

# SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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## TWENTY-EIGHTH DAY

(Continued)

(Friday, April 23, 2021)

### AFTER RECESS

The Senate met at 8:00 a.m. and was called to order by Senator Schwertner.

### SESSION HELD FOR LOCAL AND UNCONTESTED CALENDAR

The Presiding Officer announced that the time had arrived to consider bills and resolutions placed on the Local and Uncontested Calendar.

Pursuant to Senate Rule 9.03(d), the following bills and resolutions were laid before the Senate in the order listed, read second time, amended where applicable, passed to engrossment or third reading, read third time, and passed. The votes on passage to engrossment or third reading, suspension of the Constitutional Three-day Rule, and final passage are indicated after each caption. All Members are deemed to have voted "Yea" on viva voce votes unless otherwise indicated.

#### **SB 62** (Zaffirini)

Relating to permitting the Texas Ethics Commission to provide seminars and charge an attendance fee for those seminars.

(viva voce vote) (30-1) "Nay" Hughes (30-1) "Nay" Hughes

#### **CSSB 63** (Nelson)

Relating to the system for appraising property for ad valorem tax purposes.

(viva voce vote) (31-0) (31-0)

#### **CSSB 369** (Kolkhorst)

Relating to the requirement to submit a financial aid application as a condition of high school graduation for public school students.

(viva voce vote) (31-0) (31-0)

#### **CSSB 503** (Miles)

Relating to creating the criminal offense of failing to report abuse, neglect, or exploitation in boarding home facilities by certain persons.

(viva voce vote) (31-0) (31-0)

**SB 530** (Huffman)

Relating to the prosecution and punishment of the criminal offense of harassment; creating a criminal offense.

(viva voce vote) (31-0) (31-0)

**SB 552** (Kolkhorst)

Relating to an annual report regarding certain dog bites.

(viva voce vote) (30-1) "Nay" Buckingham (30-1) "Nay" Buckingham

**CSSB 655** (Schwertner, Buckingham, Springer)

Relating to the sale of distilled spirits to ultimate consumers by the holder of a distiller's and rectifier's permit.

(viva voce vote) (30-1) "Nay" Perry (30-1) "Nay" Perry

**SB 692** (Zaffirini)

Relating to access to certain financial records by the guardianship abuse, fraud, and exploitation deterrence program.

(viva voce vote) (31-0) (31-0)

**SB 764** (Huffman)

Relating to the operation of certain child-care facilities during an appeal of a suspension or denial of a license, certification, registration, or listing.

(viva voce vote) (31-0) (31-0)

**SB 801** (Kolkhorst)

Relating to the development of an agriculture education program for public elementary schools.

(viva voce vote) (31-0) (31-0)

**CSSB 839** (Schwertner)

Relating to the regulation of electric vehicle supply equipment; requiring an occupational registration; authorizing fees; authorizing an administrative penalty.

(viva voce vote) (31-0) (31-0)

**CSSB 906** (Perry)

Relating to the civil commitment of sexually violent predators.

(viva voce vote) (31-0) (31-0)

**CSSB 910** (Schwertner)

Relating to implementation options for community-based family preservation services and the provision of certain other health and human services by certain state agency contractors and to the repeal of a prior pilot program for family-based safety services.

(viva voce vote) (31-0) (31-0)

**CSSB 999** (Hancock, Whitmire)

Relating to county and municipal authority and a study regarding certain medical and health care billing by ambulance service providers.

(viva voce vote) (31-0) (31-0)

**CSSB 1028** (Huffman, Zaffirini)

Relating to health benefit plan coverage for colorectal cancer early detection.

(viva voce vote) (30-1) "Nay" Hall (30-1) "Nay" Hall

**CSSB 1061** (Zaffirini)

Relating to background and criminal history checks for operators and employees of certain child-care facilities.

(viva voce vote) (30-1) "Nay" Hughes (30-1) "Nay" Hughes

**CSSB 1079** (Campbell)

Relating to monthly reports of certain activity of the Department of Family and Protective Services.

(viva voce vote) (31-0) (31-0)

**SB 1094** (Creighton)

Relating to the payment of apprenticeship education expenses using the state's programs for paying, prepaying, or saving toward the costs of attending an institution of higher education.

(viva voce vote) (31-0) (31-0)

**SB 1095** (Creighton)

Relating to notice regarding the availability to public school students of college credit and work-based education programs and subsidies for fees paid to take certain advanced placement tests.

(viva voce vote) (31-0) (31-0)

**SB 1168** (Campbell)

Relating to the authority of a municipality to impose a fine or fee in certain areas in the municipality's extraterritorial jurisdiction.

(viva voce vote) (31-0) (31-0)

**CSSB 1230** (Taylor)

Relating to establishing the Texas Commission on Community College Finance.

