

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTY-SECOND DAY

(Continued)

(Wednesday, May 19, 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.

HB 180 (Blanco)

Relating to the transfer of vacation leave time to a sick leave pool in certain counties.
(viva voce vote) (31-0) (31-0)

HB 189 (Lucio)

Relating to a severance payment to a superintendent or administrator serving as educational leader and chief executive officer of an open-enrollment charter school.
(viva voce vote) (31-0) (31-0)

HB 365 (Springer)

Relating to liability arising from farm animals.
(viva voce vote) (31-0) (31-0)

(Senator Menéndez in Chair)

HB 374 (Springer)

Relating to the continuation of the Red River Boundary Commission.
(viva voce vote) (31-0) (31-0)

HB 375 (Zaffirini)

Relating to the prosecution of the offense of continuous sexual abuse of young child or disabled individual; creating a criminal offense.
(viva voce vote) (31-0) (31-0)

HB 402 (Alvarado)

Relating to the use of certain funds derived from criminal asset forfeiture to provide services to domestic victims of trafficking.

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

CSHB 531 (Huffman)

Relating to notice requirements for a leased dwelling located in a floodplain.

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

HB 690 (Zaffirini)

Relating to training requirements for a member of the board of trustees of an independent school district.

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

HB 725 (Zaffirini)

Relating to the eligibility of certain children who are or were in foster care for free prekindergarten programs in public schools.

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

CSHB 738 (Nichols)

Relating to residential and commercial building requirements of municipalities, counties, and emergency services districts.

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

HB 763 (Zaffirini)

Relating to the handling of illicit alcoholic beverages seized by a peace officer.

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

HB 766 (Kolkhorst)

Relating to the entry into the Texas Crime Information Center of certain information regarding orders imposing a condition of bond in a criminal case involving a violent offense.

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

HB 785 (Zaffirini)

Relating to behavior improvement plans and behavioral intervention plans for certain public school students and notification and documentation requirements regarding certain behavior management techniques.

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

HB 837 (Zaffirini)

Relating to the procedure for amending or revoking certificates of public convenience and necessity issued to certain retail public utilities.

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

HB 851 (Hughes)

Relating to the admission by a party of a material and substantial change of circumstances in a motion to modify an order in certain family law cases.

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

HB 868 (Zaffirini)

Relating to the jury charge and jury findings in a suit affecting the parent-child relationship.

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

HB 871 (Kolkhorst)

Relating to the municipal fees charged to certain air conditioning and refrigeration contractors.

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

HB 876 (Perry)

Relating to fees charged by certain persons for the method used for payments made under an agreement.

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

HB 914 (Huffman)

Relating to the authority of certain municipal employees to request the removal and storage of certain abandoned or illegally parked vehicles.

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

HB 1005 (Huffman)

Relating to the requisites of a bail bond given by certain defendants and to conditions of release on bond for certain defendants.

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

HB 1011 (Zaffirini)

Relating to expedited death certificates for religious purposes in certain counties.

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

HB 1049 (Huffman)

Relating to the requirement for a deputy sheriff, reserve deputy sheriff, deputy constable, or reserve deputy constable to take an official oath.

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

HB 1069 (Birdwell)

Relating to the carrying of a handgun by certain first responders.

(viva voce vote) (28-3) "Nays" Alvarado, Eckhardt, Johnson (28-3) "Nays" Alvarado, Eckhardt, Johnson

HB 1080 (Nelson)

Relating to the eligibility for participation in University Interscholastic League activities of certain public school students who receive outpatient mental health services.

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

HB 1133 (Hughes)

Relating to an election to revoke a county equalization tax imposed in certain counties.

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

HB 1213 (Seliger)

Relating to court reporter costs incurred in a hearing or proceeding for the involuntary detention of a person with mental illness.

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

HB 1227 (Zaffirini)

Relating to certain procedures regarding court-ordered financial support for a child in the conservatorship of the Department of Family and Protective Services.

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

HB 1228 (Kolkhorst)

Relating to the membership of the board of managers for certain emergency communication districts.

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

HB 1257 (Nichols)

Relating to the definition of personal property for purposes of removing personal property from a roadway or right-of-way.

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

HB 1264 (Springer)

Relating to the time for making required reports of deceased residents of this state to a voter registrar and to the secretary of state.

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

HB 1276 (Springer)

Relating to the sale of certain food by food service establishments.

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

HB 1296 (Creighton)

Relating to the provision of certain notices in guardianship proceedings.

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

(Senator Schwertner in Chair)**HB 1297** (Creighton)

Relating to service of process on institutions and organizations in certain probate proceedings.

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

CSHB 1338 (Miles)

Relating to the continuation and operations of a health care provider participation program by the Harris County Hospital District.

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

HB 1372 (Zaffirini)

Relating to authorizing a petitioner for a protective order to separate the petitioner's wireless telephone number from the respondent's wireless telephone service account.

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

HB 1397 (Hughes)

Relating to the required disclosure of entities with an ownership interest in a vendor of voting system equipment.

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

HB 1401 (Huffman)

Relating to methods to send applications and orders for sealing juvenile records.

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

HB 1403 (Huffman)

Relating to the imposition of consecutive sentences for certain offenses arising out of the same criminal episode.

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

HB 1419 (Alvarado)

Relating to the duties of a law enforcement agency regarding missing children and missing persons and to the duties of a justice of the peace or other investigator regarding unidentified bodies.

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

HB 1434 (Zaffirini)

Relating to limitations on pelvic examinations; authorizing disciplinary action, including an administrative penalty.

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

HB 1484 (Springer)

Relating to rates applied to certain water or sewer systems after a sale or purchase of the system.

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

HB 1510 (Creighton)

Relating to the response and resilience of certain electricity service providers to major weather-related events or other natural disasters; granting authority to issue bonds.

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

HB 1543 (Creighton)

Relating to certain procedural requirements for public improvement districts and transfers of property located in public improvement districts.

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

HB 1545 (Hall)

Relating to the continuation and functions of the Commission on Jail Standards.

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

HB 1572 (Springer)

Relating to the rental and operation of electric generation equipment.

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

CSHB 1576 (Paxton)

Relating to the creation of a work group on blockchain matters concerning this state.

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

HB 1606 (Schwertner)

Relating to the construction, maintenance, rehabilitation, and removal of dams by the Upper Brushy Creek Water Control and Improvement District.

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

HB 1618 (Kolkhorst)

Relating to the number of signatures required on a petition filed in connection with an election to create certain hospital districts.

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

CSHB 1677 (Springer)

Relating to the establishment of a Texas Police Service Animals Memorial Monument in the Capitol Complex.

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

HB 1680 (Springer)

Relating to the regulation of on-site sewage disposal systems on certain leased land that is owned by the federal government.

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

HB 1728 (Perry)

Relating to partnerships between the Texas Parks and Wildlife Department and nonprofit entities to promote hunting and fishing by certain veterans.

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

CSHB 1729 (Nichols)

Relating to the sale of alcoholic beverages in areas annexed by certain municipalities.

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

HB 1752 (Schwertner)

Relating to benefit review conferences under the Texas workers' compensation system.

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

HB 1777 (Hancock)

Relating to disclosures and standards required for certain annuity transactions and benefits under certain annuity contracts.

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

(Senator Buckingham in Chair)**HB 1792** (Zaffirini)

Relating to the evaluation of child-care providers participating in the Texas Rising Star Program.

