clardy, Cook, Darby, Dean, Gerdes, C.E. Harris, C.J. Harris, Harrison, Hayes, Hefner, Holland, Hull, Isaac, Metcalf, Murr, Noble, Patterson, Paul, Schaefer, Shaheen, Shine, Slawson, Spiller, Swanson, Thimesch, E. Thompson, Toth, Troxclair, VanDeaver, Vasut, and Wilson - no) (105 - 38 - 2) (Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 5418 (Allison, Cain, Cook, Darby, Dean, Gerdes, C.J. Harris, Hefner, Holland, Hull, Metcalf, Murr, Noble, Patterson, Shaheen, Shine, Slawson, Spiller, Thimesch, Toth, VanDeaver, Vasut, and Wilson - no) (120 - 23 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 37 (Ashby, C. Bell, Cain, Clardy, Darby, Dean, Gerdes, C.E. Harris, C.J. Harris, Harrison, Hefner, Holland, Isaac, Metcalf, Schaefer, Shaheen, Shine, Swanson, Troxclair, and Vasut - no) (123 - 20 - 2) (Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 52 (Thimesch - no) (142 - 1 - 2)

SB 135 (Ashby, Burns, Cain, Clardy, Darby, Dean, Gerdes, C.J. Harris, Hefner, Landgraf, Metcalf, Murr, Patterson, Shaheen, Shine, Thimesch, Toth, VanDeaver, Vasut, and Wilson - no) (123 - 20 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 252 (Oliveron and Thimesch - no) (141 - 2 - 2)

SB 280 (Oliveron and Thimesch - no) (141 - 2 - 2)

SB 317 (Ashby, Cain, Darby, Dean, Gerdes, C.J. Harris, Patterson, Shaheen, Shine, Thimesch, Toth, Vasut, and Wilson - no) (130 - 13 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 348 (Hull, Patterson, Slawson, and Thimesch - no) (139 - 4 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 361 (Anderson, Ashby, Bonnen, Cain, Clardy, Darby, Dean, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Hayes, Holland, Hull, Isaac, Oliverson, Patterson, Paul, Schaefer, Shaheen, Slawson, Swanson, Thimesch, E. Thompson, Toth, Troxclair, Vasut, and Wilson - no) (114 - 29 - 2) (Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 372 (Patterson - no) (142 - 1 - 2)

SB 374 (Cain, Darby, Dean, Gerdes, C.J. Harris, Hefner, Patterson, Shaheen, Shine, Thimesch, Toth, Vasut, and Wilson - no) (130 - 13 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 414 (Cain, Darby, Dean, Gerdes, C.J. Harris, Shaheen, Shine, and Vasut - no) (135 - 8 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 485 (Cain, Darby, Dean, Gerdes, C.J. Harris, Shaheen, Shine, Thimesch, and Vasut - no) (134 - 9 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 496 (Anderson, Ashby, Bonnen, Cain, Capriglione, Clardy, Craddick, Darby, Dean, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Hayes, Hull, Isaac, Noble, Oliverson, Patterson, Paul, Price, Schaefer, Shaheen, Shine, Slawson, Swanson, Thimesch, E. Thompson, Troxclair, and Vasut - no) (112 - 31 - 2) (Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 526 (Holland, Patterson, and Thimesch - no) (140 - 3 - 2)

SB 539 (Cain, Darby, Dean, Gerdes, C.J. Harris, Patterson, Shaheen, Shine, Thimesch, and Vasut - no) (133 - 10 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 540 (Ashby, Cain, Darby, Dean, Gerdes, C.J. Harris, Patterson, Shaheen, Shine, Thimesch, and Vasut - no) (132 - 11 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 646 (Anderson, Cain, Gerdes, C.E. Harris, C.J. Harris, Harrison, Hayes, Holland, Hull, Isaac, Patterson, Paul, Schaefer, Shaheen, Slawson, Stucky, Swanson, Thimesch, E. Thompson, Troxclair, and Vasut - no) (122 - 21 - 2) (Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 658 (Patterson and Thimesch - no) (141 - 2 - 2)

SB 691 (Allison, Anderson, Ashby, Cain, Clardy, Darby, Dean, Gerdes, C.E. Harris, C.J. Harris, Patterson, Paul, Shaheen, Shine, Thimesch, E. Thompson, and Vasut - no) (126 - 17 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 739 (Thimesch - no) (142 - 1 - 2)

SB 867 (Ashby, K. Bell, Cain, Clardy, Darby, Dean, Gerdes, C.J. Harris, Patterson, Shaheen, Shine, Thimesch, Toth, and Vasut - no) (129 - 14 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 893 (Ashby, Cain, Clardy, Darby, Dean, Gerdes, C.J. Harris, Patterson, Shaheen, Shine, Thimesch, Toth, Vasut, and Wilson - no) (129 - 14 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 904 (Patterson and Thimesch - no) (141 - 2 - 2)

SB 983 (Allison, Anderson, Ashby, Cain, Darby, Dean, Gerdes, C.E. Harris, C.J. Harris, Harrison, Hayes, Hull, Isaac, Patterson, Paul, Schaefer, Shine, Slawson, Swanson, Thimesch, E. Thompson, Toth, Troxclair, Vasut, and Wilson - no) (118 - 25 - 2) (Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 1051 (Ashby, Cain, Darby, Dean, Gerdes, C.J. Harris, Patterson, Shaheen, Shine, and Vasut - no) (133 - 10 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 1122 (Anderson, Ashby, Burns, Cain, Clardy, Darby, Dean, Gerdes, C.E. Harris, C.J. Harris, Hull, Landgraf, Murr, Patterson, Paul, Shaheen, Shine, Slawson, Thimesch, E. Thompson, Toth, VanDeaver, Vasut, and Wilson - no) (119 - 24 - 2) (Isaac and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 1236 (Cain, Darby, Dean, Gerdes, C.J. Harris, Hefner, Metcalf, Patterson, Shaheen, Shine, Thimesch, and Vasut - no) (131 - 12 - 2) (Isaac and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 1393 (Patterson and Thimesch - no) (141 - 2 - 2)

SB 1439 (Allison, Hull, Slawson, and Thimesch - no) (139 - 4 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 1467 (Cain, Darby, Dean, Gerdes, C.J. Harris, Hull, Patterson, Shaheen, Shine, Slawson, Thimesch, and Vasut - no) (131 - 12 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 1551 (Ashby, Cain, Darby, Dean, Gerdes, C.J. Harris, Patterson, Shaheen, Shine, and Vasut - no) (133 - 10 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 1614 (Ashby, Cain, Darby, Dean, Gerdes, C.J. Harris, Patterson, Shaheen, Shine, Stucky, Thimesch, and Vasut - no) (131 - 12 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 1653

SB 1710 (Cain, Darby, Dean, Gerdes, C.J. Harris, and Shine - no) (137 - 6 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 2017 (Allison, Cain, Darby, Dean, Gerdes, C.J. Harris, Hefner, Metcalf, Patterson, Shaheen, Shine, Thimesch, Toth, Vasut, and Wilson - no) (128 - 15 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 2091 (Allison, Anderson, Ashby, C. Bell, Bonnen, Burns, Cain, Capriglione, Clardy, Cook, Craddick, Darby, Dean, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Hayes, Holland, Hull, Isaac, Landgraf, Murr, Noble, Oliverson, Patterson, Paul, Price, Schaefer, Shaheen, Shine, Slawson, Swanson, Thimesch, E. Thompson, Toth, Troxclair, VanDeaver, Vasut, and Wilson - no) (102 - 41 - 2) (Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 2106 (Ashby, Cain, Clardy, Darby, Dean, Gerdes, C.J. Harris, Hefner, Hull, Metcalf, Patterson, Shaheen, Shine, Slawson, Thimesch, Toth, and Vasut - no) (126 - 17 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 2119 (Cain, Clardy, Darby, Dean, Gerdes, C.J. Harris, Patterson, Shaheen, Shine, Thimesch, E. Thompson, Toth, Vasut, and Wilson - no) (129 - 14 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 2150 (Cain, Darby, Dean, Gerdes, C.J. Harris, Shaheen, Shine, Toth, Vasut, and Wilson - no) (133 - 10 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 2269 (Thimesch - no) (142 - 1 - 2)

SB 2275 (Patterson - no) (142 - 1 - 2)

SB 2310 (Ashby, Cain, Clardy, Darby, Dean, Gerdes, C.J. Harris, Hull, Patterson, Shaheen, Shine, Slawson, Toth, Vasut, and Wilson - no) (128 - 15 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 2333 (Patterson - no) (142 - 1 - 2)

SB 2379 (Ashby, Cain, Darby, Dean, Gerdes, C.J. Harris, Hull, Patterson, Shaheen, Shine, Slawson, Thimesch, E. Thompson, Toth, Vasut, and Wilson - no) (127 - 16 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 2399 (Cain, Darby, Dean, Gerdes, C.J. Harris, Hull, Patterson, Shaheen, Shine, Thimesch, E. Thompson, and Vasut - no) (131 - 12 - 2)

SB 2476 (Hull, Patterson, Slawson, and Thimesch - no) (139 - 4 - 2) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 2493 (Hull, Patterson, Slawson, and Thimesch - no) (139 - 4 - 2)

SB 2612 (Thimesch - no) (142 - 1 - 2)

REGULAR ORDER OF BUSINESS SUSPENDED

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

HR 1770 - ADOPTED (by Cole)

Representative Cole moved to suspend all necessary rules to take up and consider at this time **HR 1770**.

The motion prevailed.

The following resolution was laid before the house:

HR 1770, Recognizing May 19, 2023, as Manor Day at the State Capitol.

HR 1770 was adopted.

PROVIDING FOR A LOCAL, CONSENT, AND RESOLUTIONS CALENDAR

Representative C.J. Harris moved to set a local, consent, and resolutions calendar for 9 a.m. Wednesday, May 24.

The motion prevailed.

(Speaker in the chair)

**MAJOR STATE CALENDAR
SENATE BILLS
THIRD READING**

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

**SB 1045 ON THIRD READING
(Murr, Burrows, Schofield, Vasut, Landgraf, et al. - House Sponsors)**

SB 1045, A bill to be entitled An Act relating to the creation of the Fifteenth Court of Appeals with jurisdiction over certain civil cases, the compensation of the justices of that court, and the jurisdiction of the courts of appeals in this state.

Amendment No. 1

Representative Murr offered the following amendment to **SB 1045**:

Amend **SB 1045** on third reading in SECTION 1.03 of the bill, on page 2, lines 1 through 3, by striking added Section 22.216(n-1), Government Code, and substituting the following:

(n-1) The Court of Appeals for the Fifteenth Court of Appeals District consists of a chief justice and of four justices holding places numbered consecutively beginning with Place 2.

Amendment No. 1 was adopted.

Amendment No. 2

Representative J.E. Johnson offered the following amendment to **SB 1045**:

Amend **SB 1045** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 22, Government Code, is amended by adding Section 22.2152 to read as follows:

Sec. 22.2152. ADMINISTRATIVE ATTACHMENT OF FIFTEENTH COURT OF APPEALS TO OFFICE; PERSONNEL; REPORT. (a) In this section, "office" means the Office of Court Administration of the Texas Judicial System.

(b) The Court of Appeals for the Fifteenth Court of Appeals District is administratively attached to the office.

(c) The office shall provide administrative support to the Fifteenth Court of Appeals as necessary to enable the court to carry out its duties under this subchapter.

(d) The office may employ personnel necessary to provide administrative support to the Fifteenth Court of Appeals under this subchapter. All personnel employed under this subsection are employees of the office and state employees for all purposes, including accrual of leave time, insurance benefits, and retirement benefits and travel regulations.

(e) Only the Fifteenth Court of Appeals may exercise the duties of the court under this subchapter. Except as otherwise provided by this section, the office does not have any authority or responsibility related to the duties of the court under this subchapter.

(f) Not later than December 1 of each year, the office shall submit to the legislature a report on the number and types of cases heard by the Fifteenth Court of Appeals in the preceding state fiscal year.

Amendment No. 2 was adopted. (The vote was reconsidered later today, and Amendment No. 2 was withdrawn.)

SB 1045, as amended, was passed by (Record 1846): 83 Yeas, 60 Nays, 1 Present, not voting. (The vote was reconsidered later today, and **SB 1045** was further amended and was passed, as amended, by Record No. 1868.)

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Campos; Capriglione; Clardy; Cook; Craddick; Cunningham; Dean; DeAyala; Dorazio; Frank; Frazier; Garcia; 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; Romero; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Canales; Cole; Collier; Cortez; Darby; 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; Muñoz; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Rose; Rosenthal; Schaefer; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Tinderholt; Wu.

Absent — Neave Criado; Smithee.

STATEMENTS OF VOTE

When Record No. 1846 was taken, I was shown voting no. I intended to vote yes.

Cortez

When Record No. 1846 was taken, I was in the house but away from my desk. I would have voted yes.

Smithee

SB 1445 ON THIRD READING (Goldman - House Sponsor)

SB 1445, A bill to be entitled An Act relating to the continuation and functions of the Texas Commission on Law Enforcement; authorizing a fee.

SB 1445 was passed by (Record 1847): 143 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; 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.; 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; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Tinderholt; Wu.

Absent — Morales Shaw; Smithee.

STATEMENTS OF VOTE

When Record No. 1847 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

When Record No. 1847 was taken, I was shown voting yes. I intended to vote no.

Ramos

When Record No. 1847 was taken, I was in the house but away from my desk. I would have voted yes.

Smithee

(Wu now present)

SB 2040 ON THIRD READING

(Clardy, Holland, Canales, Goldman, and K. Bell - House Sponsors)

SB 2040, A bill to be entitled An Act relating to the continuation and transfer of the regulation of willed body programs to the Texas Funeral Service Commission, the regulation of willed body programs, non-transplant anatomical

donation organizations, and anatomical facilities, and the creation of the State Anatomical Advisory Committee; requiring registration; authorizing fees; authorizing an administrative penalty.

Amendment No. 1

Representative Clardy offered the following amendment to **SB 2040**:

Amend **SB 2040** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 651.057(a), Occupations Code, is amended to read as follows:

(a) The governor shall designate one member of the commission as the presiding officer of the commission to serve in that capacity at the pleasure of the governor ~~[for three years. In designating presiding officers, the governor shall alternate between public and nonpublic members].~~

Amendment No. 1 was adopted.

SB 2040, as amended, was passed by (Record 1848): 144 Yeas, 0 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; 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.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; 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.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

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

Absent, Excused — Herrero; Tinderholt.

Absent — Cortez.

STATEMENT OF VOTE

When Record No. 1848 was taken, I was shown voting yes. I intended to vote no.

Ramos

SB 3 ON THIRD READING**(Meyer, Bonnen, Burrows, Thierry, Raymond, et al. - House Sponsors)**

SB 3, A bill to be entitled An Act relating to providing property tax relief through the public school finance system, exemptions, limitations on appraisals and taxes, and property tax administration.

SB 3 was passed by (Record 1849): 147 Yeas, 0 Nays, 0 Present, not voting.

Yeas — 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; 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.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; 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.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Absent, Excused — Herrero; Tinderholt.

STATEMENTS OF VOTE

When Record No. 1849 was taken, I was shown voting yes. I intended to vote no.

J. Jones

When Record No. 1849 was taken, I was shown voting yes. I intended to vote no.

Ramos

CONSTITUTIONAL AMENDMENTS CALENDAR
SENATE JOINT RESOLUTIONS
THIRD READING

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

SJR 64 ON THIRD READING
(Talarico - House Sponsor)

SJR 64, A joint resolution proposing a constitutional amendment authorizing a local option exemption from ad valorem taxation by a county or municipality of all or part of the appraised value of real property used to operate a child-care facility.

SJR 64 was adopted by (Record 1850): 114 Yeas, 31 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Campos; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Cunningham; Darby; Davis; Dean; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.J.; Hefner; Hernandez; Hinojosa; Holland; Howard; Hunter; 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; 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; Oliverson; Ordaz; Ortega; Perez; Plesa; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Shaheen; Sherman; Shine; Smith; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bumgarner; Cain; Canales; Craddick; DeAyala; Dorazio; Gates; Harris, C.E.; Harrison; Hayes; Hull; Isaac; Leo-Wilson; Murr; Noble; Orr; Patterson; Paul; Price; Schaefer; Schatzline; Slawson; Smithee; Spiller; Swanson; Tepper; Thimesch; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Tinderholt.

Absent — Schofield.

STATEMENTS OF VOTE

When Record No. 1850 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 1850 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 1850 was taken, I was shown voting yes. I intended to vote no.

Kitzman

When Record No. 1850 was taken, I was shown voting yes. I intended to vote no.

J. Lopez

GENERAL STATE CALENDAR SENATE BILLS THIRD READING

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

SB 2601 ON THIRD READING
(Canales - House Sponsor)

SB 2601, A bill to be entitled An Act relating to payment of costs related to the relocation of certain utility facilities for state highway projects.

SB 2601 was passed by (Record 1851): 143 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; 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; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Tinderholt.

Absent — Ortega; Stucky; Wu.

STATEMENT OF VOTE

When Record No. 1851 was taken, my vote failed to register. I would have voted yes.

Stucky

SB 1677 ON THIRD READING
(Price - House Sponsor)

SB 1677, A bill to be entitled An Act relating to the establishment and administration of Health and Human Services Commission programs providing mental health services to certain individuals in this state.

SB 1677 was passed by (Record 1852): 142 Yeas, 0 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; 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.; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; 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.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

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

Absent, Excused — Herrero; Tinderholt.

Absent — Gervin-Hawkins; Kacal; Wu.

STATEMENT OF VOTE

When Record No. 1852 was taken, I was temporarily out of the house chamber. I would have voted yes.

Gervin-Hawkins

LEAVE OF ABSENCE GRANTED

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

Wu on motion of Turner.

SB 261 ON THIRD READING (Ashby - House Sponsor)

SB 261, A bill to be entitled An Act relating to titling and registration of assembled trailers.

SB 261 was passed by (Record 1853): 142 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; 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.; 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; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Tinderholt; Wu.

Absent — Hinojosa; Kitzman; Lozano.

STATEMENTS OF VOTE

When Record No. 1853 was taken, my vote failed to register. I would have voted yes.

Kitzman

When Record No. 1853 was taken, I was in the house but away from my desk. I would have voted yes.

Lozano

SB 796 ON THIRD READING (A. Johnson - House Sponsor)

SB 796, A bill to be entitled An Act relating to arbitration provisions in surplus lines insurance contracts.

Representative A. Johnson moved to postpone consideration of **SB 796** until the end of today's calendar.

The motion prevailed.

SB 247 ON THIRD READING (Perez - House Sponsor)

SB 247, A bill to be entitled An Act relating to specialty license plates issued for honorary consuls.

SB 247 was passed by (Record 1854): 143 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; 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; 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.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.;

Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; 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.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Tinderholt; Wu.

Absent — Garcia; Raney.

STATEMENTS OF VOTE

When Record No. 1854 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia

When Record No. 1854 was taken, my vote failed to register. I would have voted yes.

Raney

SB 629 ON THIRD READING

(Talarico, Oliverson, Leo-Wilson, Howard, Zwiener, et al. - House Sponsors)

SB 629, A bill to be entitled An Act relating to the maintenance, administration, and disposal of opioid antagonists on public and private school campuses and to the permissible uses of money appropriated to a state agency from the opioid abatement account.

SB 629 was passed by (Record 1855): 144 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; 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; 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; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Tinderholt; Wu.

Absent — Hinojosa.

STATEMENT OF VOTE

When Record No. 1855 was taken, I was in the house but away from my desk. I would have voted yes.

Hinojosa

SB 323 ON THIRD READING

(Kitzman - House Sponsor)

SB 323, A bill to be entitled An Act relating to the enforcement of commercial motor vehicle safety standards in certain counties.

SB 323 was passed by (Record 1856): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; 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; 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; 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; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Tinderholt; Wu.

Absent — Anchía; Bryant.

STATEMENT OF VOTE

When Record No. 1856 was taken, I was in the house but away from my desk. I would have voted yes.

Bryant

SB 1471 ON THIRD READING (Noble, Walle, Wilson, et al. - House Sponsors)

SB 1471, A bill to be entitled An Act relating to access by the Texas Education Agency and private schools to certain criminal history records.

SB 1471 was passed by (Record 1857): 143 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; 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; 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; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Tinderholt; Wu.

Absent — Hinojosa; Shaheen.

STATEMENT OF VOTE

When Record No. 1857 was taken, I was in the house but away from my desk. I would have voted yes.

Hinojosa

MAJOR STATE CALENDAR SENATE BILLS SECOND READING

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

SB 375 ON SECOND READING
(Darby - House Sponsor)

SB 375, A bill to be entitled An Act relating to the composition of districts for the election of members of the Texas Senate.

A record vote was requested.

SB 375 was passed to third reading by (Record 1858): 82 Yeas, 61 Nays, 1 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; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Kacal; 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.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Dutton; Flores; Gámez; Garcia; 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; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Tinderholt; Wu.

Absent — Davis; King, K.

STATEMENT OF VOTE

When Record No. 1858 was taken, my vote failed to register. I would have voted yes.

K. King

CSSB 12 ON SECOND READING
(Shaheen - House Sponsor)

CSSB 12, A bill to be entitled An Act relating to restricting certain sexually oriented performances on public property, on the premises of a commercial enterprise, or in the presence of a child; authorizing a civil penalty; creating a criminal offense.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 24 and Senate List Nos. 26 and 27).

(Goldman in the chair)

CSSB 12 - (consideration continued)

A record vote was requested.

CSSB 12 was passed to third reading by (Record 1859): 88 Yeas, 12 Nays, 42 Present, not voting.

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

Nays — Allen; Anchiá; Bowers; Bryant; Hernandez; Johnson, J.D.; Lalani; Morales Shaw; Perez; Ramos; Thompson, S.; Turner.

Present, not voting — Mr. Speaker; Bernal; Bucy; Campos; Canales; Cole; Collier; Davis; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; Goldman(C); González, J.; González, M.; Goodwin; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; Jones, J.; Jones, V.; Longoria; Lopez, R.; Manuel; Martinez Fischer; Meza; Moody; Morales, C.; Neave Criado; Ortega; Plesa; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Vo; Walle; Zwiener.

Absent, Excused — Herrero; Tinderholt; Wu.

Absent — Bhojani; King, T.; Landgraf; Ordaz.

STATEMENTS OF VOTE

When Record No. 1859 was taken, I was in the house but away from my desk. I would have voted no.

Bhojani

When Record No. 1859 was taken, I was shown voting yes. I intended to vote present, not voting.

Guerra

When Record No. 1859 was taken, I was shown voting present, not voting. I intended to vote no.

Hinojosa

When Record No. 1859 was taken, I was shown voting present, not voting. I intended to vote no.

J. Jones

When Record No. 1859 was taken, my vote failed to register. I would have voted yes.

Landgraf

When Record No. 1859 was taken, I was shown voting present, not voting. I intended to vote no.

C. Morales

When Record No. 1859 was taken, I was shown voting present, not voting. I intended to vote no.

Plesa

When Record No. 1859 was taken, I was shown voting present, not voting. I intended to vote yes.

Sherman

SB 24 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED

Representative Frank moved to suspend Rule 8, Section 5(d), of the House Rules to designate as house sponsors and co-sponsors for **SB 24** all joint authors and co-authors for **HB 4049** who sign on to **HB 4049** before **SB 24** passes the house on third reading.

The motion prevailed.

CSSB 24 ON SECOND READING (Frank, Noble, Hull, et al. - House Sponsors)

CSSB 24, A bill to be entitled An Act relating to the powers and duties of the Health and Human Services Commission and the transfer to the commission of certain powers and duties from the Department of Family and Protective Services.

CSSB 24 - REMARKS

REPRESENTATIVE MORALES SHAW: With the transition from DFPS to HHSC, Representative Frank, I just want to make sure that it's your intent that folks receiving the services from these programs don't experience a disruption in the services and that HHSC should work to ensure that the transition doesn't interrupt any current services.

REPRESENTATIVE FRANK: Yes, I am going to try to make sure that these services are coordinated. In fact, I've got an amendment that I'll be accepting from Representative Howard that will further state that we want those coordinated.

MORALES SHAW: You'll talk about that more with the amendment that you'll be accepting?

FRANK: Yes, I'll be happy too.

MORALES SHAW: Is it your intent that the PEI program providers continue to work with the state agencies in the same fashion that they have done historically?

FRANK: I don't know that I would say the exact same fashion, but I would certainly plan on them working with other state agencies. They're going to be in HHSC, so I think in many ways they'll be able to work closer with them. But we do fully expect them to work with other state agencies.

MORALES SHAW: Is there any change that you're aware of that the public and the body should know about in the way that they work together that this will change?

FRANK: No, ma'am.

MORALES SHAW: With the move to HHSC, is it your intent that the agency will continue to collaborate with the agencies that they have been in the same manner that DFPS has done in the past so that there's a continuity?

FRANK: Continuity is important, but saying the same—I don't think they're going to do it the same. We're putting it over at HHSC because we think it will be run better. I don't think it's the same, but I think it will be run similarly. I'm not trying to parse words, but it's going to be run by a different agency.

MORALES SHAW: Can you tell us a couple of the things that you anticipate will be better from it moving from one agency to the other?

FRANK: There's two reasons I believe it should move: One is when you look at HHSC—HHSC manages contracts, that's what they do. This program essentially manages money and hands out grant money. So I think it is a much better fit there than under the Department of Family Protection Services. As far as the Department of Family Protection Services, as many of you all know—I think DFPS is doing a much better job—but there is a long way to go before I consider them great in what they are doing. We want them focusing on their core mission. I just think it is a better place to house this program so that DFPS can focus on their core mission which is taking care of children. DFPS is actually a direct provider of services. HHSC really handles contracts, and this grant program is essentially a contract. I just believe it's a better place.

MORALES SHAW: Got it, okay. It sounds like it's mostly about efficiency and better use of state resources?

FRANK: I believe that is correct.

REMARKS ORDERED PRINTED

Representative Morales Shaw moved to print remarks between Representative Frank and Representative Morales Shaw on **CSSB 24**.

The motion prevailed.

Amendment No. 1

Representative Howard offered the following amendment to **CSSB 24**:

Amend **CSSB 24** (house committee report) as follows:

- (1) On page 8, line 10, strike "and".
- (2) On page 8, at the end of line T2, strike the period and substitute "; and".
- (3) On page 8, between lines 12 and 13, insert the following:
(10) identify strategies to minimize the disruption of the provision of family support services to children and families.

- (4) On page 44, between lines 18 and 19, insert the following:

(c) The Department of Family and Protective Services and the Health and Human Services Commission shall ensure that children and families receiving services under Chapter 265, Family Code, on the effective date of this Act continue to receive services with minimal disruption as the programs are transferred to the commission.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Holland offered the following amendment to **CSSB 24**:

Amend **CSSB 24** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill as appropriate:

SECTION _____. Subchapter A, Chapter 531, Government Code, is amended by adding Section 531.0045 to read as follows:

Sec. 531.0045. LIMIT ON SUNSET REVIEW. The Sunset Advisory Commission's review of the Health and Human Services Commission under Chapter 325 (Texas Sunset Act) during the period in which state agencies abolished in 2027 are reviewed may not include a review of the family support services programs transferred to the commission under Chapter 137, Human Resources Code, or the Thriving Texas Families Program established under Chapter 54, Health and Safety Code. This section expires September 1, 2027.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Flores offered the following amendment to **CSSB 24**:

Amend **CSSB 24** (house committee report) in SECTION 13 of the bill, in added Chapter 54, Health and Safety Code (page 43, between lines 24 and 25) by inserting the following:

Sec. 54.012. CONFIDENTIALITY. (a) Reports, records, and information obtained under this chapter are confidential, are not subject to disclosure under Chapter 552, Government Code, are not subject to subpoena, and may not otherwise be released or made public.

(b) Reports, records, and information obtained under this chapter are for the confidential use of the commission and the persons or public or private entities that the commission determines are necessary to carry out the intent of this chapter.

(c) All program services provided under this chapter must be provided confidentially. Subject to Subsection (b), the commission or a service provider participating in the program may not disclose to any person that an individual sought or received a program service unless the individual consents to the disclosure.

Amendment No. 3 failed of adoption.

CSSB 24, as amended, was passed to third reading.

CSSB 17 ON SECOND READING
(Kuempel, Shaheen, and Bonnen - House Sponsors)

CSSB 17, A bill to be entitled An Act relating to the purpose of public institutions of higher education and the powers and duties of the governing boards of those institutions.

CSSB 17 - POINT OF ORDER

Representative V. Jones raised a point of order against further consideration of **CSSB 17** under Rule 4, Section 32(c)(1), of the House Rules on the grounds that the background and purpose statement in the bill analysis is substantially or materially misleading. The point of order was withdrawn.

CSSB 17 - POINT OF ORDER

Representative J.D. Johnson raised a point of order against further consideration of **CSSB 17** under Rule 4, Section 32(c)(5), of the House Rules. The speaker overruled the point of order, announcing his decision to the house as follows:

Mr. Johnson of Harris raises a point of order against further consideration **CSSB 17** under Rule 4, Section 32(c)(5), on the grounds that the bill analysis does not adequately compare the original to the substitute.

Mr. Johnson notes that the engrossed bill authorizes a governing board to permit the use of diversity, equity, and inclusion offices or practices in student admissions, while the substitute authorizes the use of those offices or practices in student recruitment and admissions. He argues that these activities are different and that this change was required to be included in the analysis's comparison of the two versions. During argument, it was conceded that recruitment has a primary purpose of creating a pool of applicants from which an institution of higher education then admits prospective students.

Because recruitment is tied to the creation of a pool of applicants for which an institution then makes formal or informal decisions to admit, it is a subset of the admissions process. The substitute's addition is at best a non-essential clarification of the activities subsumed in the admissions process as a whole. The analysis complies with the rule. *Cf.* 86 H. Jour. 3291 (2019).

Accordingly, the point of order is respectfully overruled.

COMMITTEE MEETING ANNOUNCEMENT

At 12:49 p.m., the following committee meeting was announced:

State Affairs, upon final recess today, 1W.14, for a formal meeting, to consider pending, referred, and committee business.

CSSB 17 - (consideration continued)

Amendment No. 1

Representative Cole offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) on page 1, line 5, by striking the enacting clause.

A record vote was requested.

Amendment No. 1 failed of adoption by (Record 1860): 60 Yeas, 80 Nays, 2 Present, not voting.

Yeas — Allen; Anchiá; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Turner; Vo; Walle; 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; Gates; Gerdes; Geren; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; 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.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

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

Absent, Excused — Herrero; Tinderholt; Wu.

Absent — Frazier; Hull; King, T.; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1860 was taken, I was in the house but away from my desk. I would have voted no.

Frazier

When Record No. 1860 was taken, I was in the house but away from my desk. I would have voted no.

Hull

When Record No. 1860 was taken, I was in the house but away from my desk. I would have voted yes.

T. King

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).

CSSB 17 - (consideration continued)

REMARKS ORDERED PRINTED

Representative Cole moved to print all remarks on **CSSB 17**.

The motion prevailed. [Please refer to the supplement to this journal for the text of the debate on **CSSB 17**.]

Amendment No. 2

Representative Schaefer offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) on page 2 by striking lines 1 through 21 and substituting the following:

(1) influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws;

(2) promoting differential treatment of or providing special benefits to individuals on the basis of race, sex, color, or ethnicity;

(3) promoting policies or procedures designed or implemented in reference to race, sex, color, or ethnicity, other than policies or procedures approved in writing by the institution's general counsel and the office of the attorney general for the sole purpose of ensuring compliance with any applicable court order or state or federal law; or

(4) conducting trainings, programs, or activities designed or implemented in reference to race, sex, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by the institution's general counsel and the office of the attorney general for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

Amendment No. 2 - Point of Order

Representative Gervin-Hawkins raised a point of order against further consideration of Amendment No. 2 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. 3

Representative Dutton offered the following amendment to Amendment No. 2:

Amend the Schaefer amendment:

Strike everything in the amendment and add the following:

An all Anglo college of teachers, students, and administrators is acceptable.

Representative Kuempel moved to postpone consideration of **CSSB 17** until 3 p.m. today.

The motion prevailed.

**GENERAL STATE CALENDAR
SENATE BILLS
SECOND READING**

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

**SB 1745 ON SECOND READING
(Burrows - House Sponsor)**

SB 1745, A bill to be entitled An Act relating to the equalization of the rates of production fees charged on certain wells by the Barton Springs-Edwards Aquifer Conservation District; authorizing an increase in the rate of the fee.

SB 1745 was passed to third reading.

**SB 1802 ON SECOND READING
(Goldman - House Sponsor)**

SB 1802, A bill to be entitled An Act relating to administrative procedures in the architectural barriers program at the Texas Department of Licensing and Regulation.

SB 1802 was passed to third reading.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for the remainder of today because of important business:

Hernandez on motion of Cole.

Thierry on motion of Hefner.

**SB 998 ON SECOND READING
(Geren - House Sponsor)**

SB 998, A bill to be entitled An Act relating to an opioid-related drug overdose training program for certain alcoholic beverage permit holders.

A record vote was requested.

SB 998 was passed to third reading by (Record 1861): 127 Yeas, 8 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; 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; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.;

Harrison; Hefner; 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; Longoria; Lopez, J.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Troxclair; Turner; VanDeaver; Vo; Walle; Wilson; Zwiener.

Nays — Cain; Hayes; Leo-Wilson; Patterson; Slawson; Spiller; Toth; Vasut.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Anderson; Ashby; Leach; Lopez, R.; Martinez Fischer; Morales Shaw; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1861 was taken, I was in the house but away from my desk. I would have voted yes.

Anderson

When Record No. 1861 was taken, I was shown voting yes. I intended to vote no.

Harrison

When Record No. 1861 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 1861 was taken, I was in the house but away from my desk. I would have voted yes.

Morales Shaw

When Record No. 1861 was taken, I was in the house but away from my desk. I would have voted yes.

S. Thompson

SB 129 ON SECOND READING (Meyer - House Sponsor)

SB 129, A bill to be entitled An Act relating to the prosecution and punishment for possession or promotion of child pornography; increasing criminal penalties.

SB 129 was passed to third reading.

CSSB 1308 ON SECOND READING
(Geren - House Sponsor)

CSSB 1308, A bill to be entitled An Act relating to the operation of an unmanned aircraft over an airport or military installation; creating a criminal offense.

CSSB 1308 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE MARTINEZ: Just for the purpose of legislative intent, Representative Geren, I assume this bill is intended to restrict unauthorized recreational users from flying, and interfering with operations at airports and military installations. Is that correct?

REPRESENTATIVE GEREN: That is correct.

MARTINEZ: And then it's also not intended to prohibit aircrafts such as Advanced Air Mobility vehicles conducting operations approved for, or in accordance with, Federal Aviation Administration rules and regulations. Is that correct?

GEREN: That's absolutely correct.

REMARKS ORDERED PRINTED

Representative Martinez moved to print remarks between Representative Geren and Representative Martinez on **CSSB 1308**.

The motion prevailed.

CSSB 1308 was passed to third reading.

SB 2304 ON SECOND READING
(Hernandez - House Sponsor)

SB 2304, A bill to be entitled An Act relating to the regulation of driver education courses and driving safety courses and the provision of information regarding the Texas Driving with Disability Program to certain public school students.

SB 2304 - POINT OF ORDER

Representative Hayes raised a point of order against further consideration of **SB 2304** under Rule 8, Section 1(a)(1), of the House Rules on the grounds that the bill caption failed to give reasonable notice of the subject of the bill. The point of order was withdrawn.

A record vote was requested.

SB 2304 was passed to third reading by (Record 1862): 129 Yeas, 4 Nays, 2 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; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins;

González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hefner; Hinojosa; Holland; Howard; Hull; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; 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, E.; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Ramos; Raney; Raymond; Rogers; Romero; Rose; Rosenthal; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vasut; Vo; Walle; Zwiener.

Nays — Hayes; Schaefer; Toth; Wilson.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Cain; Craddick; Hunter; Kacal; Morales, C.; Morales Shaw; Price; Reynolds; Troxclair.

STATEMENTS OF VOTE

When Record No. 1862 was taken, I was temporarily out of the house chamber. I would have voted yes.

Cain

When Record No. 1862 was taken, I was in the house but away from my desk. I would have voted yes.

Craddick

When Record No. 1862 was taken, I was shown voting yes. I intended to vote no.

Harrison

When Record No. 1862 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 1862 was taken, I was in the house but away from my desk. I would have voted yes.

Morales Shaw

When Record No. 1862 was taken, I was in the house but away from my desk. I would have voted yes.

Price

SB 1040 ON SECOND READING

(Oliverson, Capriglione, C.E. Harris, Jetton, Anderson, et al. - House Sponsors)

SB 1040, A bill to be entitled An Act relating to health benefit plan coverage of a transplant of an organ that originated from or is transplanted in a country known to have participated in forced organ harvesting.

Amendment No. 1

Representative Oliverson offered the following amendment to **SB 1040**:

Amend **SB 1040** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. It is the intent of the legislature that this Act:

(1) combat the practice of forcibly harvesting organs from living persons for transplant without free, voluntary consent;

(2) bring awareness to China's state-sanctioned practice of forced organ harvesting of prisoners of conscience and other vulnerable persons, including Falun Gong practitioners, Uyghur Muslims, Tibetan Buddhists, and House Church Christians; and

(3) curb illicit transplant tourism and prevent residents of this state from unknowingly involving themselves in forced organ harvesting.

Amendment No. 1 was adopted.

SB 1040, as amended, was passed to third reading.

SB 1120 ON SECOND READING

(K. King - House Sponsor)

SB 1120, A bill to be entitled An Act relating to certain prohibited practices by a barber or cosmetologist.

SB 1120 - POINT OF ORDER

Representative Toth raised a point of order against further consideration of **SB 1120** under Rule 4, Section 32(c)(2), of the House Rules on the grounds that the bill analysis is substantially or materially misleading. The point of order was withdrawn.

Representative K. King moved to postpone consideration of **SB 1120** until 10 a.m. Monday, April 1, 2024.

The motion prevailed.

SB 467 ON SECOND READING

(Leach - House Sponsor)

SB 467, A bill to be entitled An Act relating to increasing the criminal penalty for the offense of criminal mischief involving impairment of a motor fuel pump.

SB 467 was passed to third reading.

CSSB 1001 ON SECOND READING
(K. King - House Sponsor)

CSSB 1001, A bill to be entitled An Act relating to the regulation of electric vehicle supply equipment; requiring an occupational registration; authorizing fees; authorizing an administrative penalty.

Amendment No. 1

Representative K. King offered the following amendment to **CSSB 1001**:

Amend **CSSB 1001** (house committee report) on page 5, line 16, as follows:

(1) Strike "and" and substitute ", is".

(2) Between "use" and the underlined period, insert ", and is funded by a public grant or a rebate program".

Amendment No. 1 was adopted.

A record vote was requested.

CSSB 1001, as amended, was passed to third reading by (Record 1863): 108 Yeas, 32 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.J.; 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; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, E.; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Orr; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Stucky; Talarico; Tepper; Thimesch; Turner; VanDeaver; Vo; Walle; Zwiener.

Nays — Bell, C.; Bumgarner; Cain; Dorazio; Gates; Harris, C.E.; Harrison; Hayes; Hefner; Hull; Isaac; Kitzman; Leo-Wilson; Metcalf; Morales, C.; Ordaz; Patterson; Paul; Schaefer; Schatzline; Shaheen; Slawson; Smith; Smithee; Spiller; Swanson; Thompson, E.; Thompson, S.; Toth; Troxclair; Vasut; Wilson.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Anderson; Morales Shaw.

STATEMENTS OF VOTE

When Record No. 1863 was taken, I was in the house but away from my desk. I would have voted no.

Anderson

When Record No. 1863 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 1863 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 1863 was taken, I was shown voting no. I intended to vote yes.

C.E. Harris

When Record No. 1863 was taken, I was shown voting yes. I intended to vote no.

C.J. Harris

When Record No. 1863 was taken, I was in the house but away from my desk. I would have voted yes.

Morales Shaw

SB 1900 ON SECOND READING
(Guillen - House Sponsor)

SB 1900, A bill to be entitled An Act relating to foreign terrorist organizations, including the compilation of information regarding, certain civil actions brought against, and the prosecution of certain organized crime offenses involving a foreign terrorist organization.

Amendment No. 1

Representative Guillen offered the following amendment to **SB 1900**:

Amend **SB 1900** (house committee report) as follows:

(1) On page 10, line 12, strike "71.02(a)" and substitute "71.02".
(2) On page 10, line 14, immediately before "(a)", insert "Sec. 71.02. ENGAGING IN ORGANIZED CRIMINAL ACTIVITY."

(3) On page 12, between lines 8 and 9, insert the following subsections:

(b) Except as provided in Subsections (c), ~~and~~ (d), and (e), an offense under this section is one category higher than the most serious offense listed in Subsection (a) that was committed, and if the most serious offense is a Class A misdemeanor, the offense is a state jail felony, except that the offense is a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for:

(1) life without parole, if the most serious offense is an aggravated sexual assault and if at the time of that offense the defendant is 18 years of age or older and:

(A) the victim of the offense is younger than six years of age;

(B) the victim of the offense is younger than 14 years of age and the actor commits the offense in a manner described by Section 22.021(a)(2)(A); or

(C) the victim of the offense is younger than 17 years of age and suffered serious bodily injury as a result of the offense;

(2) life or for any term of not more than 99 years or less than 30 years if the most serious offense is an offense under Section 20.06 that is punishable under Subsection (g) of that section; or

(3) life or for any term of not more than 99 years or less than 15 years if the most serious offense is an offense punishable as a felony of the first degree, other than an offense described by Subdivision (1) or (2).