(viva voce vote) (31-0) (31-0)

**SB 1260** (Birdwell)

Relating to the authority of the Railroad Commission of Texas to contract for the treatment of and sell drill cuttings.

(viva voce vote) (31-0) (31-0)

**CSSB 1334** (Hinojosa)

Relating to the lease, rental, and donation to the United States of certain facilities relating to a toll bridge by certain counties and municipalities.

(viva voce vote) (30-1) "Nay" Hall (30-1) "Nay" Hall

**CSSB 1356** (Hughes)

Relating to the participation by members of nonprofit teacher organizations in a tutoring program for public school students and related retirement benefits for certain tutors participating in the program.

(viva voce vote) (31-0) (31-0)

**SB 1418** (Schwertner)

Relating to the compensation of the presiding judge of an early ballot voting board.

(viva voce vote) (31-0) (31-0)

**CSSB 1474** (Perry)

Relating to the I-27 Advisory Committee.

(viva voce vote) (31-0) (31-0)

**SB 1502** (Buckingham)

Relating to a determination by the Texas Medical Board of a physician's specialty board certification.

(viva voce vote) (31-0) (31-0)

**CSSB 1541** (Zaffirini)

Relating to the definition of business case for major information resources projects.

(viva voce vote) (31-0) (31-0)

**SB 1550** (Nelson)

Relating to airport police forces, including the authority to commission peace officers and the rights, privileges, and duties of those officers.

(viva voce vote) (31-0) (31-0)

**CSSB 1668** (Hughes)

Relating to licensing and examination requirements for persons engaged in liquefied petroleum gas activities.

(viva voce vote) (31-0) (31-0)

**CSSB 1679** (Alvarado)

Relating to the creation of an urban land bank by certain municipalities.

(viva voce vote) (31-0) (31-0)

**SB 1697** (Paxton)

Relating to allowing parents and guardians to elect for a student to repeat or retake a course or grade.

(viva voce vote) (31-0) (31-0)

**SB 1704** (Blanco)

Relating to the designation of the portion of United States Highway 54 in El Paso County as the Korean War Veterans Memorial Highway.

(viva voce vote) (31-0) (31-0)

**CSSB 1728** (Schwertner, Nichols, Powell)

Relating to the equalization for road use consumption for alternatively fueled vehicles imposed at the time of registration or registration renewal; authorizing a fee.

(viva voce vote) (28-3) "Nays" Creighton, Johnson, Menéndez (28-3) "Nays" Creighton, Johnson, Menéndez

**CSSB 1783** (Creighton)

Relating to a fee collected by a landlord in lieu of a security deposit.

(viva voce vote) (31-0) (31-0)

**CSSB 1814** (Seliger)

Relating to oversize and overweight vehicle permits.

(viva voce vote) (31-0) (31-0)

**CSSB 1816** (Seliger)

Relating to certain temporary vehicle permits and tags.  
(viva voce vote) (31-0) (31-0)

**CSSB 1901** (Zaffirini)

Relating to the authority of the secretary of state to order the performance of certain election functions.  
(viva voce vote) (31-0) (31-0)

**SB 1923** (Zaffirini)

Relating to certain criminal court costs, fines, and fees.  
(viva voce vote) (31-0) (31-0)

**SB 1925** (Hughes)

Relating to the publication of the record of voters who voted in an election.  
(viva voce vote) (31-0) (31-0)

**CSSB 1936** (Hughes)

Relating to the beginning and ending possession times in certain standard possession orders in a suit affecting the parent-child relationship.  
(viva voce vote) (31-0) (31-0)

**CSSB 1963** (West)

Relating to a transferability report card for certain public institutions of higher education.  
(viva voce vote) (31-0) (31-0)

**BILL REMOVED FROM  
LOCAL AND UNCONTESTED CALENDAR**

Senator Campbell and Senator Schwertner requested in writing that **CSSB 1439** be removed from the Local and Uncontested Calendar.

**SESSION CONCLUDED FOR  
LOCAL AND UNCONTESTED CALENDAR**

Senator Schwertner announced that the session to consider bills and resolutions placed on the Local and Uncontested Calendar was concluded.

