

# HOUSE JOURNAL

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EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

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SEVENTIETH DAY — WEDNESDAY, MAY 24, 2023

The house met at 12:34 p.m. and, pursuant to Rule 1, Section 10, of the House Rules and an order signed by Speaker Phelan (see the addendum to the daily journal), was called to order by Representative Moody.

The roll of the house was called and a quorum was announced present (Record 2038).

Present — 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; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody(C); Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

## 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.

## 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.

**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 2039): 138 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; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Moody(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Lopez, R.; Noble; Plesa.

**STATEMENT OF VOTE**

When Record No. 2039 was taken, my vote failed to register. I would have voted yes.

Noble

**SB 55** (Bonnen, Buckley, Bumgarner, Burrows, Cain, Cook, Craddick, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Hefner, Holland, Hull, K. King, Kuempel, Leach, Metcalf, Noble, Oliverson, Paul, Schatzline, Shaheen, Slawson, Smith, Toth, Troxclair, Vasut, and Wilson - no) (108 - 30 - 1) (Capriglione and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 158** (Hull, Patterson, Slawson, and Thimesch - no) (134 - 4 - 1) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 322** (K. Bell, Bonnen, Buckley, Bumgarner, Burrows, Cain, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Holland, Hull, Noble, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Stucky, Thimesch, Tinderholt, Toth, Troxclair, Vasut, and Wilson - no) (112 - 26 - 1) (Capriglione and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 335** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (119 - 19 - 1) (Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 336** (Ashby, K. Bell, Buckley, Bumgarner, Cain, Clardy, Cook, Craddick, Darby, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Holland, Hull, Lambert, Leach, Metcalf, Noble, Oliverson, Patterson, Schatzline, Shaheen, Shine, Slawson, Smith, Stucky, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (106 - 32 - 1) (Capriglione, Harrison, and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 422** (Cook, Patterson, and Thimesch - no) (135 - 3 - 1)

**SB 427** (Hull, Noble, Patterson, Price, and Slawson - no) (134 - 4 - 1) (Capriglione, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 459** (Cook, Craddick, Hull, Noble, Price, Slawson, and Thimesch - no) (132 - 6 - 1) (Capriglione, Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 498** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Noble, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (118 - 20 - 1) (Capriglione, Harrison, and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 533** (Hull, Oliverson, Patterson, Slawson, and Thimesch - no) (133 - 5 - 1)

**SB 565** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Noble, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (119 - 19 - 1) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 667** (Ashby, Craddick, Darby, K. King, Kuempel, and Shine - no) (132 - 6 - 1) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 681** (Patterson, Slawson, and Thimesch - no) (135 - 3 - 1)

**SB 719** (K. Bell, Hull, Patterson, Slawson, and Thimesch - no) (133 - 5 - 1)

**SB 813** (Ashby, Bonnen, Buckley, Bumgarner, Burrows, Cain, Clardy, Darby, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Hefner, Holland, Hull, Leach, Metcalf, Oliverson, Patterson, Schatzline, Shaheen, Shine, Slawson, Smith, Stucky, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (107 - 31 - 1) (Harrison and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 956** (Ashby, Buckley, Bumgarner, Cain, Cook, Craddick, Darby, Gates, Gerdes, C.E. Harris, C.J. Harris, Harrison, Holland, Hull, Oliverson, Patterson, Schatzline, Shaheen, Shine, Slawson, Smith, Thimesch, Tinderholt, Toth, Troxclair, Vasut, and Wilson - no) (111 - 27 - 1) (Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 997** (Thimesch - no) (137 - 1 - 1)

**SB 1098** (Thimesch - no) (137 - 1 - 1)

**SB 1136** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Harrison, Hefner, Hull, Leach, Metcalf, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Stucky, Thimesch, Tinderholt, Toth, Troxclair, Vasut, and Wilson - no) (113 - 25 - 1) (Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1146** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Toth, Troxclair, Vasut, and Wilson - no) (121 - 17 - 1) (Harrison and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1192** (Patterson and Thimesch - no) (136 - 2 - 1)

**SB 1242** (Ashby, Clardy, Cook, Craddick, Darby, Hefner, K. King, Kuempel, Lambert, Leach, Metcalf, Noble, Patterson, Shine, Slawson, Stucky, and Thimesch - no) (122 - 16 - 1)

**SB 1289** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (118 - 20 - 1)

**SB 1290** (Anderson, Harrison, Patterson, Paul, Thimesch, and E. Thompson - no) (132 - 6 - 1) (Isaac and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1327** (Ashby, Buckley, Bumgarner, Cain, Cook, Craddick, Darby, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Lambert, Noble, Oliverson, Patterson, Price, Schatzline, Shaheen, Shine, Slawson, Smith, Stucky, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (110 - 28 - 1) (Capriglione, Harrison, and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1342** (Hefner, Leach, Metcalf, Patterson, Slawson, and Thimesch - no) (132 - 6 - 1)

**SB 1367** (Cook, Hull, Noble, Patterson, and Price - no) (134 - 4 - 1) (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1376** (Noble - no) (138 - 0 - 1)

**SB 1379** (Hefner, Leach, Metcalf, Patterson, Paul, Thimesch, and E. Thompson - no) (131 - 7 - 1)

**SB 1399** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Oliverson, Patterson, Schatzline, Shaheen, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (120 - 18 - 1) (Harrison and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1520** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (118 - 20 - 1) (Harrison and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1525** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Lambert, Metcalf, Oliverson, Patterson, Schatzline, Shaheen, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (117 - 21 - 1) (Harrison and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1526** (K. Bell, Buckley, Bumgarner, Cain, Clardy, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Holland, Hull, Leach, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (114 - 24 - 1) (Harrison and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1565** (Patterson and Thimesch - no) (136 - 2 - 1)

**SB 1606** (Bonnen, Burrows, Goldman, Hull, Oliverson, Patterson, and Slawson - no) (131 - 7 - 1) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1670** (Ashby, K. Bell, Buckley, Bumgarner, Cain, Clardy, Craddick, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Holland, Hull, K. King, Kuempel, Lambert, Leach, Metcalf, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, and Vasut - no) (109 - 29 - 1)

**SB 1746** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Troxclair, and Vasut - no) (120 - 18 - 1)

**SB 1854** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (118 - 20 - 1)

**SB 1916** (Patterson and Slawson - no) (136 - 2 - 1)

**SB 1998** (Anderson, J. Jones, Patterson, Paul, Plesa, Slawson, and E. Thompson - no) (132 - 6 - 1) (Isaac and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2008** (Patterson and Thimesch - no) (136 - 2 - 1)

**SB 2133** (Hull, Patterson, Slawson, and Thimesch - no) (134 - 4 - 1) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2429** (Holland, Patterson, and Thimesch - no) (135 - 3 - 1)

**SB 2479** (Ashby, Buckley, Bumgarner, Cain, Clardy, Darby, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Holland, Hull, Lambert, Leach, Metcalf, Patterson, Schatzline, Shaheen, Shine, Slawson, Smith, Tinderholt, Toth, Troxclair, Vasut, and Wilson - no) (111 - 27 - 1) (Harrison and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2588** (Allison, Anderson, K. Bell, Bonnen, Buckley, Bumgarner, Burrows, Cain, Clardy, Darby, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Hefner, Holland, Hull, Leach, Metcalf, Noble, Patterson, Paul, Schaefer, Schatzline, Shaheen, Shine, Slawson, Smith, Thimesch, E. Thompson, Tinderholt, Toth, Troxclair, Vasut, and Wilson - no) (102 - 36 - 1) (Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2598** (Allison, Anderson, Ashby, K. Bell, Bonnen, Buckley, Bumgarner, Burrows, Cain, Clardy, Darby, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Hefner, Holland, Hull, Leach, Leo-Wilson, Metcalf, Noble, Patterson, Paul, Schaefer, Schatzline, Shaheen, Shine, Slawson, Smith, Thimesch,

E. Thompson, Tinderholt, Toth, Troxclair, Vasut, and Wilson - no) (100 - 38 - 1) (Capriglione and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2605** (Allison, Anderson, Ashby, K. Bell, Bonnen, Bumgarner, Burrows, Cain, Clardy, Darby, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Hefner, Holland, Hull, Leach, Leo-Wilson, Metcalf, Noble, Patterson, Paul, Schaefer, Schatzline, Shaheen, Shine, Slawson, Smith, Thimesch, E. Thompson, Tinderholt, Toth, Troxclair, Vasut, and Wilson - no) (101 - 37 - 1) (Capriglione and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2613** (Allison, Ashby, K. Bell, Bonnen, Buckley, Bumgarner, Burrows, Cain, Clardy, Darby, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Hefner, Holland, Hull, Leach, Metcalf, Noble, Patterson, Schaefer, Schatzline, Shaheen, Shine, Slawson, Smith, Tinderholt, Toth, Troxclair, Vasut, and Wilson - no) (105 - 33 - 1) (Capriglione and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 200** (Anderson, Ashby, Clardy, Cook, Craddick, Darby, Harrison, Hefner, Hull, K. King, Kuempel, Leach, Metcalf, Noble, Patterson, Paul, Price, Shine, Slawson, Stucky, Thimesch, and E. Thompson - no) (117 - 21 - 1) (Capriglione, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 232** (Ashby, Clardy, Darby, Hefner, Leach, Metcalf, Patterson, Shine, and Thimesch - no) (129 - 9 - 1) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 469** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (118 - 20 - 1) (Harrison and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 640** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Oliverson, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (118 - 20 - 1) (Harrison and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 718** (Hull, J. Jones, Patterson, Plesa, Slawson, and Thimesch - no) (133 - 5 - 1) (Isaac and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1056** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, K. King, Kuempel, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (117 - 21 - 1)

**SB 1404** (Isaac, Patterson, Thimesch, and Tinderholt - no) (134 - 4 - 1) (Harrison and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1431** (Buckley, Bumgarner, Cain, Cook, Craddick, Darby, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Lambert, Patterson, Schatzline, Shaheen, Slawson, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (116 - 22 - 1) (Harrison and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1568** (Hull, Patterson, Slawson, and Thimesch - no) (134 - 4 - 1) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1585** (Buckley, Bumgarner, Cain, Clardy, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Holland, Leach, Metcalf, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (116 - 22 - 1) (Harrison and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1624** (Clardy, Hefner, Metcalf, and Patterson - no) (134 - 4 - 1)

**SB 1712** (Hull, Patterson, Slawson, and Thimesch - no) (134 - 4 - 1)

**SB 1720** (Holland, Patterson, Smith, and Thimesch - no) (134 - 4 - 1) (Harrison, Isaac, and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1930** (Bumgarner, Cain, Clardy, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Leach, Patterson, Schatzline, Shaheen, Toth, Troxclair, Vasut, and Wilson - no) (122 - 16 - 1)

**SB 1999** (J. Jones, Patterson, Plesa, Slawson, and Thimesch - no) (134 - 4 - 1) (Isaac and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2052** (Anderson, Bonnen, Buckley, Bumgarner, Burrows, Cain, Cook, Craddick, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Hefner, Holland, Hull, Leach, Leo-Wilson, Metcalf, Oliverson, Patterson, Paul, Schaefer, Schatzline, Shaheen, Slawson, Smith, Thimesch, E. Thompson, Tinderholt, Toth, Troxclair, Vasut, and Wilson - no) (103 - 35 - 1) (Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2105** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Holland, Leach, Metcalf, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (117 - 21 - 1) (Harrison and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)



**SB 2120** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Holland, Leach, Metcalf, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (117 - 21 - 1)

**SB 2192** (Allison, Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Noble, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (118 - 20 - 1) (Capriglione, Harrison, and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2200** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (119 - 19 - 1) (Harrison and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2248** (Hefner, Metcalf, Patterson, Slawson, and Thimesch - no) (133 - 5 - 1) (Harrison, Isaac, Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2277** (Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Holland, Hull, Metcalf, Patterson, Schatzline, Shaheen, Slawson, Smith, Toth, Troxclair, Vasut, and Wilson - no) (119 - 19 - 1) (Harrison and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2292** (Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Hefner, Holland, Hull, Metcalf, Patterson, Schatzline, Shaheen, Slawson, Smith, Tinderholt, Toth, Troxclair, Vasut, and Wilson - no) (118 - 20 - 1) (Harrison and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2314** (Hull, Patterson, Slawson, and Thimesch - no) (134 - 4 - 1) (Harrison and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2350** (Hull, J. Jones, Patterson, Plesa, and Slawson - no) (134 - 4 - 1) (Isaac and Schatzline requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2370** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (119 - 19 - 1) (Harrison and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2406** (Anderson, Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, E. Thompson, Toth, Troxclair, Vasut, and Wilson - no) (117 - 21 - 1) (Harrison and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2604** (Allison, Anderson, Ashby, K. Bell, Bonnen, Buckley, Bumgarner, Burrows, Cain, Clardy, Darby, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Holland, Hull, Lambert, Leo-Wilson, Noble, Patterson, Paul, Schatzline, Shaheen, Shine, Slawson, Smith, Thimesch, E. Thompson, Tinderholt, Toth, Troxclair, Vasut, and Wilson - no) (103 - 35 - 1) (Capriglione and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2616** (Allison, Anderson, Ashby, K. Bell, Bonnen, Buckley, Bumgarner, Burrows, Cain, Clardy, Darby, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Hefner, Holland, Hull, Lambert, Leach, Metcalf, Noble, Patterson, Paul, Schatzline, Shaheen, Shine, Slawson, Smith, Thimesch, E. Thompson, Tinderholt, Toth, Troxclair, Vasut, and Wilson - no) (101 - 37 - 1) (Capriglione and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 315** (Buckley, Bumgarner, Cain, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, Patterson, Schatzline, Shaheen, Slawson, Smith, Thimesch, Toth, Troxclair, Vasut, and Wilson - no) (119 - 19 - 1) (Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2440** (Anderson, Buckley, Bumgarner, Cain, Gates, C.E. Harris, C.J. Harris, Holland, Patterson, Schatzline, Shaheen, Smith, E. Thompson, Toth, Troxclair, Vasut, and Wilson - no) (120 - 18 - 1)

**SB 2595** (Allison, Anderson, Ashby, K. Bell, Bonnen, Buckley, Bumgarner, Burrows, Cain, Clardy, Darby, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Holland, Hull, Noble, Patterson, Paul, Schaefer, Schatzline, Shaheen, Shine, Slawson, Smith, Thimesch, E. Thompson, Tinderholt, Toth, Troxclair, Vasut, and Wilson - no) (104 - 34 - 1) (Capriglione and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1131** (Ashby, Buckley, Bumgarner, Cain, Clardy, Darby, Gates, Gerdes, C.E. Harris, C.J. Harris, Holland, Hull, K. King, Kuempel, Lambert, Leo-Wilson, Patterson, Schatzline, Shaheen, Shine, Slawson, Smith, Toth, Troxclair, Vasut, and Wilson - no) (112 - 26 - 1) (Harrison and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2597** (Allison, Ashby, K. Bell, Bonnen, Buckley, Bumgarner, Burrows, Cain, Clardy, Darby, Gates, Gerdes, Goldman, C.E. Harris, C.J. Harris, Harrison, Holland, Hull, Noble, Patterson, Paul, Schaefer, Schatzline, Shaheen, Shine, Slawson, Smith, Thimesch, E. Thompson, Tinderholt, Toth, Troxclair, Vasut, and Wilson - no) (105 - 33 - 1) (Capriglione and Isaac requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

(Geren, Longoria, and Spiller now present)

(Speaker pro tempore in the chair)

**SB 186 - VOTE RECONSIDERED**

Representative Meyer moved to reconsider the vote by which **SB 186** failed to pass by Record No. 1986 on Tuesday, May 23.

The motion to reconsider prevailed.

**SB 186 ON THIRD READING**  
**(Rose - House Sponsor)**

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

**SB 186**, A bill to be entitled An Act relating to the prohibited discharge of a patient to certain unlicensed or unpermitted group-centered facilities.

**SB 186** was read third time on May 23 and failed to pass by Record No. 1986.

**SB 186** was passed by (Record 2040): 122 Yeas, 17 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; 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; Garcia; Gerdes; Gervin-Hawkins; Goldman; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.J.; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Jetton; 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; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schatzline; Shaheen; Sherman; Shine; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Bumgarner; Cain; Gates; Harris, C.E.; Hayes; Hefner; Isaac; Patterson; Paul; Schaefer; Schofield; Slawson; Smith; Thompson, E.; Tinderholt; Toth; Vasut.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Bhojani; González, J.; Harrison; Kacal; Manuel.

**STATEMENTS OF VOTE**

When Record No. 2040 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

When Record No. 2040 was taken, I was in the house but away from my desk. I would have voted no.

Harrison

When Record No. 2040 was taken, I was in the house but away from my desk. I would have voted yes.

Manuel

When Record No. 2040 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 2040 was taken, I was excused to attend a meeting of the Committee on General Investigating. I would have voted no.

Murr

**MAJOR STATE CALENDAR  
SENATE BILLS  
THIRD READING**

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

**SB 9 ON THIRD READING  
(Dutton - House Sponsor)**

**SB 9**, A bill to be entitled An Act relating to the rights and certification of public school educators, including financial and other assistance and waivers provided to public schools by the Texas Education Agency related to public school educators, methods of instruction provided in public schools, and certain allotments under the Foundation School Program.

Representative Dutton moved to postpone consideration of **SB 9** until 10 a.m. Saturday, June 10.

The motion prevailed.

(Goldman in the chair)

**CONSTITUTIONAL AMENDMENTS CALENDAR  
SENATE JOINT RESOLUTIONS  
THIRD READING**

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

**SJR 35 ON THIRD READING  
(Geren - House Sponsor)**

**SJR 35**, A joint resolution proposing a constitutional amendment clarifying that a voter must be a United States citizen.

**SJR 35** failed of adoption (not receiving the necessary two-thirds vote) by (Record 2041): 88 Yeas, 0 Nays, 54 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Collier; 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; Herrero; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Raymond; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Davis; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; Goldman(C); González, M.; Goodwin; Hernandez; Hinojosa; Howard; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Lalani; Longoria; Lopez, R.; Martinez; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — González, J.; Manuel; Muñoz.

### STATEMENTS OF VOTE

When Record No. 2041 was taken, I was shown voting yes. I intended to vote present, not voting.

Collier

When Record No. 2041 was taken, I was shown voting yes. I intended to vote present, not voting.

Cortez

When Record No. 2041 was taken, I was in the house but away from my desk. I would have voted present, not voting.

J. González

When Record No. 2041 was taken, I was temporarily out of the house chamber. I would have voted present, not voting.

Manuel

When Record No. 2041 was taken, I was in the house but away from my desk. I would have voted yes.

Muñoz

When Record No. 2041 was taken, I was excused to attend a meeting of the Committee on General Investigating. I would have voted yes.

Murr

(Speaker pro tempore in the chair)

**GENERAL STATE CALENDAR  
SENATE BILLS  
THIRD READING**

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

**SB 999 ON THIRD READING  
(T. King - House Sponsor)**

**SB 999**, A bill to be entitled An Act relating to the requirement that providers of active shooter training at public schools and institutions of higher education obtain a certificate issued by the Texas Commission on Law Enforcement.

**SB 999** was passed by (Record 2042): 131 Yeas, 12 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; 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; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Jetton; 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; Neave Criado; Noble; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Shaheen; Sherman; Shine; Smith; Smithee; Spiller; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Ashby; Bell, C.; Cain; Harrison; Isaac; Oliverson; Schaefer; Schatzline; Slawson; Swanson; Vasut; Wilson.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Schofield.

**STATEMENT OF VOTE**

When Record No. 2042 was taken, I was excused to attend a meeting of the Committee on General Investigating. I would have voted yes.

Murr

**SB 545 ON THIRD READING  
(Toth - House Sponsor)**

**SB 545**, A bill to be entitled An Act relating to death records maintained and provided by the vital statistics unit of the Department of State Health Services.

**SB 545** was passed by (Record 2043): 141 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; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, 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.; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Cain; Morales Shaw; Vasut.

**STATEMENTS OF VOTE**

When Record No. 2043 was taken, I was in the house but away from my desk. I would have voted yes.

Cain

When Record No. 2043 was taken, I was shown voting yes. I intended to vote no.

Collier

When Record No. 2043 was taken, I was shown voting yes. I intended to vote no.

J. González

When Record No. 2043 was taken, I was shown voting yes. I intended to vote no.

J. Jones

When Record No. 2043 was taken, I was shown voting yes. I intended to vote no.

Manuel

When Record No. 2043 was taken, I was excused to attend a meeting of the Committee on General Investigating. I would have voted yes.

Murr

When Record No. 2043 was taken, I was shown voting yes. I intended to vote no.

Ramos

When Record No. 2043 was taken, I was in the house but away from my desk. I would have voted yes.

Vasut

### **SB 2620 ON THIRD READING (Spiller - House Sponsor)**

**SB 2620**, A bill to be entitled An Act relating to authorizing certain political subdivisions to change the date on which their general election for officers is held.

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

Representative Leo-Wilson offered the following amendment to **SB 2620**:

Amend **SB 2620** (house committee report) as follows:

Insert the following appropriately numbered SECTIONS and renumber other SECTIONS accordingly:

SECTION \_\_\_\_\_. Section 61.015, Natural Resources Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) Local governments shall submit proposed beach access and use plans to the commissioner for certification as to compliance with such policies and rules. The commissioner shall act on a local government's proposed beach access and use plan within 90 days of submission by ~~either~~ approving the plan, partially approving the plan under Section 61.0151, or denying certification.

(b-1) In the event of denial or partial approval under Section 61.0151, the commissioner shall send the proposed plan or unapproved portions back to the originating local government with a statement of specific objections and the reasons for denial, along with suggested modifications. On receipt, the local



government shall revise and resubmit the plan or unapproved portions. The commissioner's certification of local government plans shall be by adoption into the rules under Section 61.011.

SECTION \_\_\_\_\_. Subchapter B, Chapter 61, Natural Resources Code, is amended by adding Section 61.0151 to read as follows:

Sec. 61.0151. PARTIAL APPROVAL OF BEACH ACCESS AND USE PLANS. (a) This section applies only to:

(1) a county having a population of more than 350,000 and less than 370,000 that borders the Gulf of Mexico and is adjacent to a county having a population of 4.5 million or more; and

(2) a local government located wholly or partly in a county described by Subdivision (1).

(b) The commissioner may partially approve a local government's proposed beach access and use plan submitted under Section 61.015. If the commissioner partially approves the proposed beach access and use plan, the local government may submit to the commissioner subsequent amendments only for the portions of the beach access and use plan that are partially approved.

(c) Amendments submitted under this section must be certified consistent with:

(1) Section 61.011 and rules adopted under that section; and

(2) Chapter 63.

A record vote was requested.

Amendment No. 1 failed of adoption by (Record 2044): 48 Yeas, 78 Nays, 1 Present, not voting.

Yeas — Anderson; Bell, C.; Bell, K.; Bonnen; Buckley; Burns; Cain; Cook; Craddick; Cunningham; Dorazio; Frank; Gerdes; Goldman; Harris, C.E.; Harris, C.J.; Harrison; Hefner; Hull; Isaac; Jetton; Kitzman; Leo-Wilson; Metcalf; Meyer; Morales, E.; Morales Shaw; Morrison; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Schaefer; Schatzline; Schofield; Shaheen; Slawson; Smithee; Swanson; Thimesch; Thompson, E.; Tinderholt; Toth; Vasut; Wilson.

Nays — Allen; Allison; Anchía; Ashby; Bhojani; Bowers; Bryant; Bucy; Bumgarner; Button; Campos; Capriglione; Clardy; Cole; Collier; Cortez; Darby; DeAyala; Dutton; Flores; Frazier; Gámez; García; Gates; Gervin-Hawkins; González, J.; González, M.; Goodwin; Harless; Herrero; Holland; Howard; Hunter; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, K.; King, T.; Klick; Kuempel; Lalani; Lambert; Longoria; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Meza; Moody; Morales, C.; Muñoz; Neave Criado; Perez; Plesa; Price; Ramos; Raney; Raymond; Rogers; Romero; Rose; Rosenthal; Shine; Smith; Spiller; Stucky; Talarico; Tepper; Thierry; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Bailes; Bernal; Burrows; Canales; Davis; Dean; Guerra; Guillen; Hayes; Hernandez; Hinojosa; Kacal; Landgraf; Leach; Lopez, J.; Reynolds; Sherman; Troxclair.

### STATEMENTS OF VOTE

When Record No. 2044 was taken, my vote failed to register. I would have voted no.

Canales

When Record No. 2044 was taken, I was in the house but away from my desk. I would have voted no.

Hinojosa

When Record No. 2044 was taken, my vote failed to register. I would have voted no.

J. Lopez

When Record No. 2044 was taken, I was shown voting yes. I intended to vote no.

E. Morales

When Record No. 2044 was taken, I was shown voting no. I intended to vote yes.

Ramos

When Record No. 2044 was taken, I was shown voting yes. I intended to vote no.

E. Thompson

### REASON FOR VOTE

Representatives Cain, Buckley, C.J. Harris, and Vasut submitted the following reason for vote to be printed in the journal:

We voted yes for this amendment because it is bracketed to Galveston County, we were advised it does not effectuate a closure of a beach, and we have no basis to oppose someone else's local amendment under these circumstances. Had this amendment applied to our counties, we would have voted no.

**SB 2620** was passed by (Record 2045): 138 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Allison; 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; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hinojosa; Holland; Howard; Hull; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach;

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

Nays — Anchía; Herrero; Hunter; Lopez, R.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Hernandez; Lopez, J.

### STATEMENTS OF VOTE

When Record No. 2045 was taken, I was in the house but away from my desk. I would have voted no.

J. Lopez

When Record No. 2045 was taken, I was excused to attend a meeting of the Committee on General Investigating. I would have voted yes.

Murr

### SB 2453 ON THIRD READING (Hernandez - House Sponsor)

**SB 2453**, A bill to be entitled An Act relating to certain regulations adopted by governmental entities for the building products, materials, or methods used in the construction of residential or commercial buildings.

#### Amendment No. 1

Representative Hernandez offered the following amendment to **SB 2453**:

Amend **SB 2453** on third reading, in the SECTION of the bill amending Section 3000.002(c), Government Code, by striking the subdivision added by Floor Amendment No. 1 by Howard on second reading and renumbering subsequent subdivisions and cross-references to those subdivisions accordingly.