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

HB 1799 (Zaffirini)

Relating to the administration of apprenticeship training programs.

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

HB 1904 (Kolkhorst)

Relating to the use of the water infrastructure fund.

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

HB 1936 (Schwertner)

Relating to the issuance of specialty license plates to honor members of the United States Army Special Forces.

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

HB 1939 (Creighton)

Relating to the limitations periods for certain suits against real estate appraisers and appraisal firms.

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

HB 1958 (Springer)

Relating to the regulation of livestock export-import processing facilities; creating a criminal offense.

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

HB 2004 (Nichols)

Relating to a limitation on liability and sanctions in connection with certain prescribed burns.

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

HB 2083 (Perry)

Relating to the general manager of the Upper Colorado River Authority.

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

CSHB 2090 (Hancock)

Relating to the establishment of a statewide all payor claims database and health care cost disclosures by health benefit plan issuers and third-party administrators.

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

HB 2093 (Blanco)

Relating to including certain licensed physician assistants in the definition of non-physician mental health professional for purposes of certain provisions applicable to non-physician mental health professionals.

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

HB 2094 (Hinojosa)

Relating to the right to remove property encroaching on areas owned or controlled by the Hidalgo County Drainage District Number 1.

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

HB 2167 (Kolkhorst)

Relating to the designation of the portion of U.S. Highway 77 in Refugio County as the Second Lieutenant Lloyd "Pete" Hughes Medal of Honor Memorial Highway.

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

CSHB 2171 (Creighton)

Relating to the eligibility of certain retired firefighters and emergency medical services providers to purchase continued health benefits coverage.

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

CSHB 2213 (Kolkhorst)

Relating to the slaughter and processing of exotic animals for donation to a nonprofit food bank.

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

HB 2223 (Nichols)

Relating to a study by the Texas Department of Transportation on the impact of certain classifications of motor vehicle on the roads and bridges of this state.

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

HB 2301 (Paxton)

Relating to a change of name for participants in the address confidentiality program administered by the office of the attorney general.

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

CSHB 2326 (Springer)

Relating to the possession and transportation of certain nonindigenous snakes; increasing a criminal penalty.

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

HB 2343 (Whitmire)

Relating to the purchase of food and beverages by the Department of Public Safety for certain persons.

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

HB 2374 (Kolkhorst)

Relating to efficiency audits of the Department of Family and Protective Services.

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

(Senator Johnson in Chair)**HB 2530** (Nelson)

Relating to the rate of interest on certain tax refunds.

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

HB 2669 (Zaffirini)

Relating to the confidentiality of a child's criminal records related to certain misdemeanor offenses.

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

HB 2819 (Nichols)

Relating to temporary licenses for insurance professionals.

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

HB 2840 (Hinojosa)

Relating to the inapplicability of state citrus fruit maturity standards to grapefruit and oranges processed for juice.

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

HB 2841 (Hinojosa)

Relating to suits to collect assessments owed by certain citrus producers.

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

HB 2847 (Powell)

Relating to the authority of the Tarrant County Hospital District or a nonprofit corporation formed by the district regarding certain technology or intellectual property owned by or licensed to the district or corporation.

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

HB 2920 (Hancock)

Relating to a grace period for payment of premiums on insurance policies renewed by the Texas Windstorm Insurance Association.

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

HB 2941 (Springer)

Relating to the appointment of appraisal review board members.

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

HB 3130 (Paxton)

Relating to state agency contracts for Internet application development.

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

HB 3132 (Seliger)

Relating to the performance of equine dentistry by students of equine dental provider certification programs.

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

HB 3165 (Whitmire)

Relating to an affirmative defense to an allegation of truant conduct.

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

CSHB 3282 (Nichols)

Relating to the authority of a district engineer for the Texas Department of Transportation to temporarily lower the speed limit at a highway maintenance activity site.

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

HB 3394 (Creighton)

Relating to determining the incapacity of a guardian.

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

HB 3395 (Hinojosa)

Relating to the knowledge test required for a commercial driver's license.

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

HB 3644 (Schwertner)

Relating to the establishment of a memorial monument dedicated to emergency medical services personnel on the Capitol grounds.

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

CSHB 3648 (Hancock)

Relating to the provision of natural gas and electric services in this state.

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

HB 3689 (Gutierrez)

Relating to the appeal of rates charged for water or sewer service by certain retail public utilities.

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

HB 3721 (Kolkhorst)

Relating to the inclusion of information for reporting suspicious activity to the Department of Public Safety on certain human trafficking signs or notices.

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

HB 3769 (Zaffirini)

Relating to required disclosures for certain occupational insurance policies.

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

STATEMENT OF LEGISLATIVE INTENT

Senator Zaffirini submitted the following statement of legislative intent for **HB 3769**:

HB 3769 does not change any existing requirements on nonsubscriber insurance carriers or existing employer-required notice requirements in TX Admin Code 110.101.

ZAFFIRINI

HB 3786 (Nelson)

Relating to the authority of the comptroller to send, or to require the submission to the comptroller of, certain ad valorem tax-related items electronically.

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

HB 3788 (Nelson)

Relating to the training and education of appraisal review board members.

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

HB 3794 (Hinojosa)

Relating to oil and gas liens.

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

HB 3856 (Springer)

Relating to administrative penalties imposed by the Texas Animal Health Commission.

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

CSHB 4030 (Hancock)

Relating to the licensing and regulation of insurance professionals.

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

HB 4436 (Perry)

Relating to the operation of aircraft in or on protected freshwater areas.

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

HB 4577 (Creighton)

Relating to the authority of the Chambers County Improvement District No. 1 to issue bonds and impose certain taxes or assessments.

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

HB 4579 (Perry)

Relating to the powers, duties, and bond authority of the Lubbock Reese Redevelopment Authority; providing authority to impose a fee.

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

HB 4585 (Buckingham)

Relating to the election of members of the board of directors of the Travis County Water Control and Improvement District No. 17.

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

HB 4610 (Schwertner)

Relating to the division of the CLL Municipal Utility District No. 1 and districts created by the division of the CLL Municipal Utility District No. 1.

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

SCR 31 (Kolkhorst)

Conferring legislative approval of the Coleman Settlement Agreement.

(31-0)

SB 608 (Alvarado)

Relating to the allocation of low income housing tax credits.

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

SB 1083 (Campbell)

Relating to parental approval for a student's participation in human sexuality instruction in public schools.

(viva voce vote) (28-3) "Nays" Alvarado, Eckhardt, Johnson (28-3) "Nays" Alvarado, Eckhardt, Johnson

CSSB 1386 (Creighton)

Relating to a body worn camera program for emergency medical personnel.

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

CSSB 1451 (Alvarado)

Relating to the definition of "closing" for purposes of certain private activity bonds.

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

SB 1486 (Hughes)

Relating to the repeal of the authority of political subdivisions to adopt or enforce juvenile curfews.

(viva voce vote) (29-2) "Nays" Alvarado, Seliger (29-2) "Nays" Alvarado, Seliger

CSSB 2214 (Eckhardt)

Relating to the creation of the Moore's Crossing Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

CSSB 2237 (Creighton)

Relating to the boundaries of the Harris County Water Control and Improvement District No. 70.