(c) Notwithstanding Section 15.02(d), a conspiracy [Conspiring] to commit an offense under this section is punishable in [is of] the same manner as an offense under this section [degree as the most serious offense listed in Subsection (a) that the person conspired to commit].

(d) At the punishment stage of a trial, the defendant may raise the issue as to whether in voluntary and complete renunciation of the offense he withdrew from the combination before commission of an offense listed in Subsection (a) and made substantial effort to prevent the commission of the offense. If the defendant proves the issue in the affirmative by a preponderance of the evidence the offense is the same category of offense as the most serious offense listed in Subsection (a) that is committed [~~unless the defendant is convicted of conspiring to commit the offense, in which event the offense is one category lower than the most serious offense that the defendant conspired to commit].~~]

(e) An offense that is punishable as a second degree felony or as any lower category of offense under Subsection (b) is one additional category higher than the category listed under Subsection (b) if the person used or exhibited a deadly weapon during the commission of one or more of the offenses listed under Subsection (a) and if an offense is punishable as a Class A misdemeanor under Subsection (b), the offense is a state jail felony.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Guillen offered the following amendment to **SB 1900**:

Amend **SB 1900** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 557.001, Government Code, is amended by amending Subsection (a) and adding Subsection (b-1) to read as follows:

(a) A person commits an offense if the person knowingly:

(1) commits, attempts to commit, or conspires with one or more persons to commit an act intended to overthrow, destabilize, destroy, or alter the constitutional form of government of this state or of any political subdivision of this state by force, ~~or~~ violence, or a threat of force or violence;

(2) under circumstances that constitute a clear and present danger to the security of this state or a political subdivision of this state, advocates, advises, or teaches or conspires with one or more persons to advocate, advise, or teach a person to commit or attempt to commit an act described in Subdivision (1); or

(3) participates, with knowledge of the nature of the organization, in the management of an organization that engages in or attempts to engage in an act intended to overthrow, destabilize, destroy, or alter the constitutional form of government of this state or of any political subdivision of this state by force or violence.

(b-1) Notwithstanding Section 15.02(d), Penal Code, a conspiracy to commit an offense under this section is punishable in the same manner as an offense under this section.

Amendment No. 2 was adopted.

SB 1900, as amended, was passed to third reading.

**CSSB 1929 ON SECOND READING
(Dean - House Sponsor)**

CSSB 1929, A bill to be entitled An Act relating to the registration of virtual currency mining facilities in the ERCOT power region that demand a large load of interruptible power.

Amendment No. 1

Representative Dean offered the following amendment to **CSSB 1929**:

Amend **CSSB 1929** (house committee printing) on page 1, lines 20-22, by striking "the person anticipates that the facility will require a total load of more than 75 megawatts before the second anniversary of the date the agreement begins" and substituting "the facility requires a total load of more than 75 megawatts".

Amendment No. 1 was adopted.

CSSB 1929, as amended, was passed to third reading.

**SB 2016 ON SECOND READING
(Goldman - House Sponsor)**

SB 2016, A bill to be entitled An Act relating to the licensing and regulation of dietitians.

A record vote was requested.

SB 2016 was passed to third reading by (Record 1864): 100 Yeas, 28 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Bailes; Bell, C.; Bell, K.; Bernal; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cortez; Cunningham; Darby; Dean; DeAyala; Dutton; Flores; Frank; Frazier; Gámez; García; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hinojosa; Holland; Howard; Hunter; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Lalani; Lambert; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meza; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murr; Neave Criado; Oliverson; Ordaz; Orr; Ortega; Perez;

Plesa; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Schaefer; Schofield; Shaheen; Sherman; Shine; Talarico; Thimesch; Troxclair; Turner; VanDeaver; Vo; Walle; Zwiener.

Nays — Cain; Cook; Craddick; Dorazio; Gates; Gerdes; Harrison; Hayes; Hefner; Hull; Isaac; Leo-Wilson; Noble; Patterson; Paul; Price; Rogers; Schatzline; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thompson, E.; Toth; Vasut.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Ashby; Bhojani; Bonnen; Burrows; Davis; Jetton; Kuempel; Landgraf; Leach; Meyer; Morales Shaw; Rosenthal; Thompson, S.; Wilson.

STATEMENTS OF VOTE

When Record No. 1864 was taken, I was in the house but away from my desk. I would have voted no.

Ashby

When Record No. 1864 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 1864 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

When Record No. 1864 was taken, I was shown voting yes. I intended to vote no.

Bumgarner

When Record No. 1864 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 1864 was taken, I was shown voting yes. I intended to vote no.

C.E. Harris

When Record No. 1864 was taken, I was in the house but away from my desk. I would have voted yes.

Jetton

When Record No. 1864 was taken, I was in the house but away from my desk. I would have voted no.

Landgraf

When Record No. 1864 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

When Record No. 1864 was taken, I was shown voting yes. I intended to vote no.

Troxclair

When Record No. 1864 was taken, I was in the house but away from my desk. I would have voted no.

Wilson

**SB 1518 ON SECOND READING
(Guillen and Cook - House Sponsors)**

SB 1518, A bill to be entitled An Act relating to the establishment of a terrorist offender registry and to the supervision of those terrorist offenders; creating criminal offenses related to terrorism.

Representative Guillen moved to postpone consideration of **SB 1518** until 3 p.m. today.

The motion prevailed.

**SB 1517 ON SECOND READING
(Paul - House Sponsor)**

SB 1517, A bill to be entitled An Act relating to prohibiting certain academic boycotts of foreign countries by public institutions of higher education.

Amendment No. 1

Representative Paul offered the following amendment to **SB 1517**:

Amend **SB 1517** (house committee report) on page 1, line 21, following the underlined period, by adding "The boycott may not prevent a student enrolled at the institution from studying or being educated about the country."

Amendment No. 1 was adopted.

SB 1517, as amended, was passed to third reading.

**SB 493 ON SECOND READING
(Hefner, Patterson, Bumgarner, and Garcia - House Sponsors)**

SB 493, A bill to be entitled An Act relating to qualifications for certain individuals for veterans benefits.

SB 493 was passed to third reading.

**SB 736 ON SECOND READING
(Perez - House Sponsor)**

SB 736, A bill to be entitled An Act relating to mandatory arbitration for certain municipal fire departments and employee bargaining agents.

SB 736 was passed to third reading.

**SB 1346 ON SECOND READING
(Bowers - House Sponsor)**

SB 1346, A bill to be entitled An Act relating to the prosecution of certain littering offenses.

A record vote was requested.

SB 1346 was passed to third reading by (Record 1865): 120 Yeas, 13 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Button; Campos; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Hayes; Hinojosa; Holland; Howard; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leo-Wilson; 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; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Schofield; Shaheen; Sherman; Shine; Smith; Smithee; Spiller; Stucky; Talarico; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Zwiener.

Nays — Cain; Canales; Dean; Harris, C.J.; Harrison; Hefner; Isaac; Schaefer; Schatzline; Swanson; Toth; Vasut; Wilson.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Bonnen; Burrows; Gates; Leach; Metcalf; Ramos; Rosenthal; Slawson; Tepper.

STATEMENTS OF VOTE

When Record No. 1865 was taken, I was shown voting yes. I intended to vote no.

C. Bell

When Record No. 1865 was taken, I was shown voting yes. I intended to vote no.

C.E. Harris

When Record No. 1865 was taken, my vote failed to register. I would have voted no.

Metcalf

When Record No. 1865 was taken, I was in the house but away from my desk. I would have voted yes.

Ramos

When Record No. 1865 was taken, I was in the house but away from my desk. I would have voted yes.

Rosenthal

When Record No. 1865 was taken, I was in the house but away from my desk. I would have voted yes.

Slawson

When Record No. 1865 was taken, I was shown voting yes. I intended to vote no.

Troxclair

SB 1979 ON SECOND READING
(C.E. Harris - House Sponsor)

SB 1979, A bill to be entitled An Act relating to an annual study by the Texas A&M University Texas Real Estate Research Center of the purchase and sale of single-family homes by certain institutional buyers.

Amendment No. 1

Representative Morales Shaw offered the following amendment to **SB 1979**:

Amend **SB 1979** (house committee report) as follows:

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

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

; and

(3) an analysis of:

(A) the impact of institutional buyers on the cost of housing;

(B) the advantages, if any, that institutional buyers have over individual buyers in the real estate market.

Amendment No. 1 was adopted.

COMMITTEE MEETING ANNOUNCEMENT

At 2:16 p.m., the following committee meeting was announced:

Land and Resource Management, upon final recess today, 1W.14, for a formal meeting, to consider pending, referred, and committee business.

SB 1979 - (consideration continued)

Amendment No. 2

Representative Gates offered the following amendment to **SB 1979**:

Amend **SB 1979** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____ . Chapter 92, Property Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. STUDY ON REGULATION OF SHORT-TERM RENTAL PROPERTIES

Sec. 92.361. DEFINITIONS. In this subchapter:

(1) "Center" means the Texas A&M University Real Estate Research Center.

(2) "Residential amenity rental property" means a feature or facility that is:

(A) part of a residential property, including a single-family dwelling or a unit in a condominium, cooperative, mixed-use development, or timeshare; and

(B) rented for:

(i) a period of less than 15 hours; and

(ii) a purpose other than providing sleeping accommodations

to the lessee.

(3) "Short-term rental property" means a residential property, including a single-family dwelling or a unit in a condominium, cooperative, mixed-use development, or timeshare, that is rented wholly or partly for a fee for a period not longer than 30 consecutive days. The term does not include:

(A) a unit that is used for nonresidential purposes, including an educational, health care, retail, restaurant, banquet space, or event center purpose or another similar use;

(B) a bed and breakfast; or

(C) a commercial lodging establishment, including a hotel or motel, that is not taxed as residential property under Title 1, Tax Code.

Sec. 92.362. STUDY AND REPORT ON SHORT-TERM RENTAL PROPERTIES. (a) The center shall compile information related to the impact of municipal ordinances, rules, and other measures regulating short-term rental properties and residential amenity rental properties.

(b) The center shall solicit information from persons representing the interests of:

(1) a large urban community;

(2) a small urban community;

(3) a coastal community;

(4) law enforcement; and

(5) neighborhoods.

Sec. 92.363. REPORT. Not later than December 31, 2024, the center shall submit to the legislature a written report that includes:

(1) a summary of the center's findings on:

(A) the impact of rental properties and residential amenity rental properties on the quality of life in communities where those properties are located, including impacts on crime, noise, local school enrollments, and other unintended consequences;

(B) the ordinances impacting short-term rental properties and residential amenity rental properties;

(C) the economic impact of ordinances on short-term rental properties and residential amenity rental properties;

(D) the remittance of state and local taxes by short-term rental property and residential amenity rental property owners;

(E) local registration and reporting requirements for short-term rental properties and residential amenity rental properties;

(F) the economic impact and hidden costs of short-term rental properties and residential amenity rental properties on communities, including:

- (i) responses to resident complaints;
- (ii) increased crime;
- (iii) inability to fully enforce sex offender registry laws;
- (iv) lack of affordable housing for local workers and others;
- (v) decreased school enrollments;
- (vi) loss of population-based state and federal funding; and
- (vii) other unintended consequences;

(G) increased costs to municipalities, homeowners' associations, and residents from short-term rental properties and residential amenity rental properties in a community in which those properties are located and methods to reimburse those costs from the state; and

(H) lessons from other municipalities and states on successes and failures with short-term rental property and residential amenity rental property regulations; and

(2) legislative recommendations regarding:

(A) whether there is sufficient justification for statewide regulation of short-term rental properties and residential amenity rental properties, considering regulation of land use has long been entrusted to local governments;

(B) potential benefits and costs of adopting statewide regulations of short-term rental properties and residential amenity rental properties;

(C) appropriate protection of local health, safety, morals, and general welfare regulations;

(D) methods to create greater accountability of entities engaged in the business of operating an Internet-based platform to facilitate the rental of short-term rental properties and residential amenity rental properties, including methods to:

(i) audit and increase the payment of state and municipal hotel occupancy taxes; and

(ii) diminish or eliminate disturbances in residential neighborhoods;

(E) methods for the state to reimburse municipalities for hiring additional code enforcement officers and to reimburse homeowners who suffer financial and emotional hardships as a result of living near a short-term rental property or residential amenity rental property;

(F) the ability of municipalities to adequately address the effect of short-term rental properties and residential amenity rental properties on neighborhoods, neighbors, and families through the enforcement of nuisance regulations and criminal citations, with consideration given to the transient nature of short-term rental property and residential amenity rental property activity;

(G) the ability of municipalities to impose reasonable density restrictions on the location and proliferation of short-term rental properties and residential amenity rental properties to maintain the character of single-family residential neighborhoods;

(H) the value of elected municipal officials having the ability to adopt specific short-term rental property and residential amenity rental property regulations that can effectively address a community's particular needs and economic conditions;

(I) whether a neighborhood should be authorized to prohibit short-term rental properties if the municipality in which the neighborhood is located has adopted an ordinance that requires a higher percentage of property owners to be residents of the neighborhood than the deed restrictions for the neighborhood; and

(J) the effect of state preemption on short-term rental property and residential amenity rental property regulations in other states.

Sec. 92.364. EXPIRATION. Sections 92.362 and 92.363 and this section expire January 1, 2025.

Amendment No. 2 - Point of Order

Representative Leo-Wilson raised a point of order against further consideration of Amendment No. 2 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. 2 was withdrawn.

A record vote was requested.

SB 1979, as amended, was passed to third reading by (Record 1866): 131 Yeas, 5 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Button; Campos; Canales; Capriglione; Clardy; Cole; Cook; Cortez; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; 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; 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; Thimesch; Thompson, E.; Toth; Troxclair; Turner; VanDeaver; Vo; Wilson; Zwiener.

Nays — Cain; Collier; Davis; Jones, V.; Vasut.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Burrows; González, M.; Leach; Patterson; Thompson, S.; Walle.

STATEMENTS OF VOTE

When Record No. 1866 was taken, I was shown voting no. I intended to vote yes.

Cain

When Record No. 1866 was taken, I was in the house but away from my desk. I would have voted yes.

Patterson

When Record No. 1866 was taken, I was shown voting no. I intended to vote yes.

Vasut

POSTPONED BUSINESS

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

SB 796 ON THIRD READING (A. Johnson - House Sponsor)

SB 796, A bill to be entitled An Act relating to arbitration provisions in surplus lines insurance contracts.

SB 796 was read third time earlier today and was postponed until this time.

SB 796 was passed by (Record 1867): 136 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Button; 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; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hefner; 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; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Zwiener.

Nays — Cain; Raney; Wilson.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Burrows; Harrison; Swanson.

STATEMENTS OF VOTE

When Record No. 1867 was taken, I was shown voting no. I intended to vote yes.

Cain

When Record No. 1867 was taken, I was in the house but away from my desk. I would have voted yes.

Harrison

When Record No. 1867 was taken, I was in the house but away from my desk. I would have voted yes.

Swanson

When Record No. 1867 was taken, I was shown voting yes. I intended to vote no.

Toth

When Record No. 1867 was taken, I was shown voting no. I intended to vote yes.

Wilson

SB 2011 - RECOMMITTED

Representative Hunter moved to recommit **SB 2011** to the Committee on State Affairs.

The motion prevailed.

SB 1045 - VOTE RECONSIDERED

Representative Murr moved to reconsider the vote by which **SB 1045**, as amended, was passed by Record No. 1846.

The motion to reconsider prevailed.

**SB 1045 ON THIRD READING
(Murr - House Sponsor)**

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

SB 1045, A bill to be entitled An Act relating to the creation of the Fifteenth Court of Appeals with jurisdiction over certain civil cases, the compensation of the justices of that court, and the jurisdiction of the courts of appeals in this state.

SB 1045 was read third time earlier today and was passed, as amended, by Record No. 1846.

Amendment No. 2 - Vote Reconsidered

Representative J.E. Johnson moved to reconsider the vote by which Amendment No. 2 was adopted.

The motion to reconsider prevailed.

Amendment No. 2 was withdrawn.

Amendment No. 3

Representative J.E. Johnson offered the following amendment to **SB 1045**:

Amend **SB 1045** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 22, Government Code, is amended by adding Section 22.2152 to read as follows:

Sec. 22.2152. REPORT ON FIFTEENTH COURT OF APPEALS. Not later than December 1 of each year, the Office of Court Administration of the Texas Judicial System shall submit to the legislature a report on the number and types of cases heard by the Court of Appeals for the Fifteenth Court of Appeals District in the preceding state fiscal year.

Amendment No. 3 was adopted.

SB 1045, as amended, was passed by (Record 1868): 91 Yeas, 47 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bhojani; Bonnen; Bowers; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Cook; Cortez; Craddick; Cunningham; Dean; DeAyala; Dorazio; Dutton; Frank; Gates; Gerdes; Geren; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hunter; Isaac; Jetton; Johnson, J.D.; Kacal; King, K.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morales Shaw; Morrison; Muñoz; Murr; Noble; Oliverson; Orr; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Rogers; Schaefer; Schatzline; Shaheen; Shine; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Anchía; Bernal; Bryant; Bucy; Campos; Cole; Collier; Darby; Davis; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Neave Criado; Ordaz; Ortega; Plesa; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner; Vo; Walle; Zwiener.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Frazier; Hull; Schofield; Slawson.

STATEMENTS OF VOTE

When Record No. 1868 was taken, I was shown voting yes. I intended to vote no.

Allen

When Record No. 1868 was taken, I was shown voting yes. I intended to vote no.

Bhojani

When Record No. 1868 was taken, I was shown voting no. I intended to vote yes.

Campos

When Record No. 1868 was taken, I was in the house but away from my desk. I would have voted yes.

Frazier

When Record No. 1868 was taken, I was shown voting no. I intended to vote yes.

Garcia

When Record No. 1868 was taken, I was shown voting yes. I intended to vote no.

Guerra

When Record No. 1868 was taken, I was in the house but away from my desk. I would have voted yes.

Hull

When Record No. 1868 was taken, I was shown voting yes. I intended to vote no.

J.D. Johnson

When Record No. 1868 was taken, I was shown voting yes. I intended to vote no.

Lalani

When Record No. 1868 was taken, I was shown voting yes. I intended to vote no.

Morales Shaw

When Record No. 1868 was taken, I was shown voting yes. I intended to vote no.

Muñoz

When Record No. 1868 was taken, I was shown voting yes. I intended to vote no.

Perez

When Record No. 1868 was taken, I was shown voting yes. I intended to vote no.

Ramos

When Record No. 1868 was taken, I was shown voting yes. I intended to vote no.

Raymond

When Record No. 1868 was taken, I was in the house but away from my desk. I would have voted yes.

Slawson

**HB 2354 - HOUSE DISCHARGES CONFEREES
HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Hefner called up with senate amendments for consideration at this time,

HB 2354, A bill to be entitled An Act relating to the eligibility of land to continue to be appraised for ad valorem tax purposes as qualified open-space land following a transfer to a surviving spouse or surviving child.

Representative Hefner moved to discharge the conferees and concur in the senate amendments to **HB 2354**.

The motion to discharge the conferees and concur in the senate amendments to **HB 2354** prevailed by (Record 1869): 136 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; 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; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Nays — Collier; Sherman.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Bhojani; Gámez; Johnson, J.D.; Manuel.

STATEMENTS OF VOTE

When Record No. 1869 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

When Record No. 1869 was taken, I was shown voting no. I intended to vote yes.

Collier

When Record No. 1869 was taken, I was in the house but away from my desk. I would have voted yes.

Manuel

When Record No. 1869 was taken, I was shown voting no. I intended to vote yes.

Sherman

Senate Committee Substitute

CSHB 2354, A bill to be entitled An Act relating to the eligibility of land to continue to be appraised for ad valorem tax purposes as qualified open-space land following a transfer to a surviving spouse.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 23.54, Tax Code, is amended by adding Subsection (e-1) to read as follows:

(e-1) For purposes of Subsection (e), ownership of the land is not considered to have changed if ownership of the land is transferred from the former owner to the surviving spouse of the former owner.

SECTION 2. This Act takes effect January 1, 2024.

**HB 1442 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative E. Morales called up with senate amendments for consideration at this time,

HB 1442, A bill to be entitled An Act relating to the prosecution of certain criminal conduct involving a reckless driving exhibition or racing on a highway and to the forfeiture of contraband as a result of a reckless driving exhibition.

Representative E. Morales moved to concur in the senate amendments to **HB 1442**.

The motion to concur in the senate amendments to **HB 1442** prevailed by (Record 1870): 132 Yeas, 1 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; 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; González, J.;

González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hinojosa; Holland; Howard; 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; Leo-Wilson; 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; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Nays — Morales Shaw.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Bonnen; Burrows; Gámez; Leach; Longoria; Ramos; Rogers; Shaheen.

STATEMENT OF VOTE

When Record No. 1870 was taken, I was in the house but away from my desk. I would have voted yes.

Rogers

Senate Committee Substitute

CSHB 1442, A bill to be entitled An Act relating to the prosecution of certain criminal conduct involving a reckless driving exhibition or racing on a highway and to the forfeiture of contraband as a result of a reckless driving exhibition.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 59.01(2), Code of Criminal Procedure, is amended to read as follows:

(2) "Contraband" means property of any nature, including real, personal, tangible, or intangible, that is:

(A) used in the commission of:

(i) any first or second degree felony under the Penal Code;

(ii) any felony under Section 15.031(b), 21.11, or 38.04 or Chapter 29, 30, 31, 32, 33, 33A, or 35, Penal Code;

(iii) any felony under Chapter 43, Penal Code, except as provided by Paragraph (B);

(iv) any felony under The Securities Act (Title 12, Government Code); or

(v) any offense under Chapter 49, Penal Code, that is punishable as a felony of the third degree or state jail felony, if the defendant has been previously convicted three times of an offense under that chapter;

(B) used or intended to be used in the commission of:

- (i) any felony under Chapter 481, Health and Safety Code (Texas Controlled Substances Act);
- (ii) any felony under Chapter 483, Health and Safety Code;
- (iii) a felony under Chapter 151, Finance Code;
- (iv) any felony under Chapter 20A or 34, Penal Code;
- (v) a Class A misdemeanor under Subchapter B, Chapter 365, Health and Safety Code, if the defendant has been previously convicted twice of an offense under that subchapter;
- (vi) any felony under Chapter 32, Human Resources Code, or Chapter 31, 32, 35A, or 37, Penal Code, that involves a health care program, as defined by Section 35A.01, Penal Code;
- (vii) a Class B misdemeanor under Chapter 522, Business & Commerce Code;
- (viii) a Class A misdemeanor under Section 306.051, Business & Commerce Code;
- (ix) any offense under Section 42.10, Penal Code;
- (x) any offense under Section 46.06(a)(1) or 46.14, Penal Code;
- (xi) any offense under Chapter 71, Penal Code;
- (xii) any offense under Section 20.05, 20.06, 20.07, 43.04, or 43.05, Penal Code;
- (xiii) an offense under Section 326.002, Business & Commerce Code; ~~or~~
- (xiv) ~~a Class A misdemeanor or~~ any offense ~~[felony]~~ under Section 545.420, Transportation Code~~—other than a Class A misdemeanor that is classified as a Class A misdemeanor based solely on conduct constituting a violation of Subsection (e)(2)(B) of that section~~; or
- (xv) any offense punishable under Section 42.03(d) or (e), Penal Code;

(C) the proceeds gained from the commission of a felony listed in Paragraph (A) or (B) of this subdivision, a misdemeanor listed in Paragraph (B)(vii), (ix), (x), (xi), ~~or~~ (xii), (xiv), or (xv) of this subdivision, or a crime of violence;

(D) acquired with proceeds gained from the commission of a felony listed in Paragraph (A) or (B) of this subdivision, a misdemeanor listed in Paragraph (B)(vii), (ix), (x), (xi), ~~or~~ (xii), (xiv), or (xv) of this subdivision, or a crime of violence;

(E) used to facilitate or intended to be used to facilitate the commission of a felony under Section 15.031 or Chapter 43, Penal Code; or

(F) used to facilitate or intended to be used to facilitate the commission of an offense under Section 20.05, 20.06, or 20.07 or Chapter 20A, Penal Code.

SECTION 2. Section 42.03, Penal Code, is amended by adding Subsection (g) to read as follows:

(g) If conduct that constitutes an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section or the other law, but not both.

SECTION 3. Section 71.02(a), Penal Code, is amended to read as follows:

(a) A person commits an offense if, with the intent to establish, maintain, or participate in a combination or in the profits of a combination or as a member of a criminal street gang, the person commits or conspires to commit one or more of the following:

(1) murder, capital murder, arson, aggravated robbery, robbery, burglary, theft, aggravated kidnapping, kidnapping, aggravated assault, aggravated sexual assault, sexual assault, continuous sexual abuse of young child or disabled individual, solicitation of a minor, forgery, deadly conduct, assault punishable as a Class A misdemeanor, burglary of a motor vehicle, or unauthorized use of a motor vehicle;

(2) any gambling offense punishable as a Class A misdemeanor;

(3) promotion of prostitution, aggravated promotion of prostitution, or compelling prostitution;

(4) unlawful manufacture, transportation, repair, or sale of firearms or prohibited weapons;

(5) unlawful manufacture, delivery, dispensation, or distribution of a controlled substance or dangerous drug, or unlawful possession of a controlled substance or dangerous drug through forgery, fraud, misrepresentation, or deception;

(5-a) causing the unlawful delivery, dispensation, or distribution of a controlled substance or dangerous drug in violation of Subtitle B, Title 3, Occupations Code;

(6) any unlawful wholesale promotion or possession of any obscene material or obscene device with the intent to wholesale promote the same;

(7) any offense under Subchapter B, Chapter 43, depicting or involving conduct by or directed toward a child younger than 18 years of age;

(8) any felony offense under Chapter 32;

(9) any offense under Chapter 36;

(10) any offense under Chapter 34, 35, or 35A;

(11) any offense under Section 37.11(a);

(12) any offense under Chapter 20A;

(13) any offense under Section 37.10;

(14) any offense under Section 38.06, 38.07, 38.09, or 38.11;

(15) any offense under Section 42.10;

(16) any offense under Section 46.06(a)(1) or 46.14;

(17) any offense under Section 20.05 or 20.06;

(18) any offense under Section 16.02; [✗]

(19) any offense punishable under Section 42.03(d) or (e);

(20) [19] any offense classified as a felony under the Tax Code; or

(21) any offense under Section 545.420, Transportation Code.

SECTION 4. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 5. This Act takes effect September 1, 2023.

**HB 1263 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative S. Thompson called up with senate amendments for consideration at this time,

HB 1263, A bill to be entitled An Act relating to the ability of a local authority to designate school crossing zones and school crosswalks at high school campuses located in certain municipalities.

Representative S. Thompson moved to concur in the senate amendments to **HB 1263**.

The motion to concur in the senate amendments to **HB 1263** prevailed by (Record 1871): 138 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchiá; 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; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; 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; 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; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Zwiener.

Nays — Cain; Toth; Vasut; Wilson.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

STATEMENT OF VOTE

When Record No. 1871 was taken, I was shown voting yes. I intended to vote no.

Isaac

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 1263** (senate committee report) as follows:

(1) In the recital to SECTION 1 of the bill (page 1, line 25), strike "Subsection (d)" and substitute "Subsections (d) and (e)".

(2) In SECTION 1 of the bill, strike added Section 542.203(d), Transportation Code (page 1, lines 26-30), and substitute the following:

(d) A local authority's standards, policies, orders, ordinances, regulations, or other measures that designate a school crossing zone or school crosswalk must include a high school campus that is located in a municipality with a population of two million or more.

(e) On request of an administrator of a high school campus described by Subsection (d), a local authority shall determine the components, including any engineering report, necessary to designate a school crossing zone or school crosswalk at the campus and shall make the designation. This subsection does not apply to a high school campus undergoing major expansion or new construction that requires the preparation of a traffic impact analysis as part of the permitting process.

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

SECTION _____. Not later than September 1, 2023, a local authority described by Section 542.203(d), Transportation Code, as added by this Act, shall:

(1) update all applicable school zone standards, policies, orders, ordinances, and regulations to comply with that section; and

(2) post the updates described by Subdivision (1) of this section on a publicly accessible Internet website with clear instructions describing the process by which a designation request may be made under Section 542.203(e), Transportation Code, as added by this Act.

HB 1712 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative E. Morales called up with senate amendments for consideration at this time,

HB 1712, A bill to be entitled An Act relating to the inclusion of a magistrate's name on certain signed orders.

Representative E. Morales moved to concur in the senate amendments to **HB 1712**.

The motion to concur in the senate amendments to **HB 1712** prevailed by (Record 1872): 141 Yeas, 0 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; García; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; 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; Muñoz; Murr; Neave Criado;

Noble; 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; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Oliverson.

Senate Committee Substitute

CSHB 1712, A bill to be entitled An Act relating to the inclusion of a magistrate's name on certain signed orders.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.101 to read as follows:

Art. 2.101. MAGISTRATE'S NAME ON SIGNED ORDER. (a) Any signed order that is issued by a magistrate under this code or any signed order pertaining to a criminal matter that is issued by a magistrate under the Family Code, the Government Code, or other law of this state must include, with the magistrate's signature, the magistrate's name in legible handwriting, legible typewritten form, or legible stamp print.

(b) The failure of a magistrate to include the magistrate's name on an order as provided by Subsection (a) does not affect the validity of the order.

(c) A defendant in a criminal action may make a motion to add to an order that does not comply with Subsection (a) the name of the magistrate who signed the order if:

(1) the order is relevant to the action; and

(2) the defendant is unable to identify the magistrate who signed the order.

(d) The supreme court may adopt rules to implement this article.

SECTION 2. The change in law made by this Act in adding Article 2.101, Code of Criminal Procedure, applies to a signed order issued by a magistrate on or after the effective date of this Act. A signed order issued by a magistrate before the effective date of this Act is governed by the law in effect on the date the order was issued, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2023.

HB 1416 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative K. Bell called up with senate amendments for consideration at this time,

HB 1416, A bill to be entitled An Act relating to accelerated instruction provided to public school students who fail to achieve satisfactory performance on certain assessment instruments.

Representative K. Bell moved to concur in the senate amendments to **HB 1416**.

The motion to concur in the senate amendments to **HB 1416** prevailed by (Record 1873): 141 Yeas, 1 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; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; 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; 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; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Nays — Hinojosa.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

STATEMENT OF VOTE

When Record No. 1873 was taken, I was shown voting yes. I intended to vote no.

Ramos

Senate Committee Substitute

CSHB 1416, A bill to be entitled An Act relating to accelerated instruction provided to public school students who fail to achieve satisfactory performance on certain assessment instruments.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 28.0211, Education Code, is amended to read as follows:

Sec. 28.0211. [~~ACCELERATED LEARNING COMMITTEE;~~] ACCELERATED INSTRUCTION; MODIFIED TEACHER ASSIGNMENT.

SECTION 2. Section 28.0211, Education Code, is amended by amending Subsections (a), (a-1), (a-4), (a-5), (f), (f-1), (f-2), (f-3), (g), (h), (i), (j), (k), and (n) and adding Subsections (a-7), (a-8), (a-9), (a-10), (a-11), (a-12), (a-13), (a-14), (b), (b-1), (i-1), (l), (q), and (r) to read as follows:

(a) To ensure that each student achieves at least satisfactory performance on each assessment instrument administered under Section 39.023, a [A] school district shall ensure that the district's curricular and instructional systems provide instruction to all students that:

(1) is consistently aligned with the essential knowledge and skills for the applicable subject area and grade level; and

(2) strategically and timely addresses deficiencies in the prerequisite essential knowledge and skills for the applicable subject area and grade level ~~[establish an accelerated learning committee described by Subsection (c) for each student who does not perform satisfactorily on:~~

~~[(1) the third grade mathematics or reading assessment instrument under Section 39.023;~~

~~[(2) the fifth grade mathematics or reading assessment instrument under Section 39.023; or~~

~~[(3) the eighth grade mathematics or reading assessment instrument under Section 39.023].~~

(a-1) Each time a student fails to perform satisfactorily on an assessment instrument administered under Section 39.023(a) or (1) in the third, fourth, fifth, sixth, seventh, or eighth grade or an end-of-course assessment instrument administered under Section 39.023(c), other than an assessment instrument developed or adopted based on alternative academic achievement standards, the school district in which the student attends school shall provide to the student accelerated instruction in the applicable subject area during the subsequent summer or school year and, subject to Subsections (a-7) and (a-8), either:

(1) allow the student to be assigned a classroom teacher who is certified as a master, exemplary, or recognized teacher under Section 21.3521 for the subsequent school year in the applicable subject area; or

(2) provide the student supplemental instruction under Subsection (a-4).

(a-4) If a district receives funding under Section 29.0881 or 48.104, the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Div. M, Pub. L. No. 116-260), or the American Rescue Plan Act of 2021 (Pub. L. No. 117-2), then supplemental instruction provided by a school district under Subsection (a-1)(2) must:

(1) include targeted instruction in the essential knowledge and skills for the applicable grade levels and subject area;

(2) be provided in addition to instruction normally provided to students in the grade level in which the student is enrolled;

(3) be provided ~~[for no less than 30 total hours]~~ during the subsequent summer or school year:

(A) to each student for no less than:

(i) 15 hours; or

(ii) 30 hours for a student whose performance on the

applicable assessment instrument was significantly below satisfactory, as defined by commissioner rule; and

(B) [5] unless the instruction is provided to a student fully during summer, ~~[include instruction]~~ no less than once per week during the school year, except as otherwise provided by commissioner rule to account for school holidays or shortened school weeks;

(4) be designed to assist the student in achieving satisfactory performance in the applicable grade level and subject area;

(5) include effective instructional materials designed for supplemental instruction;

(6) be provided to a student individually or in a group of no more than four ~~three~~ students, unless the parent or guardian of each student in the group authorizes a larger group;

(7) be provided by a person with training in the applicable instructional materials for the supplemental instruction and under the oversight of the school district; and

(8) to the extent possible, be provided by one person for the entirety of the student's supplemental instruction period.

(a-5) Each school district shall establish a process allowing for the parent or guardian of a student who fails to perform satisfactorily on an assessment instrument specified under Subsection (a-1) ~~[(a)]~~ to make a request for district consideration that the student be assigned to a particular classroom teacher in the applicable subject area for the subsequent school year, if more than one classroom teacher is available.

(a-7) The requirements under Subsection (a-1)(1) or (2) do not apply to a student who is retained at a grade level for the school year in which those requirements would otherwise apply.

(a-8) A school district may not be required to provide supplemental instruction under Subsection (a-1)(2) to a student in more than two subject areas per school year. If the district would otherwise be required to provide supplemental instruction to a student in more than two subject areas for a school year, the district shall prioritize providing supplemental instruction to the student in mathematics and reading, or Algebra I, English I, or English II, as applicable, for that school year.

(a-9) A parent or guardian of a student to whom supplemental instruction will be provided under Subsection (a-1)(2) and who either was administered and failed to perform satisfactorily on an assessment instrument specified under Subsection (a-1) or was administered a beginning-of-year assessment instrument aligned with the essential knowledge and skills for the applicable subject area, including a student to whom Subsection (b) applies, may elect to modify or remove a requirement for that instruction under Subsection (a-4) by submitting a written request to an administrator of the campus at which the student is enrolled. A school district may not encourage or direct a parent or guardian to make an election under this subsection that would allow the district to:

(1) not provide supplemental instruction to the student; or

(2) provide supplemental instruction in a group larger than authorized under Subsection (a-4)(6).

(a-10) A school district is not required to provide accelerated instruction under Subsection (a-1) to a student who, instead of being administered an assessment instrument specified under Subsection (a-1), was administered a substitute assessment instrument in accordance with other law or agency rule authorizing the use of the substitute assessment instrument for purposes of satisfying the requirements concerning the applicable assessment instrument under Subsection (a-1).

(a-11) The agency shall approve one or more products that use an automated, computerized, or other augmented method for providing supplemental instruction under Subsection (a-1)(2) that may be used in lieu of some or all of the individual or group instruction required under Subsection (a-4)(6), as appropriate for the applicable grade level and subject area and a student's academic deficiency. The agency may approve a product under this subsection only if evidence indicates that the product is more effective than the individual or group instruction required under Subsection (a-4)(6). The commissioner shall adopt rules regarding when a product approved under this subsection may be used and the requirements under Subsection (a-4) for which the product may be substituted.

(a-12) For the purpose of providing accelerated instruction or supplemental instruction under this section, a school district may use a service provider that is not on a list of service providers approved by the agency if the district can demonstrate to the commissioner that use of the service provider results in measurable improvement in student outcomes.

(a-13) A school district that is required to provide to a student accelerated instruction under Subsection (a-1) or supplemental instruction under Subsection (a-1)(2) is not required to provide additional instruction under either provision to the student based on the student's failure to perform satisfactorily on an assessment instrument administered as an optional assessment in the same subject area in which the district is required to provide the student the accelerated or supplemental instruction.

(a-14) A school district shall provide to the parent or guardian of a student who fails to perform satisfactorily on an assessment instrument specified under Subsection (a-1) notice that the student is not performing on grade level in the applicable subject area. Notwithstanding Subsection (h), the district must provide the notice at a parent-teacher conference or, if the district is unable to provide the notice at a parent-teacher conference, by another means. The agency shall develop and provide to school districts a model notice in plain language for use under this section.

(b) For each student who does not perform satisfactorily on an assessment instrument specified under Subsection (a-1) for two or more consecutive school years in the same subject area, the school district the student attends shall develop an accelerated education plan as described by Subsection (f).

(b-1) A school district shall make a good faith attempt to provide to the parent or guardian of a student to whom Subsection (b) applies a parent-teacher conference with the student's primary teacher at the start and end of the subsequent school year. At the conference, the district shall provide the student's parent or guardian with:

(1) the notice required under Subsection (a-14); and

(2) an explanation of:

(A) the accelerated instruction to which the student is entitled under this section; and

(B) the accelerated education plan that must be developed for the student under Subsection (f) and the manner in which the parent or guardian may participate in developing the plan.

(f) Not ~~[An accelerated learning committee described by Subsection (e) shall, not]~~ later than the start of the subsequent school year, a school district shall develop an accelerated education ~~[educational]~~ plan for each ~~[the]~~ student to whom Subsection (b) applies that provides the necessary accelerated instruction to enable the student to perform at the appropriate grade or course level by the conclusion of the school year. The plan:

(1) must:

(A) identify the reason the student did not perform satisfactorily on the applicable assessment instrument specified under Subsection (a-1); and

(B) notwithstanding Subsection (a-4)(3)(A), require the student to be provided with no less than 30 hours, or a greater number of hours if appropriate, of supplemental instruction under Subsection (a-4) for each consecutive school year in which the student does not perform satisfactorily on the assessment instrument in the applicable subject area specified under Subsection (a-1); and

(2) may require that, as appropriate to ensure the student performs satisfactorily on the assessment instrument in the applicable subject area specified under Subsection (a-1) at the next administration of the assessment instrument:

(A) the district expand the times in which supplemental instruction under Subsection (a-4) is available to the student;

(B) the student be assigned for the school year to a specific teacher who is better able to provide accelerated instruction; and

(C) the district provide any necessary additional resources to the student.

(f-1) The accelerated education ~~[educational]~~ plan under Subsection (f) must be documented in writing, and a copy must be provided to the student's parent or guardian.

(f-2) During the school year, the student shall be monitored to ensure that the student is progressing in accordance with the accelerated education plan developed under Subsection (f). ~~[The district shall administer to the student the assessment instrument for the grade level in which the student is placed at the time the district regularly administers the assessment instruments for that school year.]~~

(f-3) The board of trustees of each school district shall adopt a policy consistent with the grievance procedure adopted under Section 26.011 to allow a parent to contest the content or implementation of an accelerated education [educational] plan developed under Subsection (f).

(g) This section does not preclude the retention at a grade level, in accordance with state law or school district policy, of a student who performs satisfactorily on an assessment instrument specified under Subsection (a-1) ~~[(a)]~~.

(h) In each instance under this section in which a school district is specifically required to provide notice or a written copy to a parent or guardian of a student, the district shall make a good faith effort to ensure that such notice or copy is provided either in person or by regular mail and that the notice or copy is clear and easy to understand and is written in English or the parent or guardian's native language.

(i) The admission, review, and dismissal committee of a student who participates in a district's special education program under Subchapter A, Chapter 29, and who does not perform satisfactorily on an assessment instrument specified under Subsection (a-1) shall, at the student's next annual review meeting, review the student's participation and progress in, as applicable, accelerated instruction provided under Subsection (a), supplemental instruction provided under Subsection (a-1)(2), or an accelerated education plan developed under Subsection (f). The student's parent may request, or the district may schedule, an additional committee meeting if a committee member believes that the student's individualized education program needs to be modified based on the requirements under this section. If the district refuses to convene a committee meeting requested by the student's parent under this subsection, the district shall provide the parent with written notice explaining the reason the district refuses to convene the meeting [(a) and administered under Section 39.023(a) or (b) must meet to determine the manner in which the student will participate in an accelerated instruction program under this section].