Amendment No. 1 was adopted.

**SB 2453**, as amended, was passed by (Record 2046): 84 Yeas, 59 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Ashby; Bailes; Bernal; Bhojani; Bowers; Bryant; Bucy; Burrows; Button; Campos; Cole; Collier; Cortez; Darby; Davis; Dean; DeAyala; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Hunter; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Kuempel; Lalani; Leo-Wilson; Longoria; Lopez, J.; Lopez,

R.; Lozano; Manuel; Martinez; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Oliverson; Ordaz; Ortega; Perez; Plesa; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Shine; Stucky; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Cain; Canales; Capriglione; Clardy; Cook; Craddick; Cunningham; Dorazio; Gates; Gerdes; Goldman; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Isaac; Kacal; King, K.; Kitzman; Klick; Lambert; Landgraf; Leach; Lujan; Metcalf; Meyer; Noble; Orr; Patterson; Paul; Price; Rogers; Schaefer; Schofield; Shaheen; Slawson; Smith; Smithee; Spiller; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Schatzline.

#### **STATEMENTS OF VOTE**

When Record No. 2046 was taken, I was shown voting yes. I intended to vote no.

DeAyala

When Record No. 2046 was taken, I was shown voting yes. I intended to vote no.

Kuempel

When Record No. 2046 was taken, I was shown voting yes. I intended to vote no.

Leo-Wilson

When Record No. 2046 was taken, I was excused to attend a meeting of the Committee on General Investigating. I would have voted no.

Murr

When Record No. 2046 was taken, I was in the house but away from my desk. I would have voted no.

Schatzline

#### **SB 1647 ON THIRD READING (Hefner - House Sponsor)**

**SB 1647**, A bill to be entitled An Act relating to dropout recovery education programs.

**SB 1647** was passed by (Record 2047): 93 Yeas, 47 Nays, 1 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; Davis; Dean; DeAyala; Dorazio; Frank; Frazier; Gerdes; Goldman; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Jones, J.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Muñoz; Noble; Oliverson; Orr; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Dutton; Flores; Garcia; Gates; González, J.; González, M.; Goodwin; Hernandez; Herrero; Hinojosa; Howard; Johnson, J.D.; Johnson, J.E.; Longoria; Lopez, R.; Manuel; Martinez; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Neave Criado; Ordaz; Ortega; Ramos; Romero; Rose; Rosenthal; Sherman; Talarico; Turner; Vo; Walle; Wu; Zwiener.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Gámez; Gervin-Hawkins; Jones, V.; Leo-Wilson.

### STATEMENTS OF VOTE

When Record No. 2047 was taken, I was in the house but away from my desk. I would have voted yes.

Gervin-Hawkins

When Record No. 2047 was taken, I was shown voting yes. I intended to vote no.

J. Jones

When Record No. 2047 was taken, I was in the house but away from my desk. I would have voted no.

V. Jones

When Record No. 2047 was taken, I was excused to attend a meeting of the Committee on General Investigating. I would have voted yes.

Murr

When Record No. 2047 was taken, I was shown voting yes. I intended to vote no.

Thierry

**SB 2035 ON THIRD READING**  
**(Capriglione - House Sponsor)**

**SB 2035**, A bill to be entitled An Act relating to the issuance of certain anticipation notes and certificates of obligation.

**SB 2035** was passed by (Record 2048): 102 Yeas, 42 Nays, 1 Present, not voting.

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

Nays — Anchía; Bernal; Bowers; Bryant; Bucy; Cole; Collier; Davis; Dutton; Flores; Gámez; González, J.; González, M.; Goodwin; Hernandez; Hinojosa; Howard; Johnson, J.E.; Jones, J.; Jones, V.; Lopez, R.; Meza; Moody; Morales, C.; Morales, E.; Neave Criado; Ordaz; Ortega; Plesa; Ramos; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Turner; Vo; Walle; Wu; Zwiener.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

**STATEMENT OF VOTE**

When Record No. 2048 was taken, I was excused to attend a meeting of the Committee on General Investigating. I would have voted yes.

Murr

**SB 365 ON THIRD READING**  
**(Landgraf - House Sponsor)**

**SB 365**, A bill to be entitled An Act relating to the issuance or amendment of a certificate of public convenience and necessity that authorizes the construction of an electrical substation.

**SB 365** was passed by (Record 2049): 109 Yeas, 34 Nays, 1 Present, not voting.

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

Nays — Bell, K.; Cain; Cook; Craddick; DeAyala; Gerdes; Harris, C.E.; Harris, C.J.; Harrison; Hefner; Hull; Isaac; Kitzman; Leach; Leo-Wilson; Lopez, J.; Patterson; Paul; Price; Rogers; Schaefer; Schatzline; Shaheen; Slawson; Smith; Smithee; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Jetton.

### STATEMENTS OF VOTE

When Record No. 2049 was taken, I was shown voting yes. I intended to vote no.

Dorazio

When Record No. 2049 was taken, I was in the house but away from my desk. I would have voted yes.

Jetton

When Record No. 2049 was taken, I was excused to attend a meeting of the Committee on General Investigating. I would have voted yes.

Murr

When Record No. 2049 was taken, I was shown voting yes. I intended to vote no.

Troxclair

**SB 532 - RULES SUSPENDED**  
**HOUSE SPONSOR AUTHORIZED**

Representative Kuempel moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representatives Lalani and Morales Shaw as house sponsors to **SB 532**.

The motion prevailed.

**SB 532 ON THIRD READING**  
**(Kuempel, M. González, and Anchía - House Sponsors)**

**SB 532**, A bill to be entitled An Act relating to repayment of certain mental health professional education loans.

**SB 532** was passed by (Record 2050): 97 Yeas, 41 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Campos; Capriglione; Clardy; Cole; Collier; Cortez; Cunningham; Darby; Davis; Dean; Dutton; Flores; Frazier; Gámez; García; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.J.; Hernandez; Herrero; Hinojosa; Holland; Howard; Hunter; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Longoria; Lopez, J.; Lopez, R.; Lujan; Manuel; Martinez; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Ordaz; Orr; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Shine; Smithee; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, C.; Bell, K.; Bonnen; Bumgarner; Cain; Cook; Craddick; Dorazio; Frank; Gates; Goldman; Harris, C.E.; Harrison; Hayes; Hefner; Hull; Isaac; Leach; Leo-Wilson; Metcalf; Noble; Oliverson; Patterson; Paul; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Slawson; Smith; Spiller; Stucky; Swanson; Tepper; Thimesch; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Canales; DeAyala; Gerdes; Jetton; Lozano; Sherman.

**STATEMENTS OF VOTE**

When Record No. 2050 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

When Record No. 2050 was taken, I was in the house but away from my desk. I would have voted no.

DeAyala



When Record No. 2050 was taken, my vote failed to register. I would have voted yes.

Gerdes

When Record No. 2050 was taken, I was in the house but away from my desk. I would have voted no.

Jetton

When Record No. 2050 was taken, I was in the house but away from my desk. I would have voted yes.

Lozano

When Record No. 2050 was taken, I was shown voting yes. I intended to vote no.

E. Thompson

**SB 544 ON THIRD READING**  
**(Moody - House Sponsor)**

**SB 544**, A bill to be entitled An Act relating to the issuance of a temporary teaching certificate to and requirements regarding educator certification for certain persons with experience as instructors for the Community College of the Air Force.

**SB 544** was passed by (Record 2051): 138 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, 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; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Troxclair; Turner; VanDeaver; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Cain; Leach; Noble; Toth; Vasut.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Jones, V.

**STATEMENTS OF VOTE**

When Record No. 2051 was taken, I was shown voting no. I intended to vote yes.

Cain

When Record No. 2051 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 2051 was taken, I was shown voting yes. I intended to vote no.

J. Jones

When Record No. 2051 was taken, I was in the house but away from my desk. I would have voted yes.

V. Jones

When Record No. 2051 was taken, I was excused to attend a meeting of the Committee on General Investigating. I would have voted yes.

Murr

When Record No. 2051 was taken, I was shown voting no. I intended to vote yes.

Vasut

**SB 2376 ON THIRD READING**  
**(Canales and Cain - House Sponsors)**

**SB 2376**, A bill to be entitled An Act relating to the issuance of Support Adoption specialty license plates and to the Support Adoption account and certain voluntary contributions to that account.

**SB 2376** was passed by (Record 2052): 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; García; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, 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; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield;

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

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Leo-Wilson; Sherman.

### STATEMENT OF VOTE

When Record No. 2052 was taken, I was excused to attend a meeting of the Committee on General Investigating. I would have voted yes.

Murr

### SB 812 ON THIRD READING

(Cortez, Allison, Campos, and Oliverson - House Sponsors)

**SB 812**, A bill to be entitled An Act relating to food allergen awareness in food service establishments, food handler and food manager certifications, and food service training or education programs.

**SB 812** was passed by (Record 2053): 95 Yeas, 49 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Bell, C.; Bernal; Bhojani; Bowers; Bryant; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Cortez; Cunningham; Darby; Davis; Dean; DeAyala; Dutton; Flores; Frazier; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Hernandez; Herrero; Hinojosa; Howard; Hunter; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Lalani; Lambert; Landgraf; Longoria; Lopez, R.; Lujan; Manuel; Martinez; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Oliverson; Ordaz; Orr; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Schofield; Shine; Smithee; Talarico; Thimesch; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Ashby; Bailes; Bell, K.; Bonnen; Buckley; Bumgarner; Cain; Collier; Cook; Craddick; Dorazio; Frank; Gates; Gerdes; Goldman; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Isaac; Kuempel; Leach; Leo-Wilson; Lopez, J.; Lozano; Metcalf; Noble; Patterson; Paul; Rogers; Schaefer; Schatzline; Shaheen; Sherman; Slawson; Smith; Spiller; Stucky; Swanson; Tepper; Thierry; Thompson, E.; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

**STATEMENTS OF VOTE**

When Record No. 2053 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 2053 was taken, I was shown voting no. I intended to vote yes.

Collier

When Record No. 2053 was taken, I was shown voting yes. I intended to vote no.

DeAyala

When Record No. 2053 was taken, I was excused to attend a meeting of the Committee on General Investigating. I would have voted yes.

Murr

When Record No. 2053 was taken, I was shown voting no. I intended to vote yes.

Sherman

When Record No. 2053 was taken, I was shown voting yes. I intended to vote no.

VanDeaver

**SB 833 ON THIRD READING**

**(Oliverson, Paul, C.J. Harris, et al. - House Sponsors)**

**SB 833**, A bill to be entitled An Act relating to consideration by insurers of certain prohibited criteria for ratemaking.

**SB 833 - POINT OF ORDER**

Representative Zwiener raised a point of order against further consideration of **SB 833** 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.

**SB 833** was passed by (Record 2054): 86 Yeas, 54 Nays, 1 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; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Herrero; Holland; Hull; Isaac; Jetton; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Muñoz; Noble; Oliverson; Orr; Patterson; Paul; Price; Ramos; Raney; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Davis; Dutton; Flores; Gámez; García; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Lalani; Longoria; Manuel; Martinez; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Ordaz; Ortega; Perez; Plesa; Raymond; Reynolds; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Hunter; Lopez, R.; Neave Criado; Romero.

### STATEMENTS OF VOTE

When Record No. 2054 was taken, I was shown voting yes. I intended to vote no.

Herrero

When Record No. 2054 was taken, I was in the house but away from my desk. I would have voted no.

R. Lopez

When Record No. 2054 was taken, I was excused to attend a meeting of the Committee on General Investigating. I would have voted yes.

Murr

When Record No. 2054 was taken, I was in the house but away from my desk. I would have voted no.

Neave Criado

When Record No. 2054 was taken, I was shown voting yes. I intended to vote no.

Ramos

When Record No. 2054 was taken, I was in the house but away from my desk. I would have voted no.

Romero

### HB 852 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

**HB 852**, A bill to be entitled An Act relating to the composition of the Texas Maternal Mortality and Morbidity Review Committee.

Representative Thierry moved to concur in the senate amendments to **HB 852**.

The motion to concur in the senate amendments to **HB 852** prevailed by (Record 2055): 134 Yeas, 5 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; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.E.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; 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; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Cain; Schatzline; Slawson; Spiller; Vasut.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Campos; Garcia; Johnson, J.D.; Jones, J.; Leo-Wilson.

### STATEMENTS OF VOTE

When Record No. 2055 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 2055 was taken, I was in the house but away from my desk. I would have voted yes.

J. Jones

When Record No. 2055 was taken, I was shown voting yes. I intended to vote no.

Toth

When Record No. 2055 was taken, I was shown voting yes. I intended to vote no.

Wilson

### Senate Committee Substitute

**CSHB 852**, A bill to be entitled An Act relating to the composition of the Texas Maternal Mortality and Morbidity Review Committee.

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

SECTION 1. Section 34.002(b), Health and Safety Code, is amended to read as follows:

(b) The review committee is a multidisciplinary advisory committee within the department and is composed of the following 23 ~~[47]~~ members:

(1) 21 ~~[45]~~ members appointed by the commissioner as follows:

(A) four physicians specializing in obstetrics, at least one of whom is a maternal fetal medicine specialist;

(B) one certified nurse-midwife;

(C) one registered nurse;

(D) one nurse specializing in labor and delivery;

(E) one physician specializing in family practice;

(F) one physician specializing in psychiatry;

(G) one physician specializing in pathology;

(H) one epidemiologist, biostatistician, or researcher of pregnancy-related deaths;

(I) one social worker or social service provider;

(J) two ~~[one]~~ community members with experience ~~[advocate]~~ in a relevant health care field, including a field involving the analysis of health care data, one of whom must represent an urban area of this state and one of whom must represent a rural area of this state;

(K) one medical examiner or coroner responsible for recording deaths; ~~[and]~~

(L) one physician specializing in critical care;

(M) one physician specializing in emergency care;

(N) one physician specializing in cardiology;

(O) one physician specializing in anesthesiology;

(P) one physician specializing in oncology; and

(Q) one representative of a managed care organization;

(2) a representative of the department's family and community health programs; and

(3) the state epidemiologist for the department or the epidemiologist's designee.

SECTION 2. Section 34.003(a), Health and Safety Code, is amended to read as follows:

(a) Review committee members appointed by the commissioner serve staggered six-year terms, with one-third or as near as possible to one-third of the members' terms ~~[of four or five members, as appropriate,]~~ expiring February 1 of each odd-numbered year.

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

### **HB 4510 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 4510**, A bill to be entitled An Act relating to annual financial reports submitted by state agencies.

Representative Smithee moved to concur in the senate amendments to **HB 4510**.

The motion to concur in the senate amendments to **HB 4510** prevailed by (Record 2056): 137 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; 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; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, 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; 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; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Cain; Slawson; Tinderholt; Toth; Vasut.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Bonnen; Sherman.

### STATEMENTS OF VOTE

When Record No. 2056 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 2056 was taken, I was shown voting yes. I intended to vote no.

Wilson

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

Amend **HB 4510** (senate committee report) by adding the following appropriately numbered SECTIONS of the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 2115.005, Government Code, is amended to read as follows:



Sec. 2115.005. ANNUAL REPORT BY COMPTROLLER [FORWARDING REPORTS]. (a) Subject to Subsection (b), not ~~[The comptroller shall provide copies, including electronic form copies, of any reports received from a consultant contracting under Section 2115.002 to:~~

- ~~[(1) the governor;~~
- ~~[(2) the state auditor's office; and~~
- ~~[(3) the Legislative Budget Board.~~

~~[(b) The comptroller shall provide the copies required by Subsection (a) not later than the 15th day after the date the comptroller receives the consultant's report.~~

~~[(c) Not]~~ later than February 1 of each ~~[odd-numbered]~~ year, the comptroller shall issue ~~[a report]~~ to the legislature, governor, state auditor's office, and Legislative Budget Board a report summarizing the activities conducted by a consultant pursuant to a recovery audit completed under this chapter during the preceding state fiscal ~~[biennium ending August 31 of the previous]~~ year.

(b) The comptroller is required to issue a report under Subsection (a) only if a recovery audit was completed under this chapter during the preceding state fiscal year.

SECTION \_\_\_\_\_. Section 61.040, Health and Safety Code, is amended to read as follows:

Sec. 61.040. TAX INFORMATION. (a) For the purpose of determining eligibility for state assistance under this chapter, [The comptroller shall give] the department may require a county to provide the following information for the relevant period ~~[relating to]:~~

- (1) the taxable value of property taxable by the ~~[each]~~ county;
- (2) the ~~[and each]~~ county's applicable general revenue tax levy ~~[for the relevant period]; and~~
- (3) ~~[(2)]~~ the amount of sales and use tax revenue received by the ~~[each]~~ county ~~[for the relevant period].~~

(b) The department shall prescribe the manner in which a county must provide the information described by Subsection (a).

## **HB 54 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 54.** A bill to be entitled An Act relating to the personal needs allowance for certain Medicaid recipients who are residents of long-term care facilities.

Representative S. Thompson moved to concur in the senate amendments to **HB 54.**

The motion to concur in the senate amendments to **HB 54** prevailed by (Record 2057): 126 Yeas, 15 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Jetton; 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; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rosenthal; Schaefer; Schofield; Sherman; Shine; Smith; Smithee; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wu; Zwiener.

Nays — Bell, K.; Cain; Clardy; Harrison; Hayes; Hefner; Isaac; Leo-Wilson; Patterson; Shaheen; Slawson; Spiller; Tinderholt; Toth; Wilson.

Present, not voting — Geren(C); Rose.

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Schatzline; Swanson.

### STATEMENTS OF VOTE

When Record No. 2057 was taken, I was in the house but away from my desk. I would have voted no.

Schatzline

When Record No. 2057 was taken, I was in the house but away from my desk. I would have voted yes.

Swanson

### Senate Committee Substitute

**CSHB 54**, A bill to be entitled An Act relating to the personal needs allowance for certain Medicaid recipients who are residents of long-term care facilities.

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

SECTION 1. Section 32.024(w), Human Resources Code, is amended to read as follows:

(w) The executive commissioner shall set a personal needs allowance of not less than \$75 [~~\$60~~] a month for a resident of a convalescent or nursing facility or related institution licensed under Chapter 242, Health and Safety Code, assisted living facility, ICF-IID facility, or other similar long-term care facility who receives medical assistance. The commission may send the personal needs allowance directly to a resident who receives Supplemental Security Income

(SSI) (42 U.S.C. Section 1381 et seq.). This subsection does not apply to a resident who is participating in a medical assistance waiver program administered by the commission.

SECTION 2. The change in law made by this Act to Section 32.024(w), Human Resources Code, applies only to a personal needs allowance paid on or after the effective date of this Act.

SECTION 3. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 4. This Act takes effect September 1, 2023.

### **HB 1034 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 1034**, A bill to be entitled An Act relating to authorizing certain counties to impose a hotel occupancy tax and the use of revenue from that tax.

Representative Stucky moved to concur in the senate amendments to **HB 1034**.

The motion to concur in the senate amendments to **HB 1034** prevailed by (Record 2058): 128 Yeas, 15 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; 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; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Oliverson; Ordaz; Orr; Ortega; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Shaheen; Sherman; Shine; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wu; Zwiener.

Nays — Ashby; Burns; Cain; Harrison; Isaac; Leo-Wilson; Noble; Patterson; Schatzline; Schofield; Slawson; Spiller; Tinderholt; Toth; Wilson.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Jones, V.

**STATEMENTS OF VOTE**

When Record No. 2058 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 2058 was taken, I was shown voting yes. I intended to vote no.

Hefner

When Record No. 2058 was taken, I was in the house but away from my desk. I would have voted yes.

V. Jones

When Record No. 2058 was taken, I was shown voting yes. I intended to vote no.

Vasut

**Senate Committee Substitute**

**CSHB 1034**, A bill to be entitled An Act relating to authorizing certain counties to impose a hotel occupancy tax and the use of revenue from that tax.

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

SECTION 1. Section 352.002, Tax Code, is amended by adding Subsection (w) to read as follows:

(w) The commissioners court of a county with a population of more than 65,000 that contains a portion of a national grassland may impose a tax as provided by Subsection (a).

SECTION 2. Section 352.003, Tax Code, is amended by adding Subsection (bb) to read as follows:

(bb) The tax rate in a county authorized to impose the tax under Section 352.002(w) may not exceed two percent of the price paid for a room in a hotel.

SECTION 3. Subchapter B, Chapter 352, Tax Code, is amended by adding Section 352.115 to read as follows:

Sec. 352.115. USE OF REVENUE: CERTAIN COUNTIES CONTAINING NATIONAL GRASSLAND. In addition to the purposes authorized by this chapter, the revenue from a tax imposed under this chapter by a county authorized to impose the tax under Section 352.002(w) may be used for:

- (1) the purposes described by Section 352.112; and
- (2) historical preservation and restoration.

SECTION 4. This Act takes effect September 1, 2023.

**HB 4034 - HOUSE CONCURS IN SENATE AMENDMENTS  
TEXT OF SENATE AMENDMENTS**

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

**HB 4034**, A bill to be entitled An Act relating to certain disability and death benefits payable by the public retirement systems for police and fire fighters in certain municipalities.

Representative J.E. Johnson moved to concur in the senate amendments to **HB 4034**.

The motion to concur in the senate amendments to **HB 4034** prevailed by (Record 2059): 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; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, 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; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

### **Senate Committee Substitute**

**CSHB 4034**, A bill to be entitled An Act relating to certain disability and death benefits payable by the public retirement systems for police and fire fighters in certain municipalities.

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

SECTION 1. This Act may be cited as the David Walters Act.

SECTION 2. Section 6.04(f), Article 6243a-1, Revised Statutes, is amended to read as follows:

(f) Subject to Subsections (f-1), (f-3), and (g) of this section, the disability pension of a Group B member shall be calculated as follows:

(1) for a member who began active service before March 1, 2011, the member's disability pension shall be the sum of:

(A) the member's number of years of pension service earned before September 1, 2017, prorated for fractional years, times three percent of the average computation pay determined over the 36 consecutive months of pension service in which the member received the highest computation pay; plus

(B) the number of years of pension service, including pension service credit imputed under Section 6.05(c) of this article, earned on or after September 1, 2017, prorated for fractional years, times 2.5 percent [the applicable

~~percentage prescribed by Section 6.02(b-1) of this article]~~ of the average computation pay determined over the 60 consecutive months of pension service in which the member received the highest computation pay; or

(2) for a member who began active service on or after March 1, 2011, the member's disability pension shall be the number of years of pension service, including pension service credit imputed under Section 6.05(c) of this article, prorated for fractional years, times 2.5 percent of the average computation pay determined over the 60 consecutive months of pension service in which the member received the highest computation pay.

SECTION 3. Section 6.08, Article 6243a-1, Revised Statutes, is amended by amending Subsections (b) and (b-2) and adding Subsections (b-4) and (b-5) to read as follows:

(b) Subject to Subsection (b-2) of this section, death benefits shall be computed as follows for the qualified survivors of Group B members who die while on active service:

(1) the death benefit of a qualified survivor who is the spouse of a member who began active service:

(A) before March 1, 2011, shall be the sum of:

(i) the number of years of pension service earned before September 1, 2017, prorated for fractional years, times, except as provided by Subsection (b-4) of this section, 1.5 percent of the average computation pay determined over the 36 consecutive months of pension service in which the Group B member received the highest computation pay; plus

(ii) the number of years of pension service, including pension service credit imputed under Section 6.05(c) of this article, after September 1, 2017, prorated for fractional years, times, except as provided by Subsection (b-4) of this section, 1.25 percent ~~[the applicable percentage rate set forth below]~~ of the average computation pay determined over the 60 consecutive months of pension service in which the Group B member received the highest computation pay[~~;~~

<del>[Age of Member When Retirement Pension Begins</del>	<del>Percent</del>
<del>[58 and older</del>	<del>1.25%</del>
<del>[57</del>	<del>1.2%</del>
<del>[56</del>	<del>1.15%</del>
<del>[55</del>	<del>1.10%</del>
<del>[54</del>	<del>1.05%</del>
<del>[53 and younger</del>	<del>1.0%]; or</del>

(B) on or after March 1, 2011, shall be the number of years of pension service, including pension service imputed under Section 6.05(c) of this article, prorated for fractional years, times, except as provided by Subsection (b-4) of this section, 1.25 percent of the average computation pay determined over the 60 consecutive months of pension service in which the Group B member received the highest computation pay;

(2) the death benefit of qualified survivors who are a member's children shall be computed in the same manner as a spouse's benefit is computed under Subdivision (1)(A) or (B) of this subsection, as applicable, and shall be divided equally among all of the children who are qualified survivors; and

(3) the death benefit of each qualified survivor who is a member's dependent parent shall be computed in the same manner as a spouse's Group B benefit is computed under Subdivision (1)(A) or (B) of this subsection, as applicable.

(b-2) The death benefit calculated under Subsection (b) of this section may not exceed the greater of:

(1) except as provided by Subsection (b-4) of this section, 45 percent of the member's average computation pay determined over the 36 or 60 consecutive months, as applicable, in which the Group B member received the highest computation pay; or

(2) the vested and accrued death benefit as determined on August 31, 2017.

(b-4) If a member dies in the line of duty, as determined by the board under Subsection (b-5) of this section, the percentage rate applied to the member's average computation pay under:

(1) Subsection (b)(1)(A)(i) of this section is 3 percent instead of 1.5 percent at such time as there are qualified survivors who are either the member's children or surviving spouse, but not both;

(2) Subsection (b)(1)(A)(ii) of this section is 2.5 percent instead of 1.25 percent at such time as there are qualified survivors who are either the member's children or surviving spouse, but not both;

(3) Subsection (b)(1)(B) of this section is 2.5 percent instead of 1.25 percent at such time as there are qualified survivors who are either the member's children or surviving spouse, but not both; and

(4) Subsection (b-2)(1) is 90 percent instead of 45 percent.

(b-5) A member is considered to have died in the line of duty if the member's death is caused by the performance of the member's duties for the member's department. The board shall determine whether a member died in the line of duty. In making a determination under this subsection, the board may consider as guidance the determination of the same or similar issue made by another governmental entity.