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

SB 2242 (Gutierrez)

Relating to the creation of the Medina County Water Control and Improvement District No. 4; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

SB 2244 (Birdwell)

Relating to the creation of the Lorena Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

**BILL REMOVED FROM
LOCAL AND UNCONTESTED CALENDAR**

Senator Springer and Senator Schwertner requested in writing that **HB 2112** be removed from the Local and Uncontested Calendar.

**SESSION CONCLUDED FOR
LOCAL AND UNCONTESTED CALENDAR**

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

RECESS

Pursuant to a previously adopted motion, the Senate at 9:03 a.m. recessed until 11:00 a.m. today.

AFTER RECESS

The Senate met at 11:28 a.m. and was called to order by Senator Paxton.

Senator Menéndez offered the invocation as follows:

Thank You, Lord, for allowing us the opportunity to wake up and serve our constituents every single day. You have given us all the blessing of leadership to serve our communities. Over the last year there's been a cloud of unease with the pandemic and the deadly winter storm, which have brought cold, fear, and loss. However, as I look around the room, I see people who are dedicated to bringing hope and light. As this session's days are waning, I pray we continue to work together for the betterment of our state and country. When I thought about what I would say to You, God, for my family, our community, and everyone here, I thought of the words of poet Rudyard Kipling: If you can keep your head when all about you are losing theirs and blaming it on you; if you can trust yourself when all men doubt you, but make allowance for their doubting too; if you can wait and not be tired by waiting, or, being lied about, or, being hated, don't give way to hating, and yet don't look too good, nor talk too wise; if you can dream—and not make dreams your master; if you can think—and not make thoughts your aim; if you can meet with triumph and disaster and treat those two imposters just the same; if you can bear to hear the truth you've spoken twisted by knaves to make a trap for fools, or watch the things you gave

your life to broken, and stoop and build 'em up with wornout tools; if you can make one heap of all your winnings and risk it on one turn of pitch-and-toss, and lose, and start again at your beginnings and never breathe a word about your loss; if you can force your heart and nerve and sinew to serve your turn long after they are gone, and so hold on when there is nothing in you except the will which says to them: 'Hold on'; if you can talk with crowds and keep your virtue, or walk with kings—nor lose the common touch; if neither foes nor loving friends can hurt you; if all men count with you, but none too much; if you can fill the unforgiving minute with sixty seconds' worth of distance run—yours is the Earth and everything that's in it. There are so many issues that we can all work on to help make this a better place for all. So, Lord, please make our backs strong, heads wise, and hearts full of love. In Your name we pray. Amen.

SENATE RESOLUTION 431

Senator Buckingham offered the following resolution:

SR 431, Recognizing May 2021 as Cystic Fibrosis Awareness Month.

BUCKINGHAM
CAMPBELL
KOLKHORST
SCHWERTNER

The resolution was read and was adopted without objection.

(President Pro Tempore Birdwell in Chair)

GUESTS PRESENTED

Senator Paxton was recognized and introduced to the Senate constituents from Senate District 8 including Laura Rohrman, Mona Wilson, Alicia Bush, Jan Thorburn, and Lisa Roossien.

The Senate welcomed its guests.

SESSION TO CONSIDER EXECUTIVE APPOINTMENTS

The President Pro Tempore announced the time had arrived to consider executive appointments to agencies, boards, and commissions. Notice of submission of these names for consideration was given yesterday by Senator Buckingham.

Senator Buckingham moved confirmation of the nominees reported yesterday by the Committee on Nominations.

The President Pro Tempore asked if there were requests to sever nominees.

There were no requests offered.

NOMINEES CONFIRMED

The following nominees, as reported by the Committee on Nominations, were confirmed by the following vote: Yeas 31, Nays 0.

Member, Board of Directors, Angelina and Neches River Authority: Robert Edward Hopkins, Jasper County.

Members, Board, Texas Department of Motor Vehicles: Christian Alexis Alvarado, Travis County; Sharla Lewis Omumu, Harris County.

Members, Commission on Jail Standards: Ross Garrick Reyes, Collin County; Kelly Shane Rowe, Lubbock County.

Member, Correctional Managed Health Care Committee: Erin Holt, Fannin County.

Members, Council on Sex Offender Treatment: Ezio DaRosa Leite, Tarrant County; Emily Gray Orozco-Crousen, Taylor County.

Member, Finance Commission of Texas: Deborah Sue Scanlon, Fort Bend County.

Members, Governing Board, Texas Civil Commitment Office: Rona Kay Stratton Gouyton, Tarrant County; Kathryn Elaine McClure, Harris County.

Members, Governing Board, Texas School for the Deaf: Erin Colleen Cockerham-O'Donnell, Wilbarger County; Dina Lynne Moore, Williamson County; Darlene J. Nobles, McLennan County.

Members, Board of Directors, Lower Colorado River Authority: Melissa Kay Blanding, Hays County; Joseph Michael Crane, Matagorda County; Carol Gregoire Freeman, Llano County; Martha Leigh Miller Whitten, San Saba County.

Administrator, Nonresident Violator Compact: Sheri Sanders Gipson, Williamson County.

Members, Board of Directors, Nueces River Authority: Eric Lee Burnett, San Patricio County; Karin Elizabeth Knolle, Jim Wells County; Stacy Lynn Meuth, Wilson County.

Inspector General, Office of Inspector General, Health and Human Services Commission: Sylvia Hernandez Kauffman, Travis County.

Member, Prepaid Higher Education Tuition Board: Judy Helen Treviño, Bexar County.

Member, Product Development and Small Business Incubator Board: Kimberly Marusak Gramm, Lubbock County.

Member, Real Estate Research Advisory Committee: Patrick Geddes, Collin County.

Member, Board of Directors, San Jacinto River Authority: Billie Ruth Buick, Montgomery County.

Member, Board of Directors, State Bar of Texas: G. Michael Vasquez, Travis County.

Member, State Board for Educator Certification: Rex William Gore, Travis County.

Members, State Board of Dental Examiners: Yvonne Elizabeth Maldonado, El Paso County; Robert Gordon McNeill, Dallas County; Margo Yvette Melchor, Harris County; Marquita F. Pride, Denton County.

Member, State Board of Veterinary Medical Examiners: Raquel R. Olivier, Harris County.

Members, State Employee Charitable Campaign Policy Committee: Brent Daniel Connett, Travis County; Alicia Gray Key Ellison, Hays County; Vanessa Lee Cortez Tanner, Travis County.

Members, Board of Regents, The Texas A&M University System: Robert Leak Albritton, Tarrant County; James Randal Brooks, Tom Green County; William Mahomes, Dallas County.

Members, Texas Board of Chiropractic Examiners: Sarah Thomas Abraham, Fort Bend County; Brandon Matthew Allen, Travis County; Nicholas Shelby Baucum, Nueces County; Mark Richard Bronson, Parker County; Michael Paul Henry, Travis County; Scott Dale Wofford, Taylor County.

Members, Texas Board of Criminal Justice: Rodney Dale Burrow, Camp County; Molly Meredith Francis, Dallas County; Faith Simmons Johnson, Dallas County; Eric James Roy Nichols, Travis County; Derrelynn Perryman, Tarrant County.

Members, Texas Board of Medical Radiologic Technology: Nicholas Marc Beckmann, Harris County; Scott Alan Morren, Hockley County; Shaila Danielle Parker, Dallas County.