(i-1) If a student who attends school in a homebound or other off-campus instructional arrangement, including at a residential treatment campus or state hospital, is unable to participate in an accelerated instruction program required under this section due to the student's medical condition, the school district may determine that the student be provided the accelerated instruction when the student attends school in an on-campus instructional setting. If the student's medical condition prevents the student from attending school in an on-campus instructional setting for the school year during which the accelerated instruction is required to be provided to the student, the district is not required to provide the accelerated instruction to the student for that school year.

(j) A school district or open-enrollment charter school shall provide students required to attend accelerated programs under this section with transportation to those programs if the programs occur outside of regular school hours, unless the district or school does not operate, or contract or agree with another entity to operate, a transportation system.

(k) The commissioner may adopt rules as necessary to implement this section, including rules for required reporting necessary to support student transfers.

(l) The agency shall monitor and evaluate the effectiveness of the accelerated instruction required under this section.

(n) Except as requested under Subsection (a-5) or provided by Subsection (n-1), a student for whom an accelerated education plan must be developed [who fails to perform satisfactorily on an assessment instrument specified] under Subsection (b) [(a) and is promoted to the next grade level] must be assigned, in each [the subsequent] school year and [in each] subject covered by the accelerated education plan, [in which the student failed to perform satisfactorily on an assessment instrument specified under Subsection (a)] to an appropriately certified teacher who meets all state and federal qualifications to teach that subject and grade.

(q) The commissioner may waive the requirements under this section regarding accelerated instruction for a school district for each school year in which at least 60 percent of the students who received accelerated instruction during the school year immediately preceding the previous school year, including at least 60 percent of students whose performance on the applicable assessment instrument was significantly below satisfactory, as defined by commissioner rule, performed satisfactorily in the previous school year on the assessment instrument in each subject in which the student previously failed to perform satisfactorily. For purposes of determining whether a school district qualifies for a waiver under this subsection, the commissioner shall:

(1) if a student received accelerated instruction in more than one subject during the applicable school year, consider the student's performance on the assessment instrument in each subject separately from the student's performance on the assessment instrument for each other subject; and

(2) by rule provide that a school district may not qualify for a waiver if students who are receiving special education services or are educationally disadvantaged are overrepresented among the students in the district who received accelerated instruction during the school year immediately preceding the previous school year and did not perform satisfactorily in the previous school year on the assessment instrument in each applicable subject.

(r) Not later than the beginning of each school year, the commissioner shall publish a list of school districts that qualify for a waiver under Subsection (q).

SECTION 3. Section 29.0881(e), Education Code, is amended to read as follows:

(e) A school district or open-enrollment charter school that receives grant funds under this section may use the funds to:

(1) financially support or train or otherwise prepare educators and other staff;

(2) pay for agreements with other entities to provide prekindergarten services; or

(3) pay for accelerated instruction provided under Section 28.0211 [~~or 28.0217~~].

SECTION 4. Section 39.025(b-1), Education Code, is amended to read as follows:

(b-1) A school district shall provide each student who fails to perform satisfactorily as determined by the commissioner under Section 39.0241(a) on an end-of-course assessment instrument with accelerated instruction under Section 28.0211 ~~[28.0217]~~ in the subject assessed by the assessment instrument.

SECTION 5. The following provisions of the Education Code are repealed:

- (1) Sections 28.0211(c), (f-4), and (f-5); and
- (2) Section 28.0217.

SECTION 6. The changes in law made by this Act to Section 28.0211, Education Code, apply beginning with assessment instruments administered during the 2023 spring semester.

SECTION 7. The repeal by this Act of Section 28.0217, Education Code, applies beginning with the 2023-2024 school year.

SECTION 8. (a) Notwithstanding any other section of this Act, in a state fiscal year, the Texas Education Agency is not required to implement a provision found in another section of this Act that is drafted as a mandatory provision imposing a duty on the agency to take an action unless money is specifically appropriated to the agency for that fiscal year to carry out that duty. The Texas Education Agency may implement the provision in that fiscal year to the extent other funding is available to the agency to do so.

(b) If, as authorized by Subsection (a) of this section, the Texas Education Agency does not implement the mandatory provision in a state fiscal year, the agency, in its legislative budget request for the next state fiscal biennium, shall certify that fact to the Legislative Budget Board and include a written estimate of the costs of implementing the provision in each year of that next state fiscal biennium.

(c) This section and the suspension of the Texas Education Agency's duty to implement a mandatory provision of this Act, as provided by Subsection (a) of this section, expires and the duty to implement the mandatory provision resumes on September 1, 2027.

SECTION 9. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **CSHB 1416** (senate committee report) in SECTION 2 of the bill, in added Section 28.0211(i-1), Education Code, by striking "medical" in each of the following places it appears:

- (1) page 5, line 25; and
- (2) page 5, line 28.

**HB 2121 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

Representative Paul called up with senate amendments for consideration at this time,

HB 2121, A bill to be entitled An Act relating to the form of a rendition statement or property report used to render property for ad valorem tax purposes.

Representative Paul moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 2121**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 2121**: Paul, chair; Murr, Perez, E. Thompson, and Turner.

**HB 3099 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Stucky called up with senate amendments for consideration at this time,

HB 3099, A bill to be entitled An Act relating to the designation of a portion of U.S. Highway 380 in Wise and Jack Counties as the Lost Battalion Memorial Highway.

Representative Stucky moved to concur in the senate amendments to **HB 3099**.

The motion to concur in the senate amendments to **HB 3099** prevailed by (Record 1874): 139 Yeas, 3 Nays, 2 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; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; 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; 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; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Nays — Cain; Gates; Toth.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

STATEMENT OF VOTE

When Record No. 1874 was taken, I was shown voting no. I intended to vote yes.

Toth

Senate Committee Substitute

CSHB 3099, A bill to be entitled An Act relating to the designation of a portion of U.S. Highway 380 in Wise and Jack Counties as the Lost Battalion Memorial Highway.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 225, Transportation Code, is amended by adding Section 225.217 to read as follows:

Sec. 225.217. LOST BATTALION MEMORIAL HIGHWAY. (a) The portion of U.S. Highway 380 in Wise and Jack Counties between its intersection with U.S. Highway 281 and its intersection with County Road 3001 is designated as the Lost Battalion Memorial Highway. The designation is in addition to any other designation.

(b) Subject to Section 225.021(c), the department shall:

(1) design and construct markers indicating the designation as the Lost Battalion Memorial Highway and any other appropriate information; and

(2) erect a marker at each end of the highway and at appropriate intermediate sites along the highway.

SECTION 2. This Act takes effect September 1, 2023.

HB 697 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Holland called up with senate amendments for consideration at this time,

HB 697, A bill to be entitled An Act relating to seller's disclosures for the sale of residential real property.

Representative Holland moved to concur in the senate amendments to **HB 697**.

The motion to concur in the senate amendments to **HB 697** prevailed by (Record 1875): 139 Yeas, 2 Nays, 2 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; 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; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; 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; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Rane; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Nays — Cain; Toth.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Gámez.

STATEMENT OF VOTE

When Record No. 1875 was taken, I was shown voting yes. I intended to vote present, not voting.

Morales Shaw

Senate Committee Substitute

CSHB 697, relating to seller's disclosures regarding fuel gas piping in residential real property.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 5.008(b), Property Code, is amended to read as follows:

(b) The notice must be executed and must, at a minimum, read substantially similar to the following:

SELLER'S DISCLOSURE NOTICE
CONCERNING THE PROPERTY AT _____
(Street Address and City)

THIS NOTICE IS A DISCLOSURE OF SELLER'S KNOWLEDGE OF THE CONDITION OF THE PROPERTY AS OF THE DATE SIGNED BY SELLER AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PURCHASER MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OF ANY KIND BY SELLER OR SELLER'S AGENTS.

Seller ___ is ___ is not occupying the Property.

If unoccupied, how long since Seller has occupied the Property?

1. The Property has the items checked below:

Write Yes (Y), No (N), or Unknown (U).

___ Range
___ Dishwasher

___ Oven
___ Trash Compactor

___ Microwave
___ Disposal

- | | | |
|---|--|--|
| <input type="checkbox"/> Washer/Dryer | <input type="checkbox"/> Window | <input type="checkbox"/> Rain Gutters |
| <input type="checkbox"/> Hookups | <input type="checkbox"/> Screens | |
| <input type="checkbox"/> Security System | <input type="checkbox"/> Fire Detection Equipment | <input type="checkbox"/> Intercom System |
| | <input type="checkbox"/> Smoke Detector | |
| | <input type="checkbox"/> Smoke Detector - Hearing Impaired | |
| | <input type="checkbox"/> Carbon Monoxide Alarm | |
| | <input type="checkbox"/> Emergency Escape Ladder(s) | |
| <input type="checkbox"/> TV Antenna | <input type="checkbox"/> Cable TV Wiring | <input type="checkbox"/> Satellite Dish |
| <input type="checkbox"/> Ceiling Fan(s) | <input type="checkbox"/> Attic Fan(s) | <input type="checkbox"/> Exhaust Fan(s) |
| <input type="checkbox"/> Central A/C | <input type="checkbox"/> Central Heating | <input type="checkbox"/> Wall/Window Air Conditioning |
| <input type="checkbox"/> Plumbing System | <input type="checkbox"/> Septic System | <input type="checkbox"/> Public Sewer System |
| <input type="checkbox"/> Patio/Decking | <input type="checkbox"/> Outdoor Grill | <input type="checkbox"/> Fences |
| <input type="checkbox"/> Pool | <input type="checkbox"/> Sauna | <input type="checkbox"/> Spa |
| | | <input type="checkbox"/> Hot Tub |
| <input type="checkbox"/> Pool Equipment | <input type="checkbox"/> Pool Heater | <input type="checkbox"/> Automatic Lawn Sprinkler System |
| <input type="checkbox"/> Fireplace(s) & Chimney (Woodburning) | | <input type="checkbox"/> Fireplace(s) & Chimney (Mock) |
| <input type="checkbox"/> Natural Gas Lines | | <input type="checkbox"/> Gas Fixtures |
| <input type="checkbox"/> Liquid Propane Gas: | <input type="checkbox"/> LP Community (Captive) | <input type="checkbox"/> LP on Property |
| <u>Fuel Gas Piping:</u> | <u>Black Iron Pipe</u> | <u>Corrugated</u> |
| | <u>Copper</u> | <u>Stainless Steel Tubing</u> |
| Garage: <input type="checkbox"/> Attached | <input type="checkbox"/> Not Attached | <input type="checkbox"/> Carport |
| Garage Door Opener(s): | <input type="checkbox"/> Electronic | <input type="checkbox"/> Control(s) |
| Water Heater: | <input type="checkbox"/> Gas | <input type="checkbox"/> Electric |
| Water Supply: <input type="checkbox"/> City | <input type="checkbox"/> Well <input type="checkbox"/> MUD | <input type="checkbox"/> Co-op |

Roof Type: _____ Age: _____ (approx)

Are you (Seller) aware of any of the above items that are not in working condition, that have known defects, or that are in need of repair?

Yes No Unknown.

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary): _____

2. Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766, Health and Safety Code?*

Yes No Unknown.

If the answer to the question above is no or unknown, explain. (Attach additional sheets if necessary): _____

*Chapter 766 of the Health and Safety Code requires one-family or two-family dwellings to have working smoke detectors installed in accordance with the requirements of the building code in effect in the area in which the dwelling is located, including performance, location, and power source requirements. If you do not know the building code requirements in effect in your area, you may check unknown above or contact your local building official for more information. A buyer may require a seller to install smoke detectors for the hearing impaired if: (1) the buyer or a member of the buyer's family who will reside in the dwelling is hearing impaired; (2) the buyer gives the seller written evidence of the hearing impairment from a licensed physician; and (3) within 10 days after the effective date, the buyer makes a written request for the seller to install smoke detectors for the hearing impaired and specifies the locations for installation. The parties may agree who will bear the cost of installing the smoke detectors and which brand of smoke detectors to install.

3. Are you (Seller) aware of any known defects/malfunctions in any of the following?

Write Yes (Y) if you are aware, write No (N) if you are not aware.

- | | | |
|--|---|---|
| <input type="checkbox"/> Interior Walls | <input type="checkbox"/> Ceilings | <input type="checkbox"/> Floors |
| <input type="checkbox"/> Exterior Walls | <input type="checkbox"/> Doors | <input type="checkbox"/> Windows |
| <input type="checkbox"/> Roof | <input type="checkbox"/> Foundation/
Slab(s) | <input type="checkbox"/> Basement |
| <input type="checkbox"/> Walls/Fences | <input type="checkbox"/> Driveways | <input type="checkbox"/> Sidewalks |
| <input type="checkbox"/> Plumbing/Sewers/
Septics | <input type="checkbox"/> Electrical
Systems | <input type="checkbox"/> Lighting
Fixtures |
| <input type="checkbox"/> Other Structural Components (Describe): _____ | | |

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary): _____

4. Are you (Seller) aware of any of the following conditions?

Write Yes (Y) if you are aware, write No (N) if you are not aware.

- | | |
|---|--|
| <input type="checkbox"/> Active Termites
(includes
wood-destroying insects) | <input type="checkbox"/> Previous Structural
or Roof Repair |
| <input type="checkbox"/> Termite or Wood Rot Damage
Needing Repair | <input type="checkbox"/> Hazardous or Toxic Waste |

- Previous Termite Damage
- Previous Termite Treatment
- Improper Drainage
- Water Damage Not Due to a Flood Event

- Asbestos Components
- Urea formaldehyde
- Insulation
- Radon Gas
- Lead Based Paint
- Aluminum Wiring
- Previous Fires

- Landfill, Settling, Soil Movement, Fault Lines
- Single Blockable Main Drain in Pool/Hot Tub/Spa*

- Unplatted Easements
- Subsurface Structure or Pits
- Previous Use of Premises for Manufacture of Methamphetamine

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary): _____

*A single blockable main drain may cause a suction entrapment hazard for an individual.

5. Are you (Seller) aware of any item, equipment, or system in or on the property that is in need of repair? Yes (if you are aware) No (if you are not aware). If yes, explain (attach additional sheets as necessary).

6. Are you (Seller) aware of any of the following conditions?*

Write Yes (Y) if you are aware, write No (N) if you are not aware.

- Present flood insurance coverage
- Previous flooding due to a failure or breach of a reservoir or a controlled or emergency release of water from a reservoir
- Previous water penetration into a structure on the property due to a natural flood event

Write Yes (Y) if you are aware and check wholly or partly as applicable, write No (N) if you are not aware.

Located () wholly () partly in a 100-year floodplain (Special Flood Hazard Area-Zone A, V, A99, AE, AO, AH, VE, or AR)

Located () wholly () partly in a 500-year floodplain (Moderate Flood Hazard Area-Zone X (shaded))

- Located () wholly () partly in a floodway
- Located () wholly () partly in a flood pool
- Located () wholly () partly in a reservoir

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary): _____

* For purposes of this notice:

"100-year floodplain" means any area of land that:

(A) is identified on the flood insurance rate map as a special flood hazard area, which is designated as Zone A, V, A99, AE, AO, AH, VE, or AR on the map;

(B) has a one percent annual chance of flooding, which is considered to be a high risk of flooding; and

(C) may include a regulatory floodway, flood pool, or reservoir.

"500-year floodplain" means any area of land that:

(A) is identified on the flood insurance rate map as a moderate flood hazard area, which is designated on the map as Zone X (shaded); and

(B) has a two-tenths of one percent annual chance of flooding, which is considered to be a moderate risk of flooding.

"Flood pool" means the area adjacent to a reservoir that lies above the normal maximum operating level of the reservoir and that is subject to controlled inundation under the management of the United States Army Corps of Engineers.

"Flood insurance rate map" means the most recent flood hazard map published by the Federal Emergency Management Agency under the National Flood Insurance Act of 1968 (42 U.S.C. Section 4001 et seq.).

"Floodway" means an area that is identified on the flood insurance rate map as a regulatory floodway, which includes the channel of a river or other watercourse and the adjacent land areas that must be reserved for the discharge of a base flood, also referred to as a 100-year flood, without cumulatively increasing the water surface elevation more than a designated height.

"Reservoir" means a water impoundment project operated by the United States Army Corps of Engineers that is intended to retain water or delay the runoff of water in a designated surface area of land.

7. Have you (Seller) ever filed a claim for flood damage to the property with any insurance provider, including the National Flood Insurance Program (NFIP)?*

Yes No.

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary): _____

*Homes in high risk flood zones with mortgages from federally regulated or insured lenders are required to have flood insurance. Even when not required, the Federal Emergency Management Agency (FEMA) encourages homeowners in high risk, moderate risk, and low risk flood zones to purchase flood insurance that covers the structure(s) and the personal property within the structure(s).

8. Have you (Seller) ever received assistance from FEMA or the U.S. Small Business Administration (SBA) for flood damage to the property?

Yes No.

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary): _____

9. Are you (Seller) aware of any of the following?

section, a transfer of property occurs before the effective date of this Act if the contract binding the purchaser to purchase the property is executed before that date.

SECTION 3. This Act takes effect September 1, 2023.

**HB 473 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

Representative Hull called up with senate amendments for consideration at this time,

HB 473, relating to parental rights regarding a threat assessment of a student conducted by a public school's threat assessment and safe and supportive school team.

Representative Hull moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 473**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 473**: Hull, chair; Allison, A. Johnson, Leo-Wilson, and Morales Shaw.

**HB 679 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative K. Bell called up with senate amendments for consideration at this time,

HB 679, A bill to be entitled An Act relating to limitations on the use of workers' compensation insurance experience modifier values in soliciting and awarding public and private construction contracts.

Representative K. Bell moved to concur in the senate amendments to **HB 679**.

The motion to concur in the senate amendments to **HB 679** prevailed by (Record 1876): 133 Yeas, 8 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; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddock; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hefner; 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; 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; Slawson; Smith; Smithee; Spiller; Stucky; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Zwiener.

Nays — Cain; Gates; Harrison; Manuel; Swanson; Toth; Vasut; Wilson.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Hinojosa.

STATEMENTS OF VOTE

When Record No. 1876 was taken, I was shown voting yes. I intended to vote no.

J. González

When Record No. 1876 was taken, I was in the house but away from my desk. I would have voted yes.

Hinojosa

When Record No. 1876 was taken, I was shown voting yes. I intended to vote no.

Isaac

Senate Committee Substitute

CSHB 679, A bill to be entitled An Act relating to limitations on the use of workers' compensation insurance experience modifier values in soliciting and awarding public construction contracts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter Z, Chapter 2252, Government Code, is amended by adding Section 2252.909 to read as follows:

Sec. 2252.909. VOIDABLE CONTRACT PROVISION: EXPERIENCE MODIFIER. (a) In this section:

(1) "Contract" means a contract awarded by a governmental entity that is:

(A) a construction contract, as defined by Section 272.0001, Business & Commerce Code; or

(B) a contract for constructing, altering, or repairing a public building or carrying out or completing any public work.

(2) "Contract solicitation" means a request for bids, proposals, qualifications, offers, or other responses from potential contractors under a contract.

(3) "Experience modifier" means a factor expressed as a value that:

(A) is assigned to an employer seeking to purchase a workers' compensation insurance policy in this state;

(B) affects the premium amount for the policy; and

(C) is based on the employer's past loss experience.

(4) "Governmental entity" means:

(A) a department, commission, board, office, or other agency in the executive branch of state government created by the state constitution or a state statute, including an institution of higher education as defined by Section 61.003, Education Code; or

(B) a political subdivision of this state, including a municipality, county, or special purpose district.

(b) With respect to a contract:

(1) an offer to contract may not contain a term requiring a person to have a specified experience modifier in order to accept the offer; and

(2) a contract solicitation may not require a person to have a specified experience modifier in order to submit a response to the contract solicitation.

(c) A contract or an agreement collateral to or affecting a contract may not require the contractor to have a specified experience modifier.

(d) A contract solicitation, an offer, a contract, or an agreement collateral to or affecting a contract that violates Subsection (b) or (c) is voidable as against public policy.

SECTION 2. Section 2252.909, Government Code, as added by this Act, applies only to a contract for which a governmental entity first advertises or otherwise solicits offers on or after the effective date of this Act. A contract for which a governmental entity first advertised or otherwise solicited offers before the effective date of this Act is governed by the law in effect on the date the governmental entity first advertised or otherwise solicited offers, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2023.

HB 207 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Murr called up with senate amendments for consideration at this time,

HB 207, A bill to be entitled An Act relating to the exclusion of certain conveyances from classification as sham or pretended sales.

Representative Murr moved to concur in the senate amendments to **HB 207**.

The motion to concur in the senate amendments to **HB 207** prevailed by (Record 1877): 140 Yeas, 0 Nays, 3 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; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; 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; 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; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Smithee.

Senate Committee Substitute

CSHB 207, A bill to be entitled An Act relating to the exclusion of certain conveyances from classification as sham or pretended sales.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 41, Property Code, is amended by adding Section 41.0022 to read as follows:

Sec. 41.0022. CERTAIN CONVEYANCES NOT SHAM OR PRETENDED SALES. (a) In this section:

(1) "Entity" means a domestic or foreign:

(A) corporation, professional corporation, or professional association;

(B) limited liability company or professional limited liability company; or

(C) limited partnership.

(2) "Parcel" means one or more parcels.

(b) The conveyance of a parcel not meeting the definition of an urban homestead under Section 41.002(a) or (c) by an individual to an entity in which the individual or individual's spouse has a direct or indirect ownership interest is not a sham or pretended sale, including a pretended sale under Section 50(c), Article XVI, Texas Constitution, if:

(1) the deed conveying the parcel is recorded at least 30 days before the entity grants a mortgage, trust deed, or other lien on the parcel;

(2) the individual does not reside on the parcel at the time of the conveyance;

(3) the parcel is not contiguous to the parcel on which the individual resides;

(4) the deed conveying the parcel does not contain a condition of defeasance; and

(5) the individual recorded contemporaneously with the deed an affidavit substantially in the form prescribed by Subsection (d).

(c) An individual executing a deed under Subsection (b) is estopped from claiming that:

(1) the conveyance is a sham or pretended sale, including a pretended sale under Section 50(c), Article XVI, Texas Constitution; or

(2) the individual had not abandoned homestead rights, if any, in the parcel by executing the deed.

(d) At the time of recording a deed under Subsection (b), an individual grantor of the deed shall record an affidavit containing the following:

(1) a title caption stating "Affidavit Regarding Conveyance To An Entity";

(2) the date of the affidavit;

(3) a description of the deed containing:

(A) the title of the deed;

(B) the date of the deed;

(C) the name and address of the individual grantor; and

(D) the name and address of the entity grantee;

(4) a description of the parcel being conveyed to the entity;

(5) a description of the parcel upon which the individual currently resides;

(6) a statement that the parcel being conveyed is not contiguous to the parcel upon which the individual currently resides;

(7) a statement that the parcel upon which the individual currently resides is not:

(A) located within the limits of a municipality or its extraterritorial jurisdiction or a platted subdivision; or

(B) served by police protection, paid or volunteer fire protection, and at least three of the following services provided by a municipality or under contract to a municipality:

(i) electric;

(ii) natural gas;

(iii) sewer;

(iv) storm sewer; or

(v) water;

(8) a statement that:

(A) the individual is unmarried; or

(B) the individual is married, and including the name of the individual's spouse;

(9) a statement that the individual or individual's spouse owns a direct or indirect interest in the entity;

(10) a statement that the individual has executed the deed conveying the parcel to the entity;

(11) a statement that the individual intends to vest title in the entity;

(12) a statement that there are no written or oral agreements regarding a defeasance of the parcel upon the passage of time or occurrence or non-occurrence of any event;

(13) a statement that the individual acknowledges that the individual will be estopped from claiming the conveyance to the entity is a sham or pretended sale, including a pretended sale under Section 50(c), Article XVI, Texas Constitution;

(14) a statement that the individual acknowledges that the individual will be estopped from claiming the individual had not abandoned homestead rights, if any, in the parcel by executing the deed;

(15) a statement that the individual understands that if the parcel is valued for ad valorem tax purposes as qualified open-space land, the entity must reapply in its own name by the applicable filing deadline; and

(16) a statement that the individual has had an opportunity:

(A) to review the affidavit prior to the affidavit's execution; and

(B) to consult with an attorney before the affidavit's execution, whether or not the opportunity to consult with an attorney was exercised.

(e) If the individual conveying a parcel under Subsection (b) is married, the individual's spouse must join in the execution of:

(1) the deed; and

(2) the affidavit described by Subsection (d).

(f) The entity or a lender for value may conclusively rely on an affidavit described by Subsection (d).

(g) Notwithstanding any other provision of this section, a transaction that does not meet the requirements of this section is not invalid if the homestead has been abandoned or disclaimed as provided by other provisions of law.

SECTION 2. This Act takes effect September 1, 2023.

**HB 1277 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

Representative Cain called up with senate amendments for consideration at this time,

HB 1277, A bill to be entitled An Act relating to pedestrian use of a sidewalk.

Representative Cain moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 1277**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 1277**: Cain, chair; Collier, Isaac, Lujan, and Manuel.

**HB 1900 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Smithee called up with senate amendments for consideration at this time,

HB 1900, A bill to be entitled An Act relating to notice of nonrenewal of a property and casualty insurance policy.

Representative Smithee moved to concur in the senate amendments to **HB 1900**.

The motion to concur in the senate amendments to **HB 1900** prevailed by (Record 1878): 136 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchiá; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; 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; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hefner; 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, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Bumgarner; Gámez; Harrison; Morales, C.; Plesa; Rosenthal.

STATEMENTS OF VOTE

When Record No. 1878 was taken, I was in the house but away from my desk. I would have voted yes.

Harrison

When Record No. 1878 was taken, I was in the house but away from my desk. I would have voted yes.

Plesa

Senate Committee Substitute

CSHB 1900, A bill to be entitled An Act relating to notice of cancellation or nonrenewal of a property and casualty insurance policy.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 551.104(f), Insurance Code, is amended to read as follows:

(f) An insurer may cancel a personal automobile insurance policy effective on any 12-month anniversary of the original effective date of the policy if the insurer mails to the named insured written notice of the cancellation not later than the 60th ~~30th~~ day before the effective date of the cancellation.

SECTION 2. Section 551.105, Insurance Code, is amended to read as follows:

Sec. 551.105. NONRENEWAL OF POLICIES; NOTICE REQUIRED. Unless the insurer has mailed written notice of nonrenewal or renewal with written notice of change in coverage as provided by Section 2002.001 to the insured not later than the 60th [~~30th~~] day before the date on which the insurance policy expires, an insurer must renew an insurance policy, at the request of the insured, on the expiration of the policy. Notwithstanding the failure of an insurer to comply with this section, the policy shall terminate on the effective date of any replacement or succeeding insurance policy with another carrier with respect to the insured (a) personal automobile, (b) home, farm, ranch, dwelling, duplex, or apartment, or (c) other real or personal property.

SECTION 3. The changes in law made by this Act apply only to an insurance policy that is delivered, issued for delivery, or renewed on or after January 1, 2024. A policy delivered, issued for delivery, or renewed before January 1, 2024, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2023.

HB 282 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Swanson called up with senate amendments for consideration at this time,

HB 282, A bill to be entitled An Act relating to the issuance of specialty license plates for recipients of certain Texas military awards.

Representative Swanson moved to concur in the senate amendments to **HB 282**.

The motion to concur in the senate amendments to **HB 282** prevailed by (Record 1879): 140 Yeas, 0 Nays, 2 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; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hefner; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; 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; 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; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Harrison; Johnson, J.D.

Senate Committee Substitute

CSHB 282, A bill to be entitled An Act relating to the issuance of specialty license plates for Gold Star family members and recipients of certain Texas military awards.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 504.202(e-1), Transportation Code, is amended to read as follows:

(e-1) Other than license plates issued under Subsection (h), license plates issued under this section may include, on request:

(1) the emblem of the veteran's branch of service; or

(2) one emblem from another license plate to which the person is entitled under Section 504.308, 504.309, 504.310(b), 504.311, 504.312, 504.313, 504.3135, 504.314, 504.315, 504.316, 504.3161, 504.318, 504.319, 504.320, 504.323, 504.325, ~~or~~ 504.327, 504.331, 504.332, 504.333, 504.334, or 504.335.

SECTION 2. Subchapter D, Chapter 504, Transportation Code, is amended by adding Sections 504.331, 504.332, 504.333, 504.334, and 504.335 to read as follows:

Sec. 504.331. TEXAS HOMELAND DEFENSE SERVICE MEDAL. The department shall issue specialty license plates for recipients of the Texas Homeland Defense Service Medal. The license plates must include the Texas Homeland Defense Service Medal emblem and must include the words "Texas Homeland Defense Service Medal" at the bottom of each plate.

Sec. 504.332. TEXAS SUPERIOR SERVICE MEDAL. The department shall issue specialty license plates for recipients of the Texas Superior Service Medal. The license plates must include the Texas Superior Service Medal emblem and must include the words "Texas Superior Service Medal" at the bottom of each plate.

Sec. 504.333. LONE STAR DISTINGUISHED SERVICE MEDAL. The department shall issue specialty license plates for recipients of the Lone Star Distinguished Service Medal. The license plates must include the Lone Star Distinguished Service Medal emblem and must include the words "Lone Star Distinguished Service Medal" at the bottom of each plate.

Sec. 504.334. TEXAS OUTSTANDING SERVICE MEDAL. The department shall issue specialty license plates for recipients of the Texas Outstanding Service Medal. The license plates must include the Texas Outstanding Service Medal emblem and must include the words "Texas Outstanding Service Medal" at the bottom of each plate.

Sec. 504.335. TEXAS MEDAL OF MERIT. The department shall issue specialty license plates for recipients of the Texas Medal of Merit. The license plates must include the Texas Medal of Merit emblem and must include the words "Texas Medal of Merit" at the bottom of each plate.

SECTION 3. Section 504.512(a-1), Transportation Code, is amended to read as follows:

(a-1) In this section "immediate family member" means the parent, child, [✶] sibling, adoptive parent, adoptive child, foster parent, foster child, stepparent, or stepchild of a person who died while serving in the United States armed forces.

SECTION 4. It is the intent of the 88th Legislature, Regular Session, 2023, that the amendments made by this Act be harmonized with another Act of the 88th Legislature, Regular Session, 2023, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 5. This Act takes effect September 1, 2023.

HB 1195 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Holland called up with senate amendments for consideration at this time,

HB 1195, A bill to be entitled An Act relating to the authority of certain county and district clerks to obtain and retain information that identifies a person filing a document or requesting services.

Representative Holland moved to concur in the senate amendments to **HB 1195**.

The motion to concur in the senate amendments to **HB 1195** prevailed by (Record 1880): 140 Yeas, 0 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; Frazier; Gámez; García; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; 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.; 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; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Frank; Morales Shaw.

STATEMENT OF VOTE

When Record No. 1880 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

Senate Committee Substitute

CSHB 1195, A bill to be entitled An Act relating to the authority of certain county and district clerks to obtain and retain information that identifies a person filing a document or requesting services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 191.010(b), Local Government Code, is amended to read as follows:

(b) A county clerk in a county that allows for electronic filing of documents in the real property records of the county ~~[with a population of 800,000 or more]~~ may require a person presenting a document in person for filing in the real property records ~~[of the county]~~ to present a photo identification to the clerk. The clerk may copy the photo identification or record information from the photo identification. The clerk may not charge a person a fee to copy or record the information from a photo identification.

SECTION 2. Section 191.011, Local Government Code, is amended by amending Subsections (b) and (d) and adding Subsection (b-1) to read as follows:

(b) A county clerk or district clerk in a county that allows for electronic filing or recording of documents or other instruments ~~[with a population of 3.3 million or more]~~ may require an individual to present photo identification and copy or record identifying information, including a document on which the information is viewable, if the ~~[regarding an]~~ individual ~~[who]~~:

(1) presents a document or other instrument for filing or recording to the county clerk or district clerk; or

(2) requests or obtains an ex officio service or other public service provided by the county clerk or district clerk.

(b-1) A county clerk or district clerk who requires an individual to present photo identification under Subsection (b) may not accept a document or other instrument for filing or recording if the individual presents the document or other instrument in person and does not have or refuses to provide a photo identification.

(d) Except as otherwise required or authorized by law, a county clerk or district clerk may not~~±~~

~~[(1) refuse to file or record a document or other instrument or refuse to provide a public service on the ground that an individual described by Subsection (b) does not have or refuses to provide identifying information; or~~

~~[(2)] charge a fee to copy or record identifying information.~~

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

**HB 730 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Frank called up with senate amendments for consideration at this time,

HB 730, A bill to be entitled An Act relating to policies and procedures regarding certain suits affecting the parent-child relationship, investigations by the Department of Family and Protective Services, and parental child safety placements.

Representative Frank moved to concur in the senate amendments to **HB 730**.

The motion to concur in the senate amendments to **HB 730** prevailed by (Record 1881): 139 Yeas, 1 Nays, 2 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; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; 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; Muñoz; Murr; Neave Criado; Noble; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Nays — Capriglione.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Oliverson; Ramos.

STATEMENTS OF VOTE

When Record No. 1881 was taken, I was shown voting no. I intended to vote yes.

Capriglione

When Record No. 1881 was taken, I was in the house but away from my desk. I would have voted no.

Ramos

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 730** (senate committee printing) in SECTION 1 of the bill, by striking amended Section 261.303(b), Family Code (page 1, lines 27 through 34) and substituting the following:

(b) If admission to the home, school, or any place where the child may be cannot be obtained, [~~then for good cause shown~~] the court having family law jurisdiction shall order the parent, the person responsible for the care of the children, or the person in charge of any place where the child may be to allow entrance for the interview, examination, and investigation if the court:

(1) has good cause to believe that the child is in imminent danger of being subjected to aggravated circumstances as described by Section 262.2015(b); or

(2) has probable cause to believe that admission is necessary to protect the child from abuse or neglect not described by Subdivision (1).

Senate Amendment No. 2 (Senate Floor Amendment No. 2)

Amend **HB 730** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____ . Section 261.301, Family Code, is amended by adding Subsection (l) to read as follows:

(l) After the 60th day after the date an investigation is closed, the department may not reopen the investigation or change the department's finding in the investigation to find abuse or neglect occurred. Before the 60th day after the date an investigation is closed, the department may reopen a closed investigation and change the department's finding in the investigation only for good cause shown. The commissioner by rule shall establish procedures for reopening a closed investigation as authorized by this section.

**HB 2127 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Burrows called up with senate amendments for consideration at this time,

HB 2127, A bill to be entitled An Act relating to state preemption of and the effect of certain state or federal law on certain municipal and county regulation.

HB 2127 - POINT OF ORDER

Representative Bryant raised a point of order against further consideration of **HB 2127** under Rule 11, Section 2, of the House Rules on the grounds that the senate amendments are not germane. The point of order was withdrawn.

Representative Burrows moved to concur in the senate amendments to **HB 2127**.

The motion to concur in the senate amendments to **HB 2127** prevailed by (Record 1882): 84 Yeas, 58 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker.

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Walle.

STATEMENTS OF VOTE

When Record No. 1882 was taken, I was shown voting no. I intended to vote yes.

C. Bell

When Record No. 1882 was taken, I was shown voting no. I intended to vote yes.

Guerra

When Record No. 1882 was taken, I was shown voting no. I intended to vote yes.

Kitzman

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 2127** (senate committee printing) in SECTION 7 of the bill, in added Section 102A.003, Civil Practice and Remedies Code, as follows:

(1) Between "REMEDIES." and "A" (page 2, line 44), insert "(a)".

(2) Immediately after "fees." (page 2, between lines 47 and 48), insert the following:

(b) A municipality or county is entitled to recover in an action brought under this chapter costs and reasonable attorney's fees if the court finds the action to be frivolous.

Senate Amendment No. 2 (Senate Floor Amendment No. 2)

Amend **HB 2127** (senate committee printing) in SECTION 15 of the bill, in added Section 1.004, Property Code, as follows:

(1) Between "PREEMPTION." and "Unless" (page 4, line 21), insert "(a)".

(2) Immediately after "code." (page 4, between lines 26 and 27), insert the following:

(b) For purposes of Subsection (a), a field occupied by a provision of this code includes an ordinance, order, or rule regulating evictions or otherwise prohibiting, restricting, or delaying delivery of a notice to vacate or filing a suit to recover possession of the premises under Chapter 24.

Senate Amendment No. 3 (Senate Floor Amendment No. 6)

Amend **HB 2127** (senate committee printing) in SECTION 7 of the bill, in added Chapter 102A, Civil Practice and Remedies Code, as follows:

(1) In Section 102A.002 (page 2, lines 30-31), strike "municipality, county, or municipal or county official acting in an official capacity" and substitute "municipality or county".

(2) In Section 102A.002 (page 2, lines 33-34), strike "municipality, county, or official" and substitute "municipality or county".

(3) In the heading to Section 102A.004 (page 2, line 48), strike "AND PROHIBITED DEFENSES".

(4) In Section 102A.004(a) (page 2, line 49), strike "(a)".

(5) Strike Section 102A.004(b) (page 2, lines 52-53).

(6) In Section 102A.006(a)(2) (page 2, lines 66-67), strike "or municipal official".

**HB 916 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Ordaz called up with senate amendments for consideration at this time,

HB 916, A bill to be entitled An Act relating to health benefit plan coverage of prescription contraceptive drugs.

Representative Ordaz moved to concur in the senate amendments to **HB 916**.

The motion to concur in the senate amendments to **HB 916** prevailed by (Record 1883): 137 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; 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; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hefner; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; 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; 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; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Nays — Cain; Harrison; Toth.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Bhojani; Johnson, J.D.

STATEMENT OF VOTE

When Record No. 1883 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

Senate Committee Substitute

CSHB 916, A bill to be entitled An Act relating to health benefit plan coverage of prescription contraceptive drugs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1369.102, Insurance Code, is amended to read as follows:

Sec. 1369.102. **APPLICABILITY OF SUBCHAPTER.** Except as otherwise provided by this subchapter, this [This] subchapter applies only to a health benefit plan, including a small employer health benefit plan written under Chapter 1501, that provides benefits for medical or surgical expenses incurred as a result of a health condition, accident, or sickness, including an individual, group, blanket, or franchise insurance policy or insurance agreement, a group hospital service contract, or an individual or group evidence of coverage or similar coverage document that is offered by:

- (1) an insurance company;
- (2) a group hospital service corporation operating under Chapter 842;
- (3) a fraternal benefit society operating under Chapter 885;
- (4) a stipulated premium company operating under Chapter 884;
- (5) a reciprocal exchange operating under Chapter 942;
- (6) a health maintenance organization operating under Chapter 843;
- (7) a multiple employer welfare arrangement that holds a certificate of authority under Chapter 846; or
- (8) an approved nonprofit health corporation that holds a certificate of authority under Chapter 844.

SECTION 2. Subchapter C, Chapter 1369, Insurance Code, is amended by adding Section 1369.1031 to read as follows:

Sec. 1369.1031. CERTAIN COVERAGE REQUIRED. (a) This section applies to a health benefit plan described by Section 1369.102.

(b) Notwithstanding any other law, this section applies to:

- (1) a standard health benefit plan issued under Chapter 1507;
- (2) a basic coverage plan under Chapter 1551;
- (3) a basic plan under Chapter 1575;
- (4) a primary care coverage plan under Chapter 1579;
- (5) a plan providing basic coverage under Chapter 1601;
- (6) group health coverage made available by a school district in accordance with Section 22.004, Education Code; and
- (7) the state Medicaid program, including the Medicaid managed care program operated under Chapter 533, Government Code.

(c) A health benefit plan that provides benefits for a prescription contraceptive drug must provide for an enrollee to obtain up to:

- (1) a three-month supply of the covered prescription contraceptive drug at one time the first time the enrollee obtains the drug; and
- (2) a 12-month supply of the covered prescription contraceptive drug at one time each subsequent time the enrollee obtains the same drug, regardless of whether the enrollee was enrolled in the health benefit plan the first time the enrollee obtained the drug.

(d) An enrollee may obtain only one 12-month supply of a covered prescription contraceptive drug during each 12-month period.

SECTION 3. The change in law made by this Act applies only to a health benefit plan that is delivered, issued for delivery, or renewed on or after January 1, 2024. A health benefit plan that is delivered, issued for delivery, or renewed before January 1, 2024, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2023.

HB 5311 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Toth called up with senate amendments for consideration at this time,

HB 5311, A bill to be entitled An Act relating to the creation and operation of a development zone by and the tax revenue received by The Woodlands Township; providing authority to issue bonds; providing authority to impose assessments and taxes.

Representative Toth moved to concur in the senate amendments to **HB 5311**.

The motion to concur in the senate amendments to **HB 5311** prevailed by (Record 1884): 127 Yeas, 9 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Button; Campos; Canales; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.;

Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hefner; Hinojosa; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, T.; Kitzman; Klick; 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; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Nays — Cain; Capriglione; Harrison; Holland; King, K.; Kuempel; Murr; Schatzline; Spiller.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Bhojani; Burrows; Johnson, J.D.; Leo-Wilson; Plesa.

STATEMENTS OF VOTE

When Record No. 1884 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 1884 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

When Record No. 1884 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 1884 was taken, I was in the house but away from my desk. I would have voted yes.