SECTION 4. Section 6.04(f), Article 6243a-1, Revised Statutes, as amended by this Act, applies only to a disability pension for which an application is filed on or after the effective date of this Act. A disability pension for which an application is filed before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 5. (a) In this section, "board" and "member" have the meanings assigned by Section 2.01, Article 6243a-1, Revised Statutes.

(b) Subject to Subsection (c) of this section, Section 6.08, Article 6243a-1, Revised Statutes, as amended by this Act, applies only to a death benefit payable on or after the effective date of this Act.

(c) If a member died in the line of duty before September 1, 2023, as determined by the board in accordance with Section 6.08(b-5), Article 6243a-1, Revised Statutes, as added by this Act, the death benefit payable on or after September 1, 2023, to the member's surviving spouse or children shall be

adjusted in accordance with Section 6.08(b-4), Article 6243a-1, Revised Statutes, as added by this Act, as applicable. The surviving spouse or children of a member described by this subsection are not entitled to payment of any adjusted benefits relating to death benefits paid before September 1, 2023.

SECTION 6. This Act takes effect September 1, 2023.

### **HB 2800 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 2800**, A bill to be entitled An Act relating to meetings of a county election board.

Representative Paul moved to concur in the senate amendments to **HB 2800**.

The motion to concur in the senate amendments to **HB 2800** prevailed by (Record 2060): 140 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; 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; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; 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, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Vo; Walle; Wilson.

Nays — Turner; Wu; Zwiener.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Lopez, J.

### **STATEMENT OF VOTE**

When Record No. 2060 was taken, I was in the house but away from my desk. I would have voted yes.

J. Lopez



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

Amend **HB 2800** (senate committee report) in SECTION 1 of the bill, in added Section 51.002(d), Election Code (page 1, line 27), by striking "or virtually through the Internet".

**HB 2194 - HOUSE CONCURS IN SENATE AMENDMENTS  
TEXT OF SENATE AMENDMENTS**

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

**HB 2194**, A bill to be entitled An Act relating to establishing a "Made in Texas" labeling program; authorizing a civil penalty.

Representative Ordaz moved to concur in the senate amendments to **HB 2194**.

The motion to concur in the senate amendments to **HB 2194** prevailed by (Record 2061): 128 Yeas, 14 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; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Jetton; 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; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schatzline; Schofield; Shaheen; Sherman; Shine; Smith; Smithee; Spiller; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Wu; Wiener.

Nays — Cain; Clardy; Harrison; Hayes; Isaac; Leo-Wilson; Patterson; Schaefer; Slawson; Swanson; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Campos; Garcia.

**STATEMENTS OF VOTE**

When Record No. 2061 was taken, I was in the house but away from my desk. I would have voted yes.

Campos

When Record No. 2061 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia

### Senate Committee Substitute

**CSHB 2194**, A bill to be entitled An Act relating to establishing a "Made in Texas" labeling program.

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

SECTION 1. Subtitle F, Title 4, Government Code, is amended by adding Chapter 490D to read as follows:

#### CHAPTER 490D. "MADE IN TEXAS" LABELING PROGRAM

##### SUBCHAPTER A. GENERAL PROVISIONS

Sec. 490D.001. DEFINITIONS. In this chapter:

(1) "Office" means the Texas Economic Development and Tourism Office.

(2) "Program" means the "Made in Texas" labeling program established under this chapter.

##### SUBCHAPTER B. "MADE IN TEXAS" LABELING PROGRAM

Sec. 490D.051. ESTABLISHMENT OF "MADE IN TEXAS" LABELING PROGRAM. (a) The office shall establish and administer a "Made in Texas" labeling program.

(b) In establishing the program, the office by rule shall:

(1) establish criteria for determining whether a person may sell, advertise, or offer for sale in this state a product that uses "Made in Texas" or equivalent phrasing to represent that the product was made in whole or in substantial part in this state; and

(2) design and administer the use of a logo for products to be labeled as "Made in Texas" and adopt an application process for authorizing use of the logo.

(c) The criteria established under Subsection (b)(1) must include a requirement that all or virtually all significant parts and processing of a product originated in this state.

Sec. 490D.052. EXEMPT PRODUCTS. This chapter does not apply to or authorize the office to adopt rules governing the labeling of wine.

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

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

Amend **CSHB 2194** (senate committee report) in SECTION 1 of the bill in added Section 490D.052, Government Code (page 1, line 52), by striking "of wine" and substituting the following:

of:

(1) wine; or

(2) Texas agricultural products, as defined by Section 12.0175, Agriculture Code

## **HB 8 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 8**, A bill to be entitled An Act relating to the administration, coordination, and support of public higher education, including the public junior college state finance program and a Financial Aid for Swift Transfer (FAST) program to enable certain students to enroll at no cost to the student in dual credit courses offered by certain public institutions of higher education.

Representative VanDeaver moved to concur in the senate amendments to **HB 8**.

The motion to concur in the senate amendments to **HB 8** prevailed by (Record 2062): 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; García; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; 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; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Holland; Kuempel.

### **STATEMENTS OF VOTE**

When Record No. 2062 was taken, my vote failed to register. I would have voted yes.

Kuempel

When Record No. 2062 was taken, I was excused to attend a meeting of the Committee on General Investigating. I would have voted yes.

Murr

**Senate Committee Substitute**

**CSHB 8**, A bill to be entitled An Act relating to public higher education, including the public junior college state finance program.

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

SECTION 1. Section 7.040(a), Education Code, is amended to read as follows:

(a) The agency shall prepare information comparing institutions of higher education in this state and post the information on the agency's Internet website. Information prepared under this section shall be made publicly available in a manner that is accessible ~~[given]~~ to any ~~[a]~~ public or private school student seeking ~~[who requests]~~ the information. The information shall:

(1) identify postsecondary education and career opportunities, including information that states the benefits of four-year and two-year higher education programs, postsecondary technical education, skilled workforce careers, and career education programs;

(2) assist prospective postsecondary students in assessing the value of a certificate program, associate or baccalaureate degree program, or other credential program offered by an institution of higher education by comparing ~~[compare]~~ each institution ~~[of higher education]~~ with other institutions using information included in the electronic tools or platforms developed by the Texas Higher Education Coordinating Board under Section 61.09022(a) ~~[regarding:~~

~~[(A) the relative cost of tuition;~~

~~[(B) the retention rate of students;~~

~~[(C) the graduation rate of students;~~

~~[(D) the average student debt;~~

~~[(E) the loan repayment rate of students; and~~

~~[(F) the employment rate of students];~~

(3) identify the state's future workforce needs, as projected by the Texas Workforce Commission; ~~[and]~~

(4) include annual starting wage information and educational requirements for the top 25 ~~[40]~~ highest demand jobs in this state, as identified by the Texas Workforce Commission;

(5) identify the 40 baccalaureate degree programs with the highest average annual wages following graduation; and

(6) identify the 20 associate degree or certificate programs with the highest average annual wages following graduation.

SECTION 2. Section 28.009(b-2), Education Code, is amended to read as follows:

(b-2) Any agreement, including a memorandum of understanding or articulation agreement, between a school district and public institution of higher education to provide a dual credit program described by Subsection (b-1) must:

(1) include specific program goals aligned with the statewide goals developed under Subsection (b-1);

(2) establish common advising strategies and terminology related to dual credit and college readiness;

(3) provide for the alignment of endorsements described by Section 28.025(c-1) offered by the district, and dual credit courses offered under the agreement that apply towards those endorsements, with postsecondary pathways and credentials at the institution and industry certifications;

(4) identify tools, including tools developed by the agency, the Texas Higher Education Coordinating Board, or the Texas Workforce Commission, to assist school counselors, students, and families in selecting endorsements offered by the district and dual credit courses offered under the agreement;

(5) establish, or provide a procedure for establishing, the course credits that may be earned under the agreement, including by developing a course equivalency crosswalk or other method for equating high school courses with college courses and identifying the number of credits that may be earned for each course completed through the program;

(6) describe the academic supports and, if applicable, guidance that will be provided to students participating in the program;

(7) establish the district's and the institution's respective roles and responsibilities in providing the program and ensuring the quality and instructional rigor of the program;

(8) state the sources of funding for courses offered under the program, including, at a minimum, the sources of funding for tuition, transportation, and any required fees or textbooks for students participating in the program;

(9) require the district and the institution to consider the use of free or low-cost open educational resources in courses offered under the program;

(10) ensure the accurate and timely exchange of information necessary for an eligible student to enroll at no cost in a dual credit course as provided by Section 28.0095;

(11) be posted each year on the district's and the institution's respective Internet websites; and

(12) ~~[(11)]~~ designate at least one employee of the district or institution as responsible for providing academic advising to a student who enrolls in a dual credit course under the program before the student begins the course.

SECTION 3. Subchapter A, Chapter 28, Education Code, is amended by adding Section 28.0095 to read as follows:

Sec. 28.0095. FINANCIAL AID FOR SWIFT TRANSFER (FAST) PROGRAM. (a) In this section:

(1) "Charter school" means a charter school operating under Chapter 12.

(2) "Coordinating board" means the Texas Higher Education Coordinating Board.

(3) "Dual credit course" includes a course offered for joint high school and junior college credit under Section 130.008 or another course offered by an institution of higher education for which a high school student may earn credit toward satisfaction of:

(A) a requirement necessary to obtain an industry-recognized credential or certificate or an associate degree;

(B) a foreign language requirement at an institution of higher education;

(C) a requirement in the core curriculum, as that term is defined by Section 61.821, at an institution of higher education; or

(D) a requirement in a field of study curriculum developed by the coordinating board under Section 61.823.

(4) "Institution of higher education" has the meaning assigned by Section 61.003.

(b) The agency and the coordinating board shall jointly establish the Financial Aid for Swift Transfer (FAST) program to allow eligible students to enroll at no cost to the student in dual credit courses at participating institutions of higher education.

(c) A student is eligible to enroll at no cost in a dual credit course under the program if the student:

(1) is enrolled:

(A) in high school in a school district or charter school; and

(B) in a dual credit course at a participating institution of higher education; and

(2) was educationally disadvantaged at any time during the four school years preceding the student's enrollment in the dual credit course described by Subdivision (1)(B).

(d) An institution of higher education is eligible to participate in the program only if the institution charges for each dual credit course offered by the institution an amount of tuition that does not exceed the amount prescribed by coordinating board rule.

(e) Each school district or charter school shall:

(1) on a high school student's enrollment in a dual credit course, determine whether the student meets the criteria for the program under Subsection (c)(2); and

(2) notify the institution of higher education that offers the dual credit course in which the student is enrolled of the district's or school's determination under Subdivision (1).

(f) A school district or charter school may make the determination under Subsection (e)(1) based on the district's or school's records, the agency's records, or any other method authorized by commissioner or coordinating board rule. If the district or school bases the determination on a method other than the agency's records, the district or school shall report the method used and the data on which the method is based to the agency for purposes of verification.

(g) At least once each year, a participating institution of higher education shall certify to the agency and the coordinating board the student's eligibility for the program. Notwithstanding Section 54.051, a participating institution of higher education may not charge tuition or fees for the enrollment in a dual credit course at the institution of a student for whom the institution receives notice under Subsection (e)(2).

(h) The coordinating board shall distribute money transferred to the coordinating board under Section 48.308 to the participating institutions of higher education in proportion to the number of dual credit courses in which eligible students are enrolled at the institution.

(i) The commissioner and the commissioner of higher education shall coordinate as necessary to:

(1) confirm an eligible student's enrollment in a participating institution of higher education; and

(2) obtain or share data necessary to verify a student's eligibility under Subsection (c)(2).

(j) The commissioner and the coordinating board shall adopt rules as necessary to implement this section. Notwithstanding Section 61.033, the coordinating board is not required to use negotiated rulemaking procedures under Chapter 2008, Government Code, for the adoption of rules under this section.

SECTION 4. Section 28.010(a), Education Code, is amended to read as follows:

(a) Each school year, a school district shall notify the parent of each district student enrolled in grade nine or above of:

(1) the availability of:

(A) programs in the district under which a student may earn college credit, including advanced placement programs, dual credit programs, joint high school and college credit programs, and international baccalaureate programs;

(B) career and technology education programs or other work-based education programs in the district, including any internship, externship, or apprenticeship programs or a P-TECH program under Subchapter N, Chapter 29; ~~and~~

(C) subsidies based on financial need available for fees paid to take college advanced placement tests or international baccalaureate examinations under Section 28.054; and

(D) funding for enrollment in dual credit courses under Section 28.0095; and

(2) the qualifications for:

(A) enrolling in programs described by Subdivision (1)(A) or (B);  
or

(B) funding described by Subdivision (1)(D).

SECTION 5. Section 28.0253(a)(2), Education Code, is amended to read as follows:

(2) "Eligible institution" means an institution of higher education ~~[that is designated as a research university or emerging research university under the coordinating board's accountability system].~~

SECTION 6. Section 28.0253(e), Education Code, is amended to read as follows:

(e) A school district or open-enrollment charter school shall allow a student to graduate and receive [may issue] a high school diploma [to a student] under the program if, using the standards established under Subsection (c), the student

demonstrates mastery of and early readiness for college in each of the subject areas described by that subsection and in a language other than English, notwithstanding any other local or state requirements.

SECTION 7. Section 29.908(b), Education Code, is amended to read as follows:

(b) The program must:

(1) provide for a course of study that enables a participating student to combine high school courses and college-level courses during grade levels 9 through 12;

(2) allow a participating student to complete high school and enroll in a program at an institution of higher education that will enable the student to, on or before the fifth anniversary of the date of the student's first day of high school, receive a high school diploma and either:

(A) an applied associate degree, as defined by Texas Higher Education Coordinating Board rule; or

(B) an academic associate degree, as defined by Texas Higher Education Coordinating Board rule, with a completed field of study curriculum developed under Section 61.823 that is transferable [at least 60 semester credit hours] toward a baccalaureate degree at one or more general academic teaching institutions, as defined by Section 61.003;

(3) include articulation agreements with colleges, universities, and technical schools in this state to provide a participating student access to postsecondary educational and training opportunities at a college, university, or technical school; and

(4) provide a participating student flexibility in class scheduling and academic mentoring.

SECTION 8. Subchapter G, Chapter 48, Education Code, is amended by adding Section 48.308 to read as follows:

Sec. 48.308. ALLOTMENT FOR FINANCIAL AID FOR SWIFT TRANSFER (FAST) PROGRAM. (a) In this section:

(1) "Coordinating board" means the Texas Higher Education Coordinating Board.

(2) "FAST program" means the Financial Aid for Swift Transfer (FAST) program under Section 28.0095.

(b) An institution of higher education participating in the FAST program is entitled to an allotment in an amount equal to the amount of tuition set by coordinating board rule under Section 28.0095(d) for each dual credit course in which a student eligible to participate in the FAST program is enrolled at the institution.

(c) The agency shall transfer the total amount of allotments under this section to the coordinating board for distribution in accordance with Section 28.0095(h).

(d) The agency and the coordinating board shall coordinate as necessary to implement this section.



(e) The legislature shall include in amounts appropriated for the Foundation School Program an amount of state aid sufficient for the agency to make the transfer required under Subsection (c).

SECTION 9. Section 51.4033, Education Code, is amended to read as follows:

Sec. 51.4033. REPORT OF NONTRANSFERABLE CREDIT. (a) Not later than May ~~March~~ 1 of each year and in the form prescribed by the coordinating board, each general academic teaching institution shall provide to the coordinating board and the legislature a report describing any courses in the Lower-Division Academic Course Guide Manual or its successor adopted by the coordinating board for which a student who transfers to the institution from another institution of higher education is not granted:

(1) academic credit at the receiving institution; or  
(2) if the student has declared a major and has not changed majors, academic credit toward the student's major at the receiving institution.

(b) A report required by this section must indicate:

(1) the course name and type;  
(2) which institution of higher education provided academic credit for the course; and

(3) the reason why the receiving institution did not grant academic credit for the course as described by Subsection (a), including whether the institution complied with the dispute resolution process under Section 61.826.

SECTION 10. Section 51.4034(a), Education Code, is amended to read as follows:

(a) Not later than May ~~March~~ 1 of each year and in the form prescribed by the coordinating board, each public junior college shall provide to the coordinating board and the legislature a report on courses taken by students who, during the preceding academic year, transferred to a general academic teaching institution or earned an associate degree at the college.

SECTION 11. Section 51.762(b-1), Education Code, is amended to read as follows:

(b-1) An electronic common admission application form adopted under this section must include a prominent link to the electronic tools or platforms developed by the board under Section 61.09022 ~~[comparative gainful employment data regarding institutions of higher education, including information described by Section 7.040, on a website maintained by the board using data compiled by the board in coordination with the Texas Workforce Commission].~~

SECTION 12. Section 51.763(b), Education Code, is amended to read as follows:

(b) The form must:

(1) allow each applicant to:  
(A) apply electronically to one or more of the general academic teaching institutions within the university system; and

(B) indicate preferences for admission between those institutions;  
and

(2) include a prominent link to the electronic tools or platforms developed by the board under Section 61.09022 ~~[comparative gainful employment data regarding institutions of higher education, including information described by Section 7.040, on a website maintained by the board using data compiled by the board in coordination with the Texas Workforce Commission]~~.

SECTION 13. Section 51.907, Education Code, is amended by adding Subsections (c-1) and (c-2) to read as follows:

(c-1) An institution of higher education may not count toward the number of courses permitted to be dropped under Subsection (c) or a policy adopted under Subsection (d) a course that a student dropped while enrolled in a baccalaureate degree program previously earned by the student.

(c-2) An institution of higher education may not count toward the number of courses permitted to be dropped under Subsection (c) or a policy adopted under Subsection (d) a dual credit or dual enrollment course that a student dropped before graduating from high school.

SECTION 14. Section 54.3531(b), Education Code, is amended to read as follows:

(b) Notwithstanding Subsection (a), a student may not receive an exemption under this section for any course if the student has previously attempted a number of semester credit hours for courses taken at any institution of higher education while classified as a resident student for tuition purposes in excess of the maximum number of those hours specified by Section 61.0595(a) as eligible for funding under the formulas established under Section 61.059 or Chapter 130A.

SECTION 15. Section 56.221(2), Education Code, is amended to read as follows:

(2) "Eligible institution" means an institution of higher education, as that term is defined by Section 61.003~~[-that is designated as a research university or emerging research university under the coordinating board's accountability system]~~.

SECTION 16. Section 56.407(g), Education Code, is amended to read as follows:

(g) An institution may use other available sources of financial aid, other than a loan ~~[or a Pell grant]~~, to cover any difference in the amount of a grant under this subchapter and the actual amount of tuition and required fees at the institution.

SECTION 17. Sections 61.003(2), (11), and (12), Education Code, are amended to read as follows:

(2) "Public junior college" means any junior college listed as a public junior college ~~[certified by the board]~~ in accordance with Section 61.063 ~~[of this chapter]~~.

(11) "Degree program" means any grouping of subject matter courses which, when satisfactorily completed by a student, will entitle the student ~~[him]~~ to:

(A) a degree from a public senior college or university or a medical or dental unit; or

(B) an academic associate degree, as defined by board rule, or baccalaureate degree from a public junior college.

(12) "Certificate program" means a grouping of subject-matter courses which, when satisfactorily completed by a student, will entitle the student ~~[him]~~ to:

(A) a certificate;

(B) an<sup>[s]</sup> associate degree, other than an academic associate degree, as defined by board rule, from a technical institute or junior college; or

(C) ~~[, or]~~ documentary evidence, other than a degree, of completion of a course of study at the postsecondary level.

SECTION 18. The heading to Section 61.031, Education Code, is amended to read as follows:

Sec. 61.031. PUBLIC ~~[INTEREST]~~ INFORMATION AND COMPLAINTS.

SECTION 19. Section 61.031, Education Code, is amended by adding Subsection (d) to read as follows:

(d) Notwithstanding any other provision of law, information that relates to a current, former, or prospective applicant or student of an educational institution and that is obtained, received, or held by the board for the purpose of providing assistance with access to postsecondary education shall be considered confidential and excepted from disclosure under Chapter 552, Government Code, and may only be released in conformity with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g). The board may withhold information prohibited from being disclosed under this subsection without requesting a decision from the attorney general under Subchapter G, Chapter 552, Government Code.

SECTION 20. Section 61.051, Education Code, is amended by adding Subsection (b) to read as follows:

(b) The board may participate in the establishment and operation of an affiliated nonprofit organization whose purpose is to raise money for or provide services or other benefits to the board.

SECTION 21. Section 61.0571, Education Code, is amended by adding Subsections (c), (d), (e), and (f) to read as follows:

(c) The board may provide administrative support and services to institutions of higher education as necessary to implement this chapter, Chapter 130, or Chapter 130A.

(d) The board may establish an institutional collaboration center within the board to support the implementation of Chapter 130A and the efficient and effective operations of institutions of higher education.

(e) From money appropriated or otherwise available for the purpose, the board may procure goods and services for the direct benefit of an institution of higher education and enter into an interagency contract under Chapter 771, Government Code, with the institution to reimburse the board for the cost of the goods and services.

(f) An affiliated nonprofit organization described by Section 61.051(b) may accept gifts, grants, or donations from any public or private source to pay for goods or services procured for the direct benefit of an institution of higher education under Subsection (e).

SECTION 22. Section 61.059, Education Code, is amended by amending Subsections (b), (b-1), and (r) and adding Subsection (s) to read as follows:

(b) The board shall devise, establish, and periodically review and revise formulas for the use of the governor and the Legislative Budget Board in making appropriations recommendations to the legislature for ~~[all]~~ institutions of higher education other than public junior colleges funded under Chapter 130A~~[- including the funding of postsecondary vocational technical programs]~~. As a specific element of the periodic review, the board shall study and recommend changes in the funding formulas based on the role and mission statements of those institutions of higher education. In carrying out its duties under this section, the board shall employ an ongoing process of committee review and expert testimony and analysis.

(b-1) A committee under Subsection (b) must be composed of representatives of a cross-section of institutions representing each of the institutional groupings under the board's accountability system, other than public junior colleges funded under Chapter 130A. The commissioner of higher education shall solicit recommendations for the committee's membership from the chancellor of each university system and from the president of each institution of higher education that is not a component of a university system. The chancellor of a university system may ~~[shall]~~ recommend to the commissioner at least one institutional representative for each institutional grouping to which a component of the university system is assigned. The president of an institution of higher education that is not a component of a university system may ~~[shall]~~ recommend to the commissioner at least one institutional representative for the institutional grouping to which the institution is assigned.

(r) The board shall exclude contact hours or semester credit hours related to a course for which a student is generating formula funding for the third time from the contact hours or semester credit hours reported for formula funding purposes.

(s) Notwithstanding any other law, the board may not exclude from the number of semester credit hours reported ~~[to the Legislative Budget Board]~~ for formula funding under this section or Chapter 130A semester credit hours for any course taken up to three times by a student who:

(1) has reenrolled at an institution of higher education following a break in enrollment from the institution or another institution of higher education covering the 24-month period preceding the first class day of the initial semester or other academic term of the student's reenrollment; and

(2) successfully completed at least 50 semester credit hours of course work at an institution of higher education before that break in enrollment.

SECTION 23. Sections 61.0595(a), (d), and (f), Education Code, are amended to read as follows:

(a) In the formulas established under Section 61.059 or Chapter 130A, the board may not include funding for semester credit hours earned by a resident undergraduate student who before the semester or other academic session begins has previously attempted a number of semester credit hours for courses taken at any institution of higher education while classified as a resident student for tuition purposes that exceeds the number of semester credit hours required for completion of the degree program or programs in which the student is enrolled, including minors and double majors, and for completion of any certificate or other special program in which the student is also enrolled, including a program with a study-abroad component, by at least:

(1) for an associate degree program, 15 hours; or

(2) for a baccalaureate degree program, 30 hours.

(d) The following are not counted for purposes of determining whether the student has previously earned the number of semester credit hours specified by Subsection (a):

(1) semester credit hours earned by the student before receiving a baccalaureate degree that has previously been awarded to the student;

(2) semester credit hours earned by the student by examination or under any other procedure by which credit is earned without registering for a course for which tuition is charged;

(3) credit for a remedial education course, a technical course, a workforce education course funded according to contact hours, or another course that does not count toward a degree program at the institution;

(4) semester credit hours earned by the student at a private institution or an out-of-state institution;

(5) semester credit hours earned by the student before graduating from high school and used to satisfy high school graduation requirements; ~~and~~

(6) the first additional 15 semester credit hours earned toward a degree program by a student who:

(A) has reenrolled at an institution of higher education following a break in enrollment from the institution or another institution of higher education covering the 24-month period preceding the first class day of the initial semester or other academic term of the student's reenrollment; and

(B) successfully completed at least 50 semester credit hours of course work at an institution of higher education before that break in enrollment; and

(7) semester credit hours earned by the student before receiving an associate degree that has been previously awarded to the student.

(f) In the formulas established under Section 61.059 or Chapter 130A, the board shall include without consideration of Subsection (a) funding for semester credit hours earned by a student who initially enrolled as an undergraduate student in any institution of higher education before the 1999 fall semester.

SECTION 24. Section 61.063, Education Code, is amended to read as follows:

Sec. 61.063. LISTING ~~[AND CERTIFICATION]~~ OF PUBLIC JUNIOR COLLEGES; ELIGIBILITY FOR STATE APPROPRIATIONS. (a) The commissioner of higher education shall file with the ~~[state]~~ comptroller and the state auditor on or before September ~~[October]~~ 1 of each year a list of each ~~[the]~~ public junior college ~~[colleges]~~ in this state that has certified to the board under Section 130.003 that the college is in compliance with the requirements of Subsection (b) of that section.

(b) ~~[The commissioner shall certify the names of those colleges that have complied with the standards, rules, and regulations prescribed by the board.]~~ Only a public junior college included on the list under Subsection (a) is ~~[those colleges which are so certified shall be]~~ eligible for and may receive money appropriated ~~[any appropriation made]~~ by the legislature to public junior colleges.