Members, Texas Board of Nursing: Daryl Chambers, Tarrant County; Laura Alicia Disque, Hidalgo County; Allison Porter Edwards, Harris County; Carol Kay Hawkins-Garcia, Bexar County; Kenneth David Johnson, Tom Green County; Kathy Lynette Leader-Horn, Hood County; Tamara Georgeann Williams Rhodes, Randall County; David Edward Saucedo, El Paso County; Melissa D. Schat, Hood County; Rickey Kendell Williams, Bell County.

Members, Texas Commission on Law Enforcement: Patricia Garza Burruss, Collin County; Michael Wayne Griffis, Ector County.

Members, Board, Texas Department of Housing and Community Affairs: Brandon Aubrey Batch, Midland County; Kenny Ewell Marchant, Dallas County.

Member, Texas Diabetes Council: Gary Lee Francis, Bexar County.

Member, Texas Facilities Commission: Brian Allen Bailey, Travis County.

Members, Texas Funeral Service Commission: Larry Michael Allen, Dallas County; Timothy Ray Brown, Hidalgo County.

Members, Texas Higher Education Coordinating Board: Fred Farias, Hidalgo County; Emma W. Schwartz, El Paso County; R. Sam Torn, Harris County.

Members, Texas Historical Commission: Donna McDaniel Bahorich, Harris County; James Edward Bruseth, Hays County; John Walter Crain, Dallas County; Rupa Dutia, Dallas County; Gilbert Eric Peterson, Brewster County.

Members, Texas Optometry Board: Judith Ann Chambers, Hays County; John Todd Purvis Cornett, Potter County; Ronald Lee Hopping, Galveston County; Carey Aston Patrick, Collin County; Rene Daniel Pena, El Paso County; Meghan Anne Schutte, Travis County.

Members, Texas Physician Assistant Board: Steve Saeed Ahmed, Howard County; Clayton Partick Bulls, Taylor County; Karrie Lynn Crosby, McLennan County; Melinda Anne Moore Gottschalk, Williamson County; Victor Shen-Pou Ho, Harris County; Sandra Longoria, Cameron County; Gregory Spencer Rowin, Cameron County; Andrew William Sauer, Randall County; Laura Lillian Shipley, Travis County.

Members, Board of Directors, Texas Public Finance Authority: Larry Gene Holt, Brazos County; Ramon Manning, Harris County.

Members, Board of Regents, Texas Southern University: James Matthew Benham, Brazos County; Caroline Baker Hurley, Harris County; Stephanie Nellons-Paige, Harris County; Marilyn Agatha Rose, Harris County; Mary Evans Sias, Dallas County.

Member, Texas State Board of Acupuncture Examiners: Rey Ximenes, Burnet County.

Members, Texas State Board of Plumbing Examiners: James Ronald Ainsworth, Kendall County; William Karl Klock, Travis County; Thomas J. MacDonald, Kerr County; Mark George Savasta, Harris County.

Member, Texas State Board of Social Worker Examiners: Katie Andrade, Titus County.

Members, Board of Regents, Texas Tech University System: Arcilia Carrasco Acosta, Tarrant County; Cody Cagle Campbell, Tarrant County; Patrick Robert Gordan, El Paso County.

Members, Board of Regents, Texas Woman's University: Wanda Shepard, Parker County; Crystal Clay Wright, Harris County.

Members, Board of Regents, The University of Texas System: Robert Stephen Hicks, Travis County; Nolan Edward Perez, Cameron County; Stuart West Stedman, Harris County.

SENATE RESOLUTION 435

Senator Kolkhorst offered the following resolution:

SR 435, In memory of Stephen K. Balas.

The resolution was read.

On motion of Senator Kolkhorst, **SR 435** was adopted by a rising vote of the Senate.

In honor of the memory of Stephen K. Balas, the text of the resolution is printed at the end of today's *Senate Journal*.

SENATE CONCURRENT RESOLUTION 52

The President Pro Tempore laid before the Senate the following resolution:

SCR 52, In memory of former State Representative Sergio Muñoz Sr.

HINOJOSA
LUCIO

The resolution was read.

On motion of Senator Hinojosa the resolution was considered immediately and was adopted by a rising vote of the Senate.

In honor of the memory of former State Representative Sergio Muñoz Sr., the text of the resolution is printed at the end of today's *Senate Journal*.

Senator Hinojosa, joined by Senators Lucio and Gutierrez, was recognized and introduced to the Senate State Representative Sergio Muñoz Jr.

The Senate welcomed its guest and extended its sympathy.

BILLS AND RESOLUTIONS SIGNED

The President Pro Tempore announced the signing of the following enrolled bills and resolutions in the presence of the Senate after the captions had been read:

SB 45, SB 162, SB 211, SB 232, SB 285, SB 337, SB 460, SB 530, SB 581, SB 634, SB 675, SB 692, SB 700, SB 833, SB 858, SB 884, SB 886, SB 922, SB 941, SB 952, SB 1093, SB 1105, SB 1122, SB 1130, SB 1225, SB 1226, SB 1251, SB 1277, SB 1295, SB 1354, SB 1467, SB 1615, SB 1783, SB 1818, SB 1860, SB 2162, SB 2164, SB 2173, SB 2207, SB 2216, SB 2219, SCR 7, SCR 23, SCR 26, SJR 27.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, May 19, 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 4666 Anderson

Relating to the creation of the Lorena Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4668

Murr

Relating to the creation of the Medina County Water Control and Improvement District No. 4; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4669

Cain

Relating to the boundaries of the Harris County Water Control and Improvement District No. 70.

HCR 29

Thierry

Designating November 5 as Type 1.5 Diabetes Awareness Day for a 10-year period beginning in 2021.

HCR 86

Johnson, Jarvis

Expressing support for equitable access to transformative therapies for sickle cell disease.

HCR 89

Metcalf

Authorizing the lieutenant governor and speaker to appoint joint committees.

SB 40

Zaffirini

Sponsor: Price

Relating to the provision of telehealth services by certain health professionals licensed by the Texas Department of Licensing and Regulation.

SB 58

Zaffirini

Sponsor: Turner, John

Relating to purchasing of cloud computing services by a political subdivision.

SB 152

Perry

Sponsor: King, Tracy O.

Relating to the regulation of groundwater conservation districts.
(Committee Substitute)

SB 157

Perry

Sponsor: Craddick

Relating to eminent domain reporting requirements for certain entities.
(Amended)

SB 184

Johnson

Sponsor: Thompson,
Senfronia

Relating to reports on the prevalence of eating disorders and eating disorder-related deaths in this state.

SB 280

Hinojosa

Sponsor: Collier

Relating to the composition and duties of the capital and forensic writs committee.

SB 284

Seliger

Sponsor: Allison

Relating to a study of out-of-state physicians who practiced in this state during the COVID-19 pandemic.

SB 297

Perry

Sponsor: Button

Relating to the criminal history record information requirement for applicants for renewal of a license issued by the Texas State Board of Public Accountancy.

SB 454

Kolkhorst

Sponsor: Lambert

Relating to mental health services development plans as updated by the Health and Human Services Commission and local mental health authority groups.

SB 510

Perry

Sponsor: Rogers

Relating to the transfer of certain state property from the Texas Department of Criminal Justice to Stephens County.

