

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — THIRD CALLED SESSION

AUSTIN, TEXAS

PROCEEDINGS

SIXTH DAY

(Friday, October 8, 2021)

The Senate met at 2:28 p.m. pursuant to adjournment and was called to order by Senator Perry.

The roll was called and the following Senators were present: Alvarado, Bettencourt, Birdwell, Blanco, Buckingham, Campbell, Creighton, Eckhardt, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Powell, Schwertner, Seliger, Springer, Taylor, West, Whitmire, Zaffirini.

The Presiding Officer announced that a quorum of the Senate was present.

Senator Hall offered the invocation as follows:

Dear heavenly Father, we come to You today so humbly grateful for all You've done for us, all You've given to us, and all the sacrifices of Your son. We thank You for this great state You've given us to serve. We pray for Your guidance and direction in all that we say and do that we would do Your will. In Christ's name we pray. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of the previous day be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

The Presiding Officer announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

There was no objection.

(President in Chair)

CONCLUSION OF MORNING CALL

The President at 2:30 p.m. announced the conclusion of morning call.

COMMITTEE SUBSTITUTE SENATE BILL 6 ON THIRD READING

The President laid before the Senate **CSSB 6** by Senator Huffman at this time on its third reading and final passage:

CSSB 6, Relating to the composition of the districts for the election of members of the United States House of Representatives from the State of Texas.

The bill was read third time and was passed by the following vote: Yeas 18, Nays 13.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Springer, Taylor.

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, West, Whitmire, Zaffirini.

REASON FOR VOTE

Senator Eckhardt submitted the following reason for vote on **CSSB 6**:

Redistricting is viewed through 3 lenses - 1. Incumbent protection; 2. Party advantage; and the only constitutionally required goal of 3. Balanced distribution of voting power across our population. Unfortunately, because of the obvious conflict of interest in politicians picking their voters, the first two goals are met with last and cursory consideration given to the constitutional rights of actual voters. With this map, Texas remains #1 in gerrymandering innovation.

With regard to that first lens, incumbents of both parties are so averse that no bill for independent redistricting has been seriously considered in the Texas Legislature. Further, resistance to obvious political gerrymandering and even racial gerrymandering is dampened if the gerrymander protects incumbency. The unsurprising result is that CSSB 6 will likely return every current incumbent who wishes to run and reduce the number of competitive districts to just one.

With regard to that second lens, Republican party advantage is continued into the next decade through a combination of extreme racial and partisan gerrymandering. The author of CSSB 6 claims the map was drawn blind to race. But, one cannot unsee what one knows to be true. Two million Hispanic residents have been added in Texas since 2010. But, CSSB 6 does not include a new Hispanic majority district. Half a million Black residents have been added to TX since 2010. But, CSSB 6 does not include a new Black majority district.

Far from avoiding racist results, color blindness perpetuates and compounds them. CSSB 6 packs as many Blacks, Hispanics and Asians as statistically possible into existing opportunity districts in urban areas and cracks or tacks the boon of additional Hispanics, Asians and Blacks into districts anchored in White and Republican rural areas of the state.

Despite the boon of additional Hispanics, Asians and Blacks being the justification for Texas' two additional congressional districts, one of those districts (CD 38 in Harris County) is majority Republican. The other (CD 37 in Travis County) is majority white.

In addition to racial gerrymandering, CSSB 6 engages in extreme partisan gerrymandering. Fifty Five percent of Texans identify as Republican and yet Sixty Four percent of the congressional districts in CSSB 6 are drawn for Republicans. New

CD 37 (of which I am a constituent) is an example of how this obtuse result is achieved. The district is packed with high turn-out Democrats, shielding surrounding Republican districts from mounting cross-partisan trends in Central Texas.

The map is racial gerrymandering under the guise of partisan gerrymandering excused by incumbent protection. It doesn't fairly or accurately represent the current population of Texas. For these reasons, I vote no.

ECKHARDT

RECESS

On motion of Senator Zaffirini, the Senate at 2:37 p.m. recessed until 2:00 p.m. Tuesday, October 12, 2021.