SECTION 25. Subchapter C, Chapter 61, Education Code, is amended by adding Section 61.09022 to read as follows:

Sec. 61.09022. INFORMATION TO ASSIST STUDENTS IN ASSESSING VALUE OF POSTSECONDARY CREDENTIALS. (a) From money appropriated or otherwise available for the purpose, the board shall develop one or more electronic tools or platforms to provide information to assist prospective postsecondary students in assessing the value of a certificate program, associate or baccalaureate degree program, or other credential program offered by an institution of higher education or private or independent institution of higher education by comparing each institution with other institutions regarding:

(1) the relative cost of obtaining the certificate, degree, or other credential, based on the most recent data available to the board from the Texas Workforce Commission, institutions of higher education, the federal government, or any other source from which the board may obtain reliable data, including:

(A) the cost for each of the following at the 25th percentile, the median, and the 75th percentile:

(i) total cost of attendance;

(ii) tuition and fees;

(iii) room and board;

(iv) books and supplies;

(v) transportation; and

(vi) other costs; and

(B) the estimated net cost remaining after subtracting from the amount described by Paragraph (A) the average amount of scholarship and grant aid awarded to the typical student for the program;

(2) the value of the certificate, degree, or other credential as measured by comparing:

(A) the median wage earned by students who graduated with the certificate, degree, or other credential from the institution; and

(B) the median student debt of students who graduated with the certificate, degree, or other credential from the institution as compared to the median student debt of all students who graduated with the certificate, degree, or

other credential, based on the most recent data available to the board from the Texas Workforce Commission, institutions of higher education, the federal government, or any other source from which the board may obtain reliable data;

(3) the average student debt-to-income ratio of students who graduated with the certificate, degree, or other credential from the institution and have student debt, including the estimated monthly student loan payment, computed using the standard 10-year repayment plan;

(4) progress on repaying student loans by students who graduated with the certificate, degree, or other credential from the institution; and

(5) educational outcomes for students seeking the certificate, degree, or other credential, including:

(A) for a program designed to be completed in more than one year, the percentage of students who continue in the program after the first year of study;

(B) the completion rate;

(C) the percentage of students who withdraw or transfer from the institution and subsequently graduate with the certificate, degree, or other credential from another institution of higher education or private or independent institution of higher education;

(D) the percentage of students who withdraw from the institution and do not enroll in the program at another institution of higher education or private or independent institution of higher education within three years of the withdrawal; and

(E) the percentage of graduates employed in the top five industries in this state, as identified by the Texas Workforce Commission, by certificate program, degree program, or other credential program within one year of graduation.

(c) The board may solicit and accept gifts, grants, and donations from any public or private source to implement this section.

(d) The board shall adopt rules as necessary to implement this section.

SECTION 26. Section 7.040(c), Education Code, is transferred to Section 61.09022, Education Code, as added by this Act, redesignated as Section 61.09022(b), Education Code, and amended to read as follows:

(b) ~~(c)~~ Each institution of higher education shall include on its Internet website, in a prominent location that is not more than three hyperlinks from the website's home page, a link to the electronic tools or platforms developed by the board [information posted on the agency's Internet website] under Subsection (a).

SECTION 27. Sections 61.822(b) and (c), Education Code, are amended to read as follows:

(b) Each institution of higher education shall adopt a core curriculum of no less than 42 semester credit hours, including specific courses comprising the curriculum. The core curriculum shall be consistent with the common course numbering system approved by the board and with the statement, recommendations, and rules issued by the board. An institution may have a core curriculum of other than 42 semester credit hours only if approved by the board. The board by rule may approve a core curriculum of fewer than 42 semester

credit hours for an associate degree program if the board determines that the approval would facilitate the award of a degree or transfer of credit consistent with this subchapter.

(c) If a student successfully completes the ~~[42-hour]~~ core curriculum at an institution of higher education, that block of courses may be transferred to any other institution of higher education and must be substituted for the receiving institution's core curriculum. A student shall receive academic credit for each of the courses transferred and may not be required to take additional core curriculum courses at the receiving institution unless the board has approved a larger core curriculum at the institution.

SECTION 28. Section 61.823, Education Code, is amended by adding Subsection (a-1) and amending Subsection (b) to read as follows:

(a-1) The board by rule may authorize a general academic teaching institution to adopt, for each field of study curriculum developed by the board for which the institution offers a degree program, a set of courses specific to that field of study, for a total of at least six semester credit hours or the equivalent, that must be completed as part of the field of study curriculum for that institution. Each general academic teaching institution that adopts a set of courses for a field of study curriculum under this subsection shall post on the institution's Internet website in a manner easily accessible to students the set of courses with the associated course numbers under the common course numbering system.

(b) If a student successfully completes a field of study curriculum developed by the board, that block of courses may be transferred to a general academic teaching institution and, subject to completion of the set of courses adopted by the institution for that field of study under Subsection (a-1), must be substituted for that institution's lower division requirements for the degree program for the field of study into which the student transfers, and the student shall receive full academic credit toward the degree program for the block of courses transferred.

SECTION 29. Sections 61.826(c), (d), and (e), Education Code, are amended to read as follows:

(c) If an institution of higher education proposes to deny the application toward the institution's core curriculum or a field of study curriculum developed by the board under Section 61.823 of ~~[does not accept]~~ course credit earned by a student at another institution of higher education in the other institution's core curriculum or in a field of study curriculum, that institution must:

(1) ~~[shall]~~ give written notice to the student and the other institution of that institution's intent to deny ~~[that]~~ the application ~~[transfer]~~ of the course credit to the institution's core curriculum or field of study curriculum and the reasons for the proposed denial;

(2) ~~[is denied. The two institutions and the student shall]~~ attempt to resolve the application ~~[transfer]~~ of the course credit to the institution's core curriculum or field of study curriculum with the other institution and the student in accordance with this section and board rules;

(3) resolve the dispute not later than the 45th day after the date on which the student enrolls in that institution; and



(4) if ~~if~~ the ~~transfer~~ dispute is not resolved to the satisfaction of the student or the institution at which the credit was earned, ~~[within 45 days after the date the student received written notice of the denial, the institution that denies the transfer of the course credit shall]~~ notify the commissioner of higher education of its denial to apply the course credit to the institution's core curriculum or field of study curriculum and the reasons for the denial.

(d) Not later than the 20th business day after the date the commissioner of higher education receives notice of a dispute concerning the application of course credit to an institution of higher education's core curriculum or field of study curriculum under Subsection (c)(4), the ~~[The]~~ commissioner ~~[of higher education]~~ or the commissioner's designee shall make the final determination about the ~~[a]~~ dispute ~~[concerning the transfer of course credit]~~ and give written notice of the determination to the involved student and institutions. If the commissioner or the commissioner's designee determines that the institution may not deny the application of course credit described by Subsection (c) to the institution's core curriculum or field of study curriculum, the institution shall apply that course credit toward the institution's core curriculum or field of study curriculum, as applicable. A determination by the commissioner or the commissioner's designee under this subsection is final and may not be appealed.

(e) The board shall:

(1) collect data on the types of transfer disputes that are reported and the disposition of each case that is considered by the commissioner of higher education or the commissioner's designee; and

(2) post on the board's Internet website a list of each case that is considered by the commissioner of higher education or the commissioner's designee under this section, including the disposition of the case.

SECTION 30. Section 61.827(b), Education Code, is amended to read as follows:

(b) In adopting rules regarding the recommended core curriculum developed under Section 61.822, the board shall appoint a committee to advise the board ~~[use the negotiated rulemaking procedures]~~ under Section 2001.031 [Chapter 2008], Government Code.

SECTION 31. Subchapter S, Chapter 61, Education Code, is amended by adding Section 61.834 to read as follows:

Sec. 61.834. TEXAS DIRECT ASSOCIATE DEGREE. A public junior college, public state college, or public technical institute shall award a student a "Texas Direct" associate degree and include an appropriate notation on the student's transcript if the student completes a field of study curriculum developed by the board under Section 61.823 and:

(1) the college's core curriculum; or  
(2) an abbreviated core curriculum related to a specific approved field of study curriculum transferable to one or more general academic teaching institutions.

SECTION 32. Section 61.882(d), Education Code, is amended to read as follows:

(d) In awarding grants under this subchapter, the board:

- (1) shall, to the greatest extent practicable:
  - (A) award grants to at least one eligible entity in each region of the state; and
  - (B) ensure that each training program:
    - (i) matches regional workforce needs;
    - (ii) is supported by a labor market analysis of job postings and employers hiring roles with the skills developed by the program; and
    - (iii) does not duplicate existing program offerings except as necessary to accommodate regional demand; and
- (2) may give preference to applicants that:
  - (A) represent a consortium of lower-division institutions of higher education;
  - (B) prioritize training to displaced workers;
  - (C) offer affordable training programs to students; or
  - (D) partner with employers, local chambers of commerce, trade associations, economic development corporations, and local workforce boards to analyze job postings and identify employers hiring roles with the skills developed by the training programs.

SECTION 33. Section 130.001(b), Education Code, is amended to read as follows:

(b) The coordinating board shall have the responsibility for adopting policies, enacting regulations, and establishing general rules necessary for carrying out the duties with respect to public junior colleges as prescribed by the legislature, and with the advice and assistance of the commissioner of higher education, shall have authority to:

(1) authorize the creation of public junior college districts as provided in the statutes, giving particular attention to the need for a public junior college in the proposed district and the ability of the district to provide adequate local financial support;

(2) dissolve any public junior college district which has failed to establish and maintain a junior college within three years from the date of its authorization;

(3) adopt standards for the operation of public junior colleges and prescribe the rules and regulations for such colleges;

(4) require of each public junior college such reports as deemed necessary in accordance with the coordinating board's rules and regulations; and

(5) establish a standing advisory committee ~~[commissions]~~ composed of representatives of public junior colleges ~~[and other citizens of the state]~~ to provide advice and counsel to the coordinating board with respect to the funding of public junior colleges necessary to carry out this chapter and Chapter 130A.

SECTION 34. Sections 130.003(a), (b), (e), and (f), Education Code, are amended to read as follows:

(a) There shall be appropriated biennially from money in the state treasury not otherwise appropriated an amount sufficient to supplement local funds for the proper support, maintenance, operation, and improvement of those public junior

colleges of Texas that meet the standards prescribed by this chapter. The sum shall be allocated in accordance with Chapter 130A ~~[on the basis of contact hours within categories developed, reviewed, and updated by the coordinating board]~~.

(b) To be eligible for and to receive money appropriated under Subsection (a) ~~[a proportionate share of the appropriation]~~, a public junior college must certify to the coordinating board, in the manner prescribed by coordinating board rule, that the college:

(1) offers ~~[be certified as a public junior college as prescribed in Section 61.063;~~

~~[(2) offer]~~ a minimum of 24 semester hours of vocational and/or terminal courses;

(2) collects ~~[(3) have complied with all existing laws, rules, and regulations governing the establishment and maintenance of public junior colleges;~~

~~[(4) collect]~~, from each full-time and part-time student enrolled, tuition ~~[matriculation]~~ and other ~~[session]~~ fees in the amounts required by law or in the amounts set by the governing board of the junior college district as authorized by this title;

(3) grants ~~[(5) grant]~~, when properly applied for, the scholarships and tuition exemptions provided for in this code;

(4) ~~and~~ ~~[(6)]~~ for a public junior college established on or after September 1, 1986, levies and collects ~~[levy and collect]~~ ad valorem taxes as provided by law for the operation and maintenance of the ~~[public junior]~~ college; and

(5) has complied with all laws and coordinating board rules for the establishment and operation of a public junior college.

(c) The primary purpose of each public junior ~~[community]~~ college shall be to provide:

(1) technical programs up to two years in length leading to associate degrees or certificates;

(2) vocational programs leading directly to employment in semi-skilled and skilled occupations;

(3) ~~[freshman and sophomore]~~ courses in the core curriculum or a field of study curriculum, as those terms are defined by Section 61.821 ~~[arts and sciences]~~;

(4) continuing adult education programs for occupational or cultural upgrading;

(5) compensatory education programs designed to fulfill the commitment of an admissions policy allowing the enrollment of disadvantaged students;

(6) a continuing program of counseling and guidance designed to assist students in achieving their individual educational goals;

(7) work force development programs designed to meet local and statewide needs;

(8) adult literacy and other basic skills programs for adults; and

(9) such other purposes as may be prescribed by the coordinating board ~~[Texas Higher Education Coordinating Board]~~ or local governing boards in the best interest of post-secondary education in this state ~~[Texas]~~.

(f) This section does not affect the application of ~~[alter, amend, or repeal]~~ Section 54.231 ~~[54.060 of this code]~~.

SECTION 35. Section 130.0031, Education Code, is amended to read as follows:

Sec. 130.0031. TRANSFERS: WHEN MADE. (a) In consultation with the advisory committee established under Section 130.001(b)(5), the Texas Higher Education Coordinating Board by rule shall adopt a payment schedule by which money appropriated to junior college districts under this chapter and Chapter 130A is distributed to those districts ~~[In this section:~~

~~[(1) "Category 1 junior college" means a junior college having not more than 2,500 students in fall head count enrollment for the previous fiscal year and not more than \$300,000 of local taxes collected, excluding taxes for debt service, in the previous fiscal year.~~

~~[(2) "Category 2 junior college" means a junior college having more than 2,500 students in fall head count enrollment for the previous fiscal year or more than \$300,000 of local taxes collected, excluding taxes for debt service, in the previous fiscal year].~~

(b) The Texas Higher Education Coordinating Board may modify the ~~[Money appropriated for payment to junior colleges under the authority of Section 130.003 of this code shall be paid to each eligible category 1 junior college out of the public junior college reimbursement fund as follows:~~

~~[(1) 24 percent of the yearly entitlement of the junior college shall be paid in two equal installments to be made on or before the 25th day of September and October; and~~

~~[(2) 76 percent of the yearly entitlement of the junior college shall be paid in eight equal installments to be made on or before the 25th day of November, December, January, February, March, April, May, and June.~~

~~[(c) Money appropriated for payment to junior colleges under the authority of Section 130.003 of this code shall be paid to each eligible category 2 junior college out of the public junior college reimbursement fund as follows:~~

~~[(1) 24 percent of the yearly entitlement of the junior college shall be paid in two equal installments to be made on or before the 25th day of September and October; and~~

~~[(2) 76 percent of the yearly entitlement of the junior college shall be paid in eight equal installments to be made on or before the 25th day of November, December, March, April, May, June, July, and August.~~

[(d) The] amount of any installment required under the payment schedule adopted under Subsection (a) [by this section may be modified] to, in accordance with this chapter, Chapter 130A, the General Appropriations Act, or coordinating board rule:

(1) provide the junior college district with the proper amount to which the junior college district may be entitled by law; and

(2) [to] correct errors in the allocation or distribution of funds.

(c) If the amount of an installment under the payment schedule adopted under Subsection (a) [this section] is required to be equal to the amount of another installment [other installments], the amount of the other installment [installments] may be adjusted to provide for that equality. A payment under this section is not invalid because it is not equal to other installments.

SECTION 36. Section 130.0033(c), Education Code, is amended to read as follows:

(c) Charging tuition at a reduced rate under this section does not affect the right of the public junior college to an allocation ~~[a proportionate share]~~ of state appropriations under this chapter and Chapter 130A ~~[Section 130.003]~~ for the contact hours attributable to students paying tuition at the reduced rate.

SECTION 37. Section 130.0034(a), Education Code, is amended to read as follows:

(a) The governing board of a ~~[public]~~ junior college district may charge a student a higher rate of tuition than the tuition that would otherwise be charged for a course in which the student enrolls if:

(1) the student has previously enrolled in the same course or a course of substantially the same content and level two or more times; and

(2) the student's enrollment in the course is not included in the contact hours used to determine the junior college's allocation ~~[proportionate share]~~ of state appropriations under this chapter and Chapter 130A ~~[Section 130.003]~~.

SECTION 38. Section 130.0051(a), Education Code, is amended to read as follows:

(a) The board of trustees of a junior college district by resolution may change the name of the district or a college within the district ~~[by eliminating the words "community" or "junior" from the name of the district or college]~~, unless the change would cause the district or college to have the same or substantially the same name as an existing district, college, or other public or private institution of higher education in this state.

SECTION 39. Section 130.008(c), Education Code, is amended to read as follows:

(c) The contact hours attributable to the enrollment of a high school student in a course offered for joint high school and junior college credit under this section, excluding a course for which the student attending high school may receive course credit toward the physical education curriculum requirement under Section 28.002(a)(2)(C), shall be included in the contact hours used to determine the junior college's allocation ~~[proportionate share]~~ of the state money appropriated and distributed to public junior colleges under this chapter and Chapter 130A ~~[Sections 130.003 and 130.0031]~~, even if the junior college waives all or part of the tuition or fees for the student under Subsection (b).

SECTION 40. Section 130.085(b), Education Code, is amended to read as follows:

(b) This action by the board of trustees does not affect their authority under Section 130.123 ~~[of this code]~~, nor does this section in any way supersede that section. This action of the board does not affect the right of the college to an allocation ~~[a proportionate share]~~ of state appropriations under this chapter and Chapter 130A ~~[Section 130.003 of this code]~~.

SECTION 41. Section 130.090(c), Education Code, is amended to read as follows:

(c) The grant of an exemption from tuition under Subsection (b) does not affect the right of a junior college to an allocation ~~[a proportionate share]~~ of state appropriations under this chapter and Chapter 130A ~~[Section 130.003]~~ attributable to the contact hours of the junior college with the student receiving the exemption.

SECTION 42. Section 130.310(a), Education Code, is amended to read as follows:

(a) ~~A [Except as provided by Subsection (b), a] degree program created under this subchapter shall [may] be funded solely by a public junior college's allocation [proportionate share] of state appropriations under this chapter and Chapter 130A [Section 130.003], local funds, and private sources. [This subsection does not require the legislature to appropriate state funds to support a degree program created under this subchapter.]~~ The coordinating board shall weigh contact hours attributable to students enrolled in a junior-level or senior-level course offered under this subchapter used to determine a public junior college's allocation ~~[proportionate share]~~ of state appropriations under this chapter and Chapter 130A ~~[Section 130.003]~~ in the same manner as a lower division course in a corresponding field.

SECTION 43. Section 130.352, Education Code, is amended to read as follows:

Sec. 130.352. FORMULA FUNDING FOR WORKFORCE CONTINUING EDUCATION COURSES. Notwithstanding Section 130.003 or any other law, contact hours attributable to the enrollment of a student in a workforce continuing education course offered by a public junior college shall be included in the contact hours used to determine the college's allocation ~~[proportionate share]~~ of state money appropriated and distributed to public junior colleges under this chapter and Chapter 130A ~~[Sections 130.003 and 130.0031]~~, regardless of whether the college waives all or part of the tuition or fees for the course under Section 130.354.

SECTION 44. Section 130.355, Education Code, is amended to read as follows:

Sec. 130.355. RULES. The coordinating board shall adopt any rules the coordinating board considers necessary for the administration of this subchapter. ~~[In adopting those rules, the coordinating board shall use the negotiated rulemaking procedures under Chapter 2008, Government Code.]~~

SECTION 45. Chapter 130, Education Code, is amended by adding Subchapter O to read as follows:

SUBCHAPTER O. OPPORTUNITY HIGH SCHOOL DIPLOMA PROGRAM

Sec. 130.451. DEFINITIONS. In this subchapter:

(1) "Coordinating board" means the Texas Higher Education Coordinating Board.

(2) "General academic teaching institution" has the meaning assigned by Section 61.003.

(3) "Program," unless the context indicates otherwise, means the Opportunity High School Diploma program established under this subchapter.

Sec. 130.452. PURPOSE. The purpose of the program is to provide an alternative means by which adult students enrolled in a workforce education program at a public junior college may earn a high school diploma at the college through concurrent enrollment in a competency-based education program that enables students to demonstrate knowledge substantially equivalent to the knowledge required to earn a high school diploma in this state.

Sec. 130.453. ADMINISTRATION. The coordinating board shall administer the program in consultation with the Texas Education Agency and the Texas Workforce Commission.

Sec. 130.454. APPROVAL OF ALTERNATIVE HIGH SCHOOL DIPLOMA PROGRAM. (a) A public junior college may submit to the coordinating board an application to participate in the program. The application must propose an alternative competency-based high school diploma program to be offered for concurrent enrollment to adult students without a high school diploma who are enrolled in a workforce education program at the college. The proposed program may include any combination of instruction, curriculum, achievement, internships, or other means by which a student may attain knowledge sufficient to adequately prepare the student for postsecondary education or additional workforce education.

(b) A public junior college may submit an application under Subsection (a) together with one or more public junior colleges, general academic teaching institutions, public school districts, or nonprofit organizations with whom the proposed program described by that subsection will be offered as provided by Subsection (e).

(c) The coordinating board may approve not more than five public junior colleges to participate in the program.

(d) Subject to Subsection (c), the coordinating board shall review and approve a public junior college's application to participate in the program if the board determines that the college's proposed program described by Subsection (a) will provide instruction and assessments appropriate to ensure that a student who successfully completes the proposed program demonstrates levels of knowledge sufficient to adequately prepare the student for postsecondary education or additional workforce education. The coordinating board may coordinate with the Texas Education Agency as necessary to make a determination under this subsection.

(e) A public junior college approved to participate in the program may:

(1) enter into an agreement with one or more public junior colleges, general academic teaching institutions, public school districts, or nonprofit organizations to offer the program described by Subsection (a); and

(2) offer the program described by Subsection (a) at any campus of the college or an entity with which the college has entered into an agreement under Subdivision (1).

Sec. 130.455. AWARD OF HIGH SCHOOL DIPLOMA. (a) A public junior college participating in the program may award a high school diploma to a student enrolled in the alternative competency-based high school diploma program offered by the college under the program if the student performs satisfactorily on assessment instruments prescribed by coordinating board rule.

(b) A high school diploma awarded under the program is equivalent to a high school diploma awarded under Section 28.025.

Sec. 130.456. FUNDING. (a) The coordinating board and the Texas Workforce Commission shall coordinate to jointly identify funding mechanisms, including grants, interagency contracts, financial aid, or subsidies, available to public junior colleges and students to encourage and facilitate participation in the program.

(b) A public junior college participating in the program is entitled to receive funding under Section 130.003 for the program in the manner provided by coordinating board rule.

Sec. 130.457. REPORT. Not later than December 1, 2026, the coordinating board shall submit to the legislature a progress report on the effectiveness of the program and any recommendations for legislative or other action. This section expires September 1, 2027.

Sec. 130.458. RULES. The coordinating board may adopt rules as necessary to implement this subchapter.

SECTION 46. Subtitle G, Title 3, Education Code, is amended by adding Chapter 130A to read as follows:

CHAPTER 130A. PUBLIC JUNIOR COLLEGE STATE FINANCE  
PROGRAM

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 130A.001. LEGISLATIVE INTENT. It is the intent of the legislature that, as public junior colleges are locally governed institutions, providing foundational funding for instruction and operations of public junior colleges should be primarily a local responsibility, supported through a combination of tuition, fees, and local property taxes, with state funding focused primarily on rewarding outcomes aligned with regional and state education and workforce needs.

Sec. 130A.002. PURPOSE. The purpose of the public junior college state finance program established under this chapter is to provide a modern and dynamic finance system that ensures that each public junior college has access to adequate state appropriations and local resources to support the education and training of the workforce of the future.

Sec. 130A.003. DEFINITIONS. In this chapter:

(1) "Commissioner" means the commissioner of higher education.

(2) "Coordinating board" means the Texas Higher Education Coordinating Board.



(3) "Program" means the public junior college state finance program established under this chapter.

(4) "Public junior college" has the meaning assigned by Section 61.003. Sec. 130A.004. PROGRAM COMPONENTS. The program consists of:

(1) a base tier of state and local funding determined in accordance with Subchapter B that ensures each public junior college has access to a defined level of base funding for instruction and operations; and

(2) a performance tier of state funding determined in accordance with Subchapter C that constitutes the majority of state funding and is distributed based on measurable outcomes aligned with:

(A) regional and state workforce needs; and

(B) state goals aligned to the state's long-range master plan for higher education developed under Section 61.051.

Sec. 130A.005. ADMINISTRATION OF PROGRAM. (a) The coordinating board may adopt rules, require reporting, and take other actions consistent with Chapter 61, Chapter 130, and this chapter as necessary to implement and administer the program.

(b) In adopting rules under this section, the coordinating board shall consult with the advisory committee established under Section 130.001(b)(5).

(c) Notwithstanding Section 61.033, the coordinating board is not required to use negotiated rulemaking procedures under Chapter 2008, Government Code, for the adoption of rules under this section.

Sec. 130A.006. REQUIRED REPORTING. The coordinating board by rule shall require each junior college district to report to the coordinating board through the Education Data System, Community College Annual Reporting and Analysis Tool, Report of Fundable Operating Expenses, or any successor program, data necessary to:

(1) calculate funding under this chapter;

(2) provide timely data and analyses to inform management decisions by the governing body of each junior college district;

(3) administer or evaluate the effectiveness of the program; or

(4) audit the program.

Sec. 130A.007. COMMISSIONER AUTHORITY TO RESOLVE DATA REPORTING ERRORS AND UNINTENDED CONSEQUENCES FROM FUNDING FORMULAS. (a) The commissioner may review the accuracy of data reported to the coordinating board by junior college districts.

(b) The commissioner may adjust:

(1) the distribution of funding under this chapter for a state fiscal year as necessary to correct errors in data reporting identified through the commissioner's review under Subsection (a); and

(2) a junior college district's funding under this chapter if the funding formulas used to determine the district's entitlement would result in an unanticipated loss or gain for the district that would have a substantial negative impact on the district's operations.

(c) Before making an adjustment under this section, the commissioner must request and receive written approval from the Legislative Budget Board and the office of the governor. A request to make an adjustment is considered approved unless the Legislative Budget Board or the office of the governor issues a written disapproval within 60 business days after the date on which the request is received.

(d) If the commissioner makes an adjustment under Subsection (b), the commissioner shall provide to the legislature an explanation regarding the changes necessary to resolve the data reporting errors or the unintended consequences, as applicable.

Sec. 130A.008. CENSUS DATE ELIGIBILITY. A junior college district may report a student in attendance on the district's approved course census date for the purpose of funding under this chapter.

Sec. 130A.009. RECOVERY OF OVERALLOCATED FUNDS. (a) If a junior college district has received an overallocation of state funds, the coordinating board shall recover from the district an amount equal to the overallocation by withholding from subsequent allocations of state funds for the current or subsequent academic year or by requesting and obtaining a refund from the district.