- SB 630** Hinojosa Sponsor: Muñoz, Jr.
Relating to the directors and administration of the Agua Special Utility District, including the grounds for removal of a director.
(Committee Substitute)
- SB 642** West Sponsor: Hinojosa
Relating to the provision of mental health services for certain children at risk of relinquishment.
(Committee Substitute)
- SB 695** Zaffirini Sponsor: Hefner
Relating to the service of a notice of assessment by the Texas Workforce Commission under the Texas Unemployment Compensation Act.
- SB 787** Lucio Sponsor: Lucio III
Relating to the designation of Farm-to-Market Road 1479 in Cameron County as the Bobby Morrow Memorial Highway.
- SB 791** Campbell Sponsor: Schaefer
Relating to the issuance of specialty license plates to United States Navy submariners.
- SB 795** Campbell Sponsor: Cain
Relating to an exemption from the requirement that the title of a state agency be printed on state-owned motor vehicles.
- SB 809** Kolkhorst Sponsor: Oliverson
Relating to health care institution reporting of federal money received for the coronavirus disease public health emergency.
(Committee Substitute)
- SB 905** Perry Sponsor: Frank
Relating to guidance on the regulations applicable to the potable reuse of wastewater.
- SB 937** Campbell Sponsor: Tinderholt
Relating to an excused absence from a public institution of higher education for a student called to required military service.
- SB 1028** Huffman Sponsor: Smithee
Relating to health benefit plan coverage for colorectal cancer early detection.
- SB 1072** Hinojosa Sponsor: Hunter
Relating to the procedure for conducting surveys of public land, including the requirements regarding field notes and coordinate systems.
- SB 1117** Kolkhorst Sponsor: Gates
Relating to the composition of the board of directors of the Fort Bend Subsidence District, including a director's qualifications and term.
(Committee Substitute)
- SB 1134** Hughes Sponsor: Hefner
Relating to address confidentiality on certain documents for certain federal officials and family members of certain federal officials or federal or state court judges.
- SB 1185** Alvarado Sponsor: Morales, Christina
Relating to the designation of a portion of State Highway 3 in Harris County as the Vanessa Guillen Memorial Highway.

- SB 1308** Blanco Sponsor: Canales
Relating to a study on the impacts of using certain motor vehicle technologies.
(Committee Substitute/Amended)
- SB 1323** Hinojosa Sponsor: Canales
Relating to preemployment physical examinations for employment with the Texas Department of Transportation.
- SB 1371** Huffman Sponsor: Murphy
Relating to the reporting of certain incidents of sexual harassment, sexual assault, dating violence, or stalking at certain public or private institutions of higher education.
- SB 1414** Huffman Sponsor: Oliverson
Relating to the time frame for passing certain licensing examinations for applicants seeking a license to practice medicine.
- SB 1441** Campbell Sponsor: Lopez
Relating to withdrawals of water from the Edwards Aquifer to supply a military installation.
(Committee Substitute)
- SB 1474** Perry Sponsor: Price
Relating to the I-27 Advisory Committee.
- SB 1490** Creighton Sponsor: Turner, Chris
Relating to the authority of the Texas Higher Education Coordinating Board to authorize certain degree programs offered by private postsecondary educational institutions.
(Committee Substitute)
- SB 1534** Buckingham Sponsor: Campos
Relating to remedial plans issued by the State Board of Dental Examiners to address complaints against dentists and dental hygienists.
- SB 1550** Nelson Sponsor: Goldman
Relating to airport police forces, including the authority to commission peace officers and the rights, privileges, and duties of those officers.
- SB 1677** Buckingham Sponsor: Frullo
Relating to eliminating certain reporting and posting requirements for public institutions of higher education and other state agencies and the requirement for a plan by certain school districts to increase enrollment in public institutions of higher education.
- SB 1727** Nichols Sponsor: Ashby
Relating to certain local government corporations created for the development, construction, operation, management, or financing of transportation projects.
- SB 1829** Hinojosa Sponsor: Klick
Relating to maintaining and distributing certain Medicaid managed care directories.
- SB 1900** Zaffirini Sponsor: Anchia
Relating to the regulatory authority of the savings and mortgage lending commissioner; authorizing fees.
(Committee Substitute)

SB 2049

Menéndez

Sponsor: Wu

Relating to guardians ad litem for children who are in the juvenile justice system and the child protective services system.

(Committee Substitute)

SJR 47

Huffman

Sponsor: Landgraf

Proposing a constitutional amendment changing the eligibility requirements for certain judicial offices.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

**COMMITTEE SUBSTITUTE
SENATE BILL 1200 ON SECOND READING**

On motion of Senator Powell and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1200** at this time on its second reading:

CSSB 1200, Relating to referrals to and consent to services under certain programs designed to serve pregnant women and families.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 1200 ON THIRD READING**

Senator Powell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1200** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

(President in Chair)

HOUSE BILL 840 ON SECOND READING

On motion of Senator Blanco and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 840** at this time on its second reading:

HB 840, Relating to the selection of public members to serve on a county's salary grievance committee.

The bill was read second time and was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading.

HOUSE BILL 840 ON THIRD READING

Senator Blanco moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 840** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

HOUSE BILL 3041 ON SECOND READING

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3041** at this time on its second reading:

HB 3041, Relating to the provision of certain services by the Department of Family and Protective Services as an alternative to removing a child and certain procedures with respect to children in the managing conservatorship of the department.

The bill was read second time and was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading.

HOUSE BILL 3041 ON THIRD READING

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3041** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 1741 ON SECOND READING

Senator Birdwell moved to suspend the regular order of business to take up for consideration **SB 1741** at this time on its second reading:

SB 1741, Relating to pretrial procedures, conditions for community supervision, and criminal punishment for conduct endangering the public safety; creating a criminal offense and increasing criminal penalties.

The motion prevailed by the following vote: Yeas 22, Nays 9.

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

Nays: Alvarado, Eckhardt, Gutierrez, Johnson, Menéndez, Miles, West, Whitmire, Zaffirini.

The bill was read second time.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1741** (senate committee report) as follows:

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

SECTION _____. Section 42.02, Penal Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) The term "riot" as defined by Subsection (a) does not include an assemblage of seven or more persons gathering to exercise their rights under the First Amendment to the United States Constitution or Section 8, Article I, Texas Constitution, unless those persons engage in conduct described by Subsection (a).

(2) In SECTION 9 of the bill (page 3, line 44), strike "42.03" and substitute "42.02, 42.03,".

HINOJOSA
MENÉNDEZ

The amendment to **SB 1741** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

SB 1741 as amended was passed to engrossment by the following vote: Yeas 22, Nays 9.

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

Nays: Alvarado, Eckhardt, Gutierrez, Johnson, Menéndez, Miles, West, Whitmire, Zaffirini.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, May 19, 2021 - 2

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:

SB 281

Hinojosa

Sponsor: Lucio III

Relating to the use of hypnotically induced statements in a criminal trial.

(Amended)

SB 312 Huffman Sponsor: Smith
Relating to the punishment for the criminal offense of improper sexual activity with a person in custody; increasing a criminal penalty.
(Amended)

SB 709 Hall Sponsor: Canales
Relating to the continuation and functions of the Texas Commission on Fire Protection.
(Committee Substitute)

SB 760 Springer Sponsor: Shaheen
Relating to the removal of solar power facilities.
(Committee Substitute)

SB 808 Hughes Sponsor: Krause
Relating to recovery of attorney's fees in certain civil cases.
(Amended)

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, May 19, 2021 - 3

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:

SB 197 Nelson Sponsor: Noble
Relating to a sales and use tax exemption for animals adopted from or sold by nonprofit animal welfare organizations.