Plesa

Senate Committee Substitute

CSHB 5311, A bill to be entitled An Act relating to the creation and operation of a development zone by and the tax revenue received by The Woodlands Township; providing authority to issue bonds; providing authority to impose assessments and taxes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 7, Chapter 289, Acts of the 73rd Legislature, Regular Session, 1993, is amended by adding Subsection (gg) to read as follows:

(gg) The district shall be treated the same in all respects as an incorporated municipality for the purposes of Section 183.051, Tax Code.

SECTION 2. Section 11C, Chapter 289, Acts of the 73rd Legislature, Regular Session, 1993, is amended by amending Subsections (b), (f), (l), (p), and (q) and adding Subsections (b-1) and (b-2) to read as follows:

(b) The board, on its own motion or on receipt of a petition signed by the owners of all real property in a defined area of the district, by resolution may create, designate, describe, assign a name to, and appoint the governing body for a development zone in the district:

(1) to promote initial development or substantial redevelopment of the area; or

(2) if the area to be designated as the development zone is composed solely of one or more hotels, to undertake one or more projects to provide supplemental advertising, promotion, or business recruitment services for the area to increase hotel activity~~[, if the board finds that the creation of the zone will further the public purposes of:~~

~~[(1) the development and diversification of the economy of the district and the state;~~

~~[(2) the elimination of unemployment or underemployment in the district and the state;~~

~~[(3) the development or expansion of transportation or commerce in the district and the state; or~~

~~[(4) the promotion and stimulation of business, commercial, and economic activity in the district and the state].~~

(b-1) The board may create a development zone under Subsection (b) of this section if the board finds that the creation of the zone will further the public purposes of:

(1) the development and diversification of the economy of the district and the state;

(2) the elimination of unemployment or underemployment in the district and the state;

(3) the development or expansion of transportation or commerce in the district and the state; or

(4) the promotion and stimulation of business, commercial, and economic activity in the district and the state.

(b-2) A development zone composed solely of one or more hotels may fund or provide services for the purposes for which the zone was created.

(f) A resolution designating an area as a development zone must:

(1) describe the boundaries of the zone sufficiently to identify with reasonable certainty the territory included;

(2) provide an effective date for the creation of the zone;

(3) provide a date for termination of the zone;

(4) assign a name to the zone for identification;

(5) adopt a preliminary financing plan for the zone;

(6) establish a tax increment fund or project fund for the zone; and

(7) appoint the governing body for the zone or authorize the board to serve ex officio as the governing body of the zone.

(l) The board and the governing body each may enter into an agreement considered necessary or convenient to implement a project plan and development zone financing plan and achieve their purposes, including, for a development zone composed solely of one or more hotels, an agreement with a convention and visitors bureau within or adjacent to the district. An agreement may provide for the regulation or restriction of the use of land by imposing conditions, restrictions, or covenants that run with the land. An agreement may dedicate revenue from the tax increment fund or project fund to pay project costs and may provide that a restriction adopted by the governing body continues in effect after the termination of the development zone. The district and the development zone may agree that the district will provide administration, management, investment, accounting, and other services for the zone in consideration for the benefits received by the district through the implementation of the project plan for the zone.

(p) Sections 311.002 and 311.014 through 311.017, Tax Code, apply to the district, except that for purposes of this subsection:

(1) a reference in those sections to a municipality means the district and the development zone;

(2) a reference in those sections to an ordinance means an order;

(3) a reference in those sections to a reinvestment zone means a development zone;

(4) a reference in those sections to an agreement made under Subsection (b), Section 311.010, Tax Code, means an agreement made under Subsection (l) of this section;

(5) "development" means initial development;

(6) "redevelopment" means substantial redevelopment;

(7) Section 311.016, Tax Code, applies only if ad valorem taxes are used, in whole or in part, in payment of project costs of a development zone; ~~and~~

(8) a development zone created without a duration or date of termination may be dissolved by a two-thirds vote of the board of directors of the district or of the governing body of a municipality or other form of local government, other than the development zone, succeeding to the principal assets, powers, functions, and liabilities of the district, but only if:

(A) the development zone has no outstanding indebtedness or other obligations; or

(B) the assets, powers, functions, and liabilities, and any outstanding indebtedness or obligations, of the development zone are expressly assumed by the district or the succeeding municipality or local government; and

(9) a development zone composed solely of one or more hotels must be dissolved by the board of directors of the district on receipt of a petition for dissolution of the development zone signed by the owners of at least 60 percent of the assessed value of the real property in the development zone and the district must expressly assume the assets, powers, functions, and liabilities, and any outstanding indebtedness or obligations, of the development zone.

(q) Upon the creation and organization of a development zone over the territory of one or more existing development zones, and upon the imposition or assessment by the governing body of an ad valorem tax or limited sales and use tax for the development zone, any [the] existing development zones that impose or assess an ad valorem or sales and use tax are dissolved and abolished and all assets, properties, indebtedness, obligations, and liabilities of the existing development zones transfer to and are assumed by the newly created and organized development zone.

SECTION 3. Section 7(gg), Chapter 289, Acts of the 73rd Legislature, Regular Session, 1993, as added by this Act, applies only to taxes remitted to the comptroller of public accounts for a calendar quarter beginning on or after October 1, 2023. The comptroller shall make the first transfer required by that subsection not later than January 31, 2024.

SECTION 4. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act have been fulfilled and accomplished.

SECTION 5. This Act takes effect September 1, 2023.

HB 5303 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Kuempel called up with senate amendments for consideration at this time,

HB 5303, A bill to be entitled An Act relating to the creation of the Springs Hill Special Utility District; authorizing a fee; granting the power of eminent domain.

Representative Kuempel moved to concur in the senate amendments to **HB 5303**.

The motion to concur in the senate amendments to **HB 5303** prevailed by (Record 1885): 121 Yeas, 13 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Dean; DeAyala; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin;

Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hefner; Hinojosa; Holland; Howard; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; 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; Schofield; Shaheen; Sherman; Shine; Smith; Smithee; Stucky; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Zwiener.

Nays — Cain; Dorazio; Harrison; Hayes; Isaac; Leo-Wilson; Schatzline; Slawson; Spiller; Toth; Troxclair; Vasut; Wilson.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Bhojani; Bumgarner; Cole; Davis; Gates; Johnson, J.D.; Lopez, J.; Swanson.

STATEMENTS OF VOTE

When Record No. 1885 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

When Record No. 1885 was taken, I was shown voting yes. I intended to vote no.

C.E. Harris

When Record No. 1885 was taken, I was in the house but away from my desk. I would have voted no.

J. Lopez

When Record No. 1885 was taken, I was shown voting yes. I intended to vote no.

Patterson

Senate Committee Substitute

CSHB 5303, A bill to be entitled An Act relating to the creation of the Springs Hill Special Utility District; authorizing a fee; granting the power of eminent domain.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 6, Special District Local Laws Code, is amended by adding Chapter 7208 to read as follows:

CHAPTER 7208. SPRINGS HILL SPECIAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7208.0101. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "Corporation" means the Springs Hill Water Supply Corporation.

(3) "Director" means a board member.

(4) "District" means the Springs Hill Special Utility District.

Sec. 7208.0102. NATURE OF DISTRICT. The district is a special utility district in Guadalupe and Wilson Counties created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution. The district is created to serve a public use and benefit.

Sec. 7208.0103. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation and initial directors' election held before September 1, 2026:

(1) the district is dissolved on September 1, 2026, except that the district shall:

(A) pay any debts incurred;

(B) transfer to Guadalupe or Wilson County, as appropriate, any assets of the district that remain after the payment of debts; and

(C) maintain the organization of the district until all debts are paid and remaining assets are transferred; and

(2) this chapter expires September 1, 2027.

Sec. 7208.0104. APPLICABILITY OF OTHER LAW. Except as otherwise provided by this chapter, Chapters 49 and 65, Water Code, apply to the district.

Sec. 7208.0105. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 2 of the Act enacting this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's:

(1) organization, existence, or validity;

(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER A-1. TEMPORARY PROVISIONS

Sec. 7208.0151. TEMPORARY DIRECTORS. (a) The temporary board of directors of the district is composed of:

(1) James Martin;

(2) Irene Moreno-Ybarra;

(3) Bernard Mueller;

(4) Deborah Magin;

(5) Keith Steffen; and

(6) Michael Andrews.

(b) Each temporary director shall qualify for office as provided by Section 49.055, Water Code.

(c) If a temporary director fails to qualify for office, the temporary directors who have qualified shall appoint a person to fill the vacancy. If at any time there are fewer than four qualified temporary directors, the Texas Commission on Environmental Quality shall appoint the necessary number of directors to fill all vacancies on the board.

(d) Temporary directors serve until the earlier of:

- (1) the date initial directors are elected under Section 7208.0152; or
- (2) the date this chapter expires under Section 7208.0103.

Sec. 7208.0152. CONFIRMATION AND INITIAL DIRECTORS' ELECTION. (a) Before September 1, 2026, the temporary directors shall hold an election to confirm the creation of the district and to elect six initial directors in accordance with Chapters 49 and 65, Water Code.

(b) The temporary board of directors shall determine the method for determining the initial term of each person on the initial board of directors. The terms must be clearly stated on the ballot for the confirmation and directors' election.

(c) Section 41.001(a), Election Code, does not apply to a confirmation and directors' election held as provided by this section.

(d) The initial directors shall continue to serve until the district directors elected at the first regularly scheduled election of directors qualify for office.

Sec. 7208.0153. TRANSFER OF ASSETS; DISSOLUTION. (a) If the creation of the district is confirmed under Section 7208.0152, the corporation shall transfer the assets, debts, and contractual rights and obligations of the corporation to the district.

(b) Following the transfer under Subsection (a):

(1) the board of directors of the corporation shall commence dissolution proceedings of the corporation;

(2) Certificate of Convenience and Necessity No. 10666 is considered to be held by the district; and

(3) the board of directors of the corporation shall notify:

(A) the Texas Commission on Environmental Quality of the dissolution of the corporation; and

(B) the Public Utility Commission of Texas of the transfer of Certificate of Convenience and Necessity No. 10666 to the district.

(c) On receipt of notice under Subsection (b)(3)(B), the Public Utility Commission of Texas shall note in its records that Certificate of Convenience and Necessity No. 10666 is held by the district and shall reissue the certificate in the name of the district without further application, notice, or hearing. A person, party, or entity does not have any right of protest, objection, or administrative review of the transfer prescribed by this section.

Sec. 7208.0154. EXPIRATION OF SUBCHAPTER. This subchapter expires September 1, 2027.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7208.0201. DIRECTORS. The district shall be governed by a board of not fewer than 5 and not more than 11 directors, elected in accordance with Section 65.103, Water Code.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7208.0301. GENERAL POWERS. Except as otherwise provided by this chapter, the district has all of the rights, powers, privileges, authority, functions, and duties provided by the general law of this state, including Chapters 49 and 65, Water Code, applicable to special utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 7208.0302. WATER SERVICE IMPACT FEE. (a) The district may charge an initial water service impact fee that is not greater than the capital recovery fee charged by the corporation on September 1, 2023, under the corporation's tariff.

(b) Chapter 395, Local Government Code, does not apply to an initial water service impact fee set under Subsection (a).

(c) The district may increase the water service impact fee authorized under Subsection (a) only as provided by Chapter 395, Local Government Code, as approved by the Texas Commission on Environmental Quality, or as otherwise provided by law.

SECTION 2. The Springs Hill Special Utility District initially includes all territory contained in the following area:

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 174,765 ACRES OF LAND, MORE OR LESS, BEING OUT OF THE MANUEL XIMENES SURVEY NO. 8, ABSTRACT NO. 22, BEING OUT OF THE YOUNG P. ALSBURY SURVEY NO. 135, ABSTRACT NO. 538, BEING OUT OF THE J.T.D. WILSON SURVEY NO. 136, ABSTRACT NO. 346, BEING OUT OF THE H&T RR CO. SURVEY NO. 37, ABSTRACT NO. 170, BEING OUT OF THE H&T RR CO. SURVEY NO. 35, ABSTRACT NO. 169, BEING OUT OF THE ULRIAH SANDERS SURVEY, ABSTRACT NO. 301, AND BEING OUT OF THE H&T RR CO. SURVEY NO. 32, ABSTRACT NO. 528, ALL IN WILSON COUNTY, TEXAS, AND ALSO BEING OUT OF THE MANUEL XIMENES SURVEY NO. 8, ABSTRACT NO. 38, BEING OUT OF THE ERASTUS SMITH SURVEY NO. 6, ABSTRACT NO. 32, BEING OUT OF THE JOHN CHRISTOPHER SURVEY NO. 134, ABSTRACT NO. 92, BEING OUT OF THE YOUNG P. ALSBURY SURVEY NO. 135, ABSTRACT NO. 43, BEING OUT OF THE BERNHARDT EISENTRAEGER SURVEY, ABSTRACT NO. 127, BEING OUT OF THE H&T RR CO. SURVEY NO. 37, ABSTRACT NO. 497, BEING OUT OF THE ROBERT R. TRIPP SURVEY NO. 57, ABSTRACT NO. 317, BEING OUT OF THE J.T.D. WILSON SURVEY NO. 136, BEING OUT OF THE JORDAN IRVIN SURVEY NO. 486, ABSTRACT NO. 183, BEING OUT OF THE FRANCISCO CARVAJAL SURVEY NO. 54, ABSTRACT NO. 89, BEING OUT OF THE K. BIGHAM WHITE SURVEY NO. 487, ABSTRACT NO. 336, BEING OUT OF THE JOHN A. WELLS SURVEY NO. 53, ABSTRACT NO. 340, BEING OUT OF THE GEORGE W. EDWARDS SURVEY NO. 56, ABSTRACT NO. 124, BEING OUT OF THE WILLIAM C. WILSON SURVEY NO. 59, ABSTRACT NO. 342, BEING OUT OF THE JAMES MURPHY SURVEY, ABSTRACT NO. 229, BEING OUT OF THE J.V. MICHELI SURVEY NO. 52, ABSTRACT

NO. 222, BEING OUT OF THE JOHN ISHAM SURVEY NO. 60, ABSTRACT NO. 186, BEING OUT OF THE EZEKIEL SMITH SURVEY, ABSTRACT NO. 295, BEING OUT OF THE LUDWIG STREY SURVEY, ABSTRACT NO. 350, BEING OUT OF THE JORDAN IRVIN SURVEY NO. 428, ABSTRACT NO. 185, BEING OUT OF THE DOMINIC JOHNSON SURVEY NO. 46, ABSTRACT NO. 192, BEING OUT OF THE VALENTINA BENNETT SURVEY, ABSTRACT NO. 58, BEING OUT OF THE JORDAN IRVIN SURVEY NO. 427, ABSTRACT NO. 184, BEING OUT OF THE TOBIAS LONG SURVEY NO. 425, ABSTRACT NO. 213, BEING OUT OF THE BERNHARDT EISENTRAEGER SURVEY, ABSTRACT NO. 126, BEING OUT OF THE GEORGE W. WILLIAMS SURVEY NO. 425 1/2, ABSTRACT NO. 331, BEING OUT OF THE JOHN H. TYLER SURVEY NO. 36 3/4, ABSTRACT NO. 490, BEING OUT OF THE H&T RR CO. SURVEY NO. 36, ABSTRACT NO. 364, BEING OUT OF THE C.C. WILLIAMS SURVEY, ABSTRACT NO. 343, BEING OUT OF THE H&T RR CO. SURVEY NO. 31, ABSTRACT NO. 170, BEING OUT OF THE H&T RR CO. SURVEY NO. 32, ABSTRACT NO. 472, BEING OUT OF THE H&T RR CO. SURVEY NO. 32, ABSTRACT NO. 480, BEING OUT OF THE H&T RR CO. SURVEY NO. 32, ABSTRACT NO. 362, BEING OUT OF THE H&T RR CO. SURVEY NO. 32, ABSTRACT NO. 481, BEING OUT OF THE JOHN A.J. HAYWORTH SURVEY, ABSTRACT NO. 160, BEING OUT OF THE W.B. MCGUFFIN SURVEY, ABSTRACT NO. 228, BEING OUT OF THE EZEKIEL SMITH SURVEY NO. 424, ABSTRACT NO. 297, BEING OUT OF THE J.O. BLAIR SURVEY NO. 422, ABSTRACT NO. 59, BEING OUT OF THE JESUSA PEREZ SURVEY, ABSTRACT NO. 262, BEING OUT OF THE L.H. PETERS SURVEY NO. 50, ABSTRACT NO. 261, BEING OUT OF THE J.N. CORTINAS SURVEY NO. 49, ABSTRACT NO. 91, BEING OUT OF THE EUSEVIO MEDA SURVEY NO. 201, ABSTRACT NO. 224, BEING OUT OF THE J.B. HILL SURVEY NO. 110, ABSTRACT NO. 155, BEING OUT OF THE EPHRAIM BOLLINGHER SURVEY NO. 21, ABSTRACT NO. 53, BEING OUT OF THE THOMAS W. SYMONS SURVEY NO. 444, ABSTRACT NO. 296, BEING OUT OF THE ROBERTS M. FORBES SURVEY NO. 48, ABSTRACT NO. 133, BEING OUT OF THE FRANCISCO CARVAJAL SURVEY NO. 47, ABSTRACT NO. 88, BEING OUT OF THE JACOB ROGERS SURVEY, ABSTRACT NO. 279, BEING OUT OF THE JAMES CASTILLO SURVEY, ABSTRACT NO. 97, BEING OUT OF THE B.P. HARDWICK SURVEY, ABSTRACT NO. 361, BEING OUT OF THE CHRISTOPH MAURER SURVEY, ABSTRACT NO. 352, BEING OUT OF THE JAMES MURPHY SURVEY, ABSTRACT NO. 230, BEING OUT OF THE J.H. WILLIAMSON SURVEY, ABSTRACT NO. 328, BEING OUT OF THE J.M. MILLER, JR. SURVEY, ABSTRACT NO. 358, BEING OUT OF THE H&T RR CO. SURVEY NO. 24, ABSTRACT NO. 453, BEING OUT OF THE H&T RR CO. SURVEY NO. 24, ABSTRACT NO. 470, BEING OUT OF THE H&T RR CO. SURVEY NO. 25, ABSTRACT NO. 167, BEING OUT OF THE E.B. THOMAS SURVEY, ABSTRACT NO. 320, BEING OUT OF THE H&T RR CO. SURVEY NO. 19, ABSTRACT NO. 180, BEING OUT OF THE H&T

RR CO. SURVEY NO. 18, ABSTRACT NO. 439, BEING OUT OF THE H&T RR CO. SURVEY NO. 18, ABSTRACT NO. 499, BEING OUT OF THE ROBERT WHITE SURVEY, ABSTRACT NO. 360, BEING OUT OF THE H&T RR CO. SURVEY NO. 18, ABSTRACT NO. 476, BEING OUT OF THE CHRISTOPH MAURER SURVEY, ABSTRACT NO. 240, BEING OUT OF THE NICHOLAS TILLMAN SURVEY, ABSTRACT NO. 322, BEING OUT OF THE GEORGE W. DAVIS SURVEY, ABSTRACT NO. 109, BEING OUT OF THE GEORGE W. DAVIS SURVEY, ABSTRACT NO. 236, BEING OUT OF THE JOHN GOODBREAD SURVEY, ABSTRACT NO. 146, BEING OUT OF THE CYRUS SAFFORD SURVEY, ABSTRACT NO. 304, BEING OUT OF THE JOSEPH ROYAL SURVEY, ABSTRACT NO. 449, BEING OUT OF THE DANIEL DIBRELL SURVEY, ABSTRACT NO. 118, BEING OUT OF THE THOMAS JACKSON SURVEY, ABSTRACT NO. 193, BEING OUT OF THE H&T RR CO. SURVEY NO. 17, ABSTRACT NO. 179, BEING OUT OF THE GEORGE W. DAVIS SURVEY, ABSTRACT NO. 115, BEING OUT OF THE OLIVER DARRY SURVEY, ABSTRACT NO. 404, BEING OUT OF THE STROTHER WOOLRIDGE SURVEY, ABSTRACT NO. 338, BEING OUT OF THE JAMES W. NICHOLS SURVEY, ABSTRACT NO. 255, BEING OUT OF THE ABRAM B. MCBRIDE SURVEY, ABSTRACT NO. 235, BEING OUT OF THE BUCK FRANKLIN SURVEY, ABSTRACT NO. 425, BEING OUT OF THE JAMES ALLEY SURVEY, ABSTRACT NO. 44, BEING OUT OF THE JOHN W. BERRY SURVEY, ABSTRACT NO. 77, BEING OUT OF THE LUDWIG KUNDE SURVEY NO. 204, BEING OUT OF THE ELI NOWLAND SURVEY, ABSTRACT NO. 257, BEING OUT OF THE FREDERICK KUNDA SURVEY, ABSTRACT NO. 349, BEING OUT OF THE GEORGE WASHINGTON DAVIS SURVEY, ABSTRACT NO. 106, BEING OUT OF THE ARCHIBALD GIBSON SURVEY, ABSTRACT NO. 139, BEING OUT OF THE WILSON VANDYKE SURVEY, ABSTRACT NO. 325, BEING OUT OF THE JESUS CANTU SURVEY NO. 15, ABSTRACT NO. 9, BEING OUT OF THE H&T RR CO. SURVEY NO. 8, ABSTRACT NO. 469, BEING OUT OF THE H&T RR CO. SURVEY NO. 8, ABSTRACT NO. 464, BEING OUT OF THE H&T RR CO. SURVEY NO. 8, ABSTRACT NO. 450, BEING OUT OF THE H&T RR CO. SURVEY NO. 8, ABSTRACT NO. 451, BEING OUT OF THE H&T RR CO. SURVEY NO. 9, ABSTRACT NO. 175, BEING OUT OF THE H&T RR CO. SURVEY NO. 7, ABSTRACT NO. 174, BEING OUT OF THE H&T RR CO. SURVEY NO. 6, ABSTRACT NO. 466, BEING OUT OF THE H&T RR CO. SURVEY NO. 11, ABSTRACT NO. 176, BEING OUT OF THE H&T RR CO. SURVEY NO. 12, ABSTRACT NO. 456, BEING OUT OF THE H&T RR CO. SURVEY NO. 8, ABSTRACT NO. 440, BEING OUT OF THE H&T RR CO. SURVEY NO. 13, ABSTRACT NO. 177, BEING OUT OF THE PATRICK LYNCH SURVEY, ABSTRACT NO. 212, BEING OUT OF THE JACKSON ROWARK SURVEY NO. 36, ABSTRACT NO. 269, BEING OUT OF THE THOMAS G. WEEKS SURVEY, ABSTRACT NO. 344, BEING OUT OF THE H&T RR CO. SURVEY NO. 1, ABSTRACT NO. 171, BEING OUT OF THE H&T RR CO. SURVEY NO. 5, ABSTRACT NO. 173, BEING OUT OF THE H&T RR CO. SURVEY NO. 2, ABSTRACT NO. 452, BEING

OUT OF THE H&T RR CO. SURVEY NO. 4, ABSTRACT NO. 495, BEING OUT OF THE H&T RR CO. SURVEY NO. 4, ABSTRACT NO. 467, BEING OUT OF THE FLETCHER W. HUBERT SURVEY, ABSTRACT NO. 159, BEING OUT OF THE E.E. FISCHER SURVEY, ABSTRACT NO. 486, BEING OUT OF THE H&T RR CO. SURVEY NO. 3, ABSTRACT NO. 172, BEING OUT OF THE CHARLES C. CURIER SURVEY, ABSTRACT NO. 98, BEING OUT OF THE RICHARD NIXON SURVEY, ABSTRACT NO. 252, BEING OUT OF THE ELIZA J. HOLMES SURVEY, ABSTRACT NO. 399, BEING OUT OF THE GREEN DEWITT SURVEY NO. 13, ABSTRACT NO. 18, BEING OUT OF THE J.D. CLEMENTS SURVEY NO. 14, ABSTRACT NO. 12, BEING OUT OF THE JOSE LABAUME SURVEY NO. 11, ABSTRACT NO. 27, BEING OUT OF THE IRA NASH SURVEY NO. 8, ABSTRACT NO. 30, BEING OUT OF THE JACOB C. DARST SURVEY NO. 9, ABSTRACT NO. 14, BEING OUT OF THE JESSE DAVIS SURVEY NO. 12, ABSTRACT NO. 15, BEING OUT OF THE WILLIAM W. ARRINGTON SURVEY NO. 10, ABSTRACT NO. 2, BEING OUT OF THE MILES G. DIKES SURVEY, ABSTRACT NO. 108, BEING OUT OF THE GREEN DEWITT SURVEY NO. 11, ABSTRACT NO. 16, BEING OUT OF THE JOHN SOWELL SURVEY NO. 12, ABSTRACT NO. 36, BEING OUT OF THE HUMPHREYS BRANCH SURVEY NO. 12, ABSTRACT NO. 7, BEING OUT OF THE GREEN DEWITT SURVEY NO. 13, ABSTRACT NO. 17, BEING OUT OF THE GREEN DEWITT SURVEY NO. 14, ABSTRACT NO. 502, BEING OUT OF THE ISAAC BAKER SURVEY NO. 45, ABSTRACT NO. 48, BEING OUT OF THE GEORGE W. WILLIAMS SURVEY NO. 46, ABSTRACT NO. 332, BEING OUT OF THE LEWIS BOLLINGER SURVEY NO. 44, ABSTRACT NO. 51, BEING OUT OF THE JOSEPH KENT SURVEY NO. 48, ABSTRACT NO. 200, BEING OUT OF THE FRED HOPPLE SURVEY, ABSTRACT NO. 156, BEING OUT OF THE JOSEPH KENT SURVEY, ABSTRACT NO. 205, BEING OUT OF THE JAMES A. SWIFT SURVEY, ABSTRACT NO. 292, BEING OUT OF THE CHARLES HALL SURVEY, ABSTRACT NO. 163, BEING OUT OF THE ROBERT HALL SURVEY, ABSTRACT NO. 157, BEING OUT OF THE CARLOS ESPALIER SURVEY, ABSTRACT NO. 129, BEING OUT OF THE WILLIAM P. KING SURVEY, ABSTRACT NO. 206, BEING OUT OF THE DAVID DARST SURVEY, ABSTRACT NO. 112, BEING OUT OF THE MATTHEW BESORE SURVEY, ABSTRACT NO. 61, BEING OUT OF THE ANDREW J. SOWELL SURVEY, ABSTRACT NO. 305, BEING OUT OF THE JOHN H. TYLER & ABE FRANK SURVEY NO. 484 1/2, ABSTRACT NO. 489, BEING OUT OF THE JOHN D. PICKENS SURVEY NO. 486, ABSTRACT NO. 265, BEING OUT OF THE JOHN D. PICKENS SURVEY, ABSTRACT NO. 307, BEING OUT OF THE ASA JL SOWELL SURVEY NO. 485, ABSTRACT NO. 306, BEING OUT OF THE UZZIEL WAKEFIELD SURVEY, ABSTRACT NO. 327, BEING OUT OF THE AUGUSTUS S. EMMETT SURVEY, ABSTRACT NO. 122, BEING OUT OF THE JOEL W. ROBINSON SURVEY, ABSTRACT NO. 275, BEING OUT OF THE HENRY R. HUNT SURVEY, ABSTRACT NO. 150, BEING OUT OF THE AUGUSTUS S. EMMETT SURVEY, ABSTRACT NO. 123, BEING OUT

OF THE JOHN H. TYLER SURVEY NO. 491 1/2, ABSTRACT NO. 494, BEING OUT OF THE AJ DENSON SURVEY, ABSTRACT NO. 114, BEING OUT OF THE JOHN M. WHITE SURVEY, ABSTRACT NO. 334, BEING OUT OF THE JOHN REED SURVEY, ABSTRACT NO. 278, BEING OUT OF THE JACOB DUNBAUGH SURVEY, BEING OUT OF THE GEORGE W. FRANKLIN SURVEY, ABSTRACT NO. 393, BEING OUT OF THE WILLIAM R. HUNT SURVEY NO. 24, ABSTRACT NO. 151, BEING OUT OF THE LYMAN W. ALEXANDER SURVEY NO. 23, ABSTRACT NO. 41, BEING OUT OF THE JOHN H. BURNHAM SURVEY NO. 28, ABSTRACT NO. 49, BEING OUT OF THE JEROME B. ALEXANDER SURVEY NO. 27, ABSTRACT NO. 40, BEING OUT OF THE JAMES BELL SURVEY, ABSTRACT NO. 74, BEING OUT OF THE JAMES M. BELL SURVEY, ABSTRACT NO. 75, BEING OUT OF THE MARTIN USSERY SURVEY, ABSTRACT NO. 324, BEING OUT OF THE JAMES HODGES SURVEY NO. 66, ABSTRACT NO. 148, BEING OUT OF THE WILLIAM P. KING SURVEY NO. 21, ABSTRACT NO. 197, BEING OUT OF THE SAMUEL ROBBINS SURVEY, BEING OUT OF THE JOSIAH RANDOLPH SURVEY, ABSTRACT NO. 276, BEING OUT OF THE EDWARD C. PETTUS SURVEY, ABSTRACT NO. 264, BEING OUT OF THE SAMUEL WILLIAMS SURVEY, ABSTRACT NO. 37, BEING OUT OF THE SAMUEL HIGHSMITH SURVEY NO. 13, ABSTRACT NO. 25, BEING OUT OF THE STEPHEN SMITH SURVEY NO. 11, ABSTRACT NO. 34, BEING OUT OF THE A. DICKERSON SURVEY NO. 25, ABSTRACT NO. 107, BEING OUT OF THE BENJAMIN FUQUA SURVEY NO. 26, ABSTRACT NO. 132, BEING OUT OF THE AMOS ALEXANDER SURVEY NO. 28, ABSTRACT NO. 39, BEING OUT OF THE WILLIAM GRIFFIN SURVEY NO. 27, ABSTRACT NO. 136, BEING OUT OF THE BENJAMIN FUQUA SURVEY NO. 43, ABSTRACT NO. 131, BEING OUT OF THE JOHN G. KING SURVEY NO. 15, ABSTRACT NO. 26, BEING OUT OF THE JOHN SOWELL SURVEY NO. 16, ABSTRACT NO. 35, BEING OUT OF THE JOHN SOWELL SR. SURVEY, ABSTRACT NO. 287, BEING OUT OF THE HUMPHREYS BRANCH SURVEY NO. 17, ABSTRACT NO. 6, BEING OUT OF THE JOSEPH D. CLEMENTS SURVEY NO. 18, ABSTRACT NO. 11, BEING OUT OF THE ANTONIO M. ESNAURIZAR SURVEY, ABSTRACT NO. 20, BEING OUT OF THE WILLIAM LEACH SURVEY NO. 19, ABSTRACT NO. 28, BEING OUT OF THE WILLIAM BAKER SURVEY, ABSTRACT NO. 67, BEING OUT OF THE ISAAC BAKER SURVEY, ABSTRACT NO. 3, BEING OUT OF THE HUGH M. SWIFT SURVEY, ABSTRACT NO. 288, BEING OUT OF THE ABNER C. DAVIS SURVEY NO. 24, ABSTRACT NO. 105, BEING OUT OF THE GEORGE WATERS SURVEY NO. 25, ABSTRACT NO. 333, BEING OUT OF THE DAVID DARST SURVEY, ABSTRACT NO. 111, BEING OUT OF THE ANASTACIO MANSOLO SURVEY NO. 17, ABSTRACT NO. 29, BEING OUT OF THE ELIJIO GORTARI SURVEY NO. 16, ABSTRACT NO. 23, BEING OUT OF THE JULIANA HERRERA SURVEY, ABSTRACT NO. 154, BEING OUT OF

THE MARGARITA CHERINO SURVEY NO. 20, ABSTRACT NO. 10, AND BEING OUT OF THE WILLIAM J. RAGSDALE SURVEY NO. 52, ABSTRACT NO. 268, ALL IN GUADALUPE COUNTY, TEXAS;

SAVE AND EXCEPT THE FOLLOWING TRACTS:

SAVE AND EXCEPT TRACT 1 (S&E-1)

BEING ALL OF A CALLED 26.900 ACRE TRACT CONVEYED TO NEW BRAUNFELS UTILITIES IN VOLUME 2053, PAGE 879 OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS (O.P.R.G.C.T.), BEING ALL OF A CALLED 11.034 ACRE TRACT CONVEYED TO NEW BRAUNFELS UTILITIES IN VOLUME 3160, PAGE 568 (O.P.R.G.C.T.), BEING A PORTION OF A CALLED 25.391 ACRE TRACT CONVEYED TO HEIMER FP, LTD. AND HOLLMIG, FP, LTD. IN DOCUMENT NO. 2015022035 (O.P.R.G.C.T.), BEING ALL OF A CALLED 0.279 ACRE TRACT CONVEYED TO DELIA SAUDER, ET AL IN VOLUME 3185, PAGE 406 (O.P.R.G.C.T.), BEING ALL OF LOTS 28-29 OF THE RE-SUBDIVISION PLAT OF SAUDER FARMS - UNIT ONE, LOTS 1 THRU 45, A SUBDIVISION IN GUADALUPE COUNTY, TEXAS RECORDED IN VOLUME 4, PAGE 156 OF THE PLAT RECORDS OF GUADALUPE COUNTY, TEXAS (P.R.G.C.T.), BEING ALL OF LOTS 34-35 OF THE RE-SUBDIVISION PLAT OF SAUDER FARMS - UNIT ONE, LOTS 34 THRU 45, A SUBDIVISION IN GUADALUPE COUNTY, TEXAS RECORDED IN VOLUME 4, PAGE 161 (P.R.G.C.T.), AND BEING ALL OF LOTS 46-55, LOTS 59-72, AND LOTS 80-85, ALL OF SAUDER FARMS UNIT TWO, A SUBDIVISION PLAT IN GUADALUPE COUNTY, TEXAS RECORDED IN VOLUME 4, PAGE 192 (P.R.G.C.T.);

SAVE AND EXCEPT TRACT 2 (S&E-2)

BEING APPROXIMATELY 746 ACRES OWNED BY THE UNITED STATES OF AMERICA (PER GUADALUPE COUNTY APPRAISAL DISTRICT) OUT OF SAID J.G. KING SURVEY NO. 15, ABSTRACT NO. 26 AND OUT OF SAID JOHN SOWELL SURVEY NO. 16, ABSTRACT NO. 35, AND BEING KNOWN AS THE SEGUIN AIR FORCE AUXILLARY FIELD IN GUADALUPE COUNTY, TEXAS;

SAVE AND EXCEPT TRACT 3 (S&E-3)

BEING ALL OF A CALLED 50.0 ACRE TRACT CONVEYED TO THE PASCHAL HERITAGE TRUST IN DOCUMENT NO. 2015022371 (O.P.R.G.C.T.);

SAVE AND EXCEPT TRACT 4 (S&E-4)

BEING ALL OF A CALLED 162.747 ACRE TRACT CONVEYED TO BRADLEY AND DARLA MONDIN IN VOLUME 4272, PAGE 839 (O.P.R.G.C.T.), AND BEING ALL OF THE REMAINING PORTION OF A CALLED 391.262 ACRE TRACT CONVEYED TO S. WHITE RANCHES AND PROPERTIES, LTD. IN VOLUME 1766, PAGE 701 (O.P.R.G.C.T.);

SAVE AND EXCEPT TRACT 5 (S&E-5)

BEING ALL OF A CALLED 80.15 ACRE TRACT CONVEYED TO ANN SCHUMANN IN VOLUME 1113, PAGE 578 (O.P.R.G.C.T.);

SAVE AND EXCEPT TRACT 6 (S&E-6)

BEING ALL OF A CALLED 113.26 ACRE TRACT CONVEYED TO TLREM, LLC IN DOCUMENT NO. 201899013431 (O.P.R.G.C.T.);

SAVE AND EXCEPT TRACT 7 (S&E-7)

BEING ALL OF LOTS 6-9 OF GUADALUPE HILLS RANCH, A SUBDIVISION IN GUADALUPE COUNTY, TEXAS RECORDED IN VOLUME 4, PAGE 320 (P.R.G.C.T.), AND BEING ALL OF LOT 11 OF GUADALUPE HILLS RANCH PHASE II, A SUBDIVISION IN GUADALUPE COUNTY, TEXAS RECORDED IN VOLUME 4, PAGE 323 (P.R.G.C.T.);

SAVE AND EXCEPT TRACT 8 (S&E-8)

BEING ALL OF A CALLED 108.98 ACRE TRACT CONVEYED TO 121.08 GREEN VALLEY, J.V IN DOCUMENT NO. 2014002882 (O.P.R.G.C.T.), AND BEING ALL OF CALLED 12.10 ACRE TRACT CONVEYED TO 121.08 GREEN VALLEY J.V. IN DOCUMENT NO. 2014002880 (O.P.R.G.C.T.);

SAID SAVE AND EXCEPT TRACTS TOTALING 1,615 ACRES, MORE OR LESS, FOR AN OVERALL NET ACREAGE OF 173,150 ACRES, MORE OR LESS, SAID 173,150 ACRE NET ACREAGE TRACT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a calculated point on the northwesterly side of County Road 340 (A.K.A. Elm Country Drive) for the southwest corner and POINT OF BEGINNING hereof, from which a calculated point at the intersection of said County Road 340 and FM 775 bears, in the southwesterly direction approximately 1,943 feet;

THENCE, N01°11'11"W, a distance of 1,094.40 feet to a calculated point in the northerly line of Wilson County, and being in the southerly line of Guadalupe County;

THENCE, leaving the northerly line of said Wilson County and the southerly line of said Guadalupe County, over and across said Guadalupe County, the following sixty-six (66) courses and distances:

- 1) N01°11'11"W, a distance of 4,925.91 feet to a calculated point for an angle point hereof,
- 2) S60°26'14"W, a distance of 958.76 feet to a calculated point for an angle point hereof,
- 3) S54°55'38"W, a distance of 284.20 feet to a calculated point for an angle point hereof,
- 4) S39°58'34"W, a distance of 661.69 feet to a calculated point for a non-tangent point of curvature hereof,
- 5) Along the arc of a curve to the left, whose radius is 2,245.69 feet, whose arc length is 771.73 feet and whose chord bears N12°53'35"W, a distance of 767.94 feet to a calculated point for an angle point hereof,
- 6) N22°49'31"W, a distance of 1,473.96 feet to a calculated point for an angle point hereof,
- 7) N17°57'53"E, a distance of 2,870.23 feet to a calculated point for an angle point hereof,
- 8) N29°03'36"W, a distance of 1,948.93 feet to a calculated point for an angle point hereof,

- 9) N01°03'40"W, a distance of 5,701.55 feet to a calculated point for an angle point hereof,
- 10) N55°22'17"E, a distance of 939.81 feet to a calculated point for an angle point hereof,
- 11) N52°35'36"E, a distance of 806.60 feet to a calculated point for an angle point hereof,
- 12) N58°02'21"E, a distance of 1,695.11 feet to a calculated point for an angle point hereof,
- 13) N59°53'34"E, a distance of 2,382.32 feet to a calculated point for an angle point hereof,
- 14) N58°32'17"E, a distance of 477.40 feet to a calculated point for an angle point hereof,
- 15) N77°24'34"E, a distance of 389.73 feet to a calculated point for an angle point hereof,
- 16) N89°37'11"E, a distance of 3,137.91 feet to a calculated point for an angle point hereof,
- 17) N82°38'12"E, a distance of 459.82 feet to a calculated point for an angle point hereof,
- 18) N69°05'46"E, a distance of 380.59 feet to a calculated point for an angle point hereof,
- 19) N37°24'50"E, a distance of 316.28 feet to a calculated point for an angle point hereof,
- 20) N09°38'03"E, a distance of 320.30 feet to a calculated point for an angle point hereof,
- 21) N02°42'50"E, a distance of 343.02 feet to a calculated point for an angle point hereof,
- 22) N01°31'48"W, a distance of 1,787.92 feet to a calculated point for an angle point hereof,
- 23) N84°51'04"E, a distance of 1,361.51 feet to a calculated point for an angle point hereof,
- 24) N83°02'54"E, a distance of 484.89 feet to a calculated point for an angle point hereof,
- 25) N71°15'15"E, a distance of 536.15 feet to a calculated point for an angle point hereof,
- 26) N61°11'11"E, a distance of 464.49 feet to a calculated point for an angle point hereof,
- 27) N41°33'12"E, a distance of 385.60 feet to a calculated point for an angle point hereof,
- 28) N25°06'41"E, a distance of 486.87 feet to a calculated point for an angle point hereof,
- 29) N14°34'50"E, a distance of 417.30 feet to a calculated point for an angle point hereof,
- 30) N05°09'17"E, a distance of 786.93 feet to a calculated point for an angle point hereof,
- 31) N05°40'54"W, a distance of 699.95 feet to a calculated point for an angle point hereof,