(b) Notwithstanding Subsection (a), the coordinating board may recover an overallocation of state funds over a period not to exceed the subsequent five academic years if the commissioner determines that the overallocation was the result of exceptional circumstances reasonably caused by statutory changes to Chapter 130 or this chapter and related reporting requirements.

(c) If a junior college district fails to comply with a request for a refund under Subsection (a), the coordinating board shall report to the comptroller that the amount constitutes a debt for purposes of Section 403.055, Government Code. The coordinating board shall provide to the comptroller the amount of the overallocation and any other information required by the comptroller. The comptroller may certify the amount of the debt to the attorney general for collection. The junior college district's governmental immunity is waived to the extent necessary to collect the debt owed under this section.

(d) Subject to Subsection (e), the coordinating board may review a junior college district as necessary to determine if the district qualifies for each amount received by the district under this chapter. If the coordinating board determines that a junior college district received an amount to which the district was not entitled, the coordinating board may establish a corrective action plan or withhold the applicable amount of funding from the district.

(e) The coordinating board may not review junior college district expenditures that occurred seven or more years before the review.

Sec. 130A.010. GIFTS, GRANTS, AND DONATIONS. Except as provided by other law, an affiliated nonprofit organization described by Section 61.051(b) may solicit and accept gifts, grants, or donations of personal property from any public or private source to implement or administer this chapter.

SUBCHAPTER B. STATE FUNDING: BASE TIER

Sec. 130A.051. BASE TIER FORMULA. The amount of base tier state funding to which a junior college district is entitled for instruction and operations under this subchapter for a state fiscal year is an amount equal to the amount, if any, by which the district's guaranteed instruction and operations funding, as determined under Section 130A.052, exceeds the district's local share of base tier funding, as determined under Section 130A.056.

Sec. 130A.052. GUARANTEED INSTRUCTION AND OPERATIONS FUNDING FORMULA. The amount of a junior college district's guaranteed instruction and operations funding for a state fiscal year is equal to the sum of:

(1) the product of:

(A) the district's basic allotment under Section 130A.053; and

(B) the number of weighted full-time equivalent students enrolled at the district determined in accordance with Section 130A.054; and

(2) the district's contact hour funding under Section 130A.055.

Sec. 130A.053. BASIC ALLOTMENT. The basic allotment for a junior college district for a state fiscal year is an amount per weighted full-time equivalent student set by the General Appropriations Act or other legislative appropriation.

Sec. 130A.054. WEIGHTED FULL-TIME EQUIVALENT STUDENT; SCALE ADJUSTMENT. (a) The coordinating board by rule shall establish student weights for purposes of this chapter that reflect the higher cost of educating certain students.

(b) The student weights must be established in a manner that results in appropriate funding to a junior college district for the education of a student enrolled in an eligible credit or non-credit program who is:

(1) 25 years of age or older;

(2) economically disadvantaged, as defined by coordinating board rule;

or

(3) academically disadvantaged, as defined by coordinating board rule.

(c) Subject to Subsection (d), the number of weighted full-time equivalent students enrolled at a junior college district for purposes of this subchapter is equal to the sum of:

(1) the number of full-time equivalent students enrolled in the district;

and

(2) the sum of the weights assigned to students enrolled in the district.

(d) The coordinating board by rule shall establish an equitable adjustment to the number of weighted full-time equivalent students determined under this section for each junior college district with a total enrollment of fewer than 5,000 full-time equivalent students.

(e) Not later than November 1 of each even-numbered year, a junior college district that receives an adjustment under Subsection (d) shall submit to the commissioner a report on the district's participation in institutional partnerships and shared services available under Section 61.0571 or other partnerships to reduce costs and improve operational efficiency.

Sec. 130A.055. CONTACT HOUR FUNDING. (a) The legislature shall set by appropriation the amount of funding to be provided to a junior college district under this subchapter per contact hour.

(b) The amount of funding per contact hour must be weighted by discipline to reflect the cost of providing the applicable course.

(c) The coordinating board shall determine the total amount of contact hour funding to which each junior college district is entitled under this section.

Sec. 130A.056. LOCAL SHARE. A junior college district's local share of base tier funding is an amount equal to the sum of the amounts of revenue estimated to be generated by:

(1) imposing a maintenance and operations ad valorem tax in the district at a rate of \$0.05; and

(2) assessing an amount of tuition and fees to each full-time equivalent student enrolled in the district equal to the statewide average amount of tuition and fees assessed by junior college districts to a full-time equivalent student, determined as provided by coordinating board rule.

#### SUBCHAPTER C. STATE FUNDING: PERFORMANCE TIER

Sec. 130A.101. PERFORMANCE TIER. (a) A junior college district is entitled to performance tier funding for a state fiscal biennium in an amount equal to the sum of the amounts determined under Subsection (b) for each measurable outcome described by Subsection (c).

(b) The amount of performance tier funding for each measurable outcome described by Subsection (c) is equal to the product of:

(1) the sum of:

(A) the number of times that outcome was achieved by the junior college district, determined as provided by coordinating board rule; and

(B) for an outcome described by Subsection (c)(1) or (2), the sum of the applicable student weights established by coordinating board rule for the students who achieved the outcome at the junior college district as determined under Paragraph (A) of this subdivision; and

(2) the amount set by the General Appropriations Act or other legislative appropriation for the outcome.

(c) The measurable outcomes considered for purposes of performance tier funding are:

(1) the number of credentials of value awarded, as determined by the coordinating board based on analyses of wages and costs associated with the credential, including degrees, certificates, and other credentials from credit and non-credit programs that equip students for continued learning and greater earnings in the state economy, with an additional weight for placement of students who earn that credential in a high-demand occupation, as defined by coordinating board rule, or an appropriate proxy determined by the coordinating board based on available data;

(2) the number of students who earn at least 15 semester credit hours or the equivalent at the junior college district and:

(A) subsequently transfer to a general academic teaching institution, as that term is defined by Section 61.003; or

(B) are enrolled in a structured co-enrollment program, as authorized by coordinating board rule; and

(3) the number of students who complete a sequence of at least 15 semester credit hours or the equivalent for dual credit or dual enrollment courses, as defined by coordinating board rule, that apply toward academic or workforce program requirements at the postsecondary level.

SECTION 47. Section 136.001, Education Code, is amended by amending Subdivision (1) and adding Subdivision (1-a) to read as follows:

(1) "Coordinating board" means the Texas Higher Education Coordinating Board.

(1-a) "Nonprofit organization" means an organization exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c)(3) of that code.

SECTION 48. Section 136.005(a), Education Code, is amended to read as follows:

(a) The coordinating board ~~[grant administrator]~~ shall establish and administer the Texas Innovative Adult Career Education (ACE) Grant Program to provide grants to:

(1) eligible nonprofit workforce intermediary and job training organizations; and

(2) eligible nonprofit organizations providing job training to veterans.

SECTION 49. Section 136.006, Education Code, is amended to read as follows:

Sec. 136.006. ELIGIBLE ORGANIZATIONS. (a) To be eligible for a grant under the program, a nonprofit workforce intermediary and job training organization must:

(1) apply to the coordinating board ~~[grant administrator]~~ in the manner prescribed by the coordinating board ~~[grant administrator]~~;

(2) provide to eligible low-income students, in partnership with public junior colleges, public state colleges, or public technical institutes:

(A) job training; and

(B) a continuum of services designed to move a program participant from application to employment, including outreach, assessment, case management, support services, and career placement;

(3) be governed by a board or other governing structure that includes recognized leaders of broad-based community organizations and executive-level or managerial-level members of the local business community;

(4) demonstrate to the satisfaction of the coordinating board ~~[program advisory board]~~ that the organization's program has achieved or will achieve the following measures of success among program participants:

(A) above-average completion of developmental education among participating public junior college, public state college, or public technical institute students;

(B) above-average persistence rates among participating public junior college, public state college, or public technical institute students;

(C) above-average certificate or degree completion rates by participating students within a three-year period compared to demographically comparable public junior college, public state college, and public technical institute students; and

(D) entry into careers with significantly higher earnings for program participants than previously achieved; and

(5) provide matching funds in accordance with rules adopted under this chapter.

(a-1) To be eligible for a grant under the program, a nonprofit organization providing job training services to veterans must:

(1) apply to the coordinating board [~~grant administrator~~] in the manner prescribed by the coordinating board [~~grant administrator~~];

(2) provide to veterans, in partnership with public junior colleges, public state colleges, or public technical institutes:

(A) job training; and

(B) a continuum of services designed to move a program participant from application to employment, including outreach, assessment, case management, support services, and career placement;

(3) be governed by a board or other governing structure that includes recognized leaders of broad-based community organizations and executive-level or managerial-level members of the local business community;

(4) demonstrate to the satisfaction of the coordinating board [~~program advisory board~~] that the organization's program has achieved or will achieve the following measures of success among program participants:

(A) the measures prescribed by Subsections (a)(4)(A)-(C);

(B) rapid attainment of civilian workforce credentials; and

(C) entry into careers with significantly higher earnings for program participants than previously achieved; and

(5) provide matching funds in accordance with rules adopted under this chapter.

(b) The matching funds required under Subsection (a)(5) or (a-1)(5) may be obtained from any source available to the organization, including in-kind contributions, community or foundation grants, individual contributions, and local governmental agency operating funds. The coordinating board [~~grant administrator~~] may adopt rules requiring an organization to demonstrate compliance with the matching funds requirement before the payment of the next installment under an awarded grant.

SECTION 50. Section 136.007, Education Code, is amended to read as follows:

Sec. 136.007. RULES. [~~(a)~~] The coordinating board [~~grant administrator~~] shall adopt rules as necessary for the administration of this chapter, including [~~in the manner provided by Chapter 2001, Government Code, for a state agency.~~]

~~[(b) The grant administrator, with recommendations of the program advisory board, shall adopt]~~ rules regarding eligibility, program tuition and fees, administrative costs, matching funds, and case management and other supports for the program. The rules may include provisions for the payment in periodic installments of grant awards.

SECTION 51. Section 2308A.007, Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) A credential library established under this section must include the information included in the electronic tools or platforms developed by the coordinating board under Section 61.09022(a), Education Code.

SECTION 52. Sections 61.0593, 61.884(d), 130.003(d), 130.310(b), 136.002, 136.004, and 136.005(a-1), Education Code, are repealed.

SECTION 53. Sections 28.009(b-2), 28.010(a), and 29.908(b), Education Code, as amended by this Act, and Section 28.0095, Education Code, as added by this Act, apply beginning with the 2023-2024 school year.

SECTION 54. Sections 51.4033, 51.4034(a), 61.822(b) and (c), 61.823, 61.826(c), (d), and (e), and 61.827(b), Education Code, as amended by this Act, and Section 61.834, Education Code, as added by this Act, apply beginning with the 2023-2024 academic year.

SECTION 55. The change in law made by this Act to Section 56.407(g), Education Code, applies beginning with Texas Educational Opportunity Grants awarded for the 2024 fall semester. Grants awarded for a semester or term before the 2024 fall semester are governed by the applicable law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 56. The Texas Education Agency and the Texas Higher Education Coordinating Board may identify rules required by the passage of this Act that must be adopted on an emergency basis for purposes of the state fiscal year beginning September 1, 2023, and may use the procedures established under Section 2001.034, Government Code, for adopting those rules. The agency and the coordinating board are not required to make the finding described by Section 2001.034(a), Government Code, to adopt emergency rules under this section.

SECTION 57. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2023, and applies to the allocation of state funding to junior college districts beginning with the state fiscal biennium beginning September 1, 2023.

(b) Sections 7.040(a), 28.009(b-2), 28.010(a), 29.908(b), 51.4033, 51.4034(a), 51.762(b-1), 51.763(b), 61.031, 61.823, and 61.826(c), (d), and (e), Education Code, as amended by this Act, and Sections 28.0095, 61.09022, and 61.834 and Subchapter O, Chapter 130, Education Code, and Section 2308A.007(a-1), Government Code, as added by this Act, take effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, those provisions take effect September 1, 2023.

**HB 471 - HOUSE CONCURS IN SENATE AMENDMENTS  
TEXT OF SENATE AMENDMENTS**

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

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

Representative Patterson moved to concur in the senate amendments to **HB 471**.

The motion to concur in the senate amendments to **HB 471** prevailed by (Record 2063): 138 Yeas, 4 Nays, 1 Present, not voting.

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

Nays — Hinojosa; Ramos; Reynolds; Zwiener.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Johnson, A.; Murr.

Absent — Jones, V.; Leo-Wilson.

**STATEMENT OF VOTE**

When Record No. 2063 was taken, I was in the house but away from my desk. I would have voted yes.

V. Jones

**Senate Committee Substitute**

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



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

SECTION 1. Subtitle C, Title 5, Local Government Code, is amended by adding Chapter 177A to read as follows:

CHAPTER 177A. ILLNESS OR INJURY LEAVE OF ABSENCE FOR  
FIREFIGHTERS, POLICE OFFICERS, AND EMERGENCY MEDICAL  
SERVICES PERSONNEL OF POLITICAL SUBDIVISION

Sec. 177A.001. DEFINITIONS. In this chapter:

(1) "Emergency medical services personnel" means a person described by Section 773.003, Health and Safety Code, who is a paid employee of a political subdivision.

(2) "Firefighter" means a firefighter who is a permanent, paid employee of the fire department of a political subdivision. The term includes the chief of the department. The term does not include a volunteer firefighter.

(3) "Police officer" means a paid employee who is full-time, holds an officer license issued under Chapter 1701, Occupations Code, and regularly serves in a professional law enforcement capacity in the police department of a political subdivision. The term includes the chief of the department.

Sec. 177A.002. EFFECT ON LABOR AGREEMENTS. Notwithstanding any other law, including Section 142.067, 142.117, 143.207, 143.307, 143.361, 147.004, or 174.005, a collective bargaining, meet and confer, or other similar agreement that provides a benefit for an ill or injured employee must provide a benefit that, at a minimum, complies with this chapter.

Sec. 177A.003. LINE OF DUTY ILLNESS OR INJURY LEAVE OF ABSENCE. A political subdivision shall provide to a firefighter, police officer, or emergency medical services personnel a leave of absence for an illness or injury related to the person's line of duty. The leave is with full pay for a period commensurate with the nature of the line of duty illness or injury. If necessary, the political subdivision shall continue the leave for at least one year.

Sec. 177A.004. RETURN TO DUTY. (a) If able, a firefighter, police officer, or emergency medical services personnel may return to light duty while recovering from a temporary disability. If medically necessary, the light duty assignment may continue for at least one year.

(b) After recovery from a temporary disability, a firefighter, police officer, or emergency medical services personnel shall be reinstated at the same rank and with the same seniority the person had before going on temporary leave, provided that the person can perform the essential functions of the job with or without reasonable accommodation.

SECTION 2. Section 504.051(a), Labor Code, is amended to read as follows:

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

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

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

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

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

SECTION 3. Section 177A.002, Local Government Code, as added by this Act, applies only to a collective bargaining, meet and confer, or other similar agreement entered into on or after the effective date of this Act.

SECTION 4. Section 504.051(a), Labor Code, as amended by this Act, applies only to a claim for workers' compensation benefits filed on or after the effective date of this Act. A claim filed before that date is governed by the law as it existed on the date the claim was filed, and the former law is continued in effect for that purpose.

SECTION 5. 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 471** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In added Section 177A.003, Local Government Code (page 1, line 51), between the underlined period and "A", insert "(a)".

(2) At the end of added Section 177A.003, Local Government Code (page 1, between lines 57 and 58), insert the following:

(b) At the end of the leave of absence under Subsection (a), the governing body of the political subdivision may extend the leave of absence at full or reduced pay.

(c) If the firefighter, police officer, or emergency medical services personnel is temporarily disabled by a line of duty injury or illness and the leave of absence and any extension granted by the governing body has expired, the person may use accumulated sick leave, vacation time, and other accrued benefits before the person is placed on temporary leave.

(d) If the leave of absence and any extension granted by the governing body has expired, a firefighter, police officer, or emergency medical services personnel who requires additional leave described by this section shall be placed on temporary leave.

(3) In added Section 177A.004(b), Local Government Code (page 2, lines 6-8), strike "leave, provided that the person can perform the essential functions of the job with or without reasonable accommodation." and substitute "leave. Another firefighter, police officer, or emergency medical services personnel may voluntarily do the work of the injured firefighter, police officer, or emergency medical services personnel until the person returns to duty."

(A. Johnson now present)

#### **HB 90 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 90**, A bill to be entitled An Act relating to benefits for certain members of the Texas military forces and survivors of members of the Texas military forces.

Representative Patterson moved to concur in the senate amendments to **HB 90**.

The motion to concur in the senate amendments to **HB 90** prevailed by (Record 2064): 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; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.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; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Murr.

Absent — Johnson, J.D.; Leo-Wilson.

### STATEMENT OF VOTE

When Record No. 2064 was taken, I was excused to attend a meeting of the Committee on General Investigating. I would have voted yes.

Murr

### Senate Committee Substitute

**CSHB 90**, A bill to be entitled An Act relating to benefits for certain members of the Texas military forces and survivors of members of the Texas military forces.

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

SECTION 1. This Act may be cited as the Bishop Evans Act.

SECTION 2. Subchapter C, Chapter 56B, Code of Criminal Procedure, is amended by adding Section 56B.109 to read as follows:

Sec. 56B.109. COMPENSATION FOR CERTAIN SURVIVORS OF MEMBERS OF TEXAS MILITARY FORCES. (a) In this section, "state active duty," "Texas military forces," and "Texas National Guard" have the meanings assigned by Section 437.001, Government Code.

(b) The attorney general shall award a lump sum payment in accordance with Subsection (c) to a claimant on behalf of an individual who is a victim of border crime and a member of the Texas military forces if:

(1) the individual died on or after March 6, 2021, but before September 1, 2023, while on state active duty;

(2) the individual's death was in connection with operations initiated to address criminal activity in the border region; and

(3) the claimant is:

(A) if the individual is a member of the Texas National Guard, a beneficiary designated by the individual on the individual's United States Department of Defense Form DD-93; or

(B) if the individual is not a member of the Texas National Guard or there is no beneficiary described by Paragraph (A):

(i) the surviving spouse of the individual;

(ii) a surviving child of the individual, if there is no surviving spouse; or

(iii) the surviving parent of the individual, if there is no surviving spouse or child.

(c) For purposes of Subsection (b), the lump sum payment amount payable to an eligible claimant is:

(1) if there is a claimant described by Subsection (b)(3)(A) or (B)(i), \$500,000 paid to the claimant; or

(2) if there is no claimant described by Subsection (b)(3)(A) or (B)(i), \$500,000, in equal shares:

(A) paid to each claimant described by Subsection (b)(3)(B)(ii); or

(B) paid to each claimant described by Subsection (b)(3)(B)(iii) if there is no claimant described by Subsection (b)(3)(B)(ii).

(d) This section may not be construed to limit the assistance or compensation a claimant may otherwise receive under this chapter.

(e) For purposes of this section, a beneficiary designated by an individual on the individual's United States Department of Defense Form DD-93 is a "claimant."

SECTION 3. Section 615.004(a), Government Code, is amended to read as follows:

(a) A finding that assistance is payable to an eligible survivor of an individual listed under Section 615.003 or 615.024 is not a declaration of the cause, nature, or effect of a death for any other purpose.

SECTION 4. Section 615.021(b), Government Code, is amended to read as follows:

(b) Payment of assistance may not occur under this subchapter unless an individual is eligible under Subsection (a) or Section 615.024.

SECTION 5. Subchapter B, Chapter 615, Government Code, is amended by adding Section 615.024 to read as follows:

Sec. 615.024. PAYMENT TO SURVIVORS OF MEMBERS OF TEXAS MILITARY FORCES. (a) In this section, "state active duty," "Texas military forces," and "Texas National Guard" have the meanings assigned by Section 437.001.

(b) Notwithstanding Section 615.003 or 615.021, a survivor of an individual who is a member of the Texas military forces is eligible to receive a lump sum payment described by Section 615.022 and monthly assistance described by Section 615.023, as applicable, which are the exclusive benefits available under this chapter, if:

(1) the individual died while on state active duty;

(2) the Texas Military Department certifies to the Employees Retirement System of Texas that the circumstances of the individual's death entitle an eligible survivor to the payment of assistance under this chapter; and

(3) the survivor is:

(A) if the individual is a member of the Texas National Guard, a beneficiary designated by the individual on the individual's United States Department of Defense Form DD-93; or

(B) if the individual is not a member of the Texas National Guard or there is no beneficiary described by Paragraph (A):

(i) the surviving spouse of the individual;

(ii) a surviving child of the individual, if there is no surviving spouse; or

(iii) the surviving parent of the individual, if there is no surviving spouse or child.

(c) The Texas Military Department shall adopt rules providing the circumstances under which the death of an individual described by Subsection (b) entitles an eligible survivor to the payment of assistance under this chapter.

SECTION 6. Sections 615.045(a), (c), and (d), Government Code, are amended to read as follows:

(a) Records of individuals listed by Section 615.003 or described by Section 615.024 and of survivors eligible for benefits under this chapter that are in the custody of the Employees Retirement System of Texas, an administering firm as defined by Section 1551.003, Insurance Code, a carrier as defined by Section 1551.007, Insurance Code, or another governmental agency acting with or on behalf of the retirement system are confidential and not subject to public disclosure, and the retirement system, administering firm, carrier, or governmental agency is not required to accept or comply with a request for a record or information about a record or to seek an opinion from the attorney general, because the records are exempt from the provisions of Chapter 552, except as otherwise provided by this section.

(c) The records of individuals listed by Section 615.003 or described by Section 615.024 and of eligible survivors remain confidential after release to a person as authorized by this section. The records of individuals listed by Section 615.003 or described by Section 615.024 and of eligible survivors may become

part of the public record of an administrative or judicial proceeding related to an appeal filed under this chapter, unless the records are closed to public access by a protective order issued under applicable law.

(d) The retirement system has sole discretion in determining whether a record is subject to this section. For purposes of this section, a record includes any identifying information about any person, living or deceased, who is or was:

(1) an individual listed in Section 615.003 or described by Section 615.024; or

(2) a survivor, heir, or beneficiary of an individual listed in Section 615.003 or described by Section 615.024.

SECTION 7. Subchapter C, Chapter 401, Labor Code, is amended by adding Section 401.027 to read as follows:

Sec. 401.027. APPLICABILITY TO CERTAIN MEMBERS OF TEXAS MILITARY FORCES. (a) In this section, "state active duty," "state training and other duty," and "Texas military forces" have the meanings assigned by Section 437.001, Government Code.

(b) For purposes of this subtitle, the travel of a member of the Texas military forces to or from the member's duty location while serving on state active duty and engaged in authorized duty under written orders or while on state training and other duty is considered to be in the course and scope of the member's employment.

SECTION 8. Section 501.001, Labor Code, is amended by adding Subdivisions (5-a) and (6-a) to read as follows:

(5-a) "Post-traumatic stress disorder" has the meaning assigned by Section 504.019.

(6-a) "State active duty" and "Texas military forces" have the meanings assigned by Section 437.001, Government Code.

SECTION 9. Subchapter B, Chapter 501, Labor Code, is amended by adding Sections 501.027, 501.028, and 501.029 to read as follows:

Sec. 501.027. COVERAGE FOR POST-TRAUMATIC STRESS DISORDER FOR MEMBERS OF TEXAS MILITARY FORCES. (a) Post-traumatic stress disorder suffered by a member of the Texas military forces on state active duty is a compensable injury under this subtitle only if it is based on a diagnosis that:

(1) the disorder is caused by one or more events occurring in the course and scope of the member's state active duty; and

(2) the preponderance of evidence indicates that the event or events were a producing cause of the disorder.

(b) For purposes of this subtitle, the date of injury for post-traumatic stress disorder suffered by a member of the Texas military forces is the date on which the member knew or should have known that the disorder may be related to the member's state active duty.

Sec. 501.028. EXPEDITED PROVISION OF MEDICAL BENEFITS FOR CERTAIN INJURIES SUSTAINED BY CERTAIN MEMBERS OF TEXAS MILITARY FORCES ON STATE ACTIVE DUTY. (a) This section applies only to a member of the Texas military forces who sustains a serious bodily injury, as defined by Section 1.07, Penal Code, on state active duty.

(b) An insurance carrier shall accelerate and give priority to a claim for medical benefits by a member of the Texas military forces to which this section applies, including all health care required to cure or relieve the effects naturally resulting from a compensable injury described by Subsection (a).

(c) The division shall accelerate, under rules adopted by the commissioner of workers' compensation, a contested case hearing requested by or an appeal submitted by a member of the Texas military forces to which this section applies regarding the denial of a claim for medical benefits, including all health care required to cure or relieve the effects naturally resulting from a compensable injury described by Subsection (a). The member shall provide notice to the division and independent review organization that the contested case or appeal involves a member of the Texas military forces.

Sec. 501.029. INTENT OF EXPEDITED PROVISION OF MEDICAL BENEFITS FOR CERTAIN INJURIES SUSTAINED BY CERTAIN MEMBERS OF TEXAS MILITARY FORCES. The purpose of Section 501.028 is to ensure that a claim for medical benefits by an injured member of the Texas military forces to which this section applies is accelerated by an insurance carrier to the full extent authorized by current law.

SECTION 10. (a) The changes in law made by this Act to Chapter 615, Government Code, relating to the death of a member of the Texas military forces applies only to a death that occurs on or after the effective date of this Act. For purposes of that chapter, the death of a member of the Texas military forces that occurs before the effective date of this Act is governed by the law in effect on the date the death occurred, and the former law is continued in effect for that purpose.

(b) The changes in law made by this Act relating to a claim for workers' compensation benefits by a member of the Texas military forces apply only to a claim for workers' compensation benefits based on a compensable injury that occurs on or after the effective date of this Act. A claim based on a compensable injury that occurs before that date is governed by the law in effect on the date that the compensable injury occurred, and the former law is continued in effect for that purpose.

SECTION 11. This Act takes effect September 1, 2023.

## **HB 2920 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 2920**, A bill to be entitled An Act relating to the distribution or posting of, and the development by the Texas Higher Education Coordinating Board of electronic tools or platforms to provide, information regarding postsecondary education and career opportunities.