SB 550 Springer Sponsor: Spiller
Relating to the manner of carrying a handgun by a person who holds a license under Subchapter H, Chapter 411, Government Code.

SB 586 Springer Sponsor: Spiller
Relating to the filing of certain reports by distributors of certain off-highway vehicles purchased outside this state; providing civil penalties.

SB 702 Paxton Sponsor: Paddie
Relating to the continuation and functions of the Prepaid Higher Education Tuition Board.

SB 707 Paxton Sponsor: Lambert
Relating to the continuation and functions of the Credit Union Department and the Credit Union Commission.

SB 911 Hancock Sponsor: Burrows
Relating to the regulation of restaurants and third-party food delivery services, including the issuance of certain alcoholic beverage certificates to restaurants.

SB 997 Nichols Sponsor: Harris
Relating to procedural requirements for the review of a contractual rate charged for the furnishing of raw or treated water or water or sewer service.

SB 1821 Huffman Sponsor: Canales
Relating to procurement of a contingent fee contract for legal services by certain governmental entities.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

SENATE BILL 1741 ON THIRD READING

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1741** be placed on its third reading and final passage.

SB 1741, Relating to pretrial procedures, conditions for community supervision, and criminal punishment for conduct endangering the public safety; creating a criminal offense and increasing criminal penalties.

The motion prevailed by the following vote: Yeas 25, Nays 6.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Buckingham, Campbell, Creighton, Hall, Hancock, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Paxton, Perry, Powell, Schwertner, Seliger, Springer, Taylor, Zaffirini.

Nays: Eckhardt, Gutierrez, Johnson, Miles, West, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 22, Nays 9.

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

Nays: Alvarado, Eckhardt, Gutierrez, Johnson, Menéndez, Miles, West, Whitmire, Zaffirini.

COMMITTEE SUBSTITUTE HOUSE BILL 39 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 39** at this time on its second reading:

CSHB 39, Relating to protective orders; making conforming changes.

The bill was read second time.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 39** (senate committee report) as follows:

- (1) Strike SECTION 3 of the bill (page 1, lines 46 through 56).
- (2) In SECTION 16 of the bill (page 5, line 6), strike "Sections 85.025, 85.026, and 86.0011" and substitute "Sections 85.026 and 86.0011".
- (3) Renumber SECTIONS of the bill appropriately.

The amendment to **CSHB 39** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

CSHB 39 as amended was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading.

**COMMITTEE SUBSTITUTE
HOUSE BILL 39 ON THIRD READING**

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 39** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

(President Pro Tempore Birdwell in Chair)

**COMMITTEE SUBSTITUTE
HOUSE BILL 19 ON SECOND READING**

Senator Taylor moved to suspend the regular order of business to take up for consideration **CSHB 19** at this time on its second reading:

CSHB 19, Relating to civil liability of a commercial motor vehicle owner or operator, including the effect that changes to that liability have on commercial automobile insurance.

The motion prevailed.

Senator Miles asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Taylor offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 19** (senate committee printing) in SECTION 4 of the bill, in added Section 72.054, Civil Practice and Remedies Code, as follows:

- (1) In Subsection (a) (page 3, line 22), strike "In" and substitute "Except as provided by Subsection (d), in".

(2) In Subsection (b) (page 3, line 31), strike "If" and substitute "Except as provided by Subsection (c), if".

(3) In Subsection (b) (page 3, line 40), strike "Subsection (c) or".

(4) In Subsection (c)(1)(I) (page 4, line 7), strike "180th day after" and substitute "first anniversary of".

(5) In Subsection (c)(1)(J) (page 4, line 12), strike "90 days" and substitute "two years".

(6) In Subsection (c)(2)(C) (page 4, line 31), strike "180th day after" and substitute "first anniversary of".

The amendment to **CSHB 19** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

CSHB 19 as amended was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading except as follows:

Nays: Miles.

COMMITTEE SUBSTITUTE HOUSE BILL 19 ON THIRD READING

Senator Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 19** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Miles.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

COMMITTEE SUBSTITUTE HOUSE BILL 2080 ON SECOND READING

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2080** at this time on its second reading:

CSHB 2080, Relating to taxpayers' suits.

The bill was read second time and was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading.

COMMITTEE SUBSTITUTE HOUSE BILL 2080 ON THIRD READING

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2080** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, May 19, 2021 - 4

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:

SCR 41 Springer Sponsor: Middleton
Urging Congress to propose and submit to the states for ratification the "Keep Nine" amendment to the U.S. Constitution.

THE HOUSE HAS GRANTED THE REQUEST OF THE SENATE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

SB 7 (non-record vote)

House Conferees: Cain - Chair/Canales/Clardy/Collier/Jetton

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

(Senator Campbell in Chair)

HOUSE BILL 1387 ON SECOND READING

Senator Birdwell moved to suspend the regular order of business to take up for consideration **HB 1387** at this time on its second reading:

HB 1387, Relating to the storage of firearms and ammunition in the same locked location in certain foster homes.

The motion prevailed by the following vote: Yeas 20, Nays 11.

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

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

The bill was read second time and was passed to third reading by the following vote: Yeas 20, Nays 11. (Same as previous roll call)

HOUSE BILL 1262 REREFERRED
(Motion In Writing)

Senator Hughes submitted a Motion In Writing requesting that **HB 1262** be withdrawn from the Committee on Criminal Justice and rereferred to the Committee on State Affairs.

The Motion In Writing was read and prevailed without objection.

HOUSE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions received from the House were read first time and referred to the committees indicated:

HB 316 to Committee on Business & Commerce.

HB 408 to Committee on Veteran Affairs & Border Security.

HB 523 to Committee on Transportation.

HB 1002 to Committee on Criminal Justice.

HB 1122 to Committee on Transportation.

HB 1308 to Committee on Criminal Justice.

HB 1471 to Committee on Criminal Justice.

HB 1501 to Committee on Natural Resources & Economic Development.

HB 2885 to Committee on Business & Commerce.

HB 3868 to Committee on State Affairs.

HB 4666 to Committee on Local Government.

HB 4668 to Committee on Local Government.

HB 4669 to Committee on Local Government.

HCR 29 to Committee on Administration.

HCR 86 to Committee on Health & Human Services.

HCR 89 to Committee on Administration.

(President in Chair)

SENATE RULE 11.13 SUSPENDED
(Consideration of Bills in Committees)

On motion of Senator Hancock and by unanimous consent, Senate Rule 11.13 was suspended to grant the Committee on Business and Commerce permission to meet while the Senate is meeting tomorrow.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Hancock and by unanimous consent, Senate Rule 11.10(a), Senate Rule 11.18(a), and all necessary rules were suspended in order that the Committee on Business and Commerce might meet and consider the following bills at 8:00 a.m. tomorrow: **HB 1477, HB 1852, HB 1993, HB 3131, HB 4492.**

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Huffman and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Jurisprudence might meet and consider **HB 193** at 9:00 a.m. tomorrow in the Betty King Committee Room, 2E.20.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Bettencourt and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Local Government might meet in Room E1.028 and consider the following bills today: **HB 2272, HB 2314, HB 2535, HB 3971, HB 4356, HB 4667.**

HOUSE BILL 3564 REREFERRED
(Motion In Writing)

Senator Taylor submitted a Motion In Writing requesting that **HB 3564** be withdrawn from the Committee on Business and Commerce and rereferred to the Committee on Jurisprudence.