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER  
Austin, Texas  
Friday, April 23, 2021 - 1

The Honorable President of the Senate  
Senate Chamber  
Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

- HB 8** Pacheco  
Relating to access by a hiring law enforcement agency to an applicant's employment records.
- HB 252** Moody  
Relating to certain sentencing procedures in a capital case.
- HB 275** Moody  
Relating to an application for a writ of habeas corpus based on certain relevant scientific evidence that was not available at the applicant's trial.
- HB 295** Murr  
Relating to the provision of funding for indigent defense services.
- HB 978** Metcalf  
Relating to authorizing the comptroller to release a reported owner's unclaimed property to the owner's crime victim in certain circumstances and payment by the Texas Department of Criminal Justice of certain amounts owed by an inmate.
- HB 1276** Parker  
Relating to the sale of certain food by food service establishments.
- HB 1293** Smithee  
Relating to the authority of a court to grant a motion for a new trial in certain criminal cases.
- HB 1341** Leach  
Relating to waivers for entrance fees to state parks for resident first responders, military service members, and veterans.
- HB 1441** Schaefer  
Relating to the state's burden of proof in certain asset forfeiture proceedings under the Code of Criminal Procedure.
- HB 1525** Huberty  
Relating to the public school finance system.
- HB 1635** Patterson  
Relating to a study on first responders' workers' compensation claims by the workers' compensation research and evaluation group.
- HB 4136** Collier  
Relating to automatic orders of nondisclosure of criminal history record information for certain misdemeanor defendants following successful completion of a period of deferred adjudication community supervision.
- SB 1** Nelson Sponsor: Bonnen  
General Appropriations Bill.  
(Committee Substitute/Amended)

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**SPECIAL COMMITTEE APPOINTED**

The President announced the appointment of the following committee for the 87th Legislature:

**CONSTITUTIONAL ISSUES**

Schwertner, Chair; Birdwell, Vice-chair; Buckingham, Creighton, Hall, Hinojosa, Lucio.

**HOUSE BILL ON FIRST READING**

The following bill received from the House was read first time and referred to the committee indicated:

**HB 1927** to Committee on Constitutional Issues.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolutions**

**SR 309** by Hughes, In memory of Robert Earl Burge.

**HCR 77** (Schwertner), Paying tribute to the lives of the physicians and other health care workers who passed away during the COVID-19 pandemic.

**ADJOURNMENT**

Pursuant to a previously adopted motion, the Senate at 3:59 p.m. Monday, April 26, 2021, adjourned until 4:00 p.m. today.

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**APPENDIX**

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**COMMITTEE REPORTS**

The following committee reports were received by the Secretary of the Senate in the order listed:

April 23, 2021

HIGHER EDUCATION — **HB 1325**

BUSINESS AND COMMERCE — **SB 2124, SB 1225**

ADMINISTRATION — **HB 1585, SCR 6**

LOCAL GOVERNMENT — **SB 390, SB 2162, SB 2164, SB 2171, SB 2173, SB 2182, SB 2197**

TRANSPORTATION — **CSSB 1815**

HIGHER EDUCATION — **CSSB 1888**

JURISPRUDENCE — **HB 1428, HB 654, HB 1831, SCR 41**

TRANSPORTATION — **CSSB 1838, CSSB 2054**

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **HB 1472, HB 2660, SB 1649, SB 770, SB 696, CSSB 1801, CSSB 1555, CSSB 1259**

EDUCATION — **SB 741**

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **CSSB 2099**

EDUCATION — **CSSB 776, CSSB 2158, SB 2066, CSSB 27**

BUSINESS AND COMMERCE — **CSSB 1538, HB 1787, CSSB 1602, HB 735, HB 1755, HB 2005, CSHB 16**

EDUCATION — **CSSB 2050**

VETERAN AFFAIRS AND BORDER SECURITY — **CSSB 337, CSHB 626, CSSB 149**

HIGHER EDUCATION — **CSSB 1092**

EDUCATION — **SB 1776, SB 1527, SB 215, SB 879, SB 1277, SB 1351, SB 2044, SB 1590**

April 26, 2021

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **CSSB 1258, CSSB 828**

BUSINESS AND COMMERCE — **CSSB 1065, SB 1089**

TRANSPORTATION — **CSSB 1907, CSHB 5**

JURISPRUDENCE — **CSHB 390**

HEALTH AND HUMAN SERVICES — **HB 780, HB 723, SB 263, HB 786, SB 2013, SB 2115, SB 500, CSSB 2195, CSHB 119, CSSB 225, CSSB 1628, CSSB 1353, CSSB 1200**

#### **BILLS ENGROSSED**

April 23, 2021

**SB 62, SB 63, SB 369, SB 503, SB 530, SB 552, SB 655, SB 692, SB 764, SB 801, SB 839, SB 906, SB 910, SB 999, SB 1028, SB 1061, SB 1079, SB 1094, SB 1095, SB 1168, SB 1230, SB 1260, SB 1334, SB 1356, SB 1418, SB 1474, SB 1502, SB 1541, SB 1550, SB 1668, SB 1679, SB 1697, SB 1704, SB 1728, SB 1783, SB 1814, SB 1816, SB 1901, SB 1923, SB 1925, SB 1936, SB 1963**

#### **RESOLUTION ENROLLED**

April 23, 2021

**SR 309**