Representative Paul moved to concur in the senate amendments to **HB 2920**.

The motion to concur in the senate amendments to **HB 2920** prevailed by (Record 2065): 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; García; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Murr.

Absent — Leo-Wilson.

### **Senate Committee Substitute**

**CSHB 2920**, A bill to be entitled An Act 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.

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

SECTION 1. Section 7.040(a), Education Code, is amended to read as follows:

(a) The agency shall prepare information comparing institutions of higher education in this state and post the information on the agency's Internet website. Information prepared under this section shall be made publicly available in a manner that is accessible ~~[given]~~ to any ~~[a]~~ public or private school student seeking ~~[who requests]~~ the information. The information shall:



(1) identify postsecondary education and career opportunities, including information that states the benefits of four-year and two-year higher education programs, postsecondary technical education, skilled workforce careers, and career education programs;

(2) assist prospective postsecondary students in assessing the value of a certificate program, associate or baccalaureate degree program, or other credential program offered by an institution of higher education by comparing ~~compare~~ each institution ~~of higher education~~ with other institutions using information included in the electronic tools or platforms developed by the Texas Higher Education Coordinating Board under Section 61.09022(a) ~~regarding:~~

~~[(A) the relative cost of tuition;~~

~~[(B) the retention rate of students;~~

~~[(C) the graduation rate of students;~~

~~[(D) the average student debt;~~

~~[(E) the loan repayment rate of students; and~~

~~[(F) the employment rate of students];~~

(3) identify the state's future workforce needs, as projected by the Texas Workforce Commission; ~~and~~

(4) include annual starting wage information and educational requirements for the top 25 ~~[40]~~ highest demand jobs in this state, as identified by the Texas Workforce Commission;

(5) identify the 40 baccalaureate degree programs with the highest average annual wages following graduation; and

(6) identify the 20 associate degree or certificate programs with the highest average annual wages following graduation.

SECTION 2. Section 51.762(b-1), Education Code, is amended to read as follows:

(b-1) An electronic common admission application form adopted under this section must include a prominent link to the electronic tools or platforms developed by the board under Section 61.09022 ~~[comparative gainful employment data regarding institutions of higher education, including information described by Section 7.040, on a website maintained by the board using data compiled by the board in coordination with the Texas Workforce Commission].~~

SECTION 3. Section 51.763(b), Education Code, is amended to read as follows:

(b) The form must:

(1) allow each applicant to:

(A) apply electronically to one or more of the general academic teaching institutions within the university system; and

(B) indicate preferences for admission between those institutions; and

(2) include a prominent link to the electronic tools or platforms developed by the board under Section 61.09022 ~~[comparative gainful employment data regarding institutions of higher education, including~~

~~information described by Section 7.040, on a website maintained by the board using data compiled by the board in coordination with the Texas Workforce Commission].~~

SECTION 4. The heading to Section 61.031, Education Code, is amended to read as follows:

Sec. 61.031. PUBLIC [~~INTEREST~~] INFORMATION AND COMPLAINTS.

SECTION 5. Section 61.031, Education Code, is amended by adding Subsection (d) to read as follows:

(d) Notwithstanding any other provision of law, information that relates to a current, former, or prospective applicant or student of an educational institution and that is obtained, received, or held by the board for the purpose of providing assistance with access to postsecondary education is confidential and excepted from disclosure under Chapter 552, Government Code, and may only be released in conformity with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g). The board may withhold information prohibited from being disclosed under this subsection without requesting a decision from the attorney general under Subchapter G, Chapter 552, Government Code.

SECTION 6. Subchapter C, Chapter 61, Education Code, is amended by adding Section 61.09022 to read as follows:

Sec. 61.09022. INFORMATION TO ASSIST STUDENTS IN ASSESSING VALUE OF POSTSECONDARY CREDENTIALS. (a) From money appropriated or otherwise available for the purpose, the board shall develop one or more electronic tools or platforms to provide information to assist prospective postsecondary students in assessing the value of a certificate program, associate or baccalaureate degree program, or other credential program offered by an institution of higher education or private or independent institution of higher education by comparing each institution with other institutions regarding:

(1) the relative cost of obtaining the certificate, degree, or other credential, based on the most recent data available to the board from the Texas Workforce Commission, institutions of higher education, the federal government, or any other source from which the board may obtain reliable data, including:

(A) the cost for each of the following at the 25th percentile, the median, and the 75th percentile:

- (i) total cost of attendance;
- (ii) tuition and fees;
- (iii) room and board;
- (iv) books and supplies;
- (v) transportation; and
- (vi) other costs; and

(B) the estimated net cost remaining after subtracting from the amount described by Paragraph (A) the average amount of scholarship and grant aid awarded to the typical student for the program;

(2) the value of the certificate, degree, or other credential as measured by comparing:

(A) the median wage earned by students who graduated with the certificate, degree, or other credential from the institution; and

(B) the median student debt of students who graduated with the certificate, degree, or other credential from the institution as compared to the median student debt of all students who graduated with the certificate, degree, or other credential, based on the most recent data available to the board from the Texas Workforce Commission, institutions of higher education, the federal government, or any other source from which the board may obtain reliable data;

(3) the average student debt-to-income ratio of students who graduated with the certificate, degree, or other credential from the institution and have student debt, including the estimated monthly student loan payment, computed using the standard 10-year repayment plan;

(4) progress on repaying student loans by students who graduated with the certificate, degree, or other credential from the institution; and

(5) educational outcomes for students seeking the certificate, degree, or other credential, including:

(A) for a program designed to be completed in more than one year, the percentage of students who continue in the program after the first year of study;

(B) the completion rate;

(C) the percentage of students who withdraw or transfer from the institution and subsequently graduate with the certificate, degree, or other credential from another institution of higher education or private or independent institution of higher education;

(D) the percentage of students who withdraw from the institution and do not enroll in the program at another institution of higher education or private or independent institution of higher education within three years of the withdrawal; and

(E) the percentage of graduates employed in the top five industries in this state, as identified by the Texas Workforce Commission, by certificate program, degree program, or other credential program within one year of graduation.

(c) The board may solicit and accept gifts, grants, and donations from any public or private source to implement this section.

(d) The board shall adopt rules as necessary to implement this section.

SECTION 7. Section 7.040(c), Education Code, is transferred to Section 61.09022, Education Code, as added by this Act, redesignated as Section 61.09022(b), Education Code, and amended to read as follows:

(b) ~~(c)~~ Each institution of higher education shall include on its Internet website, in a prominent location that is not more than three hyperlinks from the website's home page, a link to the electronic tools or platforms developed by the board [information posted on the agency's Internet website] under Subsection (a).

SECTION 8. Section 2308A.007, Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) A credential library established under this section must include the information included in the electronic tools or platforms developed by the coordinating board under Section 61.09022(a), Education Code.

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 420 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 420**, A bill to be entitled An Act relating to the offense of providing an alcoholic beverage to a minor; increasing a criminal penalty.

Representative Slawson moved to concur in the senate amendments to **HB 420**.

The motion to concur in the senate amendments to **HB 420** prevailed by (Record 2066): 142 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; 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; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; 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; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Guerra; Hinojosa.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Murr.

Absent — Johnson, J.D.

**STATEMENTS OF VOTE**

When Record No. 2066 was taken, I was shown voting no. I intended to vote yes.

Guerra

When Record No. 2066 was taken, I was shown voting no. I intended to vote yes.

Hinojosa

When Record No. 2066 was taken, I was excused to attend a meeting of the Committee on General Investigating. I would have voted yes.

Murr

**Senate Committee Substitute**

**CSHB 420**, A bill to be entitled An Act relating to the offense of providing an alcoholic beverage to a minor; increasing a criminal penalty.

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

SECTION 1. This Act may be cited as Kyle and Ethan's Law.

SECTION 2. Section 106.06(a), Alcoholic Beverage Code, as amended by Chapters 437 (**SB 55**) and 934 (**HB 1445**), Acts of the 73rd Legislature, Regular Session, 1993, is reenacted and amended to read as follows:

(a) Except as provided in Subsection (b) [~~of this section~~], a person commits an offense if the person [~~he~~] purchases an alcoholic beverage for or gives [~~or with criminal negligence makes available~~] an alcoholic beverage to a minor [~~with criminal negligence~~].

SECTION 3. Section 106.06, Alcoholic Beverage Code, is amended by amending Subsection (c) and adding Subsection (c-1) to read as follows:

(c) Except as provided by Subsection (c-1), an [Am] offense under this section is a Class A misdemeanor.

(c-1) An offense under this section is a state jail felony if it is shown on the trial of the offense that the person purchased an alcoholic beverage for or gave an alcoholic beverage to a minor who, as a result of the consumption of the alcoholic beverage, caused another person to suffer serious bodily injury or death.

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

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

**HB 4421 - HOUSE CONCURS IN SENATE AMENDMENTS  
TEXT OF SENATE AMENDMENTS**

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

**HB 4421**, A bill to be entitled An Act relating to qualifications for and limitations on awarding the Texas Legislative Medal of Honor.

Representative Wilson moved to concur in the senate amendments to **HB 4421**.

The motion to concur in the senate amendments to **HB 4421** prevailed by (Record 2067): 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; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Murr.

Absent — Dean; Gates.

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

Amend **HB 4421** (senate committee report) in SECTION 1 of the bill, amending Section 437.351(d), Government Code (page 1, lines 23 through 35), by striking lines 31 through 35 and substituting the following:

(1) one service member for service in the state or federal military forces during the period beginning after 1835 but before 1956; ~~and~~

(2) one service member for service in the state or federal military forces during the period beginning after January 1, 1956 but before September 11, 2001; and

(3) one service member for service in the state or federal military forces on or after September 11, 2001 ~~[and]~~.

### **HB 3536 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 3536**, A bill to be entitled An Act relating to a commercial landlord's remedies regarding certain unlawful activities on the premises of commercial rental property.

Representative Manuel moved to concur in the senate amendments to **HB 3536**.

The motion to concur in the senate amendments to **HB 3536** prevailed by (Record 2068): 124 Yeas, 21 Nays, 1 Present, not voting.

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

Nays — Cain; Canales; Clardy; Dean; Gerdes; Harrison; Hefner; Isaac; Leo-Wilson; Metcalf; Patterson; Schaefer; Schatzline; Shaheen; Slawson; Smithee; Stucky; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Murr.

### STATEMENT OF VOTE

When Record No. 2068 was taken, I was shown voting yes. I intended to vote no.

DeAyala

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

Amend **HB 3536** (senate committee report) in SECTION 1 of the bill, amending Section 93.013(a), Property Code, by striking added Subdivision (3) of that subsection (page 1, lines 39 through 44) and substituting the following:

(3) operating, maintaining, or advertising a massage establishment, as defined by Section 455.001, Occupations Code, that:

(A) is not exempt from licensing requirements under state or federal law and:

(i) has never been issued a license by the Texas Department of Licensing and Regulation; or

(ii) the license for which was suspended, revoked, or refused renewal by the Texas Department of Licensing and Regulation after the establishment obtained a right of possession in the leased premises; or

(B) was issued a citation, administrative penalty, civil penalty, or other civil or criminal sanction for:

(i) violating a local ordinance that relates to an offense listed in Subdivision (1) or (2) of this subsection;

(ii) operating a sexually oriented business; or

(iii) violating Section 455.202, Occupations Code.

## **HB 5010 - HOUSE CONCURS IN SENATE AMENDMENTS**

### **TEXT OF SENATE AMENDMENTS**

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

**HB 5010**, A bill to be entitled An Act relating to the classification of a grievance filed with the State Bar of Texas.

Representative Schofield moved to concur in the senate amendments to **HB 5010**.

The motion to concur in the senate amendments to **HB 5010** prevailed by (Record 2069): 101 Yeas, 44 Nays, 1 Present, not voting.

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

Nays — Allen; Bernal; Bhojani; Bowers; Bryant; Bucy; Canales; Cole; Collier; Davis; Flores; Gámez; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hernandez; Howard; Hunter; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Manuel; Martinez; Morales, C.; Morales Shaw; Neave Criado; Ortega; Plesa; Ramos; Reynolds; Rose; Rosenthal; Sherman; Talarico; Turner; Vo; Walle; Wu; Zwiener.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Murr.



**STATEMENTS OF VOTE**

When Record No. 2069 was taken, I was shown voting no. I intended to vote yes.

Flores

When Record No. 2069 was taken, I was shown voting yes. I intended to vote no.

Hinojosa

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

Amend **HB 5010** (senate committee printing) in SECTION 1 of the bill, amending Section 81.073, Government Code, as follows:

(1) Strike added Section 81.073(a)(1)(B), Government Code (page 1, lines 34 through 36), and substitute the following:

(B) is submitted by:

(i) a family member of a ward in a guardianship proceeding that is the subject of the grievance;

(ii) a family member of a decedent in a probate matter that is the subject of the grievance;

(iii) a trustee of a trust or an executor of an estate if the matter that is the subject of the grievance relates to the trust or estate;

(iv) the judge, prosecuting attorney, defense attorney, court staff member, or juror in the legal matter that is the subject of the grievance;

(v) a trustee in a bankruptcy that is the subject of the grievance; or

(vi) any other person who has a cognizable individual interest in or connection to the legal matter or facts alleged in the grievance; or

(2) Strike added Section 81.073(a)(2)(B), Government Code (page 1, lines 42 through 44), and substitute the following:

(B) the grievance is submitted by a person other than a person described by Subdivision (1)(B); or

**HB 1217 - HOUSE CONCURS IN SENATE AMENDMENTS  
TEXT OF SENATE AMENDMENTS**

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

**HB 1217**, A bill to be entitled An Act relating to the administration of and procedures relating to early voting by personal appearance.

Representative Swanson moved to concur in the senate amendments to **HB 1217**.

The motion to concur in the senate amendments to **HB 1217** prevailed by (Record 2070): 128 Yeas, 16 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Cook;

Cortez; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Goldman; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Holland; Howard; Hull; Isaac; Jetton; Johnson, A.; Johnson, J.E.; Jones, J.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, E.; Morales Shaw; Morrison; Muñoz; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Rogers; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thierry; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu.

Nays — Bucy; Collier; Davis; Gervin-Hawkins; González, J.; Hinojosa; Hunter; Jones, V.; Morales, C.; Neave Criado; Ramos; Reynolds; Romero; Talarico; Thompson, S.; Zwiener.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Murr.

Absent — Johnson, J.D.

### STATEMENTS OF VOTE

When Record No. 2070 was taken, I was shown voting yes. I intended to vote no.

Herrero

When Record No. 2070 was taken, I was shown voting yes. I intended to vote no.

J. Jones

### Senate Committee Substitute

**CSHB 1217**, A bill to be entitled An Act relating to the administration of and procedures relating to early voting by personal appearance.

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

SECTION 1. Section 19.004(a), Election Code, is amended to read as follows:

(a) Except as provided by Subsection (d), state funds disbursed under this chapter may be used only to:

(1) defray expenses of the registrar's office in connection with voter registration, including additional expenses related to:

(A) ~~[(+)]~~ implementation of the National Voter Registration Act of 1993 (52 U.S.C. Section 20501 et seq.) ~~[(42 U.S.C. Section 1973gg et seq.)]~~;

(B) ~~[(2)]~~ complying with ~~[the]~~ weekly updating requirements ~~[prescribed by Section 18.063]~~; and

(C) ~~[(3)]~~ the employment of temporary voter registration personnel for not more than 39 weeks in a state fiscal year; and

(2) if the registrar's county has a population of less than 55,000, defray the cost to the registrar's county of keeping the polling places in the county open during the early voting period as required under Sections 85.005(c), 85.006(e), and 85.064(d).

SECTION 2. Section 85.005(c), Election Code, is amended to read as follows:

(c) Voting ~~[In a county with a population of 55,000 or more, the voting]~~ in a primary election or the general election for state and county officers shall be conducted at the main early voting polling place for at least 12 consecutive hours on each weekday of the last week of the early voting period, and the voting in a special election ordered by the governor shall be conducted at the main early voting polling place for at least 12 consecutive hours on each of the last two days of the early voting period. Voting under this subsection may not be conducted earlier than 6 a.m. or later than 10 p.m. ~~[Voting shall be conducted in accordance with this subsection in those elections in a county with a population under 55,000 on receipt by the early voting clerk of a written request for the extended hours submitted by at least 15 registered voters of the county. The request must be submitted in time to enable compliance with Section 85.067.]~~

SECTION 3. Section 85.006(e), Election Code, is amended to read as follows:

(e) In a primary election or the general election for state and county officers ~~[in a county with a population of 55,000 or more]~~, the early voting clerk shall order voting by personal appearance at the main early voting polling place to be conducted on the last Saturday of the early voting period for at least 12 hours, except that voting may not be conducted earlier than 6 a.m. or later than 10 p.m., and on the last Sunday of the early voting period for at least six hours, except that voting may not be conducted earlier than 9 a.m. or later than 10 p.m. ~~[The early voting clerk shall order voting to be conducted at those times in those elections in a county with a population under 55,000 on receipt of a written request for those hours submitted by at least 15 registered voters of the county. The request must be submitted in time to enable compliance with Section 85.007.]~~ This subsection supersedes any provision of this subchapter to the extent of any conflict.

SECTION 4. The heading to Section 85.064, Election Code, is amended to read as follows:

Sec. 85.064. DAYS AND HOURS FOR VOTING: TEMPORARY BRANCH ~~[IN POPULOUS COUNTY]~~.

SECTION 5. Section 85.064(d), Election Code, is amended to read as follows:

(d) The authority authorized under Section 85.006 to order early voting on a Saturday or Sunday may also order, in the manner prescribed by that section, early voting to be conducted on a Saturday or Sunday at any one or more of the temporary branch polling places. In addition, the early voting clerk ~~[of a county covered by Section 85.006(e)]~~ shall order such voting in accordance with Section 85.006(e) [that subsection] at each temporary branch polling place established under Section 85.062(d).

SECTION 6. Section 85.068(a), Election Code, is amended to read as follows:

(a) The early voting clerk shall post notice for each election stating any dates and the hours that voting on Saturday or Sunday will be conducted under Section 85.064(d) [~~or 85.065(b)~~], if the early voting clerk is a county clerk or city secretary under Section 83.002 or 83.005.

SECTION 7. The following provisions of the Election Code are repealed:

- (1) Section 85.064(a); and
- (2) Section 85.065.

SECTION 8. The changes in law made by this Act apply only to an election for which early voting begins on or after the effective date of this Act.

SECTION 9. This Act takes effect September 1, 2023.

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

Amend **CSHB 1217** (senate committee report) in SECTION 3 of the bill, amending Section 85.006(e), Election Code, as follows:

- (1) On page 2, line 9, between "12" and "hours", insert "consecutive".
- (2) On page 2, line 12, between "six" and "hours", insert "consecutive".

### **HB 3310 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 3310**, A bill to be entitled An Act relating to deadlines for the claims appraisal process of the Texas Windstorm Insurance Association.

Representative Lozano moved to concur in the senate amendments to **HB 3310**.

The motion to concur in the senate amendments to **HB 3310** prevailed by (Record 2071): 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; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; 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.; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky;

Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Murr.

Absent — Jetton; Morales Shaw.

### STATEMENT OF VOTE

When Record No. 2071 was taken, I was in the house but away from my desk. I would have voted yes.

Jetton

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

Amend **HB 3310** (senate committee report) in SECTION 2 of the bill adding a rulemaking requirement (page 1, line 44), by striking "Not later than January 1, 2024, the" and substituting "The".

### 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).

### HB 2416 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

**HB 2416**, A bill to be entitled An Act relating to creation of the gulf coast protection trust fund to be administered by the General Land Office.

Representative Paul moved to concur in the senate amendments to **HB 2416**.

The motion to concur in the senate amendments to **HB 2416** prevailed by (Record 2072): 142 Yeas, 1 Nays, 1 Present, not voting.

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

Nays — Slawson.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Murr.

Absent — Jetton; Johnson, J.D.

### STATEMENTS OF VOTE

When Record No. 2072 was taken, I was in the house but away from my desk. I would have voted yes.

Jetton

When Record No. 2072 was taken, I was shown voting yes. I intended to vote no.

J. Lopez

### Senate Committee Substitute

**CSHB 2416**, A bill to be entitled An Act relating to creation of the gulf coast protection trust fund to be administered by the General Land Office.

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

SECTION 1. Subchapter C, Chapter 31, Natural Resources Code, is amended by adding Section 31.070 to read as follows:

Sec. 31.070. GULF COAST PROTECTION TRUST FUND. (a) The gulf coast protection trust fund is created as a trust fund outside the treasury and shall be administered by the land office under this section and rules adopted by the land office.

(b) The gulf coast protection trust fund consists of money from:

(1) gifts, grants, or donations to the land office for the protection of the gulf coast; or

(2) any other source designated by the legislature.

(c) Money in the gulf coast protection trust fund may be used only to pay expenditures for the development of infrastructure necessary or useful for protecting the gulf coast within the territory of the Gulf Coast Protection District established under Chapter 9502, Special District Local Laws Code.

(d) The land office may invest, reinvest, and direct the investment of any available money in the gulf coast protection trust fund. Money in the fund may be invested in the manner that state funds may be invested under Section 404.024, Government Code.

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

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

Amend **CSHB 2416** (senate committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. Subchapter C, Chapter 31, Natural Resources Code, is amended by adding Section 31.070 to read as follows:

Sec. 31.070. GULF COAST PROTECTION ACCOUNT. (a) The gulf coast protection account is a dedicated account in the general revenue fund administered by the land office under this section and rules adopted by the land office.

(b) The gulf coast protection account consists of money from:

(1) gifts, donations, and grants, including federal grants; and

(2) money appropriated, credited, or transferred to the account by the legislature.

(c) The land office shall deposit to the credit of the gulf coast protection account any federal money received by the state for the protection of the gulf coast, to the extent permitted by federal law.

(d) Money in the gulf coast protection account may be used only to pay for expenditures that:

(1) are eligible for credit towards the non-federal match of the Coastal Texas Protection and Restoration Feasibility Study Final Integrated Feasibility Report and Environmental Impact Statement issued by the Galveston District, Southwestern Division, of the United States Army Corps of Engineers;

(2) comply with the terms of a local cooperation agreement executed by the land office and the Gulf Coast Protection District established under Chapter 9502, Special District Local Laws Code; and

(3) are for projects that are necessary or useful for the protection of the portion of the gulf coast located within the territory of the district.

(e) The legislature finds that the expenditure of money in the gulf coast protection account in accordance with Subsection (d) serves a public purpose.

(f) The expenditure of money in the gulf coast protection account is subject to audit by the state auditor.

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

**HB 3323 - HOUSE CONCURS IN SENATE AMENDMENTS  
TEXT OF SENATE AMENDMENTS**

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

**HB 3323**, A bill to be entitled An Act relating to food system security and resiliency planning.

Representative Goodwin moved to concur in the senate amendments to **HB 3323**.

The motion to concur in the senate amendments to **HB 3323** prevailed by (Record 2073): 94 Yeas, 49 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Bailes; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Bucy; Burns; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Cunningham; Darby; Davis; Dorazio; Dutton; Flores; Frazier; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Hunter; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Lalani; Lambert; Longoria; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Oliverson; Ordaz; Orr; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Shine; Smithee; Talarico; Thierry; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Ashby; Bell, C.; Bonnen; Buckley; Bumgarner; Burrows; Cain; Craddick; Dean; DeAyala; Frank; Gates; Gerdes; Goldman; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Holland; Hull; Isaac; Klick; Kuempel; Landgraf; Leach; Leo-Wilson; Lopez, J.; Metcalf; Noble; Patterson; Paul; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Slawson; Smith; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Murr.

Absent — Hefner; Jetton.

### STATEMENT OF VOTE

When Record No. 2073 was taken, I was in the house but away from my desk. I would have voted no.

Jetton

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

Amend **HB 3323** (senate committee report) as follows:

(1) In SECTION 1 of the bill, strike added Section 23.005, Agriculture Code (page 3, lines 1 through 40).

(2) In SECTION 1 of the bill, strike added Section 23.006(a), Agriculture Code (page 3, lines 41 through 46), and substitute the following:

(a) The department shall report to the legislature biannually on the activities of the office and council. The report must contain a description of the activities of the council under this chapter.

(3) Strike SECTION 4 of the bill (page 3, line 66, through page 4, line 2).

(4) Renumber the SECTIONS of the bill and the provisions of added Chapter 23, Agriculture Code, and conform any references to those provisions as appropriate.



### **HB 3414 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 3414**, A bill to be entitled An Act relating to data or information collected by the statewide all payor claims database and the composition of the stakeholder advisory group.

Representative Oliverson moved to concur in the senate amendments to **HB 3414**.

The motion to concur in the senate amendments to **HB 3414** prevailed by (Record 2074): 139 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; 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; 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.; Troxclair; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Cain; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Murr.

Absent — Jetton.

### **STATEMENTS OF VOTE**

When Record No. 2074 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 2074 was taken, I was in the house but away from my desk. I would have voted yes.

Jetton

**Senate Committee Substitute**

**CSHB 3414**, A bill to be entitled An Act relating to the statewide all payor claims database.

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

SECTION 1. Section 38.402(7), Insurance Code, is amended to read as follows:

(7) "Payor" means any of the following entities that pay, reimburse, or otherwise contract with a health care provider for the provision of health care services, supplies, or devices to a patient:

- (A) an insurance company providing health or dental insurance;
- (B) the sponsor or administrator of a health or dental plan;
- (C) a health maintenance organization operating under Chapter

843;

(D) the state Medicaid program, including the Medicaid managed care program operating under Chapter 533, Government Code;

(E) a health benefit plan offered or administered by or on behalf of this state or a political subdivision of this state or an agency or instrumentality of the state or a political subdivision of this state, including:

- (i) a basic coverage plan under Chapter 1551;
- (ii) a basic plan under Chapter 1575; ~~and~~
- (iii) a primary care coverage plan under Chapter 1579; and
- (iv) a plan providing basic coverage under Chapter 1601; or

(F) any other entity providing a health insurance or health benefit plan subject to regulation by the department.