The Motion In Writing was read and prevailed without objection.

HOUSE BILL 769 REREFERRED
(Motion In Writing)

Senator Taylor submitted a Motion In Writing requesting that **HB 769** be withdrawn from the Committee on Natural Resources and Economic Development and rereferred to the Committee on Jurisprudence.

The Motion In Writing was read and prevailed without objection.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Huffman and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Jurisprudence might meet and consider the following bills tomorrow in the Betty King Committee Room, 2E.20: **HB 769, HB 3564.**

CO-AUTHOR OF SENATE BILL 13

On motion of Senator Birdwell, Senator Hughes will be shown as Co-author of **SB 13.**

CO-AUTHOR OF SENATE BILL 19

On motion of Senator Schwertner, Senator Hughes will be shown as Co-author of **SB 19.**

CO-AUTHOR OF SENATE BILL 1062

On motion of Senator Zaffirini, Senator Eckhardt will be shown as Co-author of **SB 1062.**

CO-AUTHOR OF SENATE BILL 1914

On motion of Senator Blanco, Senator Eckhardt will be shown as Co-author of **SB 1914**.

CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 50

On motion of Senator Campbell, Senator Hall will be shown as Co-author of **SCR 50**.

CO-SPONSOR OF HOUSE BILL 19

On motion of Senator Taylor, Senator Kolkhorst will be shown as Co-sponsor of **HB 19**.

CO-SPONSOR OF HOUSE BILL 39

On motion of Senator Zaffirini, Senator Eckhardt will be shown as Co-sponsor of **HB 39**.

CO-SPONSOR OF HOUSE BILL 133

On motion of Senator Kolkhorst, Senator Johnson will be shown as Co-sponsor of **HB 133**.

CO-SPONSOR OF HOUSE BILL 402

On motion of Senator Alvarado, Senator Blanco will be shown as Co-sponsor of **HB 402**.

CO-SPONSOR OF HOUSE BILL 548

On motion of Senator Blanco, Senator Gutierrez will be shown as Co-sponsor of **HB 548**.

CO-SPONSOR OF HOUSE BILL 1698

On motion of Senator Schwertner, Senator Hinojosa will be shown as Co-sponsor of **HB 1698**.

CO-SPONSORS OF HOUSE BILL 1802

On motion of Senator Campbell, Senators Eckhardt, Gutierrez, and Hall will be shown as Co-sponsors of **HB 1802**.

CO-SPONSOR OF HOUSE BILL 1818

On motion of Senator Menéndez, Senator Lucio will be shown as Co-sponsor of **HB 1818**.

CO-SPONSOR OF HOUSE BILL 1966

On motion of Senator Powell, Senator Johnson will be shown as Co-sponsor of **HB 1966**.

CO-SPONSOR OF HOUSE BILL 1967

On motion of Senator Powell, Senator Johnson will be shown as Co-sponsor of **HB 1967**.

CO-SPONSOR OF HOUSE BILL 2139

On motion of Senator Buckingham, Senator Johnson will be shown as Co-sponsor of **HB 2139**.

CO-SPONSOR OF HOUSE BILL 2211

On motion of Senator Perry, Senator Hall will be shown as Co-sponsor of **HB 2211**.

CO-SPONSOR OF HOUSE BILL 2308

On motion of Senator Kolkhorst, Senator Hall will be shown as Co-sponsor of **HB 2308**.

CO-SPONSOR OF HOUSE BILL 2497

On motion of Senator Creighton, Senator Schwertner will be shown as Co-sponsor of **HB 2497**.

CO-SPONSORS OF HOUSE BILL 2822

On motion of Senator Buckingham, Senators Alvarado and Blanco will be shown as Co-sponsors of **HB 2822**.

CO-SPONSOR OF HOUSE BILL 3395

On motion of Senator Hinojosa, Senator Seliger will be shown as Co-sponsor of **HB 3395**.

CO-SPONSOR OF HOUSE BILL 3481

On motion of Senator West, Senator Johnson will be shown as Co-sponsor of **HB 3481**.

CO-SPONSOR OF HOUSE BILL 3721

On motion of Senator Kolkhorst, Senator Blanco will be shown as Co-sponsor of **HB 3721**.

CO-SPONSORS OF HOUSE CONCURRENT RESOLUTION 51

On motion of Senator Alvarado, Senators Blanco, Campbell, and Lucio will be shown as Co-sponsors of **HCR 51**.

CO-SPONSOR OF HOUSE CONCURRENT RESOLUTION 71

On motion of Senator Blanco, Senator Hall will be shown as Co-sponsor of **HCR 71**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SCR 53 by Hughes, In memory of Andrew George Khoury.

SR 441 by Hughes, In memory of Mike Baughman.

SR 444 by Nelson, In memory of Beverlee Ruth Barnes Herd.

HCR 106 (Taylor), In memory of Alayna Kay McDonald.

Congratulatory Resolutions

SCR 54 by Hughes, Commemorating the centennial of the Rotary Club of Tyler.

SR 436 by West, Recognizing Tori Watson for earning the Girl Scout Gold Award.

SR 437 by West, Recognizing Isabella Jarecke for earning the Girl Scout Gold Award.

SR 438 by West, Recognizing Imani Butler for earning the Girl Scout Gold Award.

SR 442 by Hughes, Recognizing Mary and Jimmie Roberson on the occasion of their 65th wedding anniversary.

SR 443 by Hughes, Recognizing Gregg Roberts on the occasion of his retirement.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 2:13 p.m. adjourned, in memory of former State Representative Sergio Muñoz Sr. and Stephen K. Balas, until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

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

May 19, 2021

STATE AFFAIRS — **HB 1128, HB 2926, HB 2924, HB 2622, HB 2057, HB 1920, HB 3046, HB 4346**

LOCAL GOVERNMENT — **SB 2259, HB 4626, HB 4594, HB 4578, SB 2258, SB 2257**

STATE AFFAIRS — **CSHB 3979**

BUSINESS AND COMMERCE — **HB 872**

FINANCE — **HB 1258, HB 2625, HB 3134, HB 3459, HB 3474, HB 3578, HB 3777**

WATER, AGRICULTURE AND RURAL AFFAIRS — **HB 3387, HB 4296, HB 2951, HB 4454, HB 4621, HB 4204, HB 3516, HB 2238, HB 2450, HB 2225, HB 3522**

LOCAL GOVERNMENT — **CSSB 2198, CSSB 2240, CSSB 2250, CSHB 1240, CSSB 2251, CSSB 2225**

BUSINESS AND COMMERCE — **HB 692**

WATER, AGRICULTURE AND RURAL AFFAIRS — **CSHB 2667**

BUSINESS AND COMMERCE — **HB 3583, HB 2305**

EDUCATION — **HB 1788, HB 3643, HB 3489, HB 750, HB 1461, HB 2120, HB 3449**

BUSINESS AND COMMERCE — **CSHB 1565**

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **HB 1284, HB 3706, HB 2201, HB 964, HB 1153, HB 963, HB 4218, HB 1570**