- 32) N13°29'31"W, a distance of 521.63 feet to a calculated point for an angle point hereof,
- 33) N21°33'55"W, a distance of 436.98 feet to a calculated point for an angle point hereof,
- 34) N21°59'36"W, a distance of 394.33 feet to a calculated point for an angle point hereof,
- 35) N29°31'28"W, a distance of 488.56 feet to a calculated point for an angle point hereof,
- 36) N30°31'46"W, a distance of 462.27 feet to a calculated point for an angle point hereof,
- 37) N22°22'01"W, a distance of 59.08 feet to a calculated point for an angle point hereof,
- 38) N31°12'38"W, a distance of 58.97 feet to a calculated point for an angle point hereof,
- 39) N36°27'45"W, a distance of 119.03 feet to a calculated point for an angle point hereof,
- 40) N37°11'43"W, a distance of 197.08 feet to a calculated point for an angle point hereof,
- 41) N38°11'37"W, a distance of 196.63 feet to a calculated point for an angle point hereof,
- 42) N42°52'06"W, a distance of 131.50 feet to a calculated point for an angle point hereof,
- 43) N44°01'49"W, a distance of 130.34 feet to a calculated point for an angle point hereof,
- 44) N36°53'47"W, a distance of 86.96 feet to a calculated point for an angle point hereof,
- 45) N27°42'53"W, a distance of 146.29 feet to a calculated point for an angle point hereof,
- 46) N21°32'16"W, a distance of 146.30 feet to a calculated point for an angle point hereof,
- 47) N20°39'43"W, a distance of 293.02 feet to a calculated point for an angle point hereof,
- 48) N25°48'44"W, a distance of 212.78 feet to a calculated point for an angle point hereof,
- 49) N27°50'19"W, a distance of 168.18 feet to a calculated point for a non-tangent point of curvature hereof,
- 50) Along the arc of a curve to the left, whose radius is 76.96 feet, whose arc length is 52.96 feet and whose chord bears N52°45'06"W, a distance of 51.92 feet to a calculated point for an angle point hereof,
- 51) N68°22'30"W, a distance of 56.81 feet to a calculated point for an angle point hereof,
- 52) N49°39'41"W, a distance of 34.69 feet to a calculated point for a non-tangent point of curvature hereof,
- 53) Along the arc of a curve to the right, whose radius is 278.74 feet, whose arc length is 295.61 feet and whose chord bears N01°47'56"W, a distance of 281.95 feet to a calculated point for an angle point hereof,

- 54) N37°53'24"E, a distance of 293.54 feet to a calculated point for an angle point hereof,
- 55) N40°18'36"E, a distance of 289.80 feet to a calculated point for an angle point hereof,
- 56) N36°57'52"E, a distance of 195.29 feet to a calculated point for an angle point hereof,
- 57) N32°37'25"E, a distance of 340.03 feet to a calculated point for a non-tangent point of curvature hereof,
- 58) Along the arc of a curve to the left, whose radius is 528.93 feet, whose arc length is 594.77 feet and whose chord bears N02°01'38"E, a distance of 563.93 feet to a calculated point for an angle point hereof,
- 59) N24°17'09"W, a distance of 591.69 feet to a calculated point for an angle point hereof,
- 60) N17°42'59"W, a distance of 284.59 feet to a calculated point for a non-tangent point of curvature hereof,
- 61) Along the arc of a curve to the right, whose radius is 958.20 feet, whose arc length is 651.88 feet and whose chord bears N06°35'22"E, a distance of 639.38 feet to a calculated point for a non-tangent point of curvature hereof,
- 62) Along the arc of a curve to the left, whose radius is 586.41 feet, whose arc length is 163.77 feet and whose chord bears N21°37'55"E, a distance of 163.24 feet to a calculated point for an angle point hereof,
- 63) N07°57'41"E, a distance of 432.72 feet to a calculated point for an angle point hereof,
- 64) N13°12'58"E, a distance of 129.24 feet to a calculated point for an angle point hereof,
- 65) N17°19'26"E, a distance of 381.66 feet to a calculated point for an angle point hereof, and
- 66) N12°13'30"E, a distance of 158.44 feet to a calculated point for a non-tangent point of curvature hereof, said point being on the easterly side of Woelke Road;

THENCE, continuing over and across said Guadalupe County, and along the easterly side of Woelke Road, the following twenty-nine (29) courses and distances:

- 1) Along the arc of a curve to the right, whose radius is 750.95 feet, whose arc length is 331.18 feet and whose chord bears N70°09'47"E, a distance of 328.50 feet to a calculated point for an angle point hereof,
- 2) N82°35'16"E, a distance of 335.65 feet to a calculated point for an angle point hereof,
- 3) N55°40'31"E, a distance of 327.85 feet to a calculated point for an angle point hereof,
- 4) N56°20'51"E, a distance of 1,171.12 feet to a calculated point for an angle point hereof,
- 5) N47°50'01"E, a distance of 966.58 feet to a calculated point for an angle point hereof,

- 6) N43°46'24"E, a distance of 1,059.47 feet to a calculated point for an angle point hereof,
- 7) N56°08'54"E, a distance of 1,708.00 feet to a calculated point for an angle point hereof,
- 8) N30°28'36"E, a distance of 1,170.67 feet to a calculated point for an angle point hereof,
- 9) N30°28'45"E, a distance of 1,414.62 feet to a calculated point for an angle point hereof,
- 10) N26°29'54"E, a distance of 1,599.93 feet to a calculated point for an angle point hereof,
- 11) N29°23'29"E, a distance of 2,691.43 feet to a calculated point for an angle point hereof,
- 12) N59°23'25"E, a distance of 877.17 feet to a calculated point for a non-tangent point of curvature hereof,
- 13) Along the arc of a curve to the left, whose radius is 392.96 feet, whose arc length is 374.71 feet and whose chord bears N31°47'26"E, a distance of 360.67 feet to a calculated point for an angle point hereof,
- 14) N04°20'02"E, a distance of 302.84 feet to a calculated point for an angle point hereof,
- 15) N18°36'05"E, a distance of 899.01 feet to a calculated point for an angle point hereof,
- 16) N22°37'03"E, a distance of 690.04 feet to a calculated point for an angle point hereof,
- 17) N31°18'52"E, a distance of 996.24 feet to a calculated point for a non-tangent point of curvature hereof,
- 18) Along the arc of a curve to the right, whose radius is 1,977.49 feet, whose arc length is 456.18 feet and whose chord bears N46°31'20"E, a distance of 455.17 feet to a calculated point for a non-tangent point of curvature hereof,
- 19) Along the arc of a curve to the left, whose radius is 1,329.33 feet, whose arc length is 454.21 feet and whose chord bears N39°48'49"E, a distance of 452.00 feet to a calculated point for an angle point hereof,
- 20) N30°00'41"E, a distance of 1,074.04 feet to a calculated point for an angle point hereof,
- 21) N25°25'59"E, a distance of 446.57 feet to a calculated point for a non-tangent point of curvature hereof,
- 22) Along the arc of a curve to the left, whose radius is 918.79 feet, whose arc length is 259.85 feet and whose chord bears N21°22'06"E, a distance of 258.98 feet to a calculated point for an angle point hereof,
- 23) N06°18'11"E, a distance of 597.92 feet to a calculated point for a non-tangent point of curvature hereof,
- 24) Along the arc of a curve to the left, whose radius is 608.12 feet, whose arc length is 291.99 feet and whose chord bears N00°39'37"W, a distance of 289.19 feet to a calculated point for a non-tangent point of curvature hereof,

- 25) Along the arc of a curve to the right, whose radius is 471.31 feet, whose arc length is 311.71 feet and whose chord bears N07°02'14"W, a distance of 306.06 feet to a calculated point for an angle point hereof,
- 26) N13°36'40"E, a distance of 603.22 feet to a calculated point for an angle point hereof,
- 27) N08°01'14"E, a distance of 662.92 feet to a calculated point for a non-tangent point of curvature hereof,
- 28) Along the arc of a curve to the right, whose radius is 466.92 feet, whose arc length is 243.28 feet and whose chord bears N11°11'21"W, a distance of 240.54 feet to a calculated point for an angle point hereof, and
- 29) N23°38'09"W, a distance of 860.33 feet to a calculated point for an angle point hereof;

THENCE, leaving the easterly side of said Woelke Road, and continuing over and across said Guadalupe County, the following six (6) courses and distances:

- 1) N15°38'43"E, a distance of 2,521.67 feet to a calculated point for an angle point hereof,
- 2) N17°28'56"E, a distance of 5,277.07 feet to a calculated point for an angle point hereof,
- 3) N18°58'49"E, a distance of 1,583.80 feet to a calculated point for an angle point hereof,
- 4) N15°04'30"E, a distance of 4,297.93 feet to a calculated point for an angle point hereof,
- 5) N32°09'43"W, a distance of 1,867.76 feet to a calculated point for an angle point hereof, and
- 6) N44°30'07"W, a distance of 3,126.69 feet to a calculated point for an angle point hereof, said point being on the south side of Interstate Highway 10;

THENCE, continuing over and across said Guadalupe County, along the south side of said Interstate Highway 10, the following three (3) courses and distances:

- 1) S56°45'43"W, a distance of 880.67 feet to a calculated point for a non-tangent point of curvature hereof,
- 2) Along the arc of a curve to the left, whose radius is 9743.37 feet, whose arc length is 2,930.14 feet and whose chord bears S47°17'53"W, a distance of 2,919.11 feet to a calculated point for an angle point hereof, and
- 3) S38°10'34"W, a distance of 1,435.19 feet to a calculated point for an angle point hereof;

THENCE, leaving the south side of said Interstate Highway 10, and continuing over and across said Guadalupe County, the following ten (10) courses and distances:

- 1) N50°02'54"W, a distance of 1,160.90 feet to a calculated point for an angle point hereof,
- 2) S53°56'00"W, a distance of 1,846.48 feet to a calculated point for an angle point hereof,

- 3) N36°15'19"W, a distance of 1,859.82 feet to a calculated point for an angle point hereof,
- 4) N53°46'32"E, a distance of 1,970.59 feet to a calculated point for an angle point hereof,
- 5) N36°20'10"W, a distance of 2,785.90 feet to a calculated point for an angle point hereof,
- 6) N55°52'06"E, a distance of 852.87 feet to a calculated point for an angle point hereof,
- 7) S36°05'53"E, a distance of 975.05 feet to a calculated point for an angle point hereof,
- 8) N53°39'05"E, a distance of 706.48 feet to a calculated point for an angle point hereof,
- 9) S36°07'39"E, a distance of 1,055.91 feet to a calculated point for an angle point hereof, and
- 10) N21°00'40"E, a distance of 4,096.02 feet to a calculated point for a non-tangent point of curvature hereof, said point being near the Guadalupe River;

THENCE, along said Guadalupe River, and continuing over and across said Guadalupe County, the following two hundred and forty-three (243) courses and distances:

- 1) Along the arc of a curve to the right, whose radius is 821.30 feet, whose arc length is 535.63 feet and whose chord bears N37°16'28"W, a distance of 526.19 feet to a calculated point for a non-tangent point of curvature hereof,
- 2) Along the arc of a curve to the right, whose radius is 1,568.45 feet, whose arc length is 845.31 feet and whose chord bears N04°23'05"W, a distance of 835.12 feet to a calculated point for an angle point hereof,
- 3) N23°11'18"E, a distance of 330.30 feet to a calculated point for a non-tangent point of curvature hereof,
- 4) Along the arc of a curve to the right, whose radius is 1,941.99 feet, whose arc length is 1,132.09 feet and whose chord bears N40°25'26"E, a distance of 1,116.13 feet to a calculated point for an angle point hereof,
- 5) N54°43'41"E, a distance of 407.53 feet to a calculated point for a non-tangent point of curvature hereof,
- 6) Along the arc of a curve to the left, whose radius is 750.27 feet, whose arc length is 896.40 feet and whose chord bears N18°34'31"E, a distance of 844.03 feet to a calculated point for an angle point hereof,
- 7) N15°04'00"W, a distance of 420.59 feet to a calculated point for a non-tangent point of curvature hereof,
- 8) Along the arc of a curve to the left, whose radius is 1,684.34 feet, whose arc length is 630.85 feet and whose chord bears N30°25'13"W, a distance of 627.16 feet to a calculated point for an angle point hereof,
- 9) N45°45'28"W, a distance of 323.39 feet to a calculated point for an angle point hereof,

- 10) N42°57'27"W, a distance of 107.32 feet to a calculated point for an angle point hereof,
- 11) N40°01'45"W, a distance of 246.14 feet to a calculated point for an angle point hereof,
- 12) N39°17'33"W, a distance of 834.71 feet to a calculated point for an angle point hereof,
- 13) N44°58'04"W, a distance of 278.60 feet to a calculated point for an angle point hereof,
- 14) N35°58'42"W, a distance of 123.43 feet to a calculated point for an angle point hereof,
- 15) N25°58'05"W, a distance of 98.26 feet to a calculated point for an angle point hereof,
- 16) N18°48'49"W, a distance of 206.19 feet to a calculated point for an angle point hereof,
- 17) N21°07'14"W, a distance of 259.37 feet to a calculated point for an angle point hereof,
- 18) N23°08'32"W, a distance of 171.73 feet to a calculated point for an angle point hereof,
- 19) N27°06'16"W, a distance of 117.16 feet to a calculated point for a non-tangent point of curvature hereof,
- 20) Along the arc of a curve to the left, whose radius is 1,124.58 feet, whose arc length is 76.69 feet and whose chord bears N37°25'48"W, a distance of 76.67 feet to a calculated point for a non-tangent point of curvature hereof,
- 21) Along the arc of a curve to the left, whose radius is 522.91 feet, whose arc length is 372.27 feet and whose chord bears N69°29'02"W, a distance of 364.46 feet to a calculated point for an angle point hereof,
- 22) S87°32'53"W, a distance of 81.42 feet to a calculated point for an angle point hereof,
- 23) N81°41'18"W, a distance of 53.21 feet to a calculated point for an angle point hereof,
- 24) N73°28'21"W, a distance of 150.08 feet to a calculated point for an angle point hereof,
- 25) N18°11'51"E, a distance of 29.55 feet to a calculated point for an angle point hereof,
- 26) N20°35'45"W, a distance of 28.67 feet to a calculated point for a non-tangent point of curvature hereof,
- 27) Along the arc of a curve to the left, whose radius is 98.25 feet, whose arc length is 173.39 feet and whose chord bears N55°34'39"W, a distance of 151.75 feet to a calculated point for a non-tangent point of curvature hereof,
- 28) Along the arc of a curve to the right, whose radius is 619.67 feet, whose arc length is 567.95 feet and whose chord bears N77°55'56"W, a distance of 548.28 feet to a calculated point for an angle point hereof,
- 29) N44°43'36"W, a distance of 98.70 feet to a calculated point for a non-tangent point of curvature hereof,

- 30) Along the arc of a curve to the right, whose radius is 193.20 feet, whose arc length is 271.05 feet and whose chord bears $N01^{\circ}56'30''W$, a distance of 249.36 feet to a calculated point for an angle point hereof,
- 31) $N39^{\circ}17'38''E$, a distance of 159.31 feet to a calculated point for a non-tangent point of curvature hereof,
- 32) Along the arc of a curve to the right, whose radius is 268.23 feet, whose arc length is 201.23 feet and whose chord bears $N59^{\circ}55'17''E$, a distance of 196.54 feet to a calculated point for an angle point hereof,
- 33) $N86^{\circ}20'16''E$, a distance of 326.77 feet to a calculated point for an angle point hereof,
- 34) $N88^{\circ}48'47''E$, a distance of 192.75 feet to a calculated point for an angle point hereof,
- 35) $N86^{\circ}48'24''E$, a distance of 189.43 feet to a calculated point for a non-tangent point of curvature hereof,
- 36) Along the arc of a curve to the left, whose radius is 204.64 feet, whose arc length is 106.01 feet and whose chord bears $N67^{\circ}09'47''E$, a distance of 104.83 feet to a calculated point for a non-tangent point of curvature hereof,
- 37) Along the arc of a curve to the right, whose radius is 1,168.88 feet, whose arc length is 233.31 feet and whose chord bears $N53^{\circ}54'49''E$, a distance of 232.92 feet to a calculated point for an angle point hereof,
- 38) $N66^{\circ}36'10''E$, a distance of 346.94 feet to a calculated point for an angle point hereof,
- 39) $N69^{\circ}34'17''E$, a distance of 444.50 feet to a calculated point for a non-tangent point of curvature hereof,
- 40) Along the arc of a curve to the left, whose radius is 69.58 feet, whose arc length is 83.43 feet and whose chord bears $N25^{\circ}59'17''E$, a distance of 78.52 feet to a calculated point for an angle point hereof,
- 41) $N05^{\circ}33'59''W$, a distance of 178.67 feet to a calculated point for a non-tangent point of curvature hereof,
- 42) Along the arc of a curve to the right, whose radius is 106.63 feet, whose arc length is 126.51 feet and whose chord bears $N44^{\circ}58'11''E$, a distance of 119.22 feet to a calculated point for an angle point hereof,
- 43) $N70^{\circ}18'04''E$, a distance of 179.50 feet to a calculated point for an angle point hereof,
- 44) $N72^{\circ}39'41''E$, a distance of 196.87 feet to a calculated point for an angle point hereof,
- 45) $N81^{\circ}00'26''E$, a distance of 135.51 feet to a calculated point for a non-tangent point of curvature hereof,
- 46) Along the arc of a curve to the left, whose radius is 745.15 feet, whose arc length is 247.04 feet and whose chord bears $N83^{\circ}05'55''E$, a distance of 245.91 feet to a calculated point for an angle point hereof,
- 47) $N63^{\circ}22'53''E$, a distance of 204.89 feet to a calculated point for an angle point hereof,
- 48) $N62^{\circ}21'50''E$, a distance of 182.51 feet to a calculated point for an angle point hereof,

- 49) N64°11'22"E, a distance of 387.24 feet to a calculated point for a non-tangent point of curvature hereof,
- 50) Along the arc of a curve to the left, whose radius is 888.54 feet, whose arc length is 407.61 feet and whose chord bears N47°24'56"E, a distance of 404.04 feet to a calculated point for an angle point hereof,
- 51) N34°51'57"E, a distance of 755.50 feet to a calculated point for an angle point hereof,
- 52) N26°34'18"E, a distance of 621.56 feet to a calculated point for an angle point hereof,
- 53) N24°04'01"E, a distance of 1,016.39 feet to a calculated point for an angle point hereof,
- 54) N19°10'04"E, a distance of 235.91 feet to a calculated point for an angle point hereof,
- 55) N13°08'39"E, a distance of 235.28 feet to a calculated point for a non-tangent point of curvature hereof,
- 56) Along the arc of a curve to the left, whose radius is 1,221.29 feet, whose arc length is 479.67 feet and whose chord bears N00°56'25"W, a distance of 476.59 feet to a calculated point for an angle point hereof,
- 57) N18°00'30"W, a distance of 226.77 feet to a calculated point for a non-tangent point of curvature hereof,
- 58) Along the arc of a curve to the right, whose radius is 7,270.84 feet, whose arc length is 1,699.54 feet and whose chord bears N03°29'01"W, a distance of 1,695.68 feet to a calculated point for an angle point hereof,
- 59) N04°34'51"E, a distance of 309.40 feet to a calculated point for an angle point hereof,
- 60) N08°17'50"E, a distance of 487.31 feet to a calculated point for an angle point hereof,
- 61) N03°46'23"E, a distance of 463.71 feet to a calculated point for an angle point hereof,
- 62) N06°28'40"E, a distance of 314.88 feet to a calculated point for an angle point hereof,
- 63) N01°08'33"W, a distance of 212.87 feet to a calculated point for an angle point hereof,
- 64) N07°30'54"W, a distance of 608.93 feet to a calculated point for a non-tangent point of curvature hereof,
- 65) Along the arc of a curve to the left, whose radius is 611.11 feet, whose arc length is 737.38 feet and whose chord bears N41°11'05"W, a distance of 693.45 feet to a calculated point for an angle point hereof,
- 66) N80°36'24"W, a distance of 506.56 feet to a calculated point for an angle point hereof,
- 67) N84°23'53"W, a distance of 311.17 feet to a calculated point for a non-tangent point of curvature hereof,
- 68) Along the arc of a curve to the right, whose radius is 217.39 feet, whose arc length is 86.38 feet and whose chord bears N69°39'50"W, a distance of 85.82 feet to a calculated point for an angle point hereof,

- 69) N59°11'55"W, a distance of 89.26 feet to a calculated point for an angle point hereof,
- 70) N66°42'15"W, a distance of 49.84 feet to a calculated point for an angle point hereof,
- 71) N84°27'43"W, a distance of 27.88 feet to a calculated point for an angle point hereof,
- 72) S59°55'59"W, a distance of 10.13 feet to a calculated point for an angle point hereof,
- 73) S22°43'04"W, a distance of 12.00 feet to a calculated point for an angle point hereof,
- 74) S10°28'30"W, a distance of 46.87 feet to a calculated point for an angle point hereof,
- 75) S39°09'27"W, a distance of 21.01 feet to a calculated point for an angle point hereof,
- 76) S70°45'40"W, a distance of 200.98 feet to a calculated point for an angle point hereof,
- 77) S73°27'41"W, a distance of 316.72 feet to a calculated point for a non-tangent point of curvature hereof,
- 78) Along the arc of a curve to the left, whose radius is 1,659.23 feet, whose arc length is 829.02 feet and whose chord bears S61°04'45"W, a distance of 820.43 feet to a calculated point for an angle point hereof,
- 79) S48°27'32"W, a distance of 759.62 feet to a calculated point for a non-tangent point of curvature hereof,
- 80) Along the arc of a curve to the right, whose radius is 512.17 feet, whose arc length is 175.17 feet and whose chord bears S59°35'42"W, a distance of 174.31 feet to a calculated point for an angle point hereof,
- 81) S73°00'45"W, a distance of 244.52 feet to a calculated point for an angle point hereof,
- 82) S74°39'56"W, a distance of 691.42 feet to a calculated point for a non-tangent point of curvature hereof,
- 83) Along the arc of a curve to the left, whose radius is 2,333.73 feet, whose arc length is 667.04 feet and whose chord bears S74°29'32"W, a distance of 664.78 feet to a calculated point for a non-tangent point of curvature hereof,
- 84) Along the arc of a curve to the right, whose radius is 1,212.41 feet, whose arc length is 429.46 feet and whose chord bears S75°52'17"W, a distance of 427.22 feet to a calculated point for an angle point hereof,
- 85) S87°59'27"W, a distance of 250.22 feet to a calculated point for an angle point hereof,
- 86) N87°15'53"W, a distance of 215.93 feet to a calculated point for an angle point hereof,
- 87) N85°35'15"W, a distance of 216.48 feet to a calculated point for an angle point hereof,
- 88) N89°41'13"W, a distance of 143.77 feet to a calculated point for an angle point hereof,

- 89) $S83^{\circ}50'30''W$, a distance of 229.23 feet to a calculated point for an angle point hereof,
- 90) $S72^{\circ}47'31''W$, a distance of 184.22 feet to a calculated point for a non-tangent point of curvature hereof,
- 91) Along the arc of a curve to the right, whose radius is 149.87 feet, whose arc length is 228.99 feet and whose chord bears $N63^{\circ}38'13''W$, a distance of 207.35 feet to a calculated point for a non-tangent point of curvature hereof,
- 92) Along the arc of a curve to the right, whose radius is 577.47 feet, whose arc length is 119.28 feet and whose chord bears $N18^{\circ}24'53''W$, a distance of 119.06 feet to a calculated point for a non-tangent point of curvature hereof,
- 93) Along the arc of a curve to the right, whose radius is 3,232.60 feet, whose arc length is 223.55 feet and whose chord bears $N10^{\circ}30'59''W$, a distance of 223.50 feet to a calculated point for a non-tangent point of curvature hereof,
- 94) Along the arc of a curve to the right, whose radius is 882.33 feet, whose arc length is 220.58 feet and whose chord bears $N01^{\circ}22'25''W$, a distance of 220.00 feet to a calculated point for an angle point hereof,
- 95) $N09^{\circ}00'52''E$, a distance of 625.25 feet to a calculated point for an angle point hereof,
- 96) $N04^{\circ}52'56''E$, a distance of 138.92 feet to a calculated point for a non-tangent point of curvature hereof,
- 97) Along the arc of a curve to the left, whose radius is 497.40 feet, whose arc length is 176.26 feet and whose chord bears $N11^{\circ}59'22''W$, a distance of 175.34 feet to a calculated point for an angle point hereof,
- 98) $N20^{\circ}54'32''W$, a distance of 352.30 feet to a calculated point for a non-tangent point of curvature hereof,
- 99) Along the arc of a curve to the left, whose radius is 579.07 feet, whose arc length is 149.84 feet and whose chord bears $N21^{\circ}04'40''W$, a distance of 149.42 feet to a calculated point for an angle point hereof,
- 100) $N35^{\circ}32'45''W$, a distance of 161.57 feet to a calculated point for a non-tangent point of curvature hereof,
- 101) Along the arc of a curve to the right, whose radius is 154.69 feet, whose arc length is 104.36 feet and whose chord bears $N15^{\circ}09'16''W$, a distance of 102.39 feet to a calculated point for an angle point hereof,
- 102) $N05^{\circ}37'14''E$, a distance of 154.65 feet to a calculated point for an angle point hereof,
- 103) $N23^{\circ}51'59''E$, a distance of 452.75 feet to a calculated point for an angle point hereof,
- 104) $N33^{\circ}41'54''E$, a distance of 134.21 feet to a calculated point for an angle point hereof,
- 105) $N59^{\circ}37'07''E$, a distance of 43.95 feet to a calculated point for a non-tangent point of curvature hereof,

- 106) Along the arc of a curve to the left, whose radius is 2,482.16 feet, whose arc length is 608.40 feet and whose chord bears N59°52'15"E, a distance of 606.88 feet to a calculated point for an angle point hereof,
- 107) N51°33'16"E, a distance of 122.37 feet to a calculated point for an angle point hereof,
- 108) N40°53'04"E, a distance of 44.02 feet to a calculated point for an angle point hereof,
- 109) N48°44'15"E, a distance of 127.42 feet to a calculated point for an angle point hereof,
- 110) N38°58'09"E, a distance of 77.01 feet to a calculated point for a non-tangent point of curvature hereof,
- 111) Along the arc of a curve to the left, whose radius is 392.63 feet, whose arc length is 261.22 feet and whose chord bears N21°22'34"E, a distance of 256.43 feet to a calculated point for an angle point hereof,
- 112) N03°13'18"W, a distance of 164.22 feet to a calculated point for a non-tangent point of curvature hereof,
- 113) Along the arc of a curve to the right, whose radius is 834.70 feet, whose arc length is 303.92 feet and whose chord bears N03°20'34"E, a distance of 302.25 feet to a calculated point for an angle point hereof,
- 114) N18°21'59"E, a distance of 226.31 feet to a calculated point for an angle point hereof,
- 115) N14°40'51"E, a distance of 336.84 feet to a calculated point for an angle point hereof,
- 116) N07°56'40"E, a distance of 239.54 feet to a calculated point for an angle point hereof,
- 117) N03°12'20"E, a distance of 83.50 feet to a calculated point for an angle point hereof,
- 118) N17°07'21"E, a distance of 247.18 feet to a calculated point for an angle point hereof,
- 119) N06°17'29"E, a distance of 255.48 feet to a calculated point for a non-tangent point of curvature hereof,
- 120) Along the arc of a curve to the right, whose radius is 1,794.06 feet, whose arc length is 326.46 feet and whose chord bears N03°03'59"E, a distance of 326.01 feet to a calculated point for an angle point hereof,
- 121) N11°59'43"E, a distance of 503.85 feet to a calculated point for an angle point hereof,
- 122) N06°34'26"E, a distance of 151.92 feet to a calculated point for a non-tangent point of curvature hereof,
- 123) Along the arc of a curve to the right, whose radius is 714.11 feet, whose arc length is 191.05 feet and whose chord bears N12°01'53"E, a distance of 190.48 feet to a calculated point for a non-tangent point of curvature hereof,
- 124) Along the arc of a curve to the left, whose radius is 669.42 feet, whose arc length is 445.83 feet and whose chord bears N02°25'51"E, a distance of 437.64 feet to a calculated point for a non-tangent point of curvature hereof,

- 125) Along the arc of a curve to the left, whose radius is 237.04 feet, whose arc length is 94.82 feet and whose chord bears N27°02'42"W, a distance of 94.19 feet to a calculated point for an angle point hereof,
- 126) N42°26'55"W, a distance of 251.62 feet to a calculated point for an angle point hereof,
- 127) N48°26'38"W, a distance of 261.08 feet to a calculated point for an angle point hereof,
- 128) N61°24'58"W, a distance of 48.58 feet to a calculated point for an angle point hereof,
- 129) N64°23'34"W, a distance of 48.52 feet to a calculated point for an angle point hereof,
- 130) N41°15'00"W, a distance of 29.89 feet to a calculated point for an angle point hereof,
- 131) N25°20'44"W, a distance of 165.83 feet to a calculated point for an angle point hereof,
- 132) N87°18'08"W, a distance of 63.28 feet to a calculated point for an angle point hereof,
- 133) S32°38'35"W, a distance of 68.30 feet to a calculated point for a non-tangent point of curvature hereof,
- 134) Along the arc of a curve to the right, whose radius is 58.64 feet, whose arc length is 78.41 feet and whose chord bears S64°53'25"W, a distance of 72.69 feet to a calculated point for an angle point hereof,
- 135) N76°50'04"W, a distance of 76.83 feet to a calculated point for an angle point hereof,
- 136) N73°30'36"W, a distance of 115.14 feet to a calculated point for an angle point hereof,
- 137) N75°22'16"W, a distance of 168.18 feet to a calculated point for an angle point hereof,
- 138) N80°12'23"W, a distance of 119.41 feet to a calculated point for a non-tangent point of curvature hereof,
- 139) Along the arc of a curve to the left, whose radius is 1,285.84 feet, whose arc length is 189.36 feet and whose chord bears N82°47'06"W, a distance of 189.19 feet to a calculated point for an angle point hereof,
- 140) S89°41'12"W, a distance of 101.69 feet to a calculated point for a non-tangent point of curvature hereof,
- 141) Along the arc of a curve to the left, whose radius is 151.30 feet, whose arc length is 120.49 feet and whose chord bears S67°21'09"W, a distance of 117.33 feet to a calculated point for an angle point hereof,
- 142) S37°33'02"W, a distance of 29.49 feet to a calculated point for a non-tangent point of curvature hereof,
- 143) Along the arc of a curve to the left, whose radius is 188.90 feet, whose arc length is 130.77 feet and whose chord bears S07°22'09"W, a distance of 128.17 feet to a calculated point for an angle point hereof,
- 144) S14°42'40"E, a distance of 20.39 feet to a calculated point for an angle point hereof,

- 145) S80°54'56"E, a distance of 16.51 feet to a calculated point for an angle point hereof,
- 146) N78°10'35"E, a distance of 26.47 feet to a calculated point for an angle point hereof,
- 147) N69°33'10"E, a distance of 15.91 feet to a calculated point for an angle point hereof,
- 148) S04°09'22"E, a distance of 41.19 feet to a calculated point for an angle point hereof,
- 149) S07°53'41"E, a distance of 102.47 feet to a calculated point for a non-tangent point of curvature hereof,
- 150) Along the arc of a curve to the right, whose radius is 209.13 feet, whose arc length is 62.73 feet and whose chord bears S02°42'52"E, a distance of 62.49 feet to a calculated point for a non-tangent point of curvature hereof,
- 151) Along the arc of a curve to the right, whose radius is 75.75 feet, whose arc length is 100.72 feet and whose chord bears S47°57'55"W, a distance of 93.46 feet to a calculated point for an angle point hereof,
- 152) S86°29'00"W, a distance of 23.28 feet to a calculated point for an angle point hereof,
- 153) N87°31'07"W, a distance of 23.11 feet to a calculated point for an angle point hereof,
- 154) N83°54'18"W, a distance of 26.72 feet to a calculated point for a non-tangent point of curvature hereof,
- 155) Along the arc of a curve to the right, whose radius is 132.01 feet, whose arc length is 75.86 feet and whose chord bears N66°44'44"W, a distance of 74.82 feet to a calculated point for a non-tangent point of curvature hereof,
- 156) Along the arc of a curve to the right, whose radius is 654.52 feet, whose arc length is 258.21 feet and whose chord bears N39°56'26"W, a distance of 256.54 feet to a calculated point for an angle point hereof,
- 157) N27°02'20"W, a distance of 147.60 feet to a calculated point for a non-tangent point of curvature hereof,
- 158) Along the arc of a curve to the left, whose radius is 161.65 feet, whose arc length is 183.54 feet and whose chord bears N62°26'30"W, a distance of 173.84 feet to a calculated point for an angle point hereof,
- 159) S84°44'55"W, a distance of 90.68 feet to a calculated point for a non-tangent point of curvature hereof,
- 160) Along the arc of a curve to the left, whose radius is 474.64 feet, whose arc length is 74.18 feet and whose chord bears S87°40'18"W, a distance of 74.11 feet to a calculated point for an angle point hereof,
- 161) S83°04'11"W, a distance of 85.70 feet to a calculated point for a non-tangent point of curvature hereof,
- 162) Along the arc of a curve to the left, whose radius is 210.09 feet, whose arc length is 53.32 feet and whose chord bears S75°11'10"W, a distance of 53.17 feet to a calculated point for a non-tangent point of curvature hereof,

- 163) Along the arc of a curve to the right, whose radius is 665.30 feet, whose arc length is 76.95 feet and whose chord bears S58°47'23"W, a distance of 76.91 feet to a calculated point for an angle point hereof,
- 164) S69°21'48"W, a distance of 23.87 feet to a calculated point for an angle point hereof,
- 165) S80°39'11"W, a distance of 73.00 feet to a calculated point for an angle point hereof,
- 166) S88°33'58"W, a distance of 32.20 feet to a calculated point for an angle point hereof,
- 167) N77°26'50"W, a distance of 79.58 feet to a calculated point for an angle point hereof,
- 168) N04°33'43"E, a distance of 21.99 feet to a calculated point for an angle point hereof,
- 169) N27°32'29"W, a distance of 45.98 feet to a calculated point for a non-tangent point of curvature hereof,
- 170) Along the arc of a curve to the left, whose radius is 68.19 feet, whose arc length is 47.68 feet and whose chord bears N50°47'32"W, a distance of 46.71 feet to a calculated point for a non-tangent point of curvature hereof,
- 171) Along the arc of a curve to the left, whose radius is 521.31 feet, whose arc length is 196.25 feet and whose chord bears N84°26'20"W, a distance of 195.09 feet to a calculated point for an angle point hereof,
- 172) S82°59'35"W, a distance of 79.29 feet to a calculated point for an angle point hereof,
- 173) S87°44'01"W, a distance of 81.91 feet to a calculated point for an angle point hereof,
- 174) S84°57'44"W, a distance of 295.43 feet to a calculated point for a non-tangent point of curvature hereof,
- 175) Along the arc of a curve to the right, whose radius is 811.11 feet, whose arc length is 144.13 feet and whose chord bears S89°35'00"W, a distance of 143.94 feet to a calculated point for an angle point hereof,
- 176) N80°09'34"W, a distance of 96.61 feet to a calculated point for a non-tangent point of curvature hereof,
- 177) Along the arc of a curve to the right, whose radius is 525.26 feet, whose arc length is 435.35 feet and whose chord bears N55°17'28"W, a distance of 422.99 feet to a calculated point for an angle point hereof,
- 178) N30°21'26"W, a distance of 197.73 feet to a calculated point for a non-tangent point of curvature hereof,
- 179) Along the arc of a curve to the right, whose radius is 359.29 feet, whose arc length is 84.68 feet and whose chord bears N12°23'02"W, a distance of 84.49 feet to a calculated point for an angle point hereof,
- 180) N04°18'42"W, a distance of 58.34 feet to a calculated point for a non-tangent point of curvature hereof,
- 181) Along the arc of a curve to the left, whose radius is 25.25 feet, whose arc length is 32.58 feet and whose chord bears S89°34'48"W, a distance of 30.36 feet to a calculated point for an angle point hereof,

- 182) S28°01'00"W, a distance of 22.62 feet to a calculated point for an angle point hereof,
- 183) S19°50'56"W, a distance of 26.72 feet to a calculated point for an angle point hereof,
- 184) S53°58'50"W, a distance of 9.28 feet to a calculated point for an angle point hereof,
- 185) N51°10'23"W, a distance of 18.98 feet to a calculated point for an angle point hereof,
- 186) N13°22'53"W, a distance of 35.29 feet to a calculated point for a non-tangent point of curvature hereof,
- 187) Along the arc of a curve to the left, whose radius is 50.74 feet, whose arc length is 68.43 feet and whose chord bears N48°39'39"W, a distance of 63.36 feet to a calculated point for an angle point hereof,
- 188) N09°18'39"E, a distance of 76.63 feet to a calculated point for an angle point hereof,
- 189) N14°25'26"E, a distance of 48.90 feet to a calculated point for a non-tangent point of curvature hereof,
- 190) Along the arc of a curve to the left, whose radius is 3,300.93 feet, whose arc length is 279.13 feet and whose chord bears N15°05'42"E, a distance of 279.05 feet to a calculated point for an angle point hereof,
- 191) N05°16'56"E, a distance of 66.46 feet to a calculated point for a non-tangent point of curvature hereof,
- 192) Along the arc of a curve to the right, whose radius is 1,337.19 feet, whose arc length is 163.22 feet and whose chord bears N07°57'50"E, a distance of 163.12 feet to a calculated point for an angle point hereof,
- 193) N12°26'12"E, a distance of 189.95 feet to a calculated point for an angle point hereof,
- 194) N14°43'30"E, a distance of 146.62 feet to a calculated point for an angle point hereof,
- 195) N10°51'35"E, a distance of 43.69 feet to a calculated point for a non-tangent point of curvature hereof,
- 196) Along the arc of a curve to the right, whose radius is 416.31 feet, whose arc length is 168.21 feet and whose chord bears N16°50'36"E, a distance of 167.07 feet to a calculated point for a non-tangent point of curvature hereof,
- 197) Along the arc of a curve to the left, whose radius is 277.53 feet, whose arc length is 55.60 feet and whose chord bears N39°32'08"E, a distance of 55.51 feet to a calculated point for an angle point hereof,
- 198) N19°32'32"E, a distance of 74.31 feet to a calculated point for an angle point hereof,
- 199) N82°06'04"E, a distance of 10.37 feet to a calculated point for a non-tangent point of curvature hereof,
- 200) Along the arc of a curve to the left, whose radius is 108.24 feet, whose arc length is 92.24 feet and whose chord bears N33°41'43"E, a distance of 89.48 feet to a calculated point for a non-tangent point of curvature hereof,

- 201) Along the arc of a curve to the left, whose radius is 2,283.80 feet, whose arc length is 299.58 feet and whose chord bears N02°37'09"E, a distance of 299.36 feet to a calculated point for an angle point hereof,
- 202) N02°57'32"W, a distance of 119.17 feet to a calculated point for a non-tangent point of curvature hereof,
- 203) Along the arc of a curve to the left, whose radius is 2,948.82 feet, whose arc length is 545.42 feet and whose chord bears N05°42'03"W, a distance of 544.65 feet to a calculated point for an angle point hereof,
- 204) N19°46'13"W, a distance of 151.41 feet to a calculated point for an angle point hereof,
- 205) N17°24'41"W, a distance of 135.56 feet to a calculated point for an angle point hereof,
- 206) N23°32'31"W, a distance of 128.07 feet to a calculated point for an angle point hereof,
- 207) N21°47'44"W, a distance of 158.12 feet to a calculated point for an angle point hereof,
- 208) N27°29'32"W, a distance of 174.79 feet to a calculated point for an angle point hereof,
- 209) N27°13'58"W, a distance of 117.09 feet to a calculated point for an angle point hereof,
- 210) N35°05'40"W, a distance of 51.47 feet to a calculated point for an angle point hereof,
- 211) N43°07'36"W, a distance of 52.21 feet to a calculated point for a non-tangent point of curvature hereof,
- 212) Along the arc of a curve to the left, whose radius is 332.37 feet, whose arc length is 154.54 feet and whose chord bears N55°03'06"W, a distance of 153.15 feet to a calculated point for an angle point hereof,
- 213) N67°55'15"W, a distance of 152.10 feet to a calculated point for a non-tangent point of curvature hereof,
- 214) Along the arc of a curve to the left, whose radius is 270.00 feet, whose arc length is 185.89 feet and whose chord bears S88°45'07"W, a distance of 182.24 feet to a calculated point for an angle point hereof,
- 215) S69°19'22"W, a distance of 53.49 feet to a calculated point for an angle point hereof,
- 216) N63°48'46"W, a distance of 53.17 feet to a calculated point for a non-tangent point of curvature hereof,
- 217) Along the arc of a curve to the left, whose radius is 171.97 feet, whose arc length is 104.43 feet and whose chord bears N81°45'53"W, a distance of 102.83 feet to a calculated point for a non-tangent point of curvature hereof,
- 218) Along the arc of a curve to the right, whose radius is 275.82 feet, whose arc length is 120.45 feet and whose chord bears N84°29'52"W, a distance of 119.49 feet to a calculated point for an angle point hereof,
- 219) N67°56'03"W, a distance of 124.59 feet to a calculated point for a non-tangent point of curvature hereof,

- 220) Along the arc of a curve to the left, whose radius is 465.02 feet, whose arc length is 262.16 feet and whose chord bears $N61^{\circ}41'50''W$, a distance of 258.70 feet to a calculated point for an angle point hereof,
- 221) $N75^{\circ}27'40''W$, a distance of 143.52 feet to a calculated point for an angle point hereof,
- 222) $N68^{\circ}36'06''W$, a distance of 231.34 feet to a calculated point for a non-tangent point of curvature hereof,
- 223) Along the arc of a curve to the right, whose radius is 193.39 feet, whose arc length is 127.26 feet and whose chord bears $N56^{\circ}17'03''W$, a distance of 124.98 feet to a calculated point for a non-tangent point of curvature hereof,
- 224) Along the arc of a curve to the left, whose radius is 1,749.63 feet, whose arc length is 273.79 feet and whose chord bears $N43^{\circ}50'51''W$, a distance of 273.51 feet to a calculated point for an angle point hereof,
- 225) $N51^{\circ}50'48''W$, a distance of 114.14 feet to a calculated point for a non-tangent point of curvature hereof,
- 226) Along the arc of a curve to the left, whose radius is 339.83 feet, whose arc length is 117.73 feet and whose chord bears $N61^{\circ}50'20''W$, a distance of 117.14 feet to a calculated point for a non-tangent point of curvature hereof,
- 227) Along the arc of a curve to the right, whose radius is 594.54 feet, whose arc length is 126.34 feet and whose chord bears $N64^{\circ}28'07''W$, a distance of 126.10 feet to a calculated point for an angle point hereof,
- 228) $N59^{\circ}58'45''W$, a distance of 200.10 feet to a calculated point for an angle point hereof,
- 229) $N61^{\circ}54'16''W$, a distance of 250.34 feet to a calculated point for a non-tangent point of curvature hereof,
- 230) Along the arc of a curve to the left, whose radius is 804.03 feet, whose arc length is 291.03 feet and whose chord bears $N71^{\circ}57'02''W$, a distance of 289.44 feet to a calculated point for an angle point hereof,
- 231) $N47^{\circ}35'10''E$, a distance of 186.69 feet to a calculated point for an angle point hereof,
- 232) $N31^{\circ}51'42''W$, a distance of 172.52 feet to a calculated point for an angle point hereof,
- 233) $N36^{\circ}08'07''W$, a distance of 192.25 feet to a calculated point for an angle point hereof,
- 234) $N32^{\circ}46'06''W$, a distance of 31.61 feet to a calculated point for an angle point hereof,
- 235) $N27^{\circ}31'31''W$, a distance of 32.42 feet to a calculated point for a non-tangent point of curvature hereof,
- 236) Along the arc of a curve to the right, whose radius is 69.65 feet, whose arc length is 66.84 feet and whose chord bears $N04^{\circ}02'53''W$, a distance of 64.30 feet to a calculated point for an angle point hereof,
- 237) $N19^{\circ}06'33''E$, a distance of 37.72 feet to a calculated point for a non-tangent point of curvature hereof,

- 238) Along the arc of a curve to the left, whose radius is 38.18 feet, whose arc length is 55.61 feet and whose chord bears N22°29'03"W, a distance of 50.83 feet to a calculated point for an angle point hereof,
- 239) S89°14'38"W, a distance of 81.24 feet to a calculated point for a non-tangent point of curvature hereof,
- 240) Along the arc of a curve to the right, whose radius is 43.29 feet, whose arc length is 44.19 feet and whose chord bears N73°22'08"W, a distance of 42.29 feet to a calculated point for an angle point hereof,
- 241) N41°32'57"W, a distance of 86.04 feet to a calculated point for an angle point hereof,
- 242) N32°15'20"W, a distance of 197.74 feet to a calculated point for an angle point hereof, and
- 243) N35°40'26"W, a distance of 192.33 feet to a calculated point for an angle point hereof;

THENCE, leaving said Guadalupe River, and continuing over and across said Guadalupe County, the following seventy-four (74) courses and distances:

- 1) N48°20'54"E, a distance of 5,968.84 feet to a calculated point for an angle point hereof,
- 2) S31°08'54"E, a distance of 769.45 feet to a calculated point for an angle point hereof,
- 3) N57°13'34"E, a distance of 202.93 feet to a calculated point for an angle point hereof,
- 4) S31°03'30"E, a distance of 2,526.80 feet to a calculated point for an angle point hereof,
- 5) N45°36'54"E, a distance of 5,497.93 feet to a calculated point for an angle point hereof,
- 6) S42°16'16"E, a distance of 198.74 feet to a calculated point for an angle point hereof,
- 7) N45°35'04"E, a distance of 1,486.13 feet to a calculated point for a non-tangent point of curvature hereof,
- 8) Along the arc of a curve to the right, whose radius is 84.15 feet, whose arc length is 132.64 feet and whose chord bears S89°13'39"E, a distance of 119.33 feet to a calculated point for an angle point hereof,
- 9) S44°03'16"E, a distance of 1,252.87 feet to a calculated point for a non-tangent point of curvature hereof,
- 10) Along the arc of a curve to the left, whose radius is 81.56 feet, whose arc length is 127.96 feet and whose chord bears S89°24'04"E, a distance of 115.23 feet to a calculated point for a point of tangency hereof,
- 11) N45°39'12"E, a distance of 2,132.13 feet to a calculated point for an angle point hereof,
- 12) N42°37'11"W, a distance of 2,985.90 feet to a calculated point for an angle point hereof,
- 13) N44°11'43"W, a distance of 2,787.60 feet to a calculated point for an angle point hereof,
- 14) N45°42'50"E, a distance of 7,748.20 feet to a calculated point for an angle point hereof,

- 15) N57°35'39"E, a distance of 2,028.28 feet to a calculated point for an angle point hereof,
- 16) N00°15'21"W, a distance of 94.03 feet to a calculated point for an angle point hereof,
- 17) N89°06'45"E, a distance of 5,786.71 feet to a calculated point for an angle point hereof,
- 18) N00°25'40"W, a distance of 6,985.45 feet to a calculated point for an angle point hereof,
- 19) N89°43'22"E, a distance of 2,107.92 feet to a calculated point for an angle point hereof,
- 20) S00°32'53"E, a distance of 6,958.67 feet to a calculated point for an angle point hereof,
- 21) N89°11'08"E, a distance of 3,772.02 feet to a calculated point for an angle point hereof,
- 22) S00°45'55"E, a distance of 5,082.04 feet to a calculated point for an angle point hereof,
- 23) N88°57'50"E, a distance of 3,841.97 feet to a calculated point for an angle point hereof,
- 24) S00°48'06"E, a distance of 2,199.40 feet to a calculated point for an angle point hereof,
- 25) N88°54'05"E, a distance of 1,116.58 feet to a calculated point for an angle point hereof,
- 26) S01°03'08"E, a distance of 3,981.48 feet to a calculated point for an angle point hereof,
- 27) N89°18'25"E, a distance of 1,746.33 feet to a calculated point for an angle point hereof,
- 28) S87°15'06"E, a distance of 175.70 feet to a calculated point for an angle point hereof,
- 29) S81°13'15"E, a distance of 272.65 feet to a calculated point for an angle point hereof,
- 30) S75°04'13"E, a distance of 589.10 feet to a calculated point for an angle point hereof,
- 31) S70°52'08"E, a distance of 130.04 feet to a calculated point for an angle point hereof,
- 32) S66°57'18"E, a distance of 451.45 feet to a calculated point for a non-tangent point of curvature hereof,
- 33) Along the arc of a curve to the left, whose radius is 812.61 feet, whose arc length is 348.35 feet and whose chord bears S78°33'05"E, a distance of 345.69 feet to a calculated point for an angle point hereof,
- 34) N89°01'26"E, a distance of 1,196.78 feet to a calculated point for an angle point hereof,
- 35) S00°43'54"E, a distance of 955.25 feet to a calculated point for an angle point hereof,
- 36) S01°10'44"E, a distance of 4,292.03 feet to a calculated point for an angle point hereof,

- 37) N89°13'25"E, a distance of 4,182.37 feet to a calculated point for an angle point hereof,
- 38) N89°29'13"E, a distance of 3,138.05 feet to a calculated point for an angle point hereof,
- 39) S00°03'29"E, a distance of 2,088.40 feet to a calculated point for an angle point hereof,
- 40) S89°26'35"W, a distance of 3,132.07 feet to a calculated point for an angle point hereof,
- 41) S00°07'27"E, a distance of 3,072.38 feet to a calculated point for an angle point hereof,
- 42) S88°53'52"W, a distance of 3,739.78 feet to a calculated point for an angle point hereof,
- 43) S88°44'23"W, a distance of 7,524.11 feet to a calculated point for an angle point hereof,
- 44) N00°41'40"W, a distance of 1,083.53 feet to a calculated point for an angle point hereof,
- 45) N89°07'06"E, a distance of 2,686.98 feet to a calculated point for an angle point hereof,
- 46) N01°42'50"E, a distance of 213.17 feet to a calculated point for an angle point hereof,
- 47) N89°05'58"E, a distance of 206.02 feet to a calculated point for an angle point hereof,
- 48) S00°54'02"E, a distance of 212.95 feet to a calculated point for an angle point hereof,
- 49) N88°53'52"E, a distance of 607.09 feet to a calculated point for an angle point hereof,
- 50) N11°08'12"W, a distance of 552.56 feet to a calculated point for an angle point hereof,
- 51) N89°57'06"E, a distance of 395.43 feet to a calculated point for an angle point hereof,
- 52) N11°26'39"W, a distance of 748.19 feet to a calculated point for an angle point hereof,
- 53) S87°40'21"W, a distance of 156.01 feet to a calculated point for an angle point hereof,
- 54) N10°37'55"W, a distance of 189.49 feet to a calculated point for an angle point hereof,
- 55) S88°50'13"W, a distance of 3,447.67 feet to a calculated point for an angle point hereof,
- 56) N01°13'05"W, a distance of 1,645.47 feet to a calculated point for an angle point hereof,
- 57) N66°06'59"W, a distance of 54.84 feet to a calculated point for an angle point hereof,
- 58) S88°55'20"W, a distance of 2,744.18 feet to a calculated point for an angle point hereof,
- 59) N00°19'11"E, a distance of 847.48 feet to a calculated point for an angle point hereof,

- 60) N89°57'35"E, a distance of 829.53 feet to a calculated point for an angle point hereof,
 - 61) N00°19'11"W, a distance of 4,014.32 feet to a calculated point for an angle point hereof,
 - 62) N45°41'10"W, a distance of 70.22 feet to a calculated point for an angle point hereof,
 - 63) S88°55'39"W, a distance of 1,787.26 feet to a calculated point for an angle point hereof,
 - 64) S00°08'57"E, a distance of 4,893.92 feet to a calculated point for an angle point hereof,
 - 65) S89°47'37"W, a distance of 59.13 feet to a calculated point for an angle point hereof,
 - 66) S00°29'56"E, a distance of 2,034.80 feet to a calculated point for an angle point hereof,
 - 67) S62°50'09"E, a distance of 53.08 feet to a calculated point for an angle point hereof,
 - 68) S89°12'56"W, a distance of 7,618.00 feet to a calculated point for an angle point hereof,
 - 69) S89°17'40"W, a distance of 3,747.04 feet to a calculated point for an angle point hereof,
 - 70) N62°10'42"W, a distance of 168.06 feet to a calculated point for an angle point hereof,
 - 71) S09°16'21"W, a distance of 67.18 feet to a calculated point for an angle point hereof,
 - 72) S45°32'30"W, a distance of 4,664.82 feet to a calculated point for an angle point hereof,
 - 73) S45°12'30"W, a distance of 1,393.71 feet to a calculated point for an angle point hereof, and
 - 74) S45°54'31"W, a distance of 973.65 feet to a calculated point for an angle point hereof, said point being on the easterly side of State Highway 46;
- THENCE, along the easterly side of said State Highway 46, and continuing over and across said Guadalupe County, the following twenty (20) courses and distances:
- 1) S40°11'18"E, a distance of 3,428.90 feet to a calculated point for a non-tangent point of curvature hereof,
 - 2) Along the arc of a curve to the right, whose radius is 6,028.84 feet, whose arc length is 1,200.92 feet and whose chord bears S30°58'01"E, a distance of 1,198.93 feet to a calculated point for an angle point hereof,
 - 3) S24°43'19"E, a distance of 1,033.85 feet to a calculated point for an angle point hereof,
 - 4) S24°35'08"E, a distance of 1,066.76 feet to a calculated point for an angle point hereof,
 - 5) S24°38'04"E, a distance of 341.39 feet to a calculated point for an angle point hereof,
 - 6) S23°45'14"E, a distance of 784.39 feet to a calculated point for an angle point hereof,

- 7) S25°10'43"E, a distance of 1,149.05 feet to a calculated point for an angle point hereof,
- 8) S25°26'06"E, a distance of 1,396.61 feet to a calculated point for an angle point hereof,
- 9) S31°39'05"E, a distance of 613.28 feet to a calculated point for an angle point hereof,
- 10) S33°46'54"E, a distance of 919.12 feet to a calculated point for an angle point hereof,
- 11) S37°01'00"E, a distance of 449.90 feet to a calculated point for an angle point hereof,
- 12) S38°39'29"E, a distance of 1,095.47 feet to a calculated point for an angle point hereof,
- 13) S38°37'31"E, a distance of 1,307.79 feet to a calculated point for an angle point hereof,
- 14) S38°42'44"E, a distance of 1,554.06 feet to a calculated point for an angle point hereof,
- 15) S40°42'26"E, a distance of 736.23 feet to a calculated point for an angle point hereof,
- 16) S52°38'41"E, a distance of 191.50 feet to a calculated point for an angle point hereof,
- 17) S40°19'19"E, a distance of 782.14 feet to a calculated point for an angle point hereof,
- 18) S44°02'02"E, a distance of 947.28 feet to a calculated point for an angle point hereof,
- 19) S47°36'24"E, a distance of 996.25 feet to a calculated point for an angle point hereof, and
- 20) S40°14'52"E, a distance of 377.08 feet to a calculated point for an angle point hereof;

THENCE, leaving the easterly side of said State Highway 46, and continuing over and across said Guadalupe County, the following twenty-eight (28) courses and distances:

- 1) S53°16'43"E, a distance of 828.46 feet to a calculated point for an angle point hereof,
- 2) S76°21'03"E, a distance of 889.64 feet to a calculated point for an angle point hereof,
- 3) S78°33'43"E, a distance of 318.65 feet to a calculated point for an angle point hereof,
- 4) N51°26'57"E, a distance of 4,624.24 feet to a calculated point for an angle point hereof,
- 5) S00°21'02"E, a distance of 334.65 feet to a calculated point for an angle point hereof,
- 6) S51°58'50"W, a distance of 4,401.10 feet to a calculated point for an angle point hereof,
- 7) S35°14'05"E, a distance of 165.54 feet to a calculated point for an angle point hereof,

- 8) S51°57'18"W, a distance of 1,688.31 feet to a calculated point for an angle point hereof,
- 9) N17°28'38"W, a distance of 141.30 feet to a calculated point for an angle point hereof,
- 10) S51°57'50"W, a distance of 1,604.14 feet to a calculated point for an angle point hereof,
- 11) S31°51'55"E, a distance of 142.88 feet to a calculated point for an angle point hereof,
- 12) S29°40'09"E, a distance of 188.14 feet to a calculated point for a non-tangent point of curvature hereof,
- 13) Along the arc of a curve to the left, whose radius is 136.81 feet, whose arc length is 155.73 feet and whose chord bears S62°23'16"E, a distance of 147.46 feet to a calculated point for an angle point hereof,
- 14) N88°52'33"E, a distance of 1,377.82 feet to a calculated point for an angle point hereof,
- 15) S17°28'58"E, a distance of 2,190.58 feet to a calculated point for an angle point hereof,
- 16) S56°10'27"W, a distance of 2,298.06 feet to a calculated point for an angle point hereof,
- 17) S01°35'17"E, a distance of 438.03 feet to a calculated point for an angle point hereof,
- 18) S01°35'17"E, a distance of 388.44 feet to a calculated point for an angle point hereof,
- 19) S89°11'24"E, a distance of 696.44 feet to a calculated point for an angle point hereof,
- 20) N89°31'49"E, a distance of 392.53 feet to a calculated point for an angle point hereof,
- 21) N89°16'30"E, a distance of 1,134.11 feet to a calculated point for an angle point hereof,
- 22) S01°05'02"E, a distance of 1,126.75 feet to a calculated point for an angle point hereof,
- 23) N88°53'03"E, a distance of 1,752.82 feet to a calculated point for an angle point hereof,
- 24) S01°43'12"E, a distance of 1,026.75 feet to a calculated point for an angle point hereof,
- 25) N89°27'17"E, a distance of 697.24 feet to a calculated point for an angle point hereof,
- 26) S00°45'36"E, a distance of 1,051.71 feet to a calculated point for an angle point hereof,
- 27) S03°17'44"E, a distance of 88.04 feet to a calculated point for an angle point hereof, and
- 28) S00°21'39"E, a distance of 292.73 feet to a calculated point for a non-tangent point of curvature hereof, said point being near the Guadalupe River;

THENCE, along said Guadalupe River, and continuing over and across said Guadalupe County, the following forty-nine (49) courses and distances:

- 1) Along the arc of a curve to the right, whose radius is 298.81 feet, whose arc length is 284.39 feet and whose chord bears S27°58'25"E, a distance of 273.78 feet to a calculated point for an angle point hereof,
- 2) S05°31'14"W, a distance of 161.38 feet to a calculated point for an angle point hereof,
- 3) S11°07'16"W, a distance of 157.46 feet to a calculated point for a non-tangent point of curvature hereof,
- 4) Along the arc of a curve to the left, whose radius is 928.99 feet, whose arc length is 314.18 feet and whose chord bears S05°28'36"W, a distance of 312.69 feet to a calculated point for a non-tangent point of curvature hereof,
- 5) Along the arc of a curve to the left, whose radius is 505.70 feet, whose arc length is 276.21 feet and whose chord bears S19°51'33"E, a distance of 272.79 feet to a calculated point for an angle point hereof,
- 6) S34°50'37"E, a distance of 161.17 feet to a calculated point for a non-tangent point of curvature hereof,
- 7) Along the arc of a curve to the left, whose radius is 27,491.98 feet, whose arc length is 2,531.26 feet and whose chord bears S44°04'36"E, a distance of 2,530.36 feet to a calculated point for a non-tangent point of curvature hereof,
- 8) Along the arc of a curve to the left, whose radius is 204.17 feet, whose arc length is 212.40 feet and whose chord bears S74°15'20"E, a distance of 202.95 feet to a calculated point for an angle point hereof,
- 9) N77°21'48"E, a distance of 270.49 feet to a calculated point for an angle point hereof,
- 10) N75°21'26"E, a distance of 205.36 feet to a calculated point for an angle point hereof,
- 11) N72°06'41"E, a distance of 153.65 feet to a calculated point for an angle point hereof,
- 12) N72°31'11"E, a distance of 261.60 feet to a calculated point for an angle point hereof,
- 13) S88°03'21"E, a distance of 77.04 feet to a calculated point for an angle point hereof,
- 14) N86°36'43"E, a distance of 689.69 feet to a calculated point for a non-tangent point of curvature hereof,
- 15) Along the arc of a curve to the left, whose radius is 3,316.52 feet, whose arc length is 931.35 feet and whose chord bears N51°09'14"E, a distance of 928.29 feet to a calculated point for an angle point hereof,
- 16) N46°52'08"E, a distance of 348.04 feet to a calculated point for an angle point hereof,
- 17) N50°51'27"E, a distance of 884.06 feet to a calculated point for a non-tangent point of curvature hereof,
- 18) Along the arc of a curve to the left, whose radius is 1,503.66 feet, whose arc length is 380.16 feet and whose chord bears N40°27'39"E, a distance of 379.15 feet to a calculated point for an angle point hereof,

- 19) N32°09'32"E, a distance of 866.74 feet to a calculated point for an angle point hereof,
- 20) N34°34'06"E, a distance of 215.66 feet to a calculated point for a non-tangent point of curvature hereof,
- 21) Along the arc of a curve to the right, whose radius is 498.99 feet, whose arc length is 421.03 feet and whose chord bears N62°49'36"E, a distance of 408.65 feet to a calculated point for a non-tangent point of curvature hereof,
- 22) Along the arc of a curve to the right, whose radius is 3,821.66 feet, whose arc length is 520.31 feet and whose chord bears S86°49'03"E, a distance of 519.91 feet to a calculated point for an angle point hereof,
- 23) S79°03'06"E, a distance of 262.07 feet to a calculated point for a non-tangent point of curvature hereof,
- 24) Along the arc of a curve to the left, whose radius is 331.84 feet, whose arc length is 288.58 feet and whose chord bears N76°20'11"E, a distance of 279.57 feet to a calculated point for a non-tangent point of curvature hereof,
- 25) Along the arc of a curve to the left, whose radius is 558.69 feet, whose arc length is 451.78 feet and whose chord bears N27°37'44"E, a distance of 439.57 feet to a calculated point for a non-tangent point of curvature hereof,
- 26) Along the arc of a curve to the left, whose radius is 1,202.24 feet, whose arc length is 314.75 feet and whose chord bears N01°21'16"W, a distance of 313.85 feet to a calculated point for an angle point hereof,
- 27) N08°55'25"W, a distance of 190.77 feet to a calculated point for an angle point hereof,
- 28) N10°51'28"W, a distance of 555.64 feet to a calculated point for a non-tangent point of curvature hereof,
- 29) Along the arc of a curve to the right, whose radius is 6,729.12 feet, whose arc length is 725.71 feet and whose chord bears N03°52'34"W, a distance of 725.36 feet to a calculated point for an angle point hereof,
- 30) N03°52'28"E, a distance of 202.78 feet to a calculated point for an angle point hereof,
- 31) N10°03'00"E, a distance of 205.24 feet to a calculated point for a non-tangent point of curvature hereof,
- 32) Along the arc of a curve to the right, whose radius is 365.62 feet, whose arc length is 502.36 feet and whose chord bears N52°33'36"E, a distance of 463.77 feet to a calculated point for a non-tangent point of curvature hereof,
- 33) Along the arc of a curve to the right, whose radius is 459.42 feet, whose arc length is 277.37 feet and whose chord bears S68°44'51"E, a distance of 273.17 feet to a calculated point for an angle point hereof,
- 34) S49°52'43"E, a distance of 611.36 feet to a calculated point for an angle point hereof,
- 35) S48°19'23"E, a distance of 517.86 feet to a calculated point for an angle point hereof,

- 36) S43°39'45"E, a distance of 178.83 feet to a calculated point for a non-tangent point of curvature hereof,
- 37) Along the arc of a curve to the right, whose radius is 1,476.13 feet, whose arc length is 1,203.96 feet and whose chord bears S11°04'56"E, a distance of 1,170.87 feet to a calculated point for a point of tangency hereof,
- 38) S12°16'49"W, a distance of 333.60 feet to a calculated point for a non-tangent point of curvature hereof,
- 39) Along the arc of a curve to the right, whose radius is 978.67 feet, whose arc length is 342.48 feet and whose chord bears S23°52'23"W, a distance of 340.73 feet to a calculated point for a non-tangent point of curvature hereof,
- 40) Along the arc of a curve to the left, whose radius is 4,491.30 feet, whose arc length is 1,426.53 feet and whose chord bears S24°47'56"W, a distance of 1,420.54 feet to a calculated point for an angle point hereof,
- 41) S11°25'56"W, a distance of 711.91 feet to a calculated point for an angle point hereof,
- 42) S08°11'09"W, a distance of 582.54 feet to a calculated point for an angle point hereof,
- 43) S05°08'04"W, a distance of 390.00 feet to a calculated point for a non-tangent point of curvature hereof,
- 44) Along the arc of a curve to the left, whose radius is 1,198.38 feet, whose arc length is 647.63 feet and whose chord bears S12°22'32"E, a distance of 639.78 feet to a calculated point for a non-tangent point of curvature hereof,
- 45) Along the arc of a curve to the left, whose radius is 4,723.49 feet, whose arc length is 1,410.59 feet and whose chord bears S36°24'45"E, a distance of 1,405.35 feet to a calculated point for an angle point hereof,
- 46) S55°43'15"E, a distance of 319.79 feet to a calculated point for a non-tangent point of curvature hereof,
- 47) Along the arc of a curve to the right, whose radius is 459.44 feet, whose arc length is 361.19 feet and whose chord bears S37°38'33"E, a distance of 351.96 feet to a calculated point for a non-tangent point of curvature hereof,
- 48) Along the arc of a curve to the left, whose radius is 922.06 feet, whose arc length is 330.20 feet and whose chord bears S20°01'19"E, a distance of 328.44 feet to a calculated point for an angle point hereof, and
- 49) S38°35'12"E, a distance of 727.06 feet to a calculated point for an angle point hereof;

THENCE, leaving said Guadalupe River, and continuing over and across said Guadalupe County, the following sixty-two (62) courses and distances:

- 1) N24°16'28"E, a distance of 59.21 feet to a calculated point for an angle point hereof,
- 2) N27°07'52"E, a distance of 2,930.96 feet to a calculated point for an angle point hereof,

- 3) S89°48'05"E, a distance of 1,286.57 feet to a calculated point for an angle point hereof,
- 4) S02°03'16"E, a distance of 325.81 feet to a calculated point for an angle point hereof,
- 5) N89°22'30"E, a distance of 939.44 feet to a calculated point for an angle point hereof,
- 6) N01°52'36"W, a distance of 462.56 feet to a calculated point for an angle point hereof,
- 7) N88°07'24"E, a distance of 1,180.62 feet to a calculated point for an angle point hereof,
- 8) N18°06'31"W, a distance of 2,729.15 feet to a calculated point for an angle point hereof,
- 9) N89°39'27"W, a distance of 679.34 feet to a calculated point for an angle point hereof,
- 10) N00°48'25"W, a distance of 1,591.14 feet to a calculated point for an angle point hereof,
- 11) N89°27'41"E, a distance of 538.06 feet to a calculated point for an angle point hereof,
- 12) N02°17'57"W, a distance of 820.50 feet to a calculated point for an angle point hereof,
- 13) N86°59'55"E, a distance of 4,269.38 feet to a calculated point for an angle point hereof,
- 14) N48°14'49"W, a distance of 435.90 feet to a calculated point for a non-tangent point of curvature hereof,
- 15) Along the arc of a curve to the right, whose radius is 1,363.12 feet, whose arc length is 1,243.88 feet and whose chord bears N17°09'35"W, a distance of 1,201.17 feet to a calculated point for an angle point hereof,
- 16) N89°12'59"E, a distance of 938.66 feet to a calculated point for an angle point hereof,
- 17) N00°35'55"W, a distance of 2,398.61 feet to a calculated point for an angle point hereof,
- 18) S65°44'06"W, a distance of 1,964.00 feet to a calculated point for an angle point hereof,
- 19) S58°15'15"E, a distance of 266.53 feet to a calculated point for an angle point hereof,
- 20) S42°17'19"E, a distance of 102.02 feet to a calculated point for an angle point hereof,
- 21) S51°27'12"E, a distance of 93.64 feet to a calculated point for an angle point hereof,
- 22) N63°23'48"E, a distance of 69.19 feet to a calculated point for an angle point hereof,
- 23) S75°06'39"E, a distance of 48.64 feet to a calculated point for an angle point hereof,
- 24) S09°28'31"E, a distance of 91.20 feet to a calculated point for an angle point hereof,

- 25) S37°53'11"W, a distance of 61.77 feet to a calculated point for an angle point hereof,
- 26) S03°10'47"E, a distance of 155.39 feet to a calculated point for an angle point hereof,
- 27) S70°42'26"W, a distance of 113.90 feet to a calculated point for a non-tangent point of curvature hereof,
- 28) Along the arc of a curve to the right, whose radius is 1,409.11 feet, whose arc length is 385.82 feet and whose chord bears N60°45'17"W, a distance of 384.61 feet to a calculated point for an angle point hereof,
- 29) N45°56'38"W, a distance of 243.75 feet to a calculated point for an angle point hereof,
- 30) N41°25'19"W, a distance of 285.08 feet to a calculated point for an angle point hereof,
- 31) N35°02'14"W, a distance of 355.34 feet to a calculated point for a non-tangent point of curvature hereof,
- 32) Along the arc of a curve to the left, whose radius is 910.47 feet, whose arc length is 341.07 feet and whose chord bears N45°18'28"W, a distance of 339.08 feet to a calculated point for a non-tangent point of curvature hereof,
- 33) Along the arc of a curve to the right, whose radius is 1,949.72 feet, whose arc length is 804.63 feet and whose chord bears N47°17'04"W, a distance of 798.93 feet to a calculated point for an angle point hereof,
- 34) N31°03'03"W, a distance of 117.37 feet to a calculated point for a non-tangent point of curvature hereof,
- 35) Along the arc of a curve to the right, whose radius is 263.90 feet, whose arc length is 205.53 feet and whose chord bears N13°33'07"W, a distance of 200.37 feet to a calculated point for an angle point hereof,
- 36) N09°49'17"E, a distance of 166.45 feet to a calculated point for a non-tangent point of curvature hereof,
- 37) Along the arc of a curve to the left, whose radius is 507.78 feet, whose arc length is 455.14 feet and whose chord bears N16°05'22"W, a distance of 440.05 feet to a calculated point for a non-tangent point of curvature hereof,
- 38) Along the arc of a curve to the left, whose radius is 100.17 feet, whose arc length is 108.80 feet and whose chord bears N82°28'24"W, a distance of 103.53 feet to a calculated point for an angle point hereof,
- 39) S65°48'02"W, a distance of 183.81 feet to a calculated point for a non-tangent point of curvature hereof,
- 40) Along the arc of a curve to the right, whose radius is 72.68 feet, whose arc length is 92.00 feet and whose chord bears N78°30'49"W, a distance of 85.98 feet to a calculated point for a non-tangent point of curvature hereof,
- 41) Along the arc of a curve to the left, whose radius is 25,831.06 feet, whose arc length is 1,324.13 feet and whose chord bears N35°34'02"W, a distance of 1,323.98 feet to a calculated point for a non-tangent point of curvature hereof,

- 42) Along the arc of a curve to the right, whose radius is 2,432.87 feet, whose arc length is 373.29 feet and whose chord bears N33°38'38"W, a distance of 372.92 feet to a calculated point for a non-tangent point of curvature hereof,
- 43) Along the arc of a curve to the right, whose radius is 236.90 feet, whose arc length is 193.25 feet and whose chord bears N02°15'51"E, a distance of 187.94 feet to a calculated point for an angle point hereof,
- 44) N24°13'05"E, a distance of 218.95 feet to a calculated point for a non-tangent point of curvature hereof,
- 45) Along the arc of a curve to the left, whose radius is 3,333.09 feet, whose arc length is 500.54 feet and whose chord bears N08°47'31"E, a distance of 500.06 feet to a calculated point for an angle point hereof,
- 46) N00°18'30"W, a distance of 144.12 feet to a calculated point for a non-tangent point of curvature hereof,
- 47) Along the arc of a curve to the left, whose radius is 489.77 feet, whose arc length is 285.28 feet and whose chord bears N21°37'28"W, a distance of 281.27 feet to a calculated point for an angle point hereof,
- 48) N37°44'57"W, a distance of 359.25 feet to a calculated point for a non-tangent point of curvature hereof,
- 49) Along the arc of a curve to the right, whose radius is 1,547.63 feet, whose arc length is 520.93 feet and whose chord bears N25°02'29"W, a distance of 518.48 feet to a calculated point for an angle point hereof,
- 50) N10°04'09"W, a distance of 102.80 feet to a calculated point for a non-tangent point of curvature hereof,
- 51) Along the arc of a curve to the right, whose radius is 257.02 feet, whose arc length is 320.15 feet and whose chord bears N30°00'25"E, a distance of 299.85 feet to a calculated point for a non-tangent point of curvature hereof,
- 52) Along the arc of a curve to the left, whose radius is 1,494.12 feet, whose arc length is 232.69 feet and whose chord bears N57°57'30"E, a distance of 232.46 feet to a calculated point for a non-tangent point of curvature hereof,
- 53) Along the arc of a curve to the left, whose radius is 4,689.81 feet, whose arc length is 600.32 feet and whose chord bears N46°35'26"E, a distance of 599.91 feet to a calculated point for a non-tangent point of curvature hereof,
- 54) Along the arc of a curve to the left, whose radius is 315.81 feet, whose arc length is 283.94 feet and whose chord bears N11°21'55"E, a distance of 274.47 feet to a calculated point for an angle point hereof,
- 55) N57°27'27"E, a distance of 1,179.74 feet to a calculated point for a non-tangent point of curvature hereof,
- 56) Along the arc of a curve to the left, whose radius is 1,894.31 feet, whose arc length is 546.44 feet and whose chord bears N43°59'37"E, a distance of 544.55 feet to a calculated point for an angle point hereof,
- 57) N36°06'21"E, a distance of 1,462.23 feet to a calculated point for an angle point hereof,

- 58) N83°29'17"E, a distance of 4,946.25 feet to a calculated point for an angle point hereof,
- 59) N83°29'18"E, a distance of 828.19 feet to a calculated point for an angle point hereof,
- 60) N83°28'21"E, a distance of 1,273.58 feet to a calculated point for an angle point hereof,
- 61) N81°55'24"E, a distance of 4,346.44 feet to a calculated point for an angle point hereof, and
- 62) N02°53'41"W, a distance of 1,183.05 feet to a calculated point for an angle point hereof, said point being on the southerly side of Interstate Highway 10;

THENCE, along the southerly side of said Interstate Highway 10, and continuing over and across said Guadalupe County, the following twenty-two (22) courses and distances:

- 1) N73°21'35"E, a distance of 13,511.84 feet to a calculated point for a non-tangent point of curvature hereof,
- 2) Along the arc of a curve to the right, whose radius is 7487.00 feet, whose arc length is 1,514.75 feet and whose chord bears N83°13'42"E, a distance of 1,512.17 feet to a calculated point for a point of tangency hereof,
- 3) N89°01'52"E, a distance of 4,512.97 feet to a calculated point for an angle point hereof,
- 4) N43°08'39"E, a distance of 183.89 feet to a calculated point for an angle point hereof,
- 5) N89°01'53"E, a distance of 6,565.77 feet to a calculated point for an angle point hereof,
- 6) N00°00'28"E, a distance of 500.89 feet to a calculated point for an angle point hereof,
- 7) N89°01'54"E, a distance of 461.33 feet to a calculated point for a non-tangent point of curvature hereof,
- 8) Along the arc of a curve to the left, whose radius is 6,580.40 feet, whose arc length is 2,032.63 feet and whose chord bears N80°09'33"E, a distance of 2,024.56 feet to a calculated point for an angle point hereof,
- 9) S01°56'46"E, a distance of 732.64 feet to a calculated point for an angle point hereof,
- 10) N74°26'22"E, a distance of 202.73 feet to a calculated point for an angle point hereof,
- 11) N73°34'38"E, a distance of 184.93 feet to a calculated point for an angle point hereof,
- 12) N70°43'02"E, a distance of 307.05 feet to a calculated point for an angle point hereof,
- 13) N71°38'43"E, a distance of 332.06 feet to a calculated point for an angle point hereof,
- 14) N70°39'07"E, a distance of 664.71 feet to a calculated point for an angle point hereof,

- 15) N70°53'19"E, a distance of 11,096.12 feet to a calculated point for an angle point hereof,
- 16) N71°20'03"E, a distance of 572.13 feet to a calculated point for an angle point hereof,
- 17) N70°33'06"E, a distance of 730.67 feet to a calculated point for an angle point hereof,
- 18) N71°01'00"E, a distance of 1,291.25 feet to a calculated point for an angle point hereof,
- 19) N71°54'53"E, a distance of 317.19 feet to a calculated point for an angle point hereof,
- 20) N73°35'44"E, a distance of 1,752.09 feet to a calculated point for an angle point hereof,
- 21) N72°10'58"E, a distance of 11,112.74 feet to a calculated point for an angle point hereof, and
- 22) N72°05'29"E, a distance of 10,363.10 feet to a calculated point for a non-tangent point of curvature hereof;

THENCE, leaving the southerly side of said Interstate Highway 10, and continuing over and across said Guadalupe County, the following ten (10) courses and distances:

- 1) Along the arc of a curve to the left, whose radius is 5,275.45 feet, whose arc length is 6,894.88 feet and whose chord bears S48°18'44"E, a distance of 6,414.52 feet to a calculated point for a non-tangent point of curvature hereof,
- 2) Along the arc of a curve to the left, whose radius is 4,940.55 feet, whose arc length is 1,014.95 feet and whose chord bears S77°32'29"E, a distance of 1,013.17 feet to a calculated point for an angle point hereof,
- 3) S52°18'36"E, a distance of 142.40 feet to a calculated point for an angle point hereof,
- 4) S53°01'47"E, a distance of 115.16 feet to a calculated point for an angle point hereof,
- 5) S53°53'07"E, a distance of 222.61 feet to a calculated point for a non-tangent point of curvature hereof,
- 6) Along the arc of a curve to the left, whose radius is 5,278.16 feet, whose arc length is 7,164.00 feet and whose chord bears N86°41'07"E, a distance of 6,626.62 feet to a calculated point for a point of tangency hereof,
- 7) N47°48'17"E, a distance of 855.58 feet to a calculated point for a non-tangent point of curvature hereof,
- 8) Along the arc of a curve to the left, whose radius is 5,262.80 feet, whose arc length is 3,400.09 feet and whose chord bears N29°19'28"E, a distance of 3,341.27 feet to a calculated point for a non-tangent point of curvature hereof,
- 9) Along the arc of a curve to the left, whose radius is 5,271.67 feet, whose arc length is 2,407.07 feet and whose chord bears N47°44'12"E, a distance of 2,386.22 feet to a calculated point for an angle point hereof, and

- 10) S85°43'58"E, a distance of 8.08 feet to a calculated point for an angle point hereof, said point being in the easterly line of said Guadalupe County, and being in the westerly line of said Gonzales County;

THENCE, with the easterly line of said Guadalupe County and the westerly line of said Gonzales County, the following sixteen (16) courses and distances:

- 1) S32°47'20"W, a distance of 42,394.49 feet to a calculated point for an angle point hereof,
- 2) S32°59'12"W, a distance of 6,115.14 feet to a calculated point for an angle point hereof,
- 3) S32°59'12"W, a distance of 1,161.59 feet to a calculated point for an angle point hereof,
- 4) S32°59'11"W, a distance of 4,686.01 feet to a calculated point for an angle point hereof,
- 5) S32°59'10"W, a distance of 6,619.70 feet to a calculated point for an angle point hereof,
- 6) S32°59'09"W, a distance of 6,115.25 feet to a calculated point for an angle point hereof,
- 7) S33°08'45"W, a distance of 15,066.85 feet to a calculated point for an angle point hereof,
- 8) S33°08'43"W, a distance of 5,282.91 feet to a calculated point for an angle point hereof,
- 9) S33°08'42"W, a distance of 7,593.01 feet to a calculated point for an angle point hereof,
- 10) S33°08'41"W, a distance of 2,737.37 feet to a calculated point for an angle point hereof,
- 11) S33°08'41"W, a distance of 884.09 feet to a calculated point for an angle point hereof,
- 12) S33°08'40"W, a distance of 3,867.44 feet to a calculated point for an angle point hereof,
- 13) S33°08'43"W, a distance of 1,648.39 feet to a calculated point for an angle point hereof,
- 14) S33°08'43"W, a distance of 463.94 feet to a calculated point for an angle point hereof,
- 15) S33°08'43"W, a distance of 5,133.34 feet to a calculated point for an angle point hereof, and
- 16) S33°08'39"W, a distance of 1,176.88 feet to a calculated point for an angle point hereof, said point being on the southerly side of F.M. 1117;

THENCE, leaving the easterly line of said Guadalupe County and the westerly line of said Guadalupe County, parallel with the southerly side of said F.M. 1117, and over and across said Guadalupe County, the following fifteen (15) courses and distances:

- 1) N55°41'56"W, a distance of 107.60 feet to a calculated point for an angle point hereof,
- 2) N36°44'27"W, a distance of 134.33 feet to a calculated point for an angle point hereof,

- 3) N29°01'57"W, a distance of 2,464.41 feet to a calculated point for an angle point hereof,
- 4) N31°50'09"W, a distance of 1,003.35 feet to a calculated point for an angle point hereof,
- 5) N29°50'34"W, a distance of 1,222.68 feet to a calculated point for an angle point hereof,
- 6) N29°50'34"W, a distance of 847.65 feet to a calculated point for an angle point hereof,
- 7) N18°31'21"W, a distance of 196.59 feet to a calculated point for an angle point hereof,
- 8) N07°12'08"W, a distance of 1,413.79 feet to a calculated point for an angle point hereof,
- 9) N09°24'30"W, a distance of 573.24 feet to a calculated point for an angle point hereof,
- 10) N30°14'15"W, a distance of 1,113.18 feet to a calculated point for an angle point hereof,
- 11) N30°14'15"W, a distance of 3,958.78 feet to a calculated point for an angle point hereof,
- 12) N29°12'13"W, a distance of 914.70 feet to a calculated point for an angle point hereof,
- 13) N11°29'37"W, a distance of 181.76 feet to a calculated point for an angle point hereof,
- 14) N01°02'15"W, a distance of 1,629.31 feet to a calculated point for an angle point hereof, and
- 15) N01°03'27"W, a distance of 4,532.17 feet to a calculated point for an angle point hereof;

THENCE, continuing over and across said Guadalupe County, and in part over and across said Wilson County, the following twenty-four (24) courses and distances:

- 1) S89°30'12"W, a distance of 23,157.27 feet to a calculated point for an angle point hereof,
- 2) S00°53'48"W, a distance of 5,801.73 feet to a calculated point for an angle point hereof,
- 3) S87°35'26"W, a distance of 8,953.40 feet to a calculated point for an angle point hereof,
- 4) S06°35'55"W, a distance of 6,657.55 feet to a calculated point for an angle point hereof,
- 5) N88°16'01"W, a distance of 1,548.86 feet to a calculated point for an angle point hereof,
- 6) N02°42'08"E, a distance of 7,658.17 feet to a calculated point for an angle point hereof,
- 7) N56°59'51"W, a distance of 3,182.31 feet to a calculated point for an angle point hereof,
- 8) S39°30'20"W, a distance of 17,353.02 feet to a calculated point for an angle point hereof,

- 9) S26°39'50"E, a distance of 4,981.69 feet to a calculated point for an angle point hereof,
- 10) N58°45'47"E, a distance of 1,049.43 feet to a calculated point for an angle point hereof,
- 11) S30°06'47"E, a distance of 2,141.77 feet to a calculated point for an angle point hereof,
- 12) S60°45'42"W, a distance of 6,239.07 feet to a calculated point for an angle point hereof,
- 13) N23°51'15"W, a distance of 2,446.15 feet to a calculated point for an angle point hereof,
- 14) N57°56'27"E, a distance of 994.14 feet to a calculated point for an angle point hereof,
- 15) N26°43'31"W, a distance of 2,844.57 feet to a calculated point for an angle point hereof,
- 16) S37°12'07"W, a distance of 869.37 feet to a calculated point for an angle point hereof,
- 17) N53°58'09"W, a distance of 3,087.47 feet to a calculated point for an angle point hereof,
- 18) N28°03'55"E, a distance of 1,088.19 feet to a calculated point for an angle point hereof,
- 19) N54°07'37"W, a distance of 6,130.06 feet to a calculated point for an angle point hereof,
- 20) S34°49'55"W, a distance of 171.46 feet to a calculated point for an angle point hereof,
- 21) N65°05'12"W, a distance of 1,172.08 feet to a calculated point for an angle point hereof,
- 22) S00°16'59"E, a distance of 13,545.85 feet to a calculated point for an angle point hereof,
- 23) N89°32'30"W, a distance of 11,580.53 feet to a calculated point for an angle point hereof, and
- 24) N89°32'33"W, a distance of 8,157.96 feet to the POINT OF BEGINNING, and containing a Total Net Acreage of 173,150 Acres, more or less.

NOTE:

All bearings are based on the Texas State Plane Coordinate System, Grid North, South Central Zone (4204); US Survey Feet. See attached sketch (reference drawing: 01634_CCN.dwg)

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared

SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons,

agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7208, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7208.0303 to read as follows:

Sec. 7208.0303. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

(b) This section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

SECTION 5. This Act takes effect September 1, 2023.

HB 2719 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Ashby called up with senate amendments for consideration at this time,

HB 2719, A bill to be entitled An Act relating to the powers of the Texas Historical Commission over historic sites in this state.

Representative Ashby moved to concur in the senate amendments to **HB 2719**.

The motion to concur in the senate amendments to **HB 2719** prevailed by (Record 1886): 137 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield;

Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Bumgarner; Cain; Gates; King, T.; Shaheen.

Senate Committee Substitute

CSHB 2719, A bill to be entitled An Act relating to the powers of the Texas Historical Commission over historic sites in this state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 442.0053, Government Code, is amended to read as follows:

Sec. 442.0053. ELIGIBILITY CRITERIA FOR INCLUSION OF REAL PROPERTY IN STATE HISTORIC SITES SYSTEM. (a) The commission by rule shall adopt criteria for determining the eligibility of real property [~~donated to the commission~~] for inclusion in the historic sites system.

(b) The commission may acquire by purchase or gift or in any other manner [~~accept a donation of~~] real property that satisfies the criteria adopted under Subsection (a).

(b-1) Before adding real property to the historic sites system under this section, the commission shall develop a funding plan for the restoration, interpretation, development, long-term operation, and preservation of the real property to be added to the historic sites system. The plan may provide for an endowment fund, or other sources of funding, as appropriate. The commission may not add the real property to the historic sites system unless there are adequate financial resources available or assured for the restoration, interpretation, development, long-term operation, and preservation of the real property.

(c) The commission may:

(1) renovate or restore [~~donated~~] real property acquired under Subsection (b), including improvements to the property; [5] or

(2) construct new improvements on the [~~donated~~] real property as necessary and prudent.

SECTION 2. Section 442.0083(e), Government Code, is amended to read as follows:

(e) A grant for a historic courthouse project may not exceed the greater of \$10 [~~\$6~~] million or two percent of the amount appropriated for implementing the historic courthouse preservation program during the state fiscal biennium.

SECTION 3. The heading to Subchapter C, Chapter 442, Government Code, is amended to read as follows:

SUBCHAPTER C. COMMISSION JURISDICTION OVER [~~CERTAIN~~] HISTORIC SITES

SECTION 4. Section 442.071, Government Code, is amended to read as follows:

Sec. 442.071. DEFINITION. In this subchapter, "historic site" means:

- (1) a site ~~[or park]~~ listed under Section 442.072; or
- (2) real property significant to the history of this state that the commission administers or acquires for use by the public.

SECTION 5. Section 442.072, Government Code, is amended to read as follows:

Sec. 442.072. COMMISSION JURISDICTION; AGREEMENTS FOR HISTORIC SITES. (a) The following historic sites in this state ~~[and parks]~~ are under the commission's jurisdiction:

- (1) Acton State Historic Site;
- (2) Caddoan Mounds State Historic Site;
- (3) Casa Navarro State Historic Site;
- (4) Confederate Reunion Grounds State Historic Site;
- (5) Eisenhower Birthplace State Historic Site;
- (6) Fannin Battleground State Historic Site;
- (7) Fanthorp Inn State Historic Site;
- (8) Fort Griffin State Historic Site;
- (9) Fort Lancaster State Historic Site;
- (10) Fort McKavett State Historic Site;
- (11) Fulton Mansion State Historic Site;
- (12) Landmark Inn State Historic Site;
- (13) Levi Jordan State Historic Site;
- (14) Lipantitlan State Historic Site;
- (15) Magoffin Home State Historic Site;
- (16) Mission Dolores State Historic Site;
- (17) Monument Hill and Kreische Brewery State Historic Sites;
- (18) National Museum of the Pacific War;
- (19) Sabine Pass Battleground State Historic Site;
- (20) Sam Bell Maxey House State Historic Site;
- (21) Sam Rayburn House State Historic Site;
- (22) San Felipe State Historic Site;
- (23) Starr Family Home State Historic Site;
- (24) Varner-Hogg Plantation State Historic Site;
- (25) Washington-on-the-Brazos State Historic Site; and
- (26) the property known as the French Legation.

(b) ~~[This subsection applies to a historic site that the state is required to operate in a particular manner or for a particular purpose, such as a site improved with federal money subject to federal restrictions on the purposes for which the improved site may be used or a site donated to the state subject to a reversion clause providing that the title reverts to the grantor when the site is not used for the purposes for which it was acquired. The commission has all powers necessary to operate the site in the required manner or for the required purpose.]~~

(~~e~~) The commission may enter into an agreement with a nonprofit or for-profit corporation, foundation, association, or other nonprofit or for-profit entity for the expansion, renovation, management, operation, or financial support of a historic site.

SECTION 6. Subchapter D, Chapter 442, Government Code, is amended by adding Sections 442.112 and 442.113 to read as follows:

Sec. 442.112. STATE HISTORIC SITE RETAIL OPERATIONS. (a) The commission may establish, manage, and operate gift and souvenir retail establishments and provide retail services through the Internet or another electronic method to support and promote state historic sites and related commission goals.

(b) To implement this section, the commission may:

(1) employ necessary personnel;

(2) establish procurement standards and procedures in collaboration with the comptroller and the Department of Information Resources to meet the business needs of the commission's retail operations; and

(3) contract with a nonprofit corporation to assist with the commission's retail operations, accept money from the retail operations, and support state historic site operations and commission educational missions.

Sec. 442.113. TEXAS HISTORICAL COMMISSION RETAIL OPERATIONS FUND. (a) The Texas Historical Commission retail operations fund is a special fund established outside the state treasury as a fund to be held and administered by the comptroller as directed by the commission to provide support for commission retail operations under Section 442.112. The fund consists of revenue from commission retail operations and may not include appropriated money.

(b) Interest and income from assets of the fund shall be credited to and deposited in the fund.

(c) Money in the fund may be spent without appropriation and be used only to benefit state historic sites and to support the commission's retail operations, including to pay personnel salaries, acquire capital improvements, contract for necessary services, and purchase inventory, advertising, fixtures, computer software, and other goods necessary to support the retail operations.

SECTION 7. This Act takes effect September 1, 2023.

HB 4504 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Moody called up with senate amendments for consideration at this time,

HB 4504, A bill to be entitled An Act relating to the nonsubstantive revision of certain provisions of the Code of Criminal Procedure, including conforming amendments.

Representative Moody moved to concur in the senate amendments to **HB 4504**.

The motion to concur in the senate amendments to **HB 4504** prevailed by (Record 1887): 137 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; 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; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; 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; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Nays — Johnson, J.D.; Rose; Thompson, S.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Bhojani; Gates.

STATEMENT OF VOTE

When Record No. 1887 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 4504** in SECTION 1.002 of the bill, in the heading to added Article 19A.256, Code of Criminal Procedure, by striking "ASSEMBLY OF" and substituting "REFERRAL TO".

HB 4611 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Price called up with senate amendments for consideration at this time,

HB 4611, A bill to be entitled An Act relating to the nonsubstantive revision of the health and human services laws governing the Health and Human Services Commission, Medicaid, and other social services.

Representative Price moved to concur in the senate amendments to **HB 4611**.

The motion to concur in the senate amendments to **HB 4611** prevailed by (Record 1888): 139 Yeas, 0 Nays, 2 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; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; 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 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; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Kitzman; Morales, E.; Ordaz.

STATEMENT OF VOTE

When Record No. 1888 was taken, I was in the house but away from my desk. I would have voted yes.

Kitzman

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 4611** in SECTION 1.01 of the bill, in added Section 544.0502(e), Government Code, in the last sentence of the subsection, between "any" and "federal", by inserting "applicable".

HB 1699 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative T. King called up with senate amendments for consideration at this time,

HB 1699, A bill to be entitled An Act relating to the authority of the Evergreen Underground Water Conservation District to impose certain fees.

Representative T. King moved to concur in the senate amendments to **HB 1699**.

The motion to concur in the senate amendments to **HB 1699** prevailed by (Record 1889): 131 Yeas, 8 Nays, 3 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; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hefner; 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; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stucky; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Troclair; Turner; VanDeaver; Vasut; Vo; Walle; Zwiener.

Nays — Cain; Harrison; Hayes; Patterson; Schatzline; Spiller; Toth; Wilson.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Gates; Swanson.

STATEMENTS OF VOTE

When Record No. 1889 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 1889 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 1889 was taken, I was in the house but away from my desk. I would have voted no.

Swanson

When Record No. 1889 was taken, I was shown voting yes. I intended to vote no.

Vasut

Senate Committee Substitute

CSHB 1699, A bill to be entitled An Act relating to the authority of the Evergreen Underground Water Conservation District to impose certain fees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 197, Acts of the 59th Legislature, Regular Session, 1965, is amended by adding Section 22A to read as follows:

Sec. 22A. FEES. (a) The Board may impose:

(1) a combined production and export fee on water exported from the District in an amount not to exceed 20 cents for each thousand gallons of water exported from the District; and

(2) other fees as authorized by Chapter 36, Water Code.

(b) A fee collected under Subsection (a)(1) of this section may only be used:

(1) to maintain the operability of wells significantly affected by groundwater export projects; and

(2) as authorized by Section 36.122(1), Water Code.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

HB 3765 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Bucy called up with senate amendments for consideration at this time,

HB 3765, A bill to be entitled An Act relating to the establishment of a supply of luggage by the Department of Family and Protective Services for the transport of the personal belongings of a foster child.

Representative Bucy moved to concur in the senate amendments to **HB 3765**.

The motion to concur in the senate amendments to **HB 3765** prevailed by (Record 1890): 120 Yeas, 21 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; 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; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.J.; Hinojosa; Holland; Howard; Hull; Hunter; 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; 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; Oliverson; Ordaz; Orr; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schatzline; Schofield; Sherman; Shine; Smith; Smithee; Stucky; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Zwiener.

Nays — Bell, C.; Cain; Dorazio; Harris, C.E.; Harrison; Hayes; Hefner; Isaac; Leo-Wilson; Metcalf; Noble; Patterson; Paul; Schaefer; Shaheen; Slawson; Spiller; Swanson; Toth; Vasut; Wilson.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Gates.

STATEMENTS OF VOTE

When Record No. 1890 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 1890 was taken, I was shown voting no. I intended to vote yes.

Vasut

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 3765** (senate committee report) in SECTION 2 of the bill, in added Section 264.1078, Family Code (page 2, between lines 45 and 46), by adding the following appropriately lettered subsection and relettering subsequent subsections accordingly:

() This subsection and Subsection (e) expire September 1, 2025.

**HB 1515 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

Representative Clardy called up with senate amendments for consideration at this time,

HB 1515, A bill to be entitled An Act relating to the continuation and functions of the Texas Economic Development and Tourism Office.

Representative Clardy moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 1515**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 1515**: Clardy, chair; K. Bell, Canales, Craddick, and Holland.

**HB 3928 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Toth called up with senate amendments for consideration at this time,

HB 3928, A bill to be entitled An Act relating to the screening of students for dyslexia and related disorders and a student's eligibility for special education services provided by a school district, including services for dyslexia and related disorders.

Representative Toth moved to concur in the senate amendments to **HB 3928**.

The motion to concur in the senate amendments to **HB 3928** prevailed by (Record 1891): 140 Yeas, 0 Nays, 2 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; González, J.; González, M.; Goodwin; Guerra; Guillen;

Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; 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; Muñoz; Murr; 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; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Johnson, J.D.; Neave Criado.

Senate Committee Substitute

CSHB 3928. A bill to be entitled An Act relating to dyslexia evaluations and services for public school students, the provision of services for students with dyslexia and related disorders, and certain parental notice regarding the rights of parents of public school students with disabilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. This Act may be cited as the Beckley Wilson Act.

SECTION 2. Section 7.102(c)(28), Education Code, is amended to read as follows:

(28) The board shall approve a program for testing students for dyslexia and related disorders as provided by Section 38.003. The program may not include a distinction between standard protocol dyslexia instruction, as defined by the Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders, as updated in 2021 and adopted by the State Board of Education, and its subsequent amendments, and other types of direct dyslexia instruction, including specially designed instruction.

SECTION 3. Subchapter A, Chapter 29, Education Code, is amended by adding Sections 29.0031 and 29.0032 to read as follows:

Sec. 29.0031. DYSLEXIA AND RELATED DISORDERS. (a) Dyslexia is an example of and meets the definition of a specific learning disability under the Individuals with Disabilities Education Act (20 U.S.C. Section 1401(30)). If a district suspects or has a reason to suspect that a student may have dyslexia, including after evaluation or use of a reading diagnosis under Section 28.006 or 38.003, and that the student may be a child with a disability under the Individuals with Disabilities Education Act (20 U.S.C. Section 1401(3)), the district must:

(1) provide to the student's parent or a person standing in parental relation to the student a form developed by the agency explaining the rights available under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) that may be additional to the rights available under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794);

(2) comply with all federal and state requirements, including the Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders, as adopted by the State Board of Education, and its subsequent amendments, regarding any evaluation of the student; and

(3) if the student is evaluated for dyslexia or a related disorder, also evaluate the student in any other areas in which the district suspects the student may have a disability.

(b) The multidisciplinary evaluation team and any subsequent team convened to determine a student's eligibility for special education and related services must include at least one member with specific knowledge regarding the reading process, dyslexia and related disorders, and dyslexia instruction. The member must:

(1) hold a licensed dyslexia therapist license under Chapter 403, Occupations Code;

(2) hold the most advanced dyslexia-related certification issued by an association recognized by the State Board of Education, and identified in, or substantially similar to an association identified in, the program and rules adopted under Sections 7.102 and 38.003; or

(3) if a person qualified under Subdivision (1) or (2) is not available, meet the applicable training requirements adopted by the State Board of Education pursuant to Sections 7.102 and 38.003.

(c) A member of a multidisciplinary evaluation team and any subsequent team convened to determine a student's eligibility for special education and related services as described by Subsection (b) must sign a document describing the member's participation in the evaluation of a student described by that subsection and any resulting individualized education program developed for the student.

(d) At least once each grading period, and more often if provided for in a student's individualized education program, a school district shall provide the parent of or person standing in parental relation to a student receiving dyslexia instruction with information regarding the student's progress as a result of the student receiving that instruction.

Sec. 29.0032. PROVIDERS OF DYSLEXIA INSTRUCTION. (a) A provider of dyslexia instruction to students with dyslexia and related disorders:

(1) must be fully trained in the district's adopted instructional materials for students with dyslexia; and

(2) is not required to hold a certificate or permit in special education issued under Subchapter B, Chapter 21, unless the provider is employed in a special education position that requires the certification.

(b) The completion of a literacy achievement academy under Section 21.4552 by an educator who participates in the evaluation or instruction of students with dyslexia and related disorders does not satisfy the requirements of Subsection (a)(1).

SECTION 4. Section 37.006, Education Code, is amended by adding Subsection (p) to read as follows:

(p) On the placement of a student in a disciplinary alternative education program under this section, the school district shall provide information to the student's parent or person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student under Section 29.004.

SECTION 5. Section 37.023(d), Education Code, is amended to read as follows:

(d) The assistance required by Subsection (c) must include a personalized transition plan for the student developed by the campus administrator. A personalized transition plan:

(1) must include:

(A) recommendations for the best educational placement of the student; and

(B) the provision of information to the student's parent or a person standing in parental relation to the student regarding the process to request a full individual and initial evaluation of the student for purposes of special education services under Section 29.004; and

(2) may include:

(A) recommendations for counseling, behavioral management, or academic assistance for the student with a concentration on the student's academic or career goals;

(B) recommendations for assistance for obtaining access to mental health services provided by the district or school, a local mental health authority, or another private or public entity; and

~~(C) [the provision of information to the student's parent or a person standing in parental relation to the student about the process to request a full individual and initial evaluation of the student for purposes of special education services under Section 29.004; and~~

~~(D)~~ a regular review of the student's progress toward the student's academic or career goals.

SECTION 6. Sections 38.003(b) and (c-1), Education Code, are amended to read as follows:

(b) In accordance with the program approved by the State Board of Education, the board of trustees of each school district shall:

(1) provide for the treatment of any student determined to have dyslexia or a related disorder; and

(2) adopt and implement a policy requiring the district to comply with all rules and standards adopted by the State Board of Education to implement the program, including:

(A) the Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders, as adopted by the State Board of Education, and its subsequent amendments; and

(B) guidance published by the commissioner to assist the district in implementing the program.

(c-1) The agency by rule shall develop procedures designed to allow the agency to:

(1) effectively audit and monitor and periodically conduct site visits of all school districts to ensure that districts are complying with this section, including the program approved by the State Board of Education under this section;

(2) identify any problems school districts experience in complying with this section, including the program approved by the State Board of Education under this section; ~~[and]~~

(3) develop reasonable and appropriate remedial strategies to address school district noncompliance and ensure the purposes of this section are accomplished; and

(4) solicit input from parents of students enrolled in a school district during the auditing and monitoring of the district under Subdivision (1) regarding the district's implementation of the program approved by the State Board of Education under this section.

SECTION 7. Not later than June 30, 2024, the State Board of Education shall revise the Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders, as adopted by the State Board of Education, to conform with Section 7.102, Education Code, as amended by this Act.

SECTION 8. This Act applies beginning with the 2023-2024 school year.

SECTION 9. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

HB 4595 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Moody called up with senate amendments for consideration at this time,

HB 4595, A bill to be entitled An Act relating to nonsubstantive additions to, revisions of, and corrections in enacted codes and to the nonsubstantive codification or disposition of various laws omitted from enacted codes.

Representative Moody moved to concur in the senate amendments to **HB 4595**.

The motion to concur in the senate amendments to **HB 4595** prevailed by (Record 1892): 142 Yeas, 0 Nays, 2 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; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; 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; 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; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 4595** in SECTION 24.002(20) of the bill, in redesignated and amended Subsection (r), Section 46.15, Penal Code, by striking "Sections 46.02, 46.03, and 46.035(b) and (c)" and substituting "Sections 46.02 and [r] 46.03[~~and 46.035(b) and (c)~~]".

HB 2929 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Lozano called up with senate amendments for consideration at this time,

HB 2929, A bill to be entitled An Act relating to continuing education and training requirements for classroom teachers and public school counselors.

Representative Lozano moved to concur in the senate amendments to **HB 2929**.

The motion to concur in the senate amendments to **HB 2929** prevailed by (Record 1893): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; 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.; 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; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Bonnen; Lopez, R.

Senate Committee Substitute

CSHB 2929, relating to continuing education and training requirements for classroom teachers and public school counselors.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 21.054(d), Education Code, as amended by Chapters 1045 (**SB 1267**) and 973 (**SB 2066**), Acts of the 87th Legislature, Regular Session, 2021, is reenacted and amended to read as follows:

(d) Subject to Subsection (d-2), continuing ~~[Continuing]~~ education requirements for a classroom teacher may not require ~~[must provide]~~ that ~~[not]~~ more than 25 percent of the training required every five years include instruction regarding:

- (1) collecting and analyzing information that will improve effectiveness in the classroom;
- (2) recognizing early warning indicators that a student may be at risk of dropping out of school;
- (3) digital learning, digital teaching, and integrating technology into classroom instruction;
- (4) educating diverse student populations, including:
 - (A) students who are educationally disadvantaged; and
 - (B) students at risk of dropping out of school; and
- (5) understanding appropriate relationships, boundaries, and communications between educators and students.

SECTION 2. Section 21.054, Education Code, is amended by adding Subsection (d-2) and amending Subsection (f) to read as follows:

(d-2) Training in a topic of instruction described by Subsection (d) attended by a classroom teacher in excess of an amount of hours equal to 25 percent of the training required of the teacher every five years shall be counted toward the teacher's overall training requirements.

(f) Continuing education requirements for a counselor must provide that at least ~~[not more than]~~ 25 percent of training required every five years include instruction regarding:

- (1) assisting students in developing high school graduation plans;
- (2) implementing dropout prevention strategies;
- (3) informing students concerning:
 - (A) college admissions, including college financial aid resources and application procedures; and
 - (B) career opportunities;
- (4) counseling students concerning mental health conditions and substance abuse, including through the use of grief-informed and trauma-informed interventions and crisis management and suicide prevention strategies; and

(5) effective implementation of a comprehensive school counseling program under Section 33.005.

SECTION 3. This Act applies beginning with the 2023-2024 school year.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

HB 3287 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Anderson called up with senate amendments for consideration at this time,

HB 3287, A bill to be entitled An Act relating to the locations of the campuses of the Texas State Technical College System.

Representative Anderson moved to concur in the senate amendments to **HB 3287**.

The motion to concur in the senate amendments to **HB 3287** prevailed by (Record 1894): 142 Yeas, 0 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; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; 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; 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; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Senate Committee Substitute

CSHB 3287, A bill to be entitled An Act relating to the locations of the campuses of the Texas State Technical College System.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 135.02(a), Education Code, is amended to read as follows:

- (a) The Texas State Technical College System is composed of:
- (1) a system office located in the city of Waco in McLennan County;
 - (2) a campus located in ~~[the city of Harlingen in]~~ Cameron County;
 - (3) a campus serving West Texas that operates as a collective unit of strategically positioned permanent locations in ~~[the city of Sweetwater in]~~ Nolan County, ~~[the city of Abilene in]~~ Taylor County, ~~[the city of Brownwood in]~~ Brown County, and ~~[the city of Breckenridge in]~~ Stephens County;
 - (4) a campus located ~~[in the city of Marshall]~~ in Harrison County;
 - (5) a campus located ~~[in the city of Waco]~~ in McLennan County;
 - (6) a campus located in Fort Bend County;
 - (7) a campus that operates as a collective unit of one or more locations [located in the city of Red Oak] in Ellis County; [and]
 - (8) a campus that operates as a collective unit of one or more locations in Comal County and Guadalupe County;
 - (9) a campus located in Denton County;
 - (10) a campus that operates as a collective unit of one or more locations in Williamson County east of State Highway 130 and Interstate Highway 35; and
 - (11) campuses assigned to the system from time to time by specific legislative Act.

SECTION 2. Section 130.063(e), Education Code, is amended to read as follows:

(e) This section does not prevent a junior college district from annexing territory located in Brown County, Comal County, Denton County, Guadalupe County, or Williamson County.

SECTION 3. Section 135.04(b), Education Code, is amended to read as follows:

(b) Before any program may be offered by a campus or extension center within the tax district of a public junior college that is operating a vocational and technical program, it must be established that the public junior college is not capable of offering or is unable to offer the program. After it is established that a need for the program exists and that the program is not locally available, the campus or extension center may offer the program, provided approval is secured from the coordinating board. Approval of technical-vocational programs under this section does not apply to Brown, McLennan, Cameron, Fort Bend, Comal, Denton, Guadalupe, Williamson, and Potter Counties [counties].

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

**SB 409 - REQUEST OF SENATE GRANTED
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Spiller, the house granted the request of the senate for the appointment of a Conference Committee on **SB 409**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 409**: Leach, chair; Cook, C. Morales, Schatzline, and S. Thompson.

**SB 773 - REQUEST OF SENATE GRANTED
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Toth, the house granted the request of the senate for the appointment of a Conference Committee on **SB 773**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 773**: Toth, chair; Burrows, Cain, Campos, and Price.

**SB 2304 - RULES SUSPENDED
HOUSE SPONSOR AUTHORIZED**

Representative K. King moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representative Martinez as a house sponsor to **SB 2304**.

The motion prevailed.

POSTPONED BUSINESS

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

**SB 1518 ON SECOND READING
(Guillen and Cook - House Sponsors)**

SB 1518, A bill to be entitled An Act relating to the establishment of a terrorist offender registry and to the supervision of those terrorist offenders; creating criminal offenses related to terrorism.

SB 1518 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Moody offered the following amendment to **SB 1518**:

Amend **SB 1518** (house committee report) as follows:

(1) On page 25, lines 20-21, strike "the person dies if the person has a reportable conviction or adjudication" and substitute "a judge in a court of competent jurisdiction determines that the person no longer represents a threat to public safety".

(2) On page 26, strike lines 17-19 and substitute the following: arises if the department has received notice from a judge in a court of competent jurisdiction that the judge has determined that the person no longer represents a threat to public safety.

Amendment No. 1 was adopted.

SB 1518, as amended, was passed to third reading.

(C.J. Harris in the chair)

**HB 6 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Goldman called up with senate amendments for consideration at this time,

HB 6, A bill to be entitled An Act relating to the designation of poisoning with a controlled substance included in Penalty Group 1-B for purposes of the death certificate and to the criminal penalties for certain controlled substance offenses; creating criminal offenses; increasing a criminal penalty.

Representative Goldman moved to concur in the senate amendments to **HB 6**.

The motion to concur in the senate amendments to **HB 6** prevailed by (Record 1895): 125 Yeas, 10 Nays, 2 Present, not voting.

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

Nays — Collier; González, J.; Hinojosa; Jones, J.; Manuel; Morales, C.; Plesa; Ramos; Sherman; Zwiener.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Bucy; Canales; Johnson, J.D.; Morales Shaw; Muñoz; Talarico; Thompson, S.

STATEMENT OF VOTE

When Record No. 1895 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

Senate Committee Substitute

CSHB 6, A bill to be entitled An Act relating to the designation of fentanyl toxicity for purposes of the death certificate and to the criminal penalties for certain controlled substance offenses; increasing a criminal penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 193.005, Health and Safety Code, is amended by adding Subsection (e-1) to read as follows:

(e-1) The medical certification on a death certificate must include the term "Fentanyl Toxicity" if:

(1) a toxicology examination reveals a controlled substance listed in Penalty Group 1-B present in the body of the decedent in an amount or concentration that is considered to be lethal by generally accepted scientific standards; and

(2) the results of an autopsy performed on the decedent are consistent with an opioid overdose as the cause of death.

SECTION 2. Section 481.102, Health and Safety Code, is amended to read as follows:

Sec. 481.102. PENALTY GROUP 1. Penalty Group 1 consists of:

(1) the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, if the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

~~[Alfentanil];~~
Allylprodine;
Alphacetylmethadol;
Benzethidine;
Betaprodine;
Clonitazene;
Diampromide;
Diethylthiambutene;
Difenoxin not listed in Penalty Group 3 or 4;
Dimenoxadol;
Dimethylthiambutene;
Dioxaphetyl butyrate;
Dipipanone;
Ethylmethylthiambutene;
Etonitazene;
Etoxeridine;
Furethidine;
Hydroxypethidine;
Ketobemidone;
Levophenacetylmorphan;
Meprodine;
Methadol;
Moramide;
Morpheridine;
Noracymethadol;
Norlevorphanol;
Normethadone;
Norpipanone;

Phenadoxone;
 Phenampromide;
 Phenomorphan;
 Phenoperidine;
 Piritramide;
 Proheptazine;
 Properidine;
 Propiram;
 [~~Sufentanil~~];
 Tilidine; and
 Trimeperidine;

(2) the following opium derivatives, their salts, isomers, and salts of isomers, unless specifically excepted, if the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

Acetorphine;
 Acetyldihydrocodeine;
 Benzylmorphine;
 Codeine methylbromide;
 Codeine-N-Oxide;
 Cyprenorphine;
 Desomorphine;
 Dihydromorphine;
 Drotebanol;
 Etorphine, except hydrochloride salt;
 Heroin;
 Hydromorphanol;
 Methyldesorphine;
 Methyldihydromorphine;
 Monoacetylmorphine;
 Morphine methylbromide;
 Morphine methylsulfonate;
 Morphine-N-Oxide;
 Myrophine;
 Nicocodeine;
 Nicomorphine;
 Normorphine;
 Pholcodine; and
 Thebacon;

(3) the following substances, however produced, except those narcotic drugs listed in another group:

(A) Opium and opiate not listed in Penalty Group 3 or 4, and a salt, compound, derivative, or preparation of opium or opiate, other than thebaine derived butorphanol, nalmefene and its salts, naloxone and its salts, and naltrexone and its salts, but including:

Codeine not listed in Penalty Group 3 or 4;
 Dihydroetorphine;

Ethylmorphine not listed in Penalty Group 3 or 4;
 Granulated opium;
 Hydrocodone not listed in Penalty Group 3;
 Hydromorphone;
 Metopon;
 Morphine not listed in Penalty Group 3;
 Opium extracts;
 Opium fluid extracts;
 Oripavine;
 Oxycodone;
 Oxymorphone;
 Powdered opium;
 Raw opium;
 Thebaine; and
 Tincture of opium;

(B) a salt, compound, isomer, derivative, or preparation of a substance that is chemically equivalent or identical to a substance described by Paragraph (A), other than the isoquinoline alkaloids of opium;

(C) Opium poppy and poppy straw;

(D) Cocaine, including:

(i) its salts, its optical, position, and geometric isomers, and the salts of those isomers;

(ii) coca leaves and a salt, compound, derivative, or preparation of coca leaves; and

(iii) a salt, compound, derivative, or preparation of a salt, compound, or derivative that is chemically equivalent or identical to a substance described by Subparagraph (i) or (ii), other than decocainized coca leaves or extractions of coca leaves that do not contain cocaine or ecgonine; and

(E) concentrate of poppy straw, meaning the crude extract of poppy straw in liquid, solid, or powder form that contains the phenanthrine alkaloids of the opium poppy;

(4) the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, if the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

~~[Acetyl alpha methylfentanyl (N [1 (1-methyl-2-phenethyl) 4-piperidinyl] N-phenylacetamide);~~

~~[Alpha methylthiofentanyl (N [1-methyl-2-(2-thienyl)ethyl 4-piperidinyl] N-phenylpropanamide);]~~

Alphaprodine;

Anileridine;

~~[Beta hydroxyfentanyl (N [1-(2-hydroxy-2-phenethyl) 4-piperidinyl] N-phenylpropanamide);~~

~~[Beta hydroxy 3-methylfentanyl;]~~

Bezitramide;

~~[Carfentanyl;]~~

Dihydrocodeine not listed in Penalty Group 3 or 4;

- Diphenoxylate not listed in Penalty Group 3 or 4;
 Isomethadone;
 Levomethorphan;
 Levorphanol;
 Metazocine;
 Methadone;
 Methadone-Intermediate, 4-cyano-2-dimethylamino- 4, 4-diphenyl
 butane;
~~[3-methylfentanyl(N-[3-methyl-1-(2-phenylethyl)-
 4-piperidyl] N-phenylpropanamide);~~
~~[3-methylthiofentanyl(N-[3-methyl-1-(2-thienyl)
 ethyl-4-piperidinyl] N-phenylpropanamide);]~~
 Moramide-Intermediate, 2-methyl-3-morpholino-1,
 1-diphenyl-propane-carboxylic acid;
~~[Para-fluorofentanyl(N-(4-fluorophenyl)-N-1-(2-
 phenylethyl)-4-piperidinylpropanamide);]~~
 PEPAP (1-(2-phenethyl)-4-phenyl-4- acetoxypiperidine);
 Pethidine (Meperidine);
 Pethidine-Intermediate-A, 4-cyano-1-methyl-4- phenylpiperidine;
 Pethidine-Intermediate-B, ethyl-4- phenylpiperidine-4 carboxylate;
 P e t h i d i n e - I n t e r m e d i a t e - C , 1 - m e t h y l - 4 -
 phenylpiperidine-4-carboxylic acid;
 Phenazocine;
 Piminodine;
 Racemethorphan; and
 Racemorphan;
~~[Remifentanyl; and~~
~~[Thiofentanyl(N-phenyl N-[1-(2-thienyl)ethyl-4-
 piperidinyl] propanamide);]~~
- (5) Flunitrazepam (trade or other name: Rohypnol);
 - (6) Methamphetamine, including its salts, optical isomers, and salts of optical isomers;
 - (7) Phenylacetone and methylamine, if possessed together with intent to manufacture methamphetamine;
 - (8) Phencyclidine, including its salts;
 - (9) Gamma hydroxybutyric acid (some trade or other names: gamma hydroxybutyrate, GHB), including its salts;
 - (10) Ketamine;
 - (11) Phenazepam;
 - (12) U-47700;
 - (13) AH-7921;
 - (14) ADB-FUBINACA;
 - (15) AMB-FUBINACA; and
 - (16) MDMB-CHMICA.

SECTION 3. Section 481.1022, Health and Safety Code, is amended to read as follows:

Sec. 481.1022. PENALTY GROUP 1-B. Penalty Group 1-B consists of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, if the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);

Alfentanil;

Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);

Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide);

Beta-hydroxy-3-methylfentanyl;

Carfentanil;

Fentanyl [~~fentanyl~~], alpha-methylfentanyl, and any other derivative of fentanyl;

3-methylfentanyl(N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);

3-methylthiofentanyl(N-[3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);

Para-fluorofentanyl(N-(4-fluorophenyl)-N-1-(2-phenylethyl)-4-piperidinylpropanamide);

Remifentanil;

Sufentanil; and

Thiofentanyl(N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide).

SECTION 4. Sections 481.112(e) and (f), Health and Safety Code, are amended to read as follows:

(e) An offense under Subsection (a) is a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than 10 years, and a fine not to exceed \$100,000, if the amount of the controlled substance to which the offense applies is, by aggregate weight, including adulterants or dilutants, 200 grams or more but less than 400 grams.

(f) An offense under Subsection (a) is a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than 15 years, and a fine not to exceed \$250,000, if the amount of the controlled substance to which the offense applies is, by aggregate weight, including adulterants or dilutants, 400 grams or more.

SECTION 5. Section 481.1121(b), Health and Safety Code, is amended to read as follows:

(b) An offense under this section is:

(1) a state jail felony if the number of abuse units of the controlled substance is fewer than 20;

(2) a felony of the second degree if the number of abuse units of the controlled substance is 20 or more but fewer than 80;

(3) a felony of the first degree if the number of abuse units of the controlled substance is 80 or more but fewer than 4,000; and

(4) a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than 15 years and a fine not to exceed \$250,000, if the number of abuse units of the controlled substance is 4,000 or more.

SECTION 6. Sections 481.1123(b), (d), (e), and (f), Health and Safety Code, are amended to read as follows:

(b) An offense under Subsection (a) is a ~~[state jail]~~ felony of the third degree if the amount of the controlled substance to which the offense applies is, by aggregate weight, including adulterants or dilutants, less than one gram.

(d) An offense under Subsection (a) is a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than 10 years, and a fine not to exceed \$20,000, if the amount of the controlled substance to which the offense applies is, by aggregate weight, including adulterants or dilutants, four grams or more but less than 200 grams.

(e) An offense under Subsection (a) is a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than 15 years, and a fine not to exceed \$200,000, if the amount of the controlled substance to which the offense applies is, by aggregate weight, including adulterants or dilutants, 200 grams or more but less than 400 grams.

(f) An offense under Subsection (a) is a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than 20 years, and a fine not to exceed \$500,000, if the amount of the controlled substance to which the offense applies is, by aggregate weight, including adulterants or dilutants, 400 grams or more.

SECTION 7. Section 481.113(e), Health and Safety Code, is amended to read as follows:

(e) An offense under Subsection (a) is a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than 10 years, and a fine not to exceed \$100,000, if the amount of the controlled substance to which the offense applies is, by aggregate weight, including adulterants or dilutants, 400 grams or more.

SECTION 8. Section 481.114(e), Health and Safety Code, is amended to read as follows:

(e) An offense under Subsection (a) is a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than 10 years, and a fine not to exceed \$100,000, if the amount of the controlled substance to which the offense applies is, by aggregate weight, including any adulterants or dilutants, 400 grams or more.

SECTION 9. Section 481.115(f), Health and Safety Code, is amended to read as follows:

(f) An offense under Subsection (a) is a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than 10 years, and a fine not to exceed \$100,000, if the amount of the controlled substance possessed is, by aggregate weight, including adulterants or dilutants, 400 grams or more.

SECTION 10. Section 481.1151(b), Health and Safety Code, is amended to read as follows:

(b) An offense under this section is:

(1) a state jail felony if the number of abuse units of the controlled substance is fewer than 20;

(2) a felony of the third degree if the number of abuse units of the controlled substance is 20 or more but fewer than 80;

(3) a felony of the second degree if the number of abuse units of the controlled substance is 80 or more but fewer than 4,000;

(4) a felony of the first degree if the number of abuse units of the controlled substance is 4,000 or more but fewer than 8,000; and

(5) a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than 15 years and a fine not to exceed \$250,000, if the number of abuse units of the controlled substance is 8,000 or more.

SECTION 11. Section 481.116(e), Health and Safety Code, is amended to read as follows:

(e) An offense under Subsection (a) is a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than five years, and a fine not to exceed \$50,000, if the amount of the controlled substance possessed is, by aggregate weight, including adulterants or dilutants, 400 grams or more.

SECTION 12. Section 481.1161(b), Health and Safety Code, is amended to read as follows:

(b) An offense under this section is:

(1) a Class B misdemeanor if the amount of the controlled substance possessed is, by aggregate weight, including adulterants or dilutants, two ounces or less;

(2) a Class A misdemeanor if the amount of the controlled substance possessed is, by aggregate weight, including adulterants or dilutants, four ounces or less but more than two ounces;

(3) a state jail felony if the amount of the controlled substance possessed is, by aggregate weight, including adulterants or dilutants, five pounds or less but more than four ounces;

(4) a felony of the third degree if the amount of the controlled substance possessed is, by aggregate weight, including adulterants or dilutants, 50 pounds or less but more than 5 pounds;

(5) a felony of the second degree if the amount of the controlled substance possessed is, by aggregate weight, including adulterants or dilutants, 2,000 pounds or less but more than 50 pounds; and

(6) a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than 5 years, and a fine not to exceed \$50,000, if the amount of the controlled substance possessed is, by aggregate weight, including adulterants or dilutants, more than 2,000 pounds.

SECTION 13. Section 481.117(e), Health and Safety Code, is amended to read as follows:

(e) An offense under Subsection (a) is a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than five years, and a fine not to exceed \$50,000, if the amount of the controlled substance possessed is, by aggregate weight, including adulterants or dilutants, 400 grams or more.

SECTION 14. Section 481.118(e), Health and Safety Code, is amended to read as follows:

(e) An offense under Subsection (a) is a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than five years, and a fine not to exceed \$50,000, if the amount of the controlled substance possessed is, by aggregate weight, including adulterants or dilutants, 400 grams or more.

SECTION 15. Section 481.120(b), Health and Safety Code, is amended to read as follows:

(b) An offense under Subsection (a) is:

(1) a Class B misdemeanor if the amount of marihuana delivered is one-fourth ounce or less and the person committing the offense does not receive remuneration for the marihuana;

(2) a Class A misdemeanor if the amount of marihuana delivered is one-fourth ounce or less and the person committing the offense receives remuneration for the marihuana;

(3) a state jail felony if the amount of marihuana delivered is five pounds or less but more than one-fourth ounce;

(4) a felony of the second degree if the amount of marihuana delivered is 50 pounds or less but more than five pounds;

(5) a felony of the first degree if the amount of marihuana delivered is 2,000 pounds or less but more than 50 pounds; and

(6) a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than 10 years, and a fine not to exceed \$100,000, if the amount of marihuana delivered is more than 2,000 pounds.

SECTION 16. Section 481.121(b), Health and Safety Code, is amended to read as follows:

(b) An offense under Subsection (a) is:

(1) a Class B misdemeanor if the amount of marihuana possessed is two ounces or less;

(2) a Class A misdemeanor if the amount of marihuana possessed is four ounces or less but more than two ounces;

(3) a state jail felony if the amount of marihuana possessed is five pounds or less but more than four ounces;

(4) a felony of the third degree if the amount of marihuana possessed is 50 pounds or less but more than 5 pounds;

(5) a felony of the second degree if the amount of marihuana possessed is 2,000 pounds or less but more than 50 pounds; and

(6) a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than 5 years, and a fine not to exceed \$50,000, if the amount of marihuana possessed is more than 2,000 pounds.

SECTION 17. Section 481.126(a), Health and Safety Code, is amended to read as follows:

(a) A person commits an offense if the person:

(1) barter property or expends funds the person knows are derived from the commission of a first degree felony ~~[an]~~ offense under this chapter punishable by imprisonment in the Texas Department of Criminal Justice for life;

(2) barter property or expends funds the person knows are derived from the commission of an offense under Section 481.121(a) that is punishable under Section 481.121(b)(5);

(3) barter property or finances or invests funds the person knows or believes are intended to further the commission of an offense for which the punishment is described by Subdivision (1); or

(4) barter property or finances or invests funds the person knows or believes are intended to further the commission of an offense under Section 481.121(a) that is punishable under Section 481.121(b)(5).

SECTION 18. Section 481.134(c), Health and Safety Code, as amended by Chapters 584 (**SB 768**) and 807 (**HB 1540**), Acts of the 87th Legislature, Regular Session, 2021, is reenacted and amended to read as follows:

(c) The minimum term of confinement or imprisonment for an offense otherwise punishable under Section 481.112(c), (d), (e), or (f), 481.1121(b)(2), (3), or (4), 481.1123(b), (c) ~~[481.1123(c)]~~, (d), (e), or (f), 481.113(c), (d), or (e), 481.114(c), (d), or (e), 481.115(c)-(f), 481.1151(b)(2), (3), (4), or (5), 481.116(c), (d), or (e), 481.1161(b)(4), (5), or (6), 481.117(c), (d), or (e), 481.118(c), (d), or (e), 481.120(b)(4), (5), or (6), or 481.121(b)(4), (5), or (6) is increased by five years and the maximum fine for the offense is doubled if it is shown on the trial of the offense that the offense was committed:

(1) in, on, or within 1,000 feet of the premises of a school, the premises of a public or private youth center, or a playground;

(2) on a school bus; or

(3) by any unauthorized person 18 years of age or older, in, on, or within 1,000 feet of premises owned, rented, or leased by a general residential operation operating as a residential treatment center.

SECTION 19. Section 481.141, Health and Safety Code, is amended by adding Subsection (d) to read as follows:

(d) Punishment may not be increased under this section if the defendant is also prosecuted under Section 19.02(b)(4), Penal Code, for conduct occurring during the same criminal episode.

SECTION 20. Section 19.02, Penal Code, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

(b) A person commits an offense if the person [~~he~~]:

(1) intentionally or knowingly causes the death of an individual;

(2) intends to cause serious bodily injury and commits an act clearly dangerous to human life that causes the death of an individual; [~~or~~]

(3) commits or attempts to commit a felony, other than manslaughter, and in the course of and in furtherance of the commission or attempt, or in immediate flight from the commission or attempt, the person [~~he~~] commits or attempts to commit an act clearly dangerous to human life that causes the death of an individual; or

(4) knowingly manufactures or delivers a controlled substance included in Penalty Group 1-B under Section 481.1022, Health and Safety Code, in violation of Section 481.1123, Health and Safety Code, and an individual dies as a result of injecting, ingesting, inhaling, or introducing into the individual's body any amount of the controlled substance manufactured or delivered by the actor, regardless of whether the controlled substance was used by itself or with another substance, including a drug, adulterant, or dilutant.

(e) It is a defense to prosecution under Subsection (b)(4) that the actor's conduct in manufacturing or delivering the controlled substance was authorized under Chapter 481, Health and Safety Code, or other state or federal law.

SECTION 21. Section 71.02(a), Penal Code, is amended to read as follows:

(a) A person commits an offense if, with the intent to establish, maintain, or participate in a combination or in the profits of a combination or as a member of a criminal street gang, the person commits or conspires to commit one or more of the following:

(1) murder, capital murder, arson, aggravated robbery, robbery, burglary, theft, aggravated kidnapping, kidnapping, aggravated assault, aggravated sexual assault, sexual assault, continuous sexual abuse of young child or disabled individual, solicitation of a minor, forgery, deadly conduct, assault punishable as a Class A misdemeanor, burglary of a motor vehicle, or unauthorized use of a motor vehicle;

(2) any gambling offense punishable as a Class A misdemeanor;

(3) promotion of prostitution, aggravated promotion of prostitution, or compelling prostitution;

(4) unlawful manufacture, transportation, repair, or sale of firearms or prohibited weapons;

(5) unlawful manufacture, delivery, dispensation, or distribution of a controlled substance or dangerous drug, or unlawful possession of a controlled substance or dangerous drug through forgery, fraud, misrepresentation, or deception;

(5-a) causing the unlawful delivery, dispensation, or distribution of a controlled substance or dangerous drug in violation of Subtitle B, Title 3, Occupations Code;

(5-b) unlawful possession with intent to deliver a controlled substance listed in Penalty Group 1-B under Section 481.1022, Health and Safety Code;

(6) any unlawful wholesale promotion or possession of any obscene material or obscene device with the intent to wholesale promote the same;

(7) any offense under Subchapter B, Chapter 43, depicting or involving conduct by or directed toward a child younger than 18 years of age;

(8) any felony offense under Chapter 32;

(9) any offense under Chapter 36;

(10) any offense under Chapter 34, 35, or 35A;

(11) any offense under Section 37.11(a);

(12) any offense under Chapter 20A;

(13) any offense under Section 37.10;

(14) any offense under Section 38.06, 38.07, 38.09, or 38.11;

(15) any offense under Section 42.10;

(16) any offense under Section 46.06(a)(1) or 46.14;

(17) any offense under Section 20.05 or 20.06;

(18) any offense under Section 16.02; or

(19) any offense classified as a felony under the Tax Code.

SECTION 22. The change in law made by this Act to Section 193.005, Health and Safety Code, applies only to a death that occurs on or after the effective date of this Act, or a death that occurs before that date but is discovered on or after the effective date of this Act.

SECTION 23. The changes in law made by this Act to Chapter 481, Health and Safety Code, and Sections 19.02 and 71.02, Penal Code, 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 occurred before that date.

SECTION 24. To the extent of any conflict, this Act prevails over another Act of the 88th Legislature, Regular Session, 2023, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 25. This Act takes effect September 1, 2023.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **CSHB 6** (senate committee report) in SECTION 1 of the bill, in added Section 193.005(e-1), Health and Safety Code (page 1, line 26), between "include" and "the term" by inserting "either the term "Fentanyl Poisoning" or"".

(Speaker in the chair)

RESOLUTIONS REFERRED TO COMMITTEES

Without objection, resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

HOUSE AT EASE

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

The chair called the house to order at 4:46 p.m.

POSTPONED BUSINESS

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

CSSB 17 ON SECOND READING**(Kuempel, Shaheen, and Bonnen - House Sponsors)**

CSSB 17, A bill to be entitled An Act relating to the purpose of public institutions of higher education and the powers and duties of the governing boards of those institutions.

CSSB 17 was read second time earlier today, amendments were offered and disposed of, and **CSSB 17** was postponed until this time. Amendment No. 3 was pending at the time of postponement.

Amendment No. 3 was withdrawn.

Amendment No. 2 was withdrawn.

COMMITTEE MEETING ANNOUNCEMENT

At 4:47 p.m., the following committee meeting was announced:

State Affairs, scheduled to meet at final recess today, was canceled.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on State Affairs to meet while the house is in session, at 5:30 p.m. today, in 1W.14, to consider pending, referred, and committee business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

At 4:47 p.m., the following committee meeting was announced:

State Affairs, 5:30 p.m. today, 1W.14, for a formal meeting, to consider pending, referred, and committee business.

CSSB 17 - (consideration continued)**CSSB 17 - POINT OF ORDER**

Representative Neave Criado raised a point of order against further consideration of **CSSB 17** under Rule 4, Section 40, and Rule 11, Section 2, of the House Rules on the grounds that the committee substitute is not germane. The point of order was withdrawn.

Amendment No. 4

Representative Kuempel offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) as follows:

(1) On page 2, strike lines 1 through 21 and substitute the following:

(1) influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws;

(2) promoting differential treatment of or providing special benefits to individuals on the basis of race, sex, color, or ethnicity;

(3) promoting policies or procedures designed or implemented in reference to race, sex, color, or ethnicity, other than policies or procedures approved in writing by the institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law; or

(4) conducting trainings, programs, or activities designed or implemented in reference to race, sex, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by the institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

(2) On page 2, lines 24 and 25, strike "or as provided by Subsection (c)".

(3) On page 4, strike lines 1 through 12 and substitute the following:

(c) Nothing in this section may be construed to limit or prohibit an institution of higher education or an employee of an institution of higher education from, for purposes of applying for a grant or complying with the terms of accreditation by an accrediting agency, submitting to the grantor or accrediting agency a statement that:

(1) highlights the institution's work in supporting:

(A) first-generation college students;

(B) low-income students; or

(C) underserved student populations; or

(2) certifies compliance with state and federal antidiscrimination laws.

(4) On page 5, between lines 11 and 12, insert the following:

(g) The state auditor shall periodically conduct a compliance audit of each institution of higher education to determine whether the institution has spent state money in violation of this section. The state auditor shall adopt a schedule by which the state auditor will conduct compliance audits under this subsection. The schedule must ensure that each institution of higher education is audited at least once every four years.

(h) If the state auditor determines pursuant to a compliance audit conducted under Subsection (g) that an institution of higher education has spent state money in violation of this section, the institution:

(1) must cure the violation not later than the 180th day after the date on which the determination is made; and

(2) if the institution fails to cure the violation during the period described by Subdivision (1), is ineligible to receive formula funding increases, institutional enhancements, or exceptional items during the state fiscal biennium immediately following the state fiscal biennium in which the determination is made.

(i) A student or employee of an institution of higher education who is required to participate in training in violation of Subsection (b)(1)(E) may bring an action against the institution for injunctive or declaratory relief.

Amendment No. 4 - Point of Order

Representative Collier raised a point of order against further consideration of Amendment No. 4 under Rule 11, Section 6(e), of the House Rules on the grounds that the amendment is a substantial substitute and was not timely filed.

COMMITTEE MEETING ANNOUNCEMENT

At 5:46 p.m., the following committee meeting was announced:

Land and Resource Management, scheduled to meet at final recess today, was canceled.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Burns requested permission for the Committee on Land and Resource Management to meet while the house is in session, at 6 p.m. today, in 1W.14, to consider pending, referred, and committee business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

At 5:47 p.m., the following committee meeting was announced:

Land and Resource Management, 6 p.m. today, 1W.14, for a formal meeting, to consider pending, referred, and committee business.

CSSB 17 - (consideration continued)

The point of order was withdrawn.

Amendment No. 4 - Point of Order

Representative Zwiener raised a point of order against further consideration of Amendment No. 4 under Article VIII, Section 6, of the Texas Constitution on the grounds that the amendment authorizes appropriations for more than two years. The point of order was withdrawn.

Amendment No. 4 - Point of Order

Representative Neave Criado raised a point of order against further consideration of Amendment No. 4 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane.

(Goldman in the chair)

The point of order was withdrawn.

Amendment No. 5

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

Amend the Kuempel amendment to **CSSB 17** as follows:

(1) On page 1, line 17, strike "or" at the end of the line.

(2) On page 1, line 25, strike the underlined period.

(3) On page 1, following line 25, insert the following appropriately numbered subdivisions:

() maintaining thoughtful consideration of diverse viewpoints to promote intellectual diversity and inquiry;

() recognizing the numerous populations, backgrounds, ethnicities, and political, social, and religious viewpoints present at an institution of higher education;

() being a confidential, informed resource for certain student populations, including students with physical or cognitive disabilities, veterans, students who are parents, international students, first-generation students, socioeconomically distressed students, rural students, transfer students, and other student populations not historically represented in higher education; or

() promoting productive academic discussions between individuals of differing viewpoints, such as political, social, economic, or religious perspectives.

A record vote was requested.

Amendment No. 5 failed of adoption by (Record 1896): 60 Yeas, 82 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.; Goodwin; Guerra; 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; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner; Vo; Walle; 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.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

A record vote was requested.

Amendment No. 4 was adopted by (Record 1897): 81 Yeas, 57 Nays, 2 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; 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.; Toth; Troxclair; Vasut; Wilson.

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

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Longoria; Muñoz; Plesa; VanDeaver.

Amendment No. 6

Representative V. Jones offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) on page 2, line 23, between "shall" and "ensure", by inserting ", to the extent consistent with the United States Constitution, the Texas Constitution, and federal and state antidiscrimination laws,".

A record vote was requested.

Amendment No. 6 failed of adoption by (Record 1898): 61 Yeas, 80 Nays, 2 Present, not voting.

Yeas — Allen; Anchía; Anderson; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; 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; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner; Vo; Walle; Zwiener.

Nays — Allison; 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.; Toth; Troxclair; VanDeaver; Wilson.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Vasut.

STATEMENT OF VOTE

When Record No. 1898 was taken, I was shown voting yes. I intended to vote no.

Anderson

Amendment No. 7

Representative C. Morales offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) on page 2, line 27, between "office" and the underlined semicolon, by inserting "unless the office existed and was in operation at the institution on or before September 1, 2023".

A record vote was requested.

Amendment No. 7 failed of adoption by (Record 1899): 61 Yeas, 81 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.; Goodwin; Guerra; 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; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Shine; Talarico; Thompson, S.; Turner; Vo; Walle; 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; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

STATEMENT OF VOTE

When Record No. 1899 was taken, I was shown voting yes. I intended to vote no.

Shine

Amendment No. 8

Representative Bernal offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) as follows:

(1) On page 3, between lines 7 and 8, insert the following paragraph and reletter subsequent paragraphs and references to those paragraphs accordingly:

(D) give preference to an applicant for admission to the institution on the basis of relation to an institution alumnus or donor;

(2) On page 4, line 26, between "(7)" and "student", insert "except as provided by Subsection (b)(1)(D)".

A record vote was requested.

Amendment No. 8 failed of adoption by (Record 1900): 61 Yeas, 81 Nays, 2 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dorazio; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; 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; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner; Vo; Walle; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Frank; Frazier; Gates; Gerdes; Geren; 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.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

(Speaker in the chair)

Amendment No. 9

Representatives Toth, Swanson, Hayes, Vasut, Cain, Isaac, Schatzline, Anderson, Wilson, Dorazio, Harrison, Leo-Wilson, Bumgarner, Gates, and C. Bell offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (senate committee report) on page 3, line 9, between "ethnicity," and "or", by inserting "sexual orientation, gender identity,".

Amendment No. 9 - Point of Order

Representative J.E. Johnson raised a point of order against further consideration of Amendment No. 9 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. 9 was withdrawn.

Amendment No. 10

Representative J.D. Johnson offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) on page 3, at the end of line 27, by inserting the following appropriately lettered subsection and relettering subsequent subsections and references to those subsections accordingly:

() In adopting policies and procedures under Subsection (b)(2), the governing board of an institution of higher education must solicit, consider, and incorporate public comment and input from the institution's community. The governing board shall ensure that opportunities to provide public comment and input are accessible, fair, and designed to maximize participation.

A record vote was requested.

Amendment No. 10 failed of adoption by (Record 1901): 58 Yeas, 81 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; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Kacal; King, T.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner; Vo; Walle; 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; Gerdes; Geren; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Jones, V.; King, K.; Kitzman; 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.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Campos; Garcia; Gates; Klick.

STATEMENTS OF VOTE

When Record No. 1901 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia

When Record No. 1901 was taken, I was shown voting no. I intended to vote yes.

V. Jones

CSSB 17 - POINT OF ORDER

Representative Zwiener raised a point of order against further consideration of **CSSB 17** under Rule 4, Section 32(c)(5), of the House Rules on the grounds that the comparison section of the bill analysis is substantially or materially misleading. The point of order was withdrawn.

Amendment No. 11

Representative Talarico offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) as follows:

(1) On page 3, between lines 7 and 8, insert the following subsection and reletter subsequent subsections accordingly:

(D) give preference on the basis of being a child or grandchild of a member of the legislature to an applicant for employment, an employee, or a participant in any function of the institution;

Amendment No. 11 - Point of Order

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

A record vote was requested.

Amendment No. 11 failed of adoption by (Record 1902): 59 Yeas, 76 Nays, 2 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Longoria; Lopez, R.; Lozano; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.;

Morales Shaw; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Stucky; Talarico; Turner; Vo; Walle; Zwiener.

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

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

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Bhojani; Jetton; Johnson, J.D.; Lambert; Raney; Rogers; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1902 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

When Record No. 1902 was taken, I was in the house but away from my desk. I would have voted no.

Jetton

When Record No. 1902 was taken, I was in the house but away from my desk. I would have voted no.

Lambert

When Record No. 1902 was taken, I was in the house but away from my desk. I would have voted no.

Rogers

When Record No. 1902 was taken, I was shown voting no. I intended to vote yes.

Shaheen

When Record No. 1902 was taken, I was shown voting yes. I intended to vote no.

Stucky

Amendment No. 12

Representative Howard offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) as follows:

(1) On page 3, line 11, strike "or".

(2) On page 3 line 12, insert the following appropriately lettered subsection and reletter subsequent subsections and references to those subsections accordingly:

(E) Give preference to men during the application process to the institution, or engage in any promotional activities that encourages men to apply for mentorship programs, educational programs, athletics, or any other student activities or programs; or

A record vote was requested.

Amendment No. 12 failed of adoption by (Record 1903): 58 Yeas, 82 Nays, 1 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner; Vo; Walle; 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; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Rogers; Schaefer; Schatzline; Schofield; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Bhojani; Goldman; Shaheen.

STATEMENT OF VOTE

When Record No. 1903 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

Amendment No. 13

Representative Neave Criado offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) as follows:

(1) On page 3, at the end of line 11, strike "or".

(2) On page 3, line 23, between the underlined semicolon and "and", insert the following:

or

(F) hire a person with known ties to a hate group or domestic terrorist organization;

A record vote was requested.

Amendment No. 13 failed of adoption by (Record 1904): 60 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; García; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Longoria; Manuel; Martinez; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ordaz; Ortega; Patterson; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Shaheen; Sherman; Talarico; Thompson, S.; Turner; Vo; Walle; Zwiener.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Hunter; Lopez, R.; Martinez Fischer.

MESSAGE FROM THE SENATE

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

CSSB 17 - (consideration continued)

Amendment No. 14

Representative Zwiener offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee printing) on page 1 of the bill, between lines 17 and 18, by inserting the following subsection:

(3) racial, ethnic, and religious diversity that reflects the racial, ethnic, and religious diversity of the state of Texas.

A record vote was requested.

Amendment No. 14 failed of adoption by (Record 1905): 60 Yeas, 83 Nays, 1 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.; Goodwin; Guerra; 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; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner; Vo; Walle; 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.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Amendment No. 15

Representative Garcia offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) on page 4, line 2, by striking "may" and substituting "shall".

A record vote was requested.

Amendment No. 15 failed of adoption by (Record 1906): 60 Yeas, 82 Nays, 1 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.; Goodwin; Guerra; 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; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner; Vo; Walle; 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; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Shine.

Amendment No. 16

Representative Manuel offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) on page 4 by striking line 14 and substituting the following:

(1) instruction, a curriculum, an assignment, a survey or questionnaire, an instructional material, or faculty development or training that:

(A) involves a discussion or recognition of or instruction regarding:

(i) the historical oppression of or animus against a group of individuals based on the individuals' race, color, ethnicity, sex, pregnancy, sexual orientation, gender identity, class, disability, nationality, immigration status, religion, or geographic region;

(ii) white supremacy and its relevance to historical events and impact on present-day events;

(iii) implicit or unconscious bias, including the role of implicit or unconscious bias in the context of teaching or training in any academic subject matter; or

(iv) structural or systemic inequalities that are experienced by a group of individuals based on the individuals' race, color, ethnicity, sex, pregnancy, sexual orientation, gender identity, class, disability, nationality, immigration status, religion, or geographic region, regardless of whether specific acts of animus or discrimination have been committed against group members on that basis; or

(B) is part of a program or other institutional initiative designed to address historical and ongoing structural or systemic inequalities in the public higher education system;

A record vote was requested.

Amendment No. 16 failed of adoption by (Record 1907): 58 Yeas, 83 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bhojani; Bowers; Bryant; Bucy; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; 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; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner; Vo; Walle; 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.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Campos; Garcia.

STATEMENT OF VOTE

When Record No. 1907 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia

Amendment No. 17

Representative J. Jones offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) on page 4, lines 18 and 19, by striking "registered with or recognized by an institution of higher education".

A record vote was requested.

Amendment No. 17 failed of adoption by (Record 1908): 60 Yeas, 83 Nays, 1 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; García; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; 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; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner; Vo; Walle; 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.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Amendment No. 18

Representative Neave Criado offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) on page 4, between lines 24 and 25, by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

() a program for women in science, technology, engineering, and mathematics (STEM) fields;

A record vote was requested.

Amendment No. 18 failed of adoption by (Record 1909): 59 Yeas, 82 Nays, 1 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; 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; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner; Vo; Walle; 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; 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.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Flores; Geren.

Amendment No. 19

Representative Flores offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) on page 4, between lines 24 and 25, by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

() instruction, programming, or training for which attendance is voluntary and that is intended to explain topics from the perspective of a group that is historically underrepresented in higher education;

A record vote was requested.

Amendment No. 19 failed of adoption by (Record 1910): 60 Yeas, 83 Nays, 1 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; García; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Longoria; Lopez, R.; Manuel; Martínez; Martínez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner; Vo; Walle; 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.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Amendment No. 20

Representative J.D. Johnson offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) as follows:

- (1) On page 4, at the end of line 24, insert "or".
- (2) On page 4, line 25, strike "or" and substitute an underlined period.
- (3) On page 4, strike line 26.

A record vote was requested.

Amendment No. 20 failed of adoption by (Record 1911): 60 Yeas, 83 Nays, 1 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; García; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Longoria; Lopez, R.; Manuel; Martínez; Martínez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner; Vo; Walle; 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.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

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. 3).

CSSB 17 - (consideration continued)

Amendment No. 21

Representative M. González offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) on page 2, between lines 21 and 22, by inserting the following:

(a-1) This section does not apply to a public junior college.

A record vote was requested.

Amendment No. 21 failed of adoption by (Record 1912): 60 Yeas, 81 Nays, 1 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.; Goodwin; Guerra; 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; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner; Vo; Walle; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Absent — Bumgarner; Shaheen.

Amendment No. 22

Representative Neave Criado offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) as follows:

- (1) On page 4, line 25, strike "or".
- (2) On page 4, strike line 26 and substitute the following appropriately numbered subdivisions:
 - () admissions, recruitment, or outreach efforts to attract new students;
 - () a center or office of career counseling whose purpose is to assist current and former students in obtaining career, employment, and mentorship opportunities;
 - () services for international students or exchange students; or
 - () a program to orient incoming first-year or transfer students to campus life.

A record vote was requested.

Amendment No. 22 failed of adoption by (Record 1913): 60 Yeas, 83 Nays, 1 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; García; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; 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; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner; Vo; Walle; 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.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

Amendment No. 23

Representative Kuempel offered the following amendment to **CSSB 17**:

Amend **CSSB 17** (house committee report) as follows:

- (1) On page 5, between lines 11 and 12, insert the following appropriately lettered subsection:

() The Texas Higher Education Coordinating Board, in coordination with institutions of higher education, shall conduct an annual study to identify the impact of the implementation of this section on the recruitment rate, acceptance rate, matriculation rate, retention rate, grade point average, and graduation rate of students at institutions of higher education, disaggregated by race, sex, color, ethnicity, gender identity, or sexual orientation. Not later than December 1 of each year, the coordinating board shall submit to the legislature a report on the results of the study and any recommendations for legislative or other action. This subsection expires September 1, 2029.

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

SECTION _____. A public institution of higher education shall make reasonable efforts so that each employee of the institution whose position would otherwise be eliminated as result of the implementation of Section 51.3525, Education Code, as added by this Act, is offered reassignment to a position of similar pay at the institution.

(3) On page 5, line 13, between "the" and "2023-2024", insert "spring semester of the".

(4) On page 5, line 23, strike "September 1, 2023" and substitute "January 1, 2024".

Amendment No. 23 was adopted.

A record vote was requested.

CSSB 17, as amended, was passed to third reading by (Record 1914): 83 Yeas, 60 Nays, 1 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; 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.; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; 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; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner; Vo; Walle; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Herrero; Thierry; Tinderholt; Wu.

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. 4).

ADJOURNMENT

Representative Geren moved that the house adjourn until 1 p.m. Monday, May 22.

The motion prevailed.

The house accordingly, at 10:54 p.m., adjourned until 1 p.m. Monday, May 22.

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

SCR 54 to Resolutions Calendars.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 24

HB 87, HB 165, HB 255, HB 517, HB 558, HB 562, HB 584, HB 608, HB 616, HB 659, HB 728, HB 767, HB 841, HB 898, HB 907, HB 1074, HB 1106, HB 1114, HB 1221, HB 1381, HB 1391, HB 1393, HB 1423, HB 1472, HB 1488, HB 1547, HB 1587, HB 1615, HB 1633, HB 1666, HB 1689, HB 1819, HB 1826, HB 1901, HB 1912, HB 1925, HB 1957, HB 1964, HB 1971, HB 2007, HB 2012, HB 2016, HB 2024, HB 2070, HB 2083, HB 2195, HB 2196, HB 2217, HB 2230, HB 2248, HB 2251, HB 2271, HB 2384, HB 2388, HB 2453, HB 2459, HB 2468, HB 2489, HB 2497, HB 2518, HB 2545, HB 2568, HB 2629, HB 2674, HB 2732, HB 2746, HB 2774, HB 2802, HB 2892, HB 2901, HB 2921, HB 3013, HB 3075, HB 3125, HB 3222, HB 3273, HB 3497, HB 3514, HB 3574, HB 3582, HB 3647, HB 3673, HB 3698, HB 3803, HB 3813, HB 3989, HB 3993, HB 4005, HB 4073, HB 4101, HB 4166, HB 4210, HB 4331, HB 4332, HB 4381, HB 4559, HB 4615, HB 4700, HB 4797, HB 5232, HB 5260, HB 5325, HB 5326, HB 5329, HB 5347, HB 5350, HB 5355, HB 5362, HB 5366, HB 5399

Senate List No. 26

SB 14, SB 500, SB 594, SB 728, SB 798, SB 801, SB 821, SB 849, SB 1076, SB 1133, SB 1179, SB 1238, SB 1250, SB 1420, SB 1424, SB 1794, SB 1860, SB 2102, SB 2186, SB 2538, SB 2592

Senate List No. 27

SB 246, SB 538, SB 786, SB 1089, SB 1340, SB 1361, SB 1364, SB 1447, SB 1932, SB 2010, SB 2289, SJR 87

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, May 19, 2023 - 2

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 8 VanDeaver SPONSOR: Creighton
Relating to public higher education, including the public junior college state finance program.
(Committee Substitute)

HB 471 Patterson SPONSOR: Schwertner
Relating to the entitlement to and claims for benefits for certain first responders and other employees related to illness and injury.
(Committee Substitute/Amended)

HB 1778 Hinojosa SPONSOR: Alvarado
Relating to the issuance of specialty license plates to certain professional sports teams.

HB 2157 Metcalf SPONSOR: Zaffirini
Relating to the salary of certain employees who transfer within a state agency.

HB 2170 Guerra SPONSOR: Alvarado
Relating to toll collections by a toll project entity.

HB 2754 Bell, Cecil SPONSOR: King
Relating to the issuance of specialty license plates for retired peace officers.

HB 3014 Harris, Caroline SPONSOR: Zaffirini
Relating to the motor vehicle safety inspection of electric vehicles.

HB 3313 Ordaz SPONSOR: West
Relating to the use of certain lighting equipment on motorcycles and mopeds.

HJR 132 Hefner SPONSOR: Hughes
Proposing a constitutional amendment prohibiting the imposition of an individual net worth or wealth tax.

SCR 54 Hinojosa
Recognizing E. Linda Villarreal for her service as president of the Texas Medical Association.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Friday, May 19, 2023 - 3

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 17 Cook SPONSOR: Huffman
Relating to the enforcement of criminal offenses by district attorneys, criminal district attorneys, and county attorneys.
(Committee Substitute)

HB 73 Murr SPONSOR: Springer
Relating to limitation of certain liability of owners, lessees, and occupants of land in connection with livestock and agricultural land.

HB 90 Patterson SPONSOR: Huffman
Relating to benefits for certain members of the Texas military forces and survivors of members of the Texas military forces.
(Committee Substitute)

HB 103 Murr SPONSOR: Sparks
Relating to the appointment of a retired or former judge as a visiting judge in certain counties.

HB 291 Murr SPONSOR: Hughes
Relating to occupational driver's licenses and to the renewal of driver's licenses.

HB 409 Collier SPONSOR: Zaffirini

Relating to the governance and administration of the Texas Indigent Defense Commission and to certain disclosures made in relation to the provision of funding for indigent defense services.

(Committee Substitute)

HB 420 Slawson SPONSOR: Flores

Relating to the offense of providing an alcoholic beverage to a minor; increasing a criminal penalty.

(Committee Substitute)

HB 433 VanDeaver SPONSOR: Flores

Relating to the definition of a commercial fleet.

HB 527 Wu SPONSOR: Zaffirini

Relating to exemption of certain civil actions from being subject to a motion to dismiss on the basis of involving the exercise of certain constitutional rights.

(Committee Substitute)

HB 891 Spiller SPONSOR: Bettencourt

Relating to the use of expert testimony in certain suits affecting the parent-child relationship.

HB 1181 Shaheen SPONSOR: Paxton

Relating to access to sexually explicit material on the Internet or electronic devices; providing civil penalties.

(Committee Substitute/Amended)

HB 1217 Swanson SPONSOR: Kolkhorst

Relating to the administration of and procedures relating to early voting by personal appearance.

(Committee Substitute/Amended)

HB 1434 Buckley SPONSOR: Flores

Relating to the staggering of terms of aldermen of the governing body of a Type A general-law municipality.

HB 1457 Rosenthal SPONSOR: Blanco

Relating to required military informed care or military cultural competency training for certain personnel of entities that provide mental health services to veterans or veterans' families before award of a state agency grant.

HB 1553 Ashby SPONSOR: Nichols

Relating to the definition of amusement ride for purposes of amusement ride regulation.

HB 1595 Bonnen SPONSOR: Huffman

Relating to the administration and investment of, and distribution and use of money from, certain constitutional and statutory funds to support general academic teaching institutions in achieving national prominence as major research universities and driving the state economy; redesignating the national research university fund as the Texas University Fund.

(Committee Substitute/Amended)

HB 1647 Harris, Cody SPONSOR: Schwertner

Relating to health benefit plan coverage of clinician-administered drugs.

HB 1661 Burns SPONSOR: King

Relating to the age limit for a beginning position in a police department under municipal civil service.

HB 1913 Spiller SPONSOR: Birdwell

Relating to the designation of a portion of Farm to Market Road 2526 in Eastland County as the Sergeant Barbara Fenley Memorial Highway.

HB 1914 Kacal SPONSOR: Hinojosa

Relating to compensatory time accrued by an employee of the Texas Department of Criminal Justice.

HB 2002 Oliverson SPONSOR: Hancock

Relating to preferred provider benefit plan out-of-pocket expense credits for payments made by an insured directly to a physician or health care provider.

HB 2065 Thompson, Ed SPONSOR: Middleton

Relating to nonrenewal of certain private passenger automobile insurance policies for the insured's failure to cooperate in a third-party liability claim or action.

HB 2071 Jetton SPONSOR: Bettencourt

Relating to certain public facilities used to provide affordable housing.
(Amended)

HB 2314 Canales SPONSOR: Kolkhorst

Relating to filing death benefits claims under the workers' compensation system.

HB 2590 Burrows SPONSOR: Perry

Relating to the designation of a portion of Farm-to-Market Road 40 in Lubbock County as The Maines Brothers Band Highway.

HB 2636 Murr SPONSOR: Flores

Relating to liability of a recreational vehicle park or campground entity for injuries arising from certain activities.

HB 2835 Burns SPONSOR: Birdwell

Relating to the designation of a portion of State Highway 144 in Hood and Somervell Counties as the Ed Shipman Memorial Highway.

HB 2837 Schaefer SPONSOR: Schwertner

Relating to prohibiting a person or entity from surveilling, reporting, or tracking the purchase of firearms, ammunition, and accessories through the use of certain merchant category codes; imposing a civil penalty.

HB 2876 Cain SPONSOR: Alvarado

Relating to the issuance of specialty license plates for industrial firefighters; authorizing a fee.

HB 2920 Paul SPONSOR: Bettencourt

Relating to the distribution, posting, or provision of information regarding postsecondary education and career opportunities and to the confidentiality of certain information relating to persons provided assistance in accessing postsecondary education.

(Committee Substitute)

HB 3132 Guerra SPONSOR: Eckhardt
Relating to an optional designation on a driver's license or personal identification certificate indicating that a person is deaf or hard of hearing.

HB 3208 Thompson, Ed SPONSOR: LaMantia
Relating to the refund of premiums on the cancellation of Texas Windstorm Insurance Association policies by insureds.

HB 3288 Canales SPONSOR: Hinojosa
Relating to notice of transfer of a used motor vehicle.

HB 3310 Lozano SPONSOR: Middleton
Relating to deadlines for the claims appraisal process of the Texas Windstorm Insurance Association.

(Amended)

HB 3311 Lozano SPONSOR: Middleton
Relating to the process of selecting representatives of the insurance industry to serve on the board of directors of the Texas Windstorm Insurance Association.

HB 3323 Goodwin SPONSOR: West
Relating to food system security and resiliency planning.

(Amended)

HB 3444 Canales SPONSOR: Hinojosa
Relating to the classification of transportation districts by the Texas Transportation Commission.

HB 3485 Bell, Keith SPONSOR: Johnson
Relating to a contractor's or subcontractor's right to elect not to proceed with additional work under a contract.

HB 3492 Stucky SPONSOR: Springer
Relating to county and municipal authority to impose certain value-based fees and require disclosure of certain information related to subdivision construction.

HB 3536 Manuel SPONSOR: Paxton
Relating to a commercial landlord's remedies regarding certain unlawful activities on the premises of commercial rental property.

(Amended)

HB 3558 Perez SPONSOR: Alvarado
Relating to the operation of a motor vehicle at an intersection with a stop sign.

HB 3697 Wilson SPONSOR: Bettencourt
Relating to county regulation of subdivisions and approval of subdivision plans or plats.

(Committee Substitute/Amended)

HB 3730 Wilson SPONSOR: Hughes
Relating to the directory of users of the centralized telephone service for entities in the capitol complex.

HB 3860 Goldman SPONSOR: Springer

Relating to the liability of county tax assessor-collectors for certain acts of deputies.

HB 4057 DeAyala SPONSOR: Huffman
Relating to the inclusion of a property in a conservation district by certain municipalities.

HB 4077 Noble SPONSOR: Eckhardt
Relating to the procedure for qualifying for an exemption from ad valorem taxation of the residence homestead of an elderly person.

HB 4128 Murr SPONSOR: Zaffirini
Relating to associate judges for guardianship proceedings and protective services proceedings in certain courts.

HB 4142 Thompson, Ed SPONSOR: Birdwell
Relating to the award of attorney's fees in an action to enforce a motor vehicle mortgagee's lien.

HB 4446 Landgraf SPONSOR: Springer
Relating to certain licensing and permitting requirements for game rooms; authorizing an occupational permit or license; authorizing a fee.

HB 4742 Lopez, Janie SPONSOR: LaMantia
Relating to a study by the Texas Water Development Board of issues faced by communities with artificial drainage systems.

HB 4844 Herrero SPONSOR: Hinojosa
Relating to the use of a broker for the sale of real property by the Nueces County Hospital District.

HB 4928 Frank SPONSOR: Springer
Relating to the continuation of certain health care provider participation programs in certain counties.

HB 5310 Cook SPONSOR: King
Relating to the creation of the Tarrant County Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HJR 3 Bonnen SPONSOR: Huffman
Proposing a constitutional amendment relating to the Texas University Fund, which provides funding to certain institutions of higher education to achieve national prominence as major research universities and drive the state economy.
(Committee Substitute/Amended)

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SB 267 (30 Yeas, 1 Nay)

SB 576 (31 Yeas, 0 Nays)

SB 621 (31 Yeas, 0 Nays)

SB 780 (31 Yeas, 0 Nays)
SB 944 (31 Yeas, 0 Nays)
SB 975 (31 Yeas, 0 Nays)
SB 1246 (31 Yeas, 0 Nays)
SB 1849 (31 Yeas, 0 Nays)
SB 2139 (31 Yeas, 0 Nays)

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Friday, May 19, 2023 - 4

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 55 Zaffirini
Returning Senate Bill No. 1615 to the Senate for further consideration.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 4

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Friday, May 19, 2023 - 5

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 3104 Anderson SPONSOR: Parker
 Relating to the temporary exemption of certain tangible personal property related to certain connected data center projects from sales and use taxes.
 (Amended)

HB 3372 Thimesch SPONSOR: Parker
 Relating to the reporting of political contributions, including in-kind contributions, and expenditures made using a credit card.
 (Amended)

HB 5010 Schofield SPONSOR: Hall
 Relating to the classification of a grievance filed with the State Bar of Texas.
 (Amended)

HCR 119 Wilson
 Paying tribute to the Texas service members killed in action who are being honored at the 2023 Fallen Heroes Memorial Service.

Respectfully,
 Patsy Spaw
 Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 18

Community Safety, Select - **SB 1216**

County Affairs - **SB 1526, SB 1546, SJR 28**

Criminal Jurisprudence - **SB 1318, SJR 44**

Culture, Recreation, and Tourism - **SCR 8, SCR 24, SCR 46**

Defense and Veterans' Affairs - **SB 422, SB 1376**

Elections - **SB 1039, SB 1070, SB 1661, SB 2208** (corrected)

Higher Education - **SB 55, SB 336, SB 427, SB 999, SB 1565, SB 2136**

Homeland Security and Public Safety - **SB 2429**

Human Services - **SB 1098, SB 1242, SB 1327, SB 1342, SB 1853, SB 2591**

Judiciary and Civil Jurisprudence - **SB 1173**

Land and Resource Management - **SB 565, SB 1412, SB 1787, SB 2588, SB 2605**

Natural Resources - **SB 1746**

Pensions, Investments, and Financial Services - **SB 1446, SB 1607, SB 1854, SB 2035**

Public Health - **SB 812**

Transportation - **SB 190**

Urban Affairs - **SB 1916, SB 2209, SB 2598, SB 2613**

Ways and Means - **SB 627, SB 719, SB 1057**

ENROLLED

May 18 - **HB 87, HB 165, HB 255, HB 517, HB 558, HB 562, HB 584, HB 608, HB 616, HB 659, HB 728, HB 767, HB 841, HB 898, HB 907, HB 1074, HB 1106, HB 1114, HB 1221, HB 1381, HB 1391, HB 1393, HB 1423, HB 1472, HB 1488, HB 1547, HB 1587, HB 1615, HB 1633, HB 1666, HB 1689, HB 1819, HB 1826, HB 1901, HB 1912, HB 1925, HB 1957, HB 1964, HB 1971, HB 2007, HB 2012, HB 2016, HB 2024, HB 2070, HB 2083, HB 2195, HB 2196, HB 2217, HB 2230, HB 2248, HB 2251, HB 2271, HB 2384, HB 2388, HB 2453, HB 2459, HB 2468, HB 2489, HB 2497, HB 2518, HB 2545, HB 2568, HB 2629, HB 2674, HB 2732, HB 2746, HB 2774, HB 2802, HB 2892, HB 2901, HB 2921, HB 3013, HB 3075, HB 3125, HB 3222, HB 3273, HB 3497, HB 3514, HB 3574, HB 3582, HB 3647, HB 3673, HB 3698, HB 3803, HB 3813, HB 3989, HB 3993, HB 4005, HB 4073, HB 4101, HB 4166, HB 4210, HB 4331, HB 4332, HB 4381, HB 4559, HB 4615, HB 4700, HB 4797, HB 5232, HB 5260, HB 5325, HB 5326, HB 5329, HB 5347, HB 5350, HB 5355, HB 5362, HB 5366, HB 5399**

SENT TO THE GOVERNOR

May 18 - **HB 28, HB 59, HB 393, HB 541, HB 568, HB 591, HB 1212, HB 1297, HB 1382, HB 1455, HB 1575, HB 1706, HB 1745, HB 1750, HB 1989, HB 2059, HB 2063, HB 2209, HB 2306, HB 2353, HB 2373, HB 2708, HB 2777, HB 2899, HB 3301, HB 3390, HB 3526, HB 3643, HB 4018, HB 5348**

