

SENATE JOURNAL

EIGHTY-EIGHTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

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.

APPENDIX

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

In Memory
of
Alan D. Vera
Senate Resolution 520

WHEREAS, Family and friends have suffered an immeasurable loss with the untimely passing of Alan Vera of Houston on May 4, 2023, at the age of 75, having recently celebrated his birthday on April 20 in the House Elections Committee; and

WHEREAS, Before beginning his successful business career, Alan Vera graduated magna cum laude from Loyola University with a degree in political and military science; Alan valiantly served his country as an airborne ranger in the United States Army from 1970 to 1974 and received multiple awards and unit citations for his service; during the Vietnam War, Mr. Vera completed 22 nighttime jumps behind enemy lines; and

WHEREAS, After his military career, Alan Vera served as the president and chief executive officer of Quest Business Agency beginning in 1984; he received many honors over the course of his distinguished business career recognizing his success and innovations in his field, including such accolades as Marketer of the Year from the American Marketing Association and Vendor of the Year from FedEx Retail Operations; and

WHEREAS, Alan Vera was one of the original founders of True the Vote and served as the Ballot Security chairman for the Harris County Republican Party since 2014; he worked with members of both chambers of the Texas Legislature to write legislation to improve election integrity and was named Volunteer of the Year for Senate District 7 by the State Republican Executive Committee; Mr. Vera and his wife, Colleen, were honored with the Lifetime Achievement Award presented by the Harris County Republican Party at the Lincoln Reagan Dinner on March 23, 2022; Mr. Vera credited his strong Christian faith for the good he had accomplished in his life; and

WHEREAS, Although his journey on this earth ended too soon, Mr. Vera found great fulfillment in his work at the State Capitol, where he was present at the time of his passing to contribute his testimony on election integrity bills; Alan Vera made a positive impact in the lives of countless people through his compassion, empathy, and kindness, and his memory will forever be cherished by his family and friends and by all who were privileged to share in his life; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 88th Legislature, hereby pay tribute to the life of Alan D. Vera and extend sincere condolences to the members of his family: his wife, Colleen Vera; his seven children; his six