VETERAN AFFAIRS AND BORDER SECURITY — **HCR 25, HB 1062, SCR 50, HB 1802, HB 2903**

WATER, AGRICULTURE AND RURAL AFFAIRS — **CSHB 3600, CSHB 2148**

VETERAN AFFAIRS AND BORDER SECURITY — **HB 911, HB 912**

STATE AFFAIRS — **CSHB 2064**

EDUCATION — **CSHB 3932**

TRANSPORTATION — **CSHB 1739, CSHB 2203, CSHB 3927, HB 3026, HB 3533, HB 3630, HB 4073, HB 3319**

EDUCATION — **CSHB 547**

HIGHER EDUCATION — **HB 1522, HB 4383, HB 4202, HB 2827, HB 1259**

BILLS AND RESOLUTIONS ENROLLED

May 18, 2021

SB 45, SB 162, SB 211, SB 232, SB 285, SB 337, SB 460, SB 530, SB 581, SB 634, SB 675, SB 692, SB 700, SB 833, SB 858, SB 884, SB 886, SB 922, SB 941, SB 952, SB 1093, SB 1105, SB 1122, SB 1130, SB 1225, SB 1226, SB 1251, SB 1277, SB 1295, SB 1354, SB 1467, SB 1615, SB 1783, SB 1818, SB 1860, SB 2162, SB 2164, SB 2173, SB 2207, SB 2216, SB 2219, SCR 7, SCR 23, SCR 26, SJR 27, SR 404, SR 405, SR 412, SR 413, SR 430, SR 432, SR 433, SR 434

BILLS ENGROSSED

May 19, 2021

SB 608, SB 1083, SB 1200, SB 1386, SB 1451, SB 1486, SB 1741, SB 2214, SB 2237, SB 2242, SB 2244

SENT TO SECRETARY OF STATE

May 19, 2021

SJR 27

SENT TO GOVERNOR

May 19, 2021

SB 45, SB 162, SB 211, SB 232, SB 285, SB 337, SB 460, SB 530, SB 581, SB 634, SB 675, SB 692, SB 700, SB 833, SB 858, SB 884, SB 886, SB 922, SB 941, SB 952, SB 1093, SB 1105, SB 1122, SB 1130, SB 1225, SB 1226, SB 1251, SB 1277, SB 1295, SB 1354, SB 1467, SB 1615, SB 1783, SB 1818, SB 1860,

SB 2162, SB 2164, SB 2173, SB 2207, SB 2216, SB 2219, SCR 7, SCR 23, SCR 26

SIGNED BY GOVERNOR

May 19, 2021

SB 8

In Memory
of
Stephen K. Balas
Senate Resolution 435

WHEREAS, The Senate of the State of Texas honors and commemorates the life of Stephen K. Balas, who died April 20, 2021, at the age of 75; and

WHEREAS, Steve Balas was born on February 20, 1946, in Lindsay, California, and his family moved to Texas when he was a young child; at the age of six, he met Linda Thomas, and the two remained friends and sweethearts throughout their school years and were later joined together in marriage; Steve graduated from Eagle Lake High School in 1964 and went on to earn a degree in pharmacy from The University of Texas at Austin in 1969; and

WHEREAS, A respected pillar of the Eagle Lake community, he enjoyed a rewarding career as the owner and operator of the Eagle Lake Drug Store; he fostered a warm and welcoming atmosphere for his family of employees, and he was known for brightening the days of the many loyal customers he served with his friendly demeanor and personable conversations; through the help of his father-in-law, he learned about growing rice, and he became a knowledgeable and successful rice farmer; and

WHEREAS, Steve took great pleasure in serving his community, and he gave generously of his time as a member of the boards of numerous civic, professional, and charitable organizations; he was appointed to the Lower Colorado River Authority by Governor Perry, and he was a member of the Colorado River Alliance and the Colorado River Land Trust; and

WHEREAS, Steve Balas was the devoted father of the late Renee Balas Bullard and the late Brian Thomas Balas, and he cherished his two grandsons, Trevor Thomas Bullard and Brandon Bullard; he found great joy in traveling the world with his wife and in entertaining friends and loved ones at their homes in Eagle Lake and the Vineyard; he was a treasured member of his community and an exemplary citizen, and he leaves behind memories that will live on in the hearts of his many friends and loved ones; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 87th Legislature, hereby extend sincere condolences to the bereaved family of Stephen K. Balas; and, be it further

RESOLVED, That a copy of this Resolution be prepared for his family as an expression of deepest sympathy from the Texas Senate and that when the Senate adjourns this day, it do so in memory of Steve Balas.

KOLKHORST

In Memory**of****Sergio Muñoz Sr.****Senate Concurrent Resolution 52**

WHEREAS, The Legislature of the State of Texas honors and commemorates the life of Sergio Muñoz Sr., who died July 30, 2020, at the age of 68; and

WHEREAS, Sergio Muñoz was an exemplary citizen, an influential political leader, and a dedicated public servant whose vision and commitment to serving the less fortunate among us were an inspiration to all who knew him; and

WHEREAS, Born on January 20, 1952, he grew up in Los Ebanos and was valedictorian of his graduating class of 1970 at La Joya High School; as a young man, he demonstrated exceptional musical talent as a trumpet player, vocalist, and songwriter, and he performed in numerous local bands, including his own group, Sergio Muñoz y Los Incas; he continued his education at Pan American University, where he studied social work; and

WHEREAS, Sergio began his career in public service at the age of 18 as a candidate for the La Joya school board; he went on to serve two terms in the Texas House of Representatives representing District 36, a seat now held by his son, Sergio Muñoz Jr., and he remained involved in politics and committed to creating positive change throughout his life; he also served as a city manager and municipal judge for the City of Palmview and was a successful businessman in the insurance industry and in residential and commercial land development; and

WHEREAS, After leaving elected office, he worked as a lobbyist for various local and municipal interests, and for two decades, he served as an advocate for the health care industry and was committed to providing quality care for the elderly; he was a trusted mentor and advisor to numerous candidates for elected office, and he held several leadership positions in the Hidalgo County Democratic Party and was often seen during legislative sessions supporting and promoting issues of importance to the people of the Rio Grande Valley; and

WHEREAS, He was active in a wide range of professional and civic organizations, including the Knights of Columbus, the Private Industry Council, the Lions Club, the La Joya Educational Foundation, and the Touchdown Club in Mission; he took great pleasure in making his morning rounds to visit local restaurants and in spending time surrounded by friends and discussing family, politics, and Texas Longhorn football; and

WHEREAS, Sergio and his beloved wife of 44 years, Connie Bazan Muñoz, were blessed with two children, Marla Lopez and Sergio Muñoz Jr.; he cherished his nieces and nephews, and his eight grandchildren were a source of much pride and joy for him; and

WHEREAS, Sergio Muñoz was a visionary community leader who gave selflessly of his time and abilities to help others; he was dedicated to making a positive difference in the lives of others, and his wisdom, strength, and integrity have set an example for others to follow; and

WHEREAS, He was a devoted husband, father, and grandfather, and he leaves behind memories that will be treasured forever by his family and countless friends; now, therefore, be it

RESOLVED, That the 87th Legislature of the State of Texas hereby extend sincere condolences to the bereaved family of Sergio Muñoz Sr.; and, be it further

RESOLVED, That a copy of this resolution be prepared for his family as an expression of deepest sympathy from the Texas Legislature and that when the legislature adjourns this day, it do so in memory of Sergio Muñoz Sr.

HINOJOSA
LUCIO