SECTION 2. Section 38.403, Insurance Code, is amended by amending Subsections (b) and (d) and adding Subsection (e) to read as follows:

(b) The advisory group created under this section must be composed of:

- (1) the state Medicaid director or the director's designee;
- (2) a member designated by the Teacher Retirement System of Texas;
- (3) a member designated by the Employees Retirement System of

Texas; and

(4) 13 ~~12~~ members designated by the center, including:

(A) two members representing the business community, with at least one of those members representing small businesses that purchase health benefits but are not involved in the provision of health care services, supplies, or devices or health benefit plans;

(B) two members who represent consumers and who are not professionally involved in the purchase, provision, administration, or review of health care services, supplies, or devices or health benefit plans, with at least one member representing the behavioral health community;

(C) two members representing hospitals that are licensed in this state;

(D) two members representing health benefit plan issuers that are regulated by the department;

(E) two members who are physicians licensed to practice medicine in this state, one of whom is a primary care physician; ~~and~~

(F) two members who are not professionally involved in the purchase, provision, administration, or review of health care services, supplies, or devices or health benefit plans and who have expertise in:

- (i) health planning;
- (ii) health economics;
- (iii) provider quality assurance;
- (iv) statistics or health data management; or
- (v) medical privacy laws; and

(G) one member representing an institution of higher education.

(d) Except as provided by Subsection (e), members [Members] of the stakeholder advisory group serve fixed terms as prescribed by commissioner rules adopted under this subchapter.

(e) A member representing an institution of higher education under Subsection (b)(4)(G) serves a term of one year.

SECTION 3. Section 38.404, Insurance Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) Notwithstanding Subsection (c), the center may not require a payor to collect or otherwise obtain from individuals covered by the payor data that is not included in a standard claim form, though the center may require submission of such data if it is otherwise collected by the payor, including provider and eligibility files.

SECTION 4. Section 38.405(c), Insurance Code, is amended to read as follows:

(c) Any information or data that is accessible through the portal created under this section:

(1) must be segmented by type of insurance or health benefit plan in a manner that does not combine payment rates relating to different types of insurance or health benefit plans;

(2) must be aggregated by like Current Procedural Terminology codes and health care services in a statewide, regional, metropolitan statistical, zip-code, or geozip area; and

(3) may not identify a specific patient, health care provider, health benefit plan, health benefit plan issuer, or other payor.

SECTION 5. Subchapter I, Chapter 38, Insurance Code, is amended by adding Section 38.4055 to read as follows:

Sec. 38.4055. APPLICATION FOR ACCESS TO CERTAIN DATA OR INFORMATION IN DATABASE. (a) An entity seeking to access data or information that is contained in the database but not accessible through the portal described by Section 38.405 must submit an application to the center for access to that data or information. The application must include:

(1) the sources and identity of all funding and funders of the research the entity will perform;

(2) the names of all individuals who may have access to the data or information that is contained in the database but not accessible through the portal described by Section 38.405, and any affiliations those individuals have with entities other than the entity submitting the application;

(3) the proposed study, research, or project that the entity plans to undertake and the purpose of the study, research, or project, including any anticipated final product from the study, research, or project;

(4) how the proposed research will further the purposes of this subchapter, improve the quality of care, or reduce the cost of care;

(5) a description of the proposed methodology;

(6) a description of the publication method of the manuscripts, reports, or other forms of output from the research; and

(7) for access to data that would require such an approval, an institutional review board determination letter that is an approval or an approval with modifications.

(b) The center shall review and make a determination on all applications in a timely manner.

(c) If the center denies an application, the center must identify with particularity the deficiencies in the application.

SECTION 6. Sections 38.406(a) and (b), Insurance Code, are amended to read as follows:

(a) Information that may identify a patient is confidential and subject to applicable state and federal law relating to records privacy and protected health information, including Chapter 181, Health and Safety Code, and is not subject to disclosure under Chapter 552, Government Code. Except as provided by Subsection (b), any [Any] information that may identify a [patient,] health care provider, health benefit plan, health benefit plan issuer, or other payor is confidential and subject to applicable state and federal law relating to records privacy and protected health information, including Chapter 181, Health and Safety Code, and is not subject to disclosure under Chapter 552, Government Code.

(b) A qualified research entity with access to data or information that is contained in the database but not accessible through the portal described in Section 38.405:

(1) may use the data or information contained in the database only for purposes consistent with the purposes of this subchapter and must use the data or information in accordance with standards, requirements, policies, and procedures established by the center in consultation with the stakeholder advisory group;

(2) may not sell or share any data or information contained in the database; and

(3) may report or publish data or information that identifies one or more health care providers, health benefit plans, health benefit plan issuers, or other mandatory payors only if the report or publication is made available to the public at no cost [not use the information contained in the database for a commercial purpose].

SECTION 7. Section 38.408, Insurance Code, is amended to read as follows:

Sec. 38.408. REPORT TO LEGISLATURE. Not later than September 1 of each even-numbered year, the center shall submit to the legislature a written report containing:

(1) an analysis of the data submitted to the center for use in the database;

(2) information regarding the submission of data to the center for use in the database and the maintenance, analysis, and use of the data;

(3) recommendations from the center, in consultation with the stakeholder advisory group, to further improve the transparency, cost-effectiveness, accessibility, and quality of health care in this state; ~~and~~

(4) an analysis of the trends of health care affordability, availability, quality, and utilization;

(5) a list of approved applications;

(6) a list of disapproved applications with the justification required by Section 38.4055(c); and

(7) a list of all applications that were neither approved nor disapproved by the 91st day after the application was submitted, including the particular reasons why each application was not approved or disapproved within that timeframe.

SECTION 8. The Center for Healthcare Data at The University of Texas Health Science Center at Houston is required to implement a provision of Subchapter I, Chapter 38, Insurance Code, as amended by this Act, only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the center may, but is not required to, implement a provision of that subchapter using other money available for that purpose.

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 1527 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 1527**, A bill to be entitled An Act relating to the relationship between dentists and certain employee benefit plans and health insurers.

Representative Oliverson moved to concur in the senate amendments to **HB 1527**.

The motion to concur in the senate amendments to **HB 1527** prevailed by (Record 2075): 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; García; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero;

Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; 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; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Murr.

Absent — Johnson, J.D.; Klick.

### Senate Committee Substitute

**CSHB 1527**, A bill to be entitled An Act relating to the relationship between dentists and certain employee benefit plans and health insurers.

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

SECTION 1. Section 1451.206, Insurance Code, is amended by adding Subsections (d) and (e) to read as follows:

(d) An employee benefit plan or health insurance policy provider or issuer may not recover an overpayment made to a dentist unless:

(1) not later than the 180th day after the date the dentist receives the payment, the provider or issuer provides written notice of the overpayment to the dentist that includes the basis and specific reasons for the request for recovery of funds; and

(2) the dentist:

(A) fails to provide a written objection to the request for recovery of funds and does not make arrangements for repayment of the requested funds on or before the 45th day after the date the dentist receives the notice; or

(B) objects to the request in accordance with the procedure described by Subsection (e) and exhausts all rights of appeal.

(e) An employee benefit plan or health insurance policy provider or issuer shall provide a dentist with the opportunity to challenge an overpayment recovery request and establish written policies and procedures for a dentist to object to an overpayment recovery request. The procedures must allow the dentist to access the claims information in dispute.

SECTION 2. Section 1451.2065, Insurance Code, is amended to read as follows:

Sec. 1451.2065. CONTRACTS WITH DENTISTS. (a) In this section:

(1) "Covered [~~,"covered~~] service" means a dental care service for which reimbursement is available under a patient's employee benefit plan or health insurance policy, or for which reimbursement is available subject to a contractual limitation, including:

- (A) ~~(+)~~ a deductible;
- (B) ~~(2)~~ a copayment;
- (C) ~~(3)~~ coinsurance;
- (D) ~~(4)~~ a waiting period;
- (E) ~~(5)~~ an annual or lifetime maximum limit;
- (F) ~~(6)~~ a frequency limitation; ~~(or)~~
- (G) ~~(7)~~ an alternative benefit payment; or
- (H) any other limitation.

(2) "Insurer" means a provider or issuer of an employee benefit plan or health insurance policy.

(b) A contract between an insurer and a dentist may not:

(1) limit the fee the dentist may charge for a service that is not a covered service; or

(2) include a provision that both:

(A) allows the insurer to disallow a service, resulting in denial of payment to the dentist for a service that ordinarily would have been covered; and

(B) prohibits the dentist from billing for and collecting the amount owed from the patient for that service if there is a dental necessity, as defined by Section 32.054, Human Resources Code, for that service.

SECTION 3. Subchapter E, Chapter 1451, Insurance Code, is amended by adding Section 1451.209 to read as follows:

Sec. 1451.209. REQUIREMENTS FOR THIRD PARTY ACCESS TO PROVIDER NETWORKS. (a) At the time a provider network contract is entered into or when material modifications are made to the contract relevant to granting a third party access to the contract, an employee benefit plan or health insurance policy provider or issuer shall allow any dentist that is part of the provider network to elect not to participate in the third party access to the contract and to elect not to enter into a contract directly with the third party that will obtain access to the provider network. This subsection does not permit the plan or policy provider or issuer to cancel or otherwise end a contractual relationship with a dentist if the dentist elects to not participate in or agree to third party access to the provider network contract.

(b) An employee benefit plan or health insurance policy provider or issuer that enters into a provider network contract with a dentist, or a contracting entity that has leased or acquired the provider network contract, may grant a third party access to the provider network contract or to a dentist's dental care services or contractual discounts provided under the contract only if:

(1) the provider network contract conspicuously states that the provider or issuer or contracting entity may enter into an agreement with a third party that allows the third party to obtain the provider's, issuer's, or contracting entity's rights and responsibilities as if the third party were the provider, issuer, or contracting entity;

(2) if the contracting entity is an employee benefit plan or health insurance policy provider or issuer, the provider network contract conspicuously states, in addition to the language required by Subdivision (1), that the dentist may elect not to participate in third party access to the provider network contract:

(A) at the time the provider network contract is entered into; or

(B) when there are material modifications to the provider network contract relevant to granting a third party access to the provider network contract;

(3) the third party accessing the provider network contract agrees to comply with all of the original contract's terms, including the contracted fee schedule and obligations concerning patient steerage;

(4) the provider, issuer, or other contracting entity provides in writing to the dentist the names of all third parties with access to the provider network in existence as of the date the contract is entered into;

(5) the provider, issuer, or other contracting entity identifies all current third parties with access to the provider network on its Internet website with a list updated at least once every 90 days;

(6) the provider, issuer, or other contracting entity requires a third party with access to the provider network to identify the source of any discount on all remittance advices or explanations of payment under which a discount is taken, provided that this subsection does not apply to electronic transactions mandated by the Health Insurance Portability and Accountability Act of 1996 (Pub. L. No. 104-191);

(7) the provider, issuer, or other contracting entity provides written or electronic notice to network dentists that a third party will lease, acquire, or obtain access to the provider network at least 30 days before the lease or access takes effect;

(8) the provider, issuer, or other contracting entity provides written or electronic notice to network dentists of the termination of the provider network contract at least 30 days before the termination date;

(9) a third party's right to a dentist's discounted rate ceases as of the termination date of the provider network contract; and

(10) the provider, issuer, or other contracting entity makes available a copy of the provider network contract relied on in the adjudication of a claim to a network dentist not later than the 30th day after the date the dentist requests a copy of that contract.

(c) Subsections (b)(7) and (8) do not apply to a contracting entity that only organizes and leases networks but does not engage in the business of insurance.

(d) A person may not bind or require a dentist to perform dental care services under a provider network contract that has been sold, leased, or assigned to a third party or for which a third party has otherwise obtained provider network access in violation of this section.

(e) This section does not apply:

(1) if access to a provider network contract is granted to:

(A) a third party operating in accordance with the same brand licensee program as the employee benefit plan provider, health insurance policy issuer, or other contracting entity selling or leasing the provider network contract, provided that the third party accessing the provider network contract agrees to comply with all of the original contract's terms, including the contracted fee schedule and obligations concerning patient steerage; or



(B) an entity that is an affiliate of the employee benefit plan provider, health insurance policy issuer, or other contracting entity selling or leasing the provider network contract, provided that:

(i) the provider, issuer, or entity publicly discloses the names of the affiliates on its Internet website; and

(ii) the affiliate accessing the provider network contract agrees to comply with all of the original contract's terms, including the contracted fee schedule and obligations concerning patient steerage;

(2) to the child health plan program under Chapter 62, Health and Safety Code, or the health benefits plan for children under Chapter 63, Health and Safety Code; or

(3) to a Medicaid managed care program operated under Chapter 533, Government Code, or a Medicaid program operated under Chapter 32, Human Resources Code.

SECTION 4. The changes in law made by this Act apply only to an employee benefit plan for a plan year that commences on or after January 1, 2024, or a health insurance policy delivered, issued for delivery, or renewed on or after January 1, 2024, and any provider network contract entered into on or after the effective date of this Act in connection with one of those plans or policies. An employee benefit plan for a plan year that commenced before January 1, 2024, or a health insurance policy delivered, issued for delivery, or renewed before January 1, 2024, and any provider network contract entered into before, on, or after the effective date of this Act in connection with one of those plans or policies 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 5. This Act takes effect September 1, 2023.

### **HB 2879 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 2879**, A bill to be entitled An Act relating to venue in certain actions involving a contract for an improvement to real property.

Representative Oliverson moved to concur in the senate amendments to **HB 2879**.

The motion to concur in the senate amendments to **HB 2879** prevailed by (Record 2076): 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; 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; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson,

J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Campos; Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Murr.

### STATEMENT OF VOTE

When Record No. 2076 was taken, I was shown voting yes. I intended to vote no.

Ramos

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

Amend **HB 2879** (senate committee printing) in SECTION 1 of the bill, in added Section 15.021(a), Civil Practice and Remedies Code (page 1, line 24), between "property" and "that requires", by inserting "located in this state".

### SB 1188 - CONFERENCE COMMITTEE REPORT ADOPTED

Representative Muñoz submitted the conference committee report on **SB 1188**.

Representative Muñoz moved to adopt the conference committee report on **SB 1188**.

The motion to adopt the conference committee report on **SB 1188** prevailed by (Record 2077): 129 Yeas, 14 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Ordaz; Orr; Ortega; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline;

Schofield; Sherman; Shine; Smith; Smithee; Spiller; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Troxclair; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Cain; Harrison; Hayes; Hefner; Leo-Wilson; Metcalf; Oliverson; Patterson; Shaheen; Slawson; Swanson; Toth; Vasut; Wilson.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent, Excused, Committee Meeting — Murr.

Absent — Dutton; Longoria.

### STATEMENTS OF VOTE

When Record No. 2077 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 2077 was taken, I was shown voting yes. I intended to vote no.

Schaefer

When Record No. 2077 was taken, I was shown voting yes. I intended to vote no.

Schatzline

(Murr now present)

### SB 763 - CONFERENCE COMMITTEE REPORT ADOPTED

Representative Hefner submitted the conference committee report on **SB 763**.

### SB 763 - REMARKS

REPRESENTATIVE HEFNER: After meeting with members of the senate and the author over there, we determined that Amendment No. 1 that we put on was redundant with the other guardrails we put in place, which would require a background check to be performed, and that they must not be a registered sex offender.

REPRESENTATIVE TALARICO: Representative Hefner, first I want to thank you for trying to work with me from the beginning of this process to try to improve the bill. I'm disappointed that the senate removed that key amendment. So I want to ask you some questions about the current version of the bill that we have before the body. First, Representative Hefner, do you think a chaplain can replace a school counselor?

HEFNER: I trust our school districts to make that determination, Representative Talarico. The bill is clear that they can either come in and work along with the counselors, in place of, or whatever the school best sees fit to serve their students and teachers.

TALARICO: Let me ask it another way. Do you think a chaplain has the same qualifications as a school counselor?

HEFNER: I don't think their qualifications all line up, but I do think they both have important qualifications that contribute to helping our kids and teachers in our schools.

TALARICO: So to be a school counselor in Texas, you have to have a master's degree. Does your bill require chaplains to have a master's degree?

HEFNER: No.

TALARICO: To be a school counselor in Texas, you have to teach in a classroom for two years. Does your bill require a chaplain to teach in a classroom for two years?

HEFNER: No, sir.

TALARICO: Does your bill specify any qualifications for chaplains serving in our schools?

HEFNER: I don't think there's any specific qualifications. I trust our school districts to spell out what qualifications they would require and make those decisions.

TALARICO: Does your bill define what a chaplain is?

HEFNER: I believe it does. I'm looking at it. I mean it's—chaplains are defined in many areas of our government. They serve in our armed forces. They serve in TDCJ and Health and Human Services. There's a lot of places that they serve. And they have specific training as to not force religion on people, but to be good listeners, good support people, and—

TALARICO: I'm glad, Representative Hefner, you brought that up. Is it correct that the senate stripped our house amendment requiring that any chaplains in our schools come from an organization endorsed by the Department of Defense, the TDCJ, or the Federal Bureau of Prisons?

HEFNER: It is accurate to say that they stripped that amendment, which we accepted, and then you voted against the bill after we accepted your amendment.

TALARICO: Now anyone could call themselves a chaplain and provide these services in our schools?

HEFNER: I'm not advised on how that would be defined. What I will reiterate time and time again is I have complete and total faith in our schools to make the decision to put the regulations they see fit in place to qualify these individuals.

TALARICO: Representative Hefner, are you aware that there are Internet services that will ordain a chaplain with just 40 hours of online training?

HEFNER: I'm not advised.

TALARICO: Under your bill, will we allow these Internet-ordained chaplains in our schools to interact with our kids?

HEFNER: Under our bill, we allow the school district to make those determinations at the local level.

TALARICO: I offered an amendment to the original bill to require these school chaplains to respect the free exercise of religion, and you refused to accept that amendment. Is that correct?

HEFNER: That's correct.

TALARICO: I offered an amendment to prevent chaplains from imposing their beliefs on students, and you refused to accept that amendment. Is that correct?

HEFNER: I refused to accept it because I trust the school districts to put the guidelines in place that they see reasonable and fit. And I also understand that chaplains do not force a religion on people. They're specifically trained not to do that.

TALARICO: And I offered an amendment to require chaplains to respect the diversity of a school community, and you refused to accept that amendment. Is that correct?

HEFNER: Because they are already trained to do such things.

TALARICO: Trained by whom?

HEFNER: Trained by the organizations that certify them as chaplains or recognize them as chaplains.

TALARICO: Does that include these Internet services?

HEFNER: I'm not advised of the details on that.

TALARICO: Okay, so we may be allowing chaplains who are not trained to do these things under the current language of the bill?

HEFNER: If the local school districts choose to do so. They can make those decisions themselves.

TALARICO: I offered an amendment to require parental consent before children can meet with the chaplain, and you refused to accept that amendment. Is that correct?

HEFNER: I don't recall all of the details of that day. It's been a few days and late nights.

TALARICO: We offered an amendment that you did accept requiring background checks. So I'm trying to figure out what kind of requirements we provide in this bill and which ones we don't.

HEFNER: I think these amendments that we took which were—the amendments you're talking about, too, were either accepted by this house or rejected by the majority of this house. Those were things that I felt would already be done by responsible school districts. I don't think we have a single school district in the state that would not require a background check or to make sure that these people aren't sex offenders. I mean, we've got to apply some common sense every now and then.

TALARICO: Representative Hefner, I'm concerned that the amendment stripped by the senate will now open up this bill to certain vendors. We've discussed the National School Chaplain Association. Do you remember that conversation?

HEFNER: I do not remember that. I don't recall.

TALARICO: The National School Chaplain Association testified in favor of the bill both in the house and the senate. Have they helped you with this bill at all?

HEFNER: I don't recall. I had input from a lot of different people.

TALARICO: Are you aware that the stated purpose of this organization is to "enhance God's presence by infiltrating the system and supporting Christians functioning and operating inside the school system"?

HEFNER: I'm not advised.

TALARICO: Do you think we should encourage the infiltration of our public schools?

HEFNER: You want to know what I really think, Mr. Talarico? I think it's preposterous that members in here will defend the acts of certain inappropriate drag shows in our schools and inappropriate material in our libraries and then have the audacity to say that this is a problem.

TALARICO: I don't know what drag shows have to do with this bill. But I want to ask you about this organization, the National School Chaplain Association. Do you know Rocky Malloy—he's their CEO—he testified in favor of the bill in the house and the senate?

HEFNER: I have met Rocky.

TALARICO: So you have met with Rocky Malloy?

HEFNER: I've met him before.

TALARICO: Has he worked on this bill at all?

HEFNER: They provided some input.

TALARICO: Are you aware that Rocky Malloy has said chaplains are not professional counselors and children don't need professional counseling, they just need to be heard?

HEFNER: I'm not familiar with that.

TALARICO: He said he has a phone application that gives instructions on how to pray with students who are suicidal. Do you believe that the answer to kids who are suicidal is for them to pray and not get professional mental health counseling?

HEFNER: That has nothing to do with this bill.

TALARICO: Rocky Malloy has stated he wants chaplains going into teachers' classrooms and reviewing every single book available to students. Do you, as the bill author, want chaplains censoring or banning books in libraries or classrooms?

HEFNER: No.

TALARICO: No? Are you familiar that Rocky Malloy describes himself as a former drug-smuggling pirate saved by divine intervention?

HEFNER: I'm not aware.

TALARICO: He's admitted to being convicted of international drug trafficking.

HEFNER: I'm not advised.

REPRESENTATIVE WU: We're asking you not to concur with this legislation. This original bill seeks to replace licensed counselors with untrained clergy and religious staff. The few guardrails that the house put in have been stripped out. We're asking you to send this back to the senate, send this back to conference, and put some more guardrails back in. I urge you to vote no on concurrence.

HEFNER: I, like many of y'all, have complete trust in our school boards. I believe they have the best interest of our students in mind, and I trust them to hire a qualified chaplain, if they choose to do so.

REPRESENTATIVE GERVIN-HAWKINS: I don't want to get into all the boogeyman stories and all those kinds of things. I just want to be clear myself. Let's define chaplain so we can all understand what that means. It can be someone that is certified under the Catholic religion, under Baptist, under whatever. Is that true?

HEFNER: Yes, that's true.

GERVIN-HAWKINS: And we are just talking about a person to come in as a counselor, mentor, tutor?

HEFNER: Right. A support person, a listener. Somebody that can just be there to listen. Chaplains are trained to give just good life advice, and they are good listeners. They're trained—it's a calling. They are specifically trained to do certain things.

GERVIN-HAWKINS: They're not coming in to teach or is this a teaching role? Or is it just one that supports like you just laid out?

HEFNER: Correct. Absolutely.

GERVIN-HAWKINS: Our faith-based community presence in the schoolhouse could potentially help us?

HEFNER: Correct.

GERVIN-HAWKINS: Thank you, that's all I need to know.

Representative Hefner moved to adopt the conference committee report on **SB 763**.

The motion to adopt the conference committee report on **SB 763** prevailed by (Record 2078): 84 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; Gervin-Hawkins; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Isaac; Jetton; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Garcia; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; 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; Wu; Zwiener.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent — Hunter; Thierry.

### **HCR 121 - ADOPTED** **(by Buckley)**

The following privileged resolution was laid before the house:

#### **HCR 121**

WHEREAS, **HB 1605** has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 88th Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed when enrolling **HB 1605** to make the insertions and deletions provided by items (3) and (4) of Floor Amendment No. 4 by Hughes in amended Sections 31.022(b)(3) and (4), Education Code, instead of amended Sections 31.023(b)(3) and (4), Education Code.

**HCR 121** was adopted by (Record 2079): 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; Gervin-Hawkins;



Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; 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; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Geren(C).

Absent, Excused — Mr. Speaker; Martinez Fischer.

Absent — Johnson, J.D.; Longoria.

### **REMARKS ORDERED PRINTED**

Representative Wu moved to print all remarks on **SB 763**.

The motion prevailed.

### **PROVIDING FOR ADJOURNMENT**

At 2:40 p.m., Representative T. King moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the receipt of messages, and administrative actions, the house adjourn until 1 p.m. tomorrow in memory of the 21 lives lost in the Robb Elementary School shooting on May 24, 2022.

The motion prevailed.

### **Thursday, May 25**

The chair called the house to order at 11:07 a.m. Thursday, May 25.

### **MESSAGES FROM THE SENATE**

Messages from the senate were received at this time (see the addendum to the daily journal, Messages from the Senate, Message Nos. 1 and 2 - May 25).

### **ADJOURNMENT**

In accordance with a previous motion, the house, at 11:07 a.m. Thursday, May 25, adjourned until 1 p.m. today.

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**ADDENDUM**

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**ORDER**

May 24, 2023

To the Chief Clerk of the House:

Pursuant to House Rule 1, Section 10, I name the Honorable Joe Moody of El Paso County to call the House to order and preside in my absence on May 24, 2023.

/s/Dade Phelan  
Speaker of the House

**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

Wednesday, May 24, 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 18**

Slawson

SPONSOR: Hughes

Relating to the protection of minors from harmful, deceptive, or unfair trade practices in connection with the use of certain digital services and electronic devices, including the use and transfer of electronic devices to students by a public school.

(Committee Substitute/Amended)

**HB 100**

King, Ken

SPONSOR: Creighton

Relating to public education and public school finance, including the rights, certification, and compensation of public school educators, contributions by a public school to the Teacher Retirement System of Texas, and an education savings account program for certain children.

(Committee Substitute/Amended)

**HB 890**

Bell, Keith

SPONSOR: Creighton

Relating to parental rights and public school responsibilities regarding instructional materials.

(Committee Substitute/Amended)

**HB 900** Patterson SPONSOR: Paxton  
Relating to the regulation of library materials sold to or included in public school libraries.

**HB 1759** Bucy SPONSOR: Alvarado  
Relating to ticket sales for charitable raffles conducted by the charitable foundations of certain professional sports teams.  
(Committee Substitute/Amended)

**HB 1848** DeAyala SPONSOR: Hall  
Relating to a study by the secretary of state on the feasibility of central counting stations complying with federal standards for facilities that contain sensitive information.

**HB 2102** Goldman SPONSOR: Paxton  
Relating to the establishment of a new open-enrollment charter school campus by certain charter holders and to the expansion of an open-enrollment charter school.

**HB 2138** Kacal SPONSOR: Bettencourt  
Relating to the sale of charitable raffle tickets by certain nonprofit wildlife conservation associations.  
(Amended)

**HB 3137** Isaac SPONSOR: Springer  
Relating to prohibited local regulation with respect to a firearm or air gun.

**HB 3708** Buckley SPONSOR: Paxton  
Relating to creating an allotment under the Foundation School Program for school districts that allow non-enrolled students to participate in University Interscholastic League activities.

**HB 4082** Goldman SPONSOR: Bettencourt  
Relating to the purposes for which a municipality or county may issue an anticipation note or certificate of obligation.

**HB 5202** Neave Criado SPONSOR: Whitmire  
Relating to a central database containing information about offenders who have committed certain violent offenses.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 1 - May 25**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Thursday, May 25, 2023

The Honorable Speaker of the House  
House Chamber  
Austin, Texas

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

**HB 5** Hunter SPONSOR: Schwertner  
Relating to agreements authorizing a limitation on taxable value of certain property to provide for the creation of jobs and the generation of state and local tax revenue; authorizing a fee; authorizing penalties.  
(Committee Substitute/Amended)

**HB 7** Guillen SPONSOR: Birdwell  
 Relating to measures to address public safety threats in this state presented by transnational criminal activity, including by establishing a Texas Border Force, and to compensate persons affected by those threats; increasing criminal penalties; creating criminal offenses.  
 (Committee Substitute/Amended)

**HB 44** Swanson SPONSOR: Middleton  
Relating to provider discrimination against a Medicaid recipient or child health  
plan program enrollee based on immunization status.  
(Committee Substitute/Amended)

**HB 108** Cortez SPONSOR: Menéndez  
 Relating to the issuance of specialty license plates for certain classroom teachers  
 and retired classroom teachers; imposing fees.  
 (Committee Substitute)

**HB 114** Thompson, Ed SPONSOR: Parker  
Relating to the possession, use, or delivery of marihuana or e-cigarettes on or near public school property or at certain school events.  
(Amended)

**HB 718** Goldman SPONSOR: West  
 Relating to the issuance of certain tags, permits, and license plates authorizing the movement of vehicles.  
 (Committee Substitute/Amended)

**HB 800** Guillen SPONSOR: Flores  
 Relating to the punishment for certain criminal conduct involving the smuggling  
 of persons or the operation of a stash house; increasing criminal penalties.  
 (Amended)

**HB 1243** Hefner SPONSOR: Hughes  
 Relating to conduct constituting the criminal offense of illegal voting; increasing  
 a criminal penalty.  
 (Committee Substitute)

**HB 1287** Guillen SPONSOR: Blanco  
 Relating to the exclusion of certain resources in determining eligibility for the supplemental nutrition assistance program.  
 (Committee Substitute)

**HB 1361** Morales Shaw SPONSOR: Eckhardt  
 Relating to the designation of liaison officers to assist certain students at public institutions of higher education who are parents.  
 (Committee Substitute)

**HB 1432** Meza SPONSOR: Whitmire  
 Relating to required findings for the issuance of a protective order.

**HB 1500** Holland SPONSOR: Schwertner  
 Relating to the continuation and functions of the Public Utility Commission of Texas and the Office of Public Utility Counsel, and the functions of the independent organization certified for the ERCOT power region; increasing an administrative penalty.  
 (Committee Substitute/Amended)

**HB 1620** Holland SPONSOR: Schwertner  
 Relating to the review date for certain governmental entities subject to the sunset review process.  
 (Amended)

**HB 1998** Johnson, Julie SPONSOR: Hall  
 Relating to the regulation of physicians and the disciplinary authority of the Texas Medical Board; increasing a criminal penalty; imposing a surcharge.  
 (Committee Substitute/Amended)

**HB 2190** Canales SPONSOR: Hinojosa  
 Relating to the terminology used to describe transportation-related accidents.  
 (Committee Substitute)

**HB 2285** Noble SPONSOR: Paxton  
 Relating to the authority of certain independent school districts to change the terms for members of the districts' board of trustees.

**HB 2727** Price SPONSOR: Perry  
 Relating to the provision of home telemonitoring services under Medicaid.  
 (Committee Substitute)

**HB 2779** Leach SPONSOR: Huffman  
 Relating to the compensation and retirement benefits of certain elected state officials.  
 (Committee Substitute/Amended)

**HB 2815** Jetton SPONSOR: Creighton  
 Relating to the powers, authorities, duties, and responsibilities of certain conservation and reclamation districts.  
 (Committee Substitute/Amended)

**HB 2961** Cook SPONSOR: King  
 Relating to criminal responsibility for the conduct of a coconspirator.

**HB 3461** Bonnen SPONSOR: Huffman

Relating to the creation and re-creation of funds and accounts, the dedication and rededication of revenue and allocation of accrued interest on dedicated revenue, and the exemption of unappropriated money from use for general governmental purposes.

(Amended)

**HB 3466**

Campos

SPONSOR: Campbell

Relating to the administration of a grant program for the establishment and expansion of community collaboratives.

(Committee Substitute/Amended)

**HB 3550**

Rose

SPONSOR: LaMantia

Relating to standards for and services provided by prescribed pediatric extended care centers, including Medicaid reimbursement for those services.

(Committee Substitute)

**HB 3613**

Cain

SPONSOR: Bettencourt

Relating to the election of the entire governing body of a municipality following each apportionment.

**HB 3808**

Wilson

SPONSOR: Flores

Relating to the pediatric acute-onset neuropsychiatric syndrome advisory council.

**HB 3991**

Isaac

SPONSOR: Alvarado

Relating to Texas Fruit and Vegetable Day in public schools.

**HB 4122**

Guillen

SPONSOR: Hancock

Relating to the operation and movement of motorcycles on a roadway laned for traffic.

**HB 4164**

Cortez

SPONSOR: Whitmire

Relating to the improper use and treatment of an assistance animal or service animal; increasing a criminal penalty.

**HB 4183**

Price

SPONSOR: Sparks

Relating to a waiver of the waiting period for a marriage ceremony.

(Committee Substitute)

**HB 4645**

Flores

SPONSOR: Zaffirini

Relating to the exemption from ad valorem taxation of certain property used to provide low-income or moderate-income housing.

**HB 4696**

Noble

SPONSOR: Miles

Relating to the reporting and investigation of certain allegations of abuse, neglect, and exploitation, the making and investigation of complaints alleging violations of certain health facility licensing requirements, and the content of the employee misconduct registry.

(Committee Substitute)

**HB 4714**

Cortez

SPONSOR: Menéndez

Relating to the use of an electronic recording device to report proceedings before a municipal court of record for the City of San Antonio.

**HB 4990**

Bonnen

SPONSOR: Kolkhorst

Relating to the Texas Pharmaceutical Initiative; authorizing fees.

(Amended)

**HB 5012** Clardy SPONSOR: Birdwell  
 Relating to the authority of certain municipalities to use certain tax revenue for hotel and convention center projects and other qualified projects.  
 (Committee Substitute/Amended)

**HB 5178** Ashby SPONSOR: Nichols  
 Relating to authorizing certain counties to impose a hotel occupancy tax and the applicability of that tax in certain counties.

**HB 5180** Wilson SPONSOR: Hughes  
 Relating to the public inspection of election records.  
 (Committee Substitute)

**HB 5415** Spiller SPONSOR: Springer  
 Relating to the creation of the Elm Fork Municipal Utility District No. 1 of Cooke County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

**SB 1659** (29 Yeas, 1 Nay)

Respectfully,  
 Patsy Spaw  
 Secretary of the Senate

**Message No. 2 - May 25**

MESSAGE FROM THE SENATE  
 SENATE CHAMBER  
 Austin, Texas  
 Thursday, May 25, 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:  
 LOCAL AND UNCONTESTED CALENDAR

**HB 55** Johnson, Julie SPONSOR: Springer  
 Relating to the punishment for the criminal offense of indecent assault; increasing a criminal penalty.  
 (Committee Substitute)

**HB 64** Landgraf SPONSOR: Sparks

Relating to the peace officers authorized to operate an authorized emergency vehicle used to conduct a police escort.

**HB 113** Ortega SPONSOR: Blanco

Relating to the use of community health workers in Medicaid managed care.

**HB 139** Klick SPONSOR: Hall

Relating to the provision of notice of certain proposed rules by state agencies.

**HB 198** Noble SPONSOR: Paxton

Relating to vehicle safety inspections of certain travel trailers.

**HB 461** Smith SPONSOR: Paxton

Relating to a waiver of the requirement for the performance of an adoption evaluation in certain suits for adoption.

**HB 611** Capriglione SPONSOR: Zaffirini

Relating to the creation of the criminal offense of unlawful disclosure of residence address or telephone number.

**HB 886** Shaheen SPONSOR: Springer

Relating to requirements to file a property owners' association assessment lien.

**HB 915** Craddick SPONSOR: Parker

Relating to the creation of a workplace violence hotline and a requirement that employers post notice regarding the hotline.

(Committee Substitute)

**HB 923** Cain SPONSOR: Middleton

Relating to the designation of the Aaron M. Hicks Memorial Interchange.

**HB 969** Cook SPONSOR: Middleton

Relating to local regulation to enforce child custody orders; authorizing a civil penalty.

**HB 1133** Spiller SPONSOR: Flores

Relating to an exemption from the application of the Private Security Act for volunteer security services provided at certain places or events.

**HB 1163** Smith SPONSOR: King

Relating to creating the criminal offense of boating while intoxicated with a child passenger; changing the eligibility for deferred adjudication community supervision.

**HB 1227** Metcalf SPONSOR: Bettencourt

Relating to changing the eligibility for community supervision of a person convicted of possession or promotion of child pornography.

**HB 1275** Plesa SPONSOR: Hughes

Relating to procedures for the issuance of personal identification certificates to certain persons 65 years of age or older whose driver's licenses are surrendered.

**HB 1357** Holland SPONSOR: Huffman

Relating to Medicaid reimbursement for certain medication-assisted treatments for opioid or substance use disorder.

**HB 1363** Kuempel SPONSOR: Zaffirini



Relating to the repeal of the real estate inspection recovery fund.

**HB 1368** Cunningham SPONSOR: Creighton  
Relating to the designation of a portion of Farm-to-Market Road 1960 in Harris County as the Deputy Constable Omar Ursin Memorial Highway.

**HB 1466** Clardy SPONSOR: Johnson  
Relating to the regulation of certain continuing education programs.

**HB 1506** Meyer SPONSOR: Parker  
Relating to the statute of limitations for the offense of abandoning or endangering a child.

**HB 1577** Hull SPONSOR: Huffman  
Relating to changing the eligibility for mandatory supervision of an inmate serving a sentence for or previously convicted of certain assaults.

**HB 1583** Burrows SPONSOR: Perry  
Relating to the election of the board of directors of the Terry Memorial Hospital District.

**HB 1589** Cook SPONSOR: Zaffirini  
Relating to increasing the criminal penalty for certain family violence assaults.

**HB 1597** Murr SPONSOR: Sparks  
Relating to tariff filing requirements for certain telecommunications providers.

**HB 1598** Darby SPONSOR: Perry  
Relating to local government and other political subdivision regulation of certain solid waste facilities.

**HB 1730** Schaefer SPONSOR: Hughes  
Relating to the punishment for the offense of indecent exposure; increasing a criminal penalty.

**HB 1766** Darby SPONSOR: Parker  
Relating to the issuance of private activity bonds for qualified residential rental projects.

**HB 1771** Price SPONSOR: Kolkhorst  
Relating to rules regarding the provision by a health professional of a telemedicine medical service, teledentistry dental service, or telehealth service.  
(Committee Substitute)

**HB 1903** Smithee SPONSOR: Parker  
Relating to capital stock requirements for certain insurance companies.

**HB 2060** Capriglione SPONSOR: Parker  
Relating to the creation of the artificial intelligence advisory council.

**HB 2129** Burns SPONSOR: Hinojosa  
Relating to a merchant allowing a person suspected of committing or attempting to commit theft to complete a theft education program.  
(Committee Substitute)

**HB 2187** Davis SPONSOR: Menéndez

Relating to the criminal offense of abandoning or endangering a child, elderly individual, or disabled individual.

**HB 2201** Canales SPONSOR: Whitmire  
Relating to housing certain inmates in state jail felony facilities.

**HB 2259** Cain SPONSOR: Middleton  
Relating to the sale and purchase of retail fireworks permits.

**HB 2323** Hayes SPONSOR: Parker  
Relating to the issuance of specialty license plates commemorating the 100th anniversary of the writing of the state song.  
(Committee Substitute)

**HB 2333** Allison SPONSOR: Flores  
Relating to noncharitable trusts without an ascertainable beneficiary.

**HB 2512** Morrison SPONSOR: Kolkhorst  
Relating to the regulation of athletic trainers.

**HB 2626** Tepper SPONSOR: Perry  
Relating to the availability on the Internet of certain reports of political contributions and expenditures.

**HB 2715** Hull SPONSOR: Alvarado  
Relating to a prohibition on following an individual and tracking or monitoring the individual's personal property or motor vehicle and to the criminal prosecution of that conduct.

**HB 2741** Smith SPONSOR: Hinojosa  
Relating to the duties and composition of the Specialty Courts Advisory Council.

**HB 2816** Jetton SPONSOR: Creighton  
Relating to notice provided to purchasers of property and information filed with the county clerk by certain special districts.

**HB 2839** Smithee SPONSOR: Zaffirini  
Relating to a liquidity stress test for certain insurance companies.

**HB 2850** Smith SPONSOR: Hughes  
Relating to discovery procedures for civil actions brought under the Family Code.

**HB 2878** Capriglione SPONSOR: Parker  
Relating to the operation in certain counties of mobile food service establishments in more than one municipality within the county.

**HB 2900** Leo-Wilson SPONSOR: Creighton  
Relating to the powers, duties, and use of funds of the Trinity Bay Conservation District.

**HB 2975** Guillen SPONSOR: Hancock  
Relating to powers and duties of the Texas Workforce Commission with respect to work and family policies.

**HB 3058** Johnson, Ann SPONSOR: Hughes  
Relating to the provision of certain medical treatment to a pregnant woman by a physician or health care provider.

(Committee Substitute)

**HB 3097** Leo-Wilson SPONSOR: Middleton  
Relating to the issuance of anticipation notes or other obligations by issuers located along the Gulf Coast in an emergency.

**HB 3159** Leach SPONSOR: Hughes  
Relating to the use of an accessible absentee mail system by certain voters.

**HB 3191** Spiller SPONSOR: Springer  
Relating to the elections and operations of certain hospital districts.

**HB 3207** Murr SPONSOR: Springer  
Relating to the composition of the agricultural advisory board of an appraisal district.

**HB 3232** Rogers SPONSOR: Perry  
Relating to the suspension of an enforcement action against a regional water supply, sewer, or wastewater treatment service for a violation committed by a retail public utility being integrated into the regional service.

**HB 3235** Troxclair SPONSOR: Campbell  
Relating to the authority of certain counties to impose a county hotel occupancy tax.

**HB 3257** Kacal SPONSOR: Kolkhorst  
Relating to the confidentiality of certain biosecurity and other sensitive information shared with the Texas Animal Health Commission.

**HB 3335** Canales SPONSOR: Kolkhorst  
Relating to employment activities of certain peace officers responding to an emergency call for purposes of the Texas Workers' Compensation Act.

**HB 3419** Cain SPONSOR: Springer  
Relating to the transportation of horse meat.

**HB 3424** Frazier SPONSOR: Alvarado  
Relating to the eligibility and training requirements for commissioned security officers and personal protection officers.  
(Committee Substitute)

**HB 3453** Jetton SPONSOR: Miles  
Relating to authorizing certain counties to impose a hotel occupancy tax and the applicability and rates of that tax in certain counties.  
(Committee Substitute)

**HB 3469** Sherman, Sr. SPONSOR: West  
Relating to the disposition of certain property by the former Bois D'Arc Island Levee Improvement District of Dallas and Kaufman Counties and the record of dissolution of that district.

**HB 3556** Stucky SPONSOR: Parker  
Relating to a local area activation of the alert system for certain missing children.

**HB 3603** Anderson SPONSOR: Whitmire

Relating to the payment of restitution by a person released on parole or to mandatory supervision.

**HB 3623**

Hefner

SPONSOR: Middleton

Relating to a memorandum of understanding between public or private primary or secondary schools authorizing a school marshal of one school to act as a school marshal at the other school during an event at which both schools participate.

**HB 3672**

Canales

SPONSOR: Hall

Relating to the designation of portions of the state highway system as memorial highways for certain deceased peace officers.

(Committee Substitute)

**HB 3744**

Goldman

SPONSOR: Perry

Relating to the regulation of water well drillers and water well pump installers.

**HB 3824**

Klick

SPONSOR: Hughes

Relating to the administration of a local anesthetic agent by a dental hygienist.

**HB 3917**

Buckley

SPONSOR: Middleton

Relating to dismissal of a complaint alleging a parent contributing to nonattendance on the parent's fulfillment of certain terms.

**HB 3949**

Raney

SPONSOR: Whitmire

Relating to arbitration of certain controversies involving members of certain nonprofit entities.

**HB 3980**

Frazier

SPONSOR: Johnson

Relating to the business leave time account for a firefighter employee organization in certain municipalities.

**HB 3981**

Paul

SPONSOR: Middleton

Relating to the designation of certain fire marshals and related officers, inspectors, and investigators as peace officers.

**HB 4062**

Harris, Cody

SPONSOR: Hughes

Relating to creating an audiovisual recording of an interview of a child by a child custody evaluator in certain suits affecting the parent-child relationship.

**HB 4106**

Dean

SPONSOR: Alvarado

Relating to the procedure for resolving certain customer complaints before the Public Utility Commission of Texas.

**HB 4123**

Guillen

SPONSOR: Zaffirini

Relating to access to and use of certain criminal history record information.  
(Committee Substitute)

**HB 4158**

Schofield

SPONSOR: Bettencourt

Relating to the determination and reporting of the number of residence homesteads of elderly or disabled persons that are subject to the limitation on the total amount of ad valorem taxes that may be imposed on the properties by school districts.

**HB 4217**

Troxclair

SPONSOR: Springer

Relating to the powers of certain public utility agencies; granting the power of eminent domain.

**HB 4250**

Lalani

SPONSOR: Miles

Relating to the right of the clerk of a court to deduct from the amount of the excess proceeds from an ad valorem tax sale of property the cost of postage for sending to the former owner of the property a notice of the owner's right to claim the proceeds.

**HB 4385**

Guillen

SPONSOR: Alvarado

Relating to the provision of sewer service without a certificate of public convenience and necessity.

**HB 4415**

Tepper

SPONSOR: Perry

Relating to the transfer of certain real property from the Health and Human Services Commission to the StarCare Specialty Health System.

**HB 4456**

Harris, Cody

SPONSOR: Bettencourt

Relating to the calculation of certain ad valorem tax rates of a school district.

**HB 4500**

Harris, Caroline

SPONSOR: Hughes

Relating to electronic verification of health benefits by health benefit plan issuers for certain physicians and health care providers.

(Committee Substitute)

**HB 4538**

Kacal

SPONSOR: LaMantia

Relating to the regulation of beekeeping; imposing fees and authorizing other fees; expanding the applicability of an occupational permit.

**HB 4660**

Isaac

SPONSOR: Campbell

Relating to the use of municipal hotel occupancy tax revenue in certain municipalities.

**HB 4856**

Darby

SPONSOR: Perry

Relating to the jurisdiction of the Texas Commission on Environmental Quality over certain recharge injection wells.

**HB 4888**

Hefner

SPONSOR: Perry

Relating to Medicaid coverage and reimbursement for non-opioid treatments.  
(Committee Substitute)

**HB 5105**

Stucky

SPONSOR: Springer

Relating to authorizing certain counties to impose a hotel occupancy tax and the use of revenue from that tax.

(Committee Substitute)

**HB 5183**

Guillen

SPONSOR: Johnson

Relating to educational programs for persons whose driver's license is suspended following conviction of certain drug offenses.

(Committee Substitute)

**HB 5307**

Metcalf

SPONSOR: Creighton

Relating to the creation of the Montgomery County Municipal Utility District No. 228; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HB 5309** Leo-Wilson SPONSOR: Middleton  
Relating to the meeting requirements for the Galveston County Juvenile Board.

**HB 5312** Gates SPONSOR: Kolkhorst  
Relating to the powers and duties of the Fort Bend County Municipal Utility District No. 147; providing authority to issue bonds and impose fees and taxes.

**HB 5315** Metcalf SPONSOR: Creighton  
Relating to the creation of the Montgomery County Municipal Utility District No. 219; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HB 5316** Metcalf SPONSOR: Creighton  
Relating to the creation of the Montgomery County Municipal Utility District No. 235; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HB 5322** Gerdes SPONSOR: Schwertner  
Relating to the administration, powers, territory, and financing of the Garfield Municipal Utility District No. 1.

**HB 5332** Bailes SPONSOR: Creighton  
Relating to the creation of the Montgomery County Municipal Utility District No. 229; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose fees and taxes.

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

**HB 5334** Harless SPONSOR: Bettencourt  
Relating to the creation of the Cypress Creek Drainage Improvement District.

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

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

**HB 5344** Bell, Cecil SPONSOR: Creighton  
Relating to the creation of the Deer Creek Ranch Municipal Utility District No. 1 and the Montgomery County Municipal Utility District No. 236; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(Committee Substitute)

**HB 5345** Bell, Cecil SPONSOR: Creighton

Relating to the creation of the Montgomery County Municipal Utility District No. 237; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HB 5358**

Rogers

SPONSOR: King

Relating to the creation of the Ranger Ridge Municipal Utility District of Palo Pinto County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HB 5360**

Shine

SPONSOR: Creighton

Relating to the creation of the Deer Creek Ranch Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HB 5370**

Harris, Cody

SPONSOR: Hall

Relating to the composition of the juvenile board of Navarro County.

**HB 5375**

Metcalf

SPONSOR: Kolkhorst

Relating to the creation of the Montgomery County Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HB 5376**

Stucky

SPONSOR: Parker

Relating to the creation of the Tabor Ranch Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes; granting a limited power of eminent domain.

(Committee Substitute)

**HB 5377**

Smith

SPONSOR: Hughes

Relating to the creation of the Fannin Farms Municipal Utility District of Fannin County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HB 5386**

Thompson, Senfronia

SPONSOR: Miles

Relating to the creation of the Harris County Municipal Utility District No. 589; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HB 5389**

Bell, Cecil

SPONSOR: Kolkhorst

Relating to the creation of the Harris-Waller Counties Municipal Utility District No. 8; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HB 5392**

Smith

SPONSOR: Springer

Relating to the creation of the Highland Park Municipal Utility District of Grayson County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HB 5396**

Metcalf

SPONSOR: Creighton

Relating to the powers and duties of the Stanley Lake Municipal Utility District; providing authority to issue bonds; providing authority to impose fees and taxes.

**HB 5405**

Raymond

SPONSOR: Zaffirini

Relating to the conversion of the Legacy Water Control and Improvement District to the Legacy Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.  
(Committee Substitute)

**HB 5407** Smith SPONSOR: Hughes  
Relating to the creation of the Blanton Creek Estates Municipal Utility District of Fannin County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HB 5411** Kitzman SPONSOR: Kolkhorst  
Relating to the board of directors and powers and duties of the Twinwood Municipal Utility District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HB 5412** Kitzman SPONSOR: Kolkhorst  
Relating to the powers and duties of the Waller County Municipal Utility District No. 3.

**HB 5413** Kitzman SPONSOR: Kolkhorst  
Relating to the powers and duties of the Waller County Municipal Utility District No. 2.

**HB 5414** Spiller SPONSOR: Springer  
Relating to the creation of the Mountain Springs Municipal Utility District of Cooke County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose fees and taxes.

**HB 5418** Goldman SPONSOR: King  
Relating to the powers, duties, operation, administration, and board of directors of the Karis Municipal Management District of Tarrant County; providing authority to impose assessments.

**HCR 26** Oliverson SPONSOR: Creighton  
Authorizing the State Preservation Board, subject to state law and rules of the board, to approve the construction of a monument honoring victims of communism at the State Capitol Complex, at a site outside of the historic Capitol grounds.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

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## APPENDIX

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### STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

**May 23**



**Criminal Jurisprudence - SCR 33**

**ENROLLED**

**May 23 - HB 25, HB 53, HB 181, HB 614, HB 617, HB 729, HB 755, HB 783, HB 968, HB 1000, HB 1193, HB 1299, HB 1337, HB 1592, HB 1688, HB 1696, HB 1743, HB 1905, HB 1926, HB 1968, HB 1996, HB 2019, HB 2100, HB 2166, HB 2313, HB 2334, HB 2478, HB 2495, HB 2508, HB 2616, HB 2658, HB 2700, HB 2738, HB 2947, HB 2951, HB 2956, HB 2965, HB 3045, HB 3126, HB 3130, HB 3144, HB 3156, HB 3224, HB 3278, HB 3361, HB 3436, HB 3645, HB 3646, HB 3743, HB 3798, HB 3858, HB 3929, HB 3956, HB 4012, HB 4069, HB 4085, HB 4219, HB 4233, HB 4246, HB 4316, HB 4337, HB 4372, HB 4375, HB 4416, HB 4417, HB 4451, HB 4494, HB 4520, HB 4765, HB 4779, HB 4879, HB 4932, HB 4997, HB 5142, HB 5304, HB 5314, HB 5318, HB 5320, HB 5330, HB 5339, HB 5343, HB 5349, HB 5357, HB 5365, HB 5367, HB 5369, HB 5374, HB 5379, HB 5384, HB 5385, HB 5390, HB 5391, HB 5393, HB 5395, HCR 27, HCR 29, HCR 104, HCR 105**

**RECOMMENDATIONS FILED WITH THE SPEAKER**

**May 23 - HB 5385, HB 5386, HB 5388, HB 5389, HB 5390, HB 5391, HB 5392, HB 5393**

**SIGNED BY THE GOVERNOR**

**May 23 - HB 266, HB 290, HB 467, HB 474, HB 492, HB 586, HB 624, HB 785, HB 793, HB 914, HB 1088, HB 1207, HB 1315, HB 1333, HB 1761, HB 1845, HB 1910, HB 2109, HB 2183, HB 2308, HB 2371, HB 2575, HB 2691, HCR 111, HCR 119**

