

# SENATE JOURNAL

EIGHTY-EIGHTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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## FORTY-SEVENTH DAY

(Continued)

(Friday, May 5, 2023)

### AFTER RECESS

The Senate met at 11:16 a.m. and was called to order by Senator Hughes.

### SENATE BILL ON FIRST READING

The following bill was introduced, read first time, and referred to the committee indicated:

**SB 2631** by 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.  
To Committee on Local Government.

### 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 148** to Committee on Health and Human Services.

**HB 181** to Committee on Health and Human Services.

**HB 194** to Committee on Business and Commerce.

**HB 246** to Committee on State Affairs.

**HB 291** to Committee on Transportation.

**HB 387** to Committee on Veteran Affairs.

**HB 400** to Subcommittee on Higher Education.

**HB 409** to Committee on State Affairs.

**HB 469** to Committee on Criminal Justice.

**HB 558** to Committee on State Affairs.

**HB 613** to Committee on Business and Commerce.

**HB 715** to Committee on Water, Agriculture, and Rural Affairs.

**HB 823** to Committee on Business and Commerce.

**HB 855** to Committee on Business and Commerce.

**HB 876** to Committee on Business and Commerce.

**HB 963** to Committee on Transportation.

**HB 1004** to Committee on Criminal Justice.

**HB 1010** to Committee on Business and Commerce.

**HB 1193** to Committee on Local Government.  
**HB 1198** to Committee on Transportation.  
**HB 1199** to Committee on Transportation.  
**HB 1211** to Subcommittee on Higher Education.  
**HB 1225** to Committee on Education.  
**HB 1229** to Committee on Health and Human Services.  
**HB 1234** to Committee on Business and Commerce.  
**HB 1238** to Committee on Health and Human Services.  
**HB 1283** to Committee on Health and Human Services.  
**HB 1300** to Committee on Criminal Justice.  
**HB 1330** to Committee on Local Government.  
**HB 1357** to Committee on Health and Human Services.  
**HB 1383** to Committee on Criminal Justice.  
**HB 1423** to Committee on State Affairs.  
**HB 1427** to Committee on Criminal Justice.  
**HB 1506** to Committee on Criminal Justice.  
**HB 1590** to Subcommittee on Higher Education.  
**HB 1617** to Committee on State Affairs.  
**HB 1620** to Committee on Business and Commerce.  
**HB 1632** to Committee on State Affairs.  
**HB 1651** to Committee on Finance.  
**HB 1688** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 1710** to Committee on Criminal Justice.  
**HB 1765** to Committee on Business and Commerce.  
**HB 1793** to Committee on Local Government.  
**HB 1817** to Committee on State Affairs.  
**HB 1832** to Committee on Criminal Justice.  
**HB 1847** to Committee on Health and Human Services.  
**HB 1883** to Committee on Education.  
**HB 1884** to Committee on State Affairs.  
**HB 1885** to Committee on Transportation.  
**HB 1914** to Committee on Criminal Justice.  
**HB 1972** to Committee on Health and Human Services.  
**HB 1979** to Committee on Natural Resources and Economic Development.  
**HB 2022** to Committee on Business and Commerce.  
**HB 2033** to Committee on Business and Commerce.  
**HB 2065** to Committee on Business and Commerce.  
**HB 2088** to Committee on Health and Human Services.  
**HB 2093** to Committee on State Affairs.  
**HB 2095** to Committee on State Affairs.  
**HB 2162** to Committee on Education.  
**HB 2170** to Committee on Transportation.  
**HB 2230** to Committee on Finance.  
**HB 2239** to Committee on Local Government.  
**HB 2285** to Committee on Education.  
**HB 2316** to Committee on Business and Commerce.

**HB 2366** to Committee on Business and Commerce.  
**HB 2442** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 2470** to Committee on Natural Resources and Economic Development.  
**HB 2499** to Committee on Veteran Affairs.  
**HB 2503** to Committee on Transportation.  
**HB 2568** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 2598** to Committee on Natural Resources and Economic Development.  
**HB 2636** to Committee on State Affairs.  
**HB 2651** to Committee on Health and Human Services.  
**HB 2660** to Committee on Criminal Justice.  
**HB 2672** to Subcommittee on Higher Education.  
**HB 2673** to Committee on Education.  
**HB 2700** to Committee on Criminal Justice.  
**HB 2729** to Committee on Education.  
**HB 2730** to Committee on Local Government.  
**HB 2769** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 2807** to Committee on Business and Commerce.  
**HB 2808** to Committee on Education.  
**HB 2837** to Committee on State Affairs.  
**HB 2839** to Committee on Business and Commerce.  
**HB 2851** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 2865** to Committee on Jurisprudence.  
**HB 2873** to Committee on Health and Human Services.  
**HB 2878** to Committee on Local Government.  
**HB 2893** to Committee on Jurisprudence.  
**HB 2897** to Committee on Criminal Justice.  
**HB 2902** to Committee on Transportation.  
**HB 2933** to Committee on Health and Human Services.  
**HB 2959** to Committee on Criminal Justice.  
**HB 3014** to Committee on Transportation.  
**HB 3025** to Committee on Criminal Justice.  
**HB 3096** to Committee on Business and Commerce.  
**HB 3126** to Committee on Transportation.  
**HB 3129** to Committee on Jurisprudence.  
**HB 3161** to Committee on Criminal Justice.  
**HB 3223** to Committee on State Affairs.  
**HB 3224** to Committee on Transportation.  
**HB 3235** to Committee on Natural Resources and Economic Development.  
**HB 3313** to Committee on Transportation.  
**HB 3315** to Committee on Education.  
**HB 3331** to Committee on Jurisprudence.  
**HB 3338** to Subcommittee on Higher Education.  
**HB 3361** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 3372** to Committee on State Affairs.  
**HB 3419** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 3469** to Committee on Local Government.

**HB 3474** to Committee on Jurisprudence.  
**HB 3492** to Committee on Local Government.  
**HB 3497** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 3522** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 3523** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 3574** to Committee on Administration.  
**HB 3645** to Committee on Transportation.  
**HB 3646** to Committee on Transportation.  
**HB 3648** to Committee on Education.  
**HB 3712** to Committee on State Affairs.  
**HB 3723** to Committee on Natural Resources and Economic Development.  
**HB 3730** to Committee on Business and Commerce.  
**HB 3744** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 3798** to Committee on Transportation.  
**HB 3813** to Committee on Finance.  
**HB 3832** to Committee on Education.  
**HB 3861** to Committee on Transportation.  
**HB 3942** to Committee on Health and Human Services.  
**HB 3980** to Committee on Local Government.  
**HB 3990** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 4047** to Committee on Natural Resources and Economic Development.  
**HB 4053** to Committee on State Affairs.  
**HB 4085** to Committee on State Affairs.  
**HB 4142** to Committee on Business and Commerce.  
**HB 4170** to Committee on Health and Human Services.  
**HB 4175** to Committee on Local Government.  
**HB 4194** to Committee on Business and Commerce.  
**HB 4210** to Committee on Education.  
**HB 4264** to Committee on Natural Resources and Economic Development.  
**HB 4342** to Committee on Education.  
**HB 4358** to Committee on Education.  
**HB 4363** to Subcommittee on Higher Education.  
**HB 4367** to Committee on Health and Human Services.  
**HB 4421** to Committee on Veteran Affairs.  
**HB 4494** to Committee on Natural Resources and Economic Development.  
**HB 4504** to Committee on Administration.  
**HB 4510** to Committee on Finance.  
**HB 4528** to Committee on Criminal Justice.  
**HB 4595** to Committee on Administration.  
**HB 4609** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 4611** to Committee on Administration.  
**HB 4616** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 4622** to Committee on Criminal Justice.  
**HB 4629** to Committee on Health and Human Services.  
**HB 4644** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 4696** to Committee on Health and Human Services.

**HB 4765** to Committee on Jurisprudence.  
**HB 4827** to Committee on State Affairs.  
**HB 4835** to Committee on Local Government.  
**HB 4879** to Committee on Criminal Justice.  
**HB 4906** to Committee on Criminal Justice.  
**HB 4980** to Committee on Local Government.  
**HB 5010** to Committee on State Affairs.  
**HB 5178** to Committee on Natural Resources and Economic Development.  
**HB 5183** to Committee on Criminal Justice.  
**HB 5214** to Committee on State Affairs.  
**HB 5229** to Committee on Veteran Affairs.  
**HB 5232** to Committee on State Affairs.  
**HB 5271** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 5325** to Committee on Local Government.  
**HB 5326** to Committee on Local Government.  
**HB 5329** to Committee on Local Government.  
**HB 5334** to Committee on Local Government.  
**HCR 75** to Committee on Administration.  
**HJR 132** to Committee on Finance.  
**HJR 165** to Committee on Local Government.  
**HJR 166** to Committee on State Affairs.

### MESSAGE FROM THE HOUSE

HOUSE CHAMBER  
Austin, Texas  
Friday, May 5, 2023 - 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 103** Murr  
Relating to the appointment of a retired or former judge as a visiting judge in certain counties.

**HB 270** Thompson, Senfronia  
Relating to postconviction forensic DNA testing.

**HB 671** González, Mary  
Relating to a veterans suicide prevention campaign.

**HB 677** Jetton  
Relating to a highway toll exemption for public school buses.

**HB 844** Patterson

Relating to crime victims' compensation for criminally injurious conduct in connection with trafficking of persons.

**HB 1073** Hull

Relating to certain health care services contract arrangements entered into by insurers and health care providers.

**HB 1100** Johnson, Julie

Relating to the regulation of certain senior retirement communities.

**HB 1703** Ordaz

Relating to the workforce development evaluation system administered by the Texas Workforce Commission, including the establishment of a workforce development career education and training evaluation pilot program.

**HB 1819** Cook

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

**HB 1899** Meyer

Relating to increasing the criminal penalties for insider trading and other misuse of official information.

**HB 1927** Hull

Relating to a parent's right to intervene in the apprehension by a peace officer of a child for an emergency detention and certain requirements and restrictions applicable to an emergency detention.

**HB 2002** Oliverson

Relating to preferred provider benefit plan out-of-pocket expense credits for payments made by an insured directly to a physician or health care provider.

**HB 2120** Bell, Keith

Relating to the practice of barbering and cosmetology at an establishment at a public secondary school.

**HB 2263** Darby

Relating to the authority of a natural gas local distribution company to offer energy conservation programs.

**HB 2345** Guillen

Relating to definitions for purposes of gambling criminal offenses and the prosecution of the criminal offenses of gambling, gambling promotion, and keeping a gambling place.

**HB 2572** Lujan

Relating to the central registry of names of individuals found to have abused or neglected a child.

**HB 2608** Geren

Relating to the use by certain municipalities of certain tax revenue to fund convention center facilities, multipurpose arenas, venues, and related infrastructure.

**HB 2847** Darby

Relating to the jurisdiction of the Railroad Commission of Texas over and a study of the production, pipeline transportation, and storage of hydrogen.

**HB 2850** Smith

Relating to discovery procedures for civil actions brought under the Family Code.

**HB 2946** King, Ken

Relating to the required number of minutes of instructional time to be provided by a juvenile justice alternative education program.

**HB 2976** Guillen

Relating to an elective course on firearms safety for public high school students and the designation of August as Firearm Safety Awareness Month.

**HB 3028** Meyer

Relating to a credit for prepayment of the amount required to be paid by a school district for the purchase of attendance credit under the public school finance system.

**HB 3067** Jones, Venton

Relating to the installation and use of tracking equipment and access to certain communications by certain peace officers.

**HB 3140** King, Ken

Relating to eligibility requirements for the Teach for Texas Loan Repayment Assistance Program.

**HB 3255** Manuel

Relating to emergency response management training for certain administrators and security personnel at public schools.

**HB 3444** Canales

Relating to the classification of transportation districts by the Texas Transportation Commission.

**HB 3483** Turner

Relating to the creation, distribution, and posting of a veterans benefits and services poster in the workplace.

**HB 3553** Thierry

Relating to increasing the criminal penalty for the offense of trafficking of persons if committed at certain locations.

**HB 3554** Thierry

Relating to increasing the criminal penalty for the offense of trafficking of persons if committed at certain locations.

**HB 3625** Walle

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

**HB 3742** Goldman

Relating to the regulation of combative sports by the Texas Department of Licensing and Regulation and to immunity for ringside physicians assigned to combative sports events.

**HB 3743** Goldman

Relating to the Texas Department of Licensing and Regulation; expanding authority to adopt fees.

**HB 3833** Lopez, Janie

Relating to the duties of a public school counselor.

**HB 3929** Cook

Relating to the adoption by the Supreme Court of Texas of the Uniform Interstate Depositions and Discovery Act.

**HB 4082** Goldman

Relating to the purposes for which a municipality or county may issue an anticipation note or certificate of obligation.

**HB 4218** Leach

Relating to liability related to a duty to retrofit certain rented or leased motor vehicles with safety devices.

**HB 4233** Zwiener

Relating to training regarding runaway prevention for certain individuals who provide care for children in the conservatorship of the Department of Family and Protective Services.

**HB 4354** Lozano

Relating to a mitigation and preparedness program and a fortified homes program administered by the Texas Windstorm Insurance Association.

**HB 4417** Goldman

Relating to the administration of court-ordered programs regulated by the Texas Department of Licensing and Regulation.

**HB 4539** Goldman

Relating to qualifications for participation in the moving image industry incentive program.

**HB 4571** Bucy

Relating to measures to address student hunger at postsecondary educational institutions.

**HB 4653** Anchía

Relating to participation in a deferred retirement option plan by members of the retirement systems for police and fire fighters in certain municipalities.

**HB 4716** Manuel

Relating to the referral of certain students receiving special education services to a local intellectual and developmental disability authority for services or public benefits.

**HB 4811** Anchía

Relating to the creation of the Texas Energy Efficiency Council.

**HB 4928** Frank

Relating to the continuation of certain health care provider participation programs in certain counties.



**HB 4932**

Lopez, Janie

Relating to the amount of foreign emissions of air contaminants in nonattainment areas and the revision of the state implementation plan to account for those emissions.

**SB 49**

Zaffirini

Sponsor: González, Mary

Relating to crime victims' compensation.

**SB 593**

Sparks

Sponsor: Frank

Relating to an independent assessment of the Health and Human Services Commission's and the Department of Family and Protective Services' rules, minimum standards, and contract requirements that apply to certain residential child-care providers.

**SB 1332**

Huffman

Sponsor: Bonnen

Relating to the provision of funding to the Texas Historical Commission for state historic sites.

**SB 1469**

Bettencourt

Sponsor: Noble

Relating to requiring certain information before being employed by a child-care facility.

**SB 1603**

Hughes

Sponsor: Smithee

Relating to the decision of a court of appeals not to accept certain interlocutory appeals.

(Amended)

**SB 1615**

Zaffirini

Sponsor: Wilson

Relating to the cosmetology licensure compact.

**SB 1741**

Zaffirini

Sponsor: Raymond

Relating to the route designation for the issuance of a permit for the movement of oversize and overweight vehicles in Webb County.

**SB 2171**

Alvarado

Sponsor: Davis

Relating to the qualifications of experts in certain health care liability claims.

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

**SB 10**

House Conferees: Bonnen - Chair/Capriglione/Gervin-Hawkins/Longoria/VanDeaver

**SB 222**

House Conferees: Metcalf - Chair/Anchía/Cole/Harris, Cody/Landgraf

**SB 500**

House Conferees: Thompson, Senfronia - Chair/Darby/Harless/Hernandez/Kuempel

**SB 1238**

House Conferees: Ashby - Chair/Bailes/Cortez/King, Ken/Rose

Respectfully,

/s/Stephen Brown,

Chief Clerk

House of Representatives

**MESSAGE FROM THE HOUSE****HOUSE CHAMBER**

Austin, Texas

Friday, May 5, 2023 - 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 929**

Parker

Sponsor: Rogers

Relating to the notice and compensation a municipality must provide before revoking the right to use property for a use that was allowed before the adoption of or change to a zoning regulation or boundary.

Respectfully,

/s/Stephen Brown,

Chief Clerk

House of Representatives

**MOTION IN WRITING**

Senator Whitmire offered the following Motion In Writing:

Mr. President:

I move that the Senate adjourn until 11:00 a.m., Monday, May 8th.

WHITMIRE

The Motion In Writing was read and prevailed without objection.

**ADJOURNMENT**

On motion of Senator Whitmire, the Senate at 11:32 a.m. adjourned, in memory of Alan D. Vera, until 11:00 a.m. Monday, May 8, 2023.

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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:

May 5, 2023**LOCAL GOVERNMENT — CSSB 1430**

BUSINESS AND COMMERCE — **CSHB 1706**

FINANCE — **CSHB 591**

BUSINESS AND COMMERCE — **SCR 25, HB 1748, HB 1074, HB 1901, CSSB 833, HB 2127, HB 3290**

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **HB 1526**

STATE AFFAIRS — **HB 2384, SB 2620, HB 609, HB 242, HB 1255, HB 2015, HB 1760, HB 2007**

#### **BILLS ENROLLED**

May 5, 2023

**SB 49, SB 593, SB 929, SB 1332, SB 1469, SB 1615, SB 1741, SB 2171**

#### **SIGNED BY GOVERNOR**

May 5, 2023

**SB 838, SCR 40, SCR 41, SCR 43**

#### **FILED WITHOUT SIGNATURE OF GOVERNOR**

May 5, 2023

**SB 497, SB 1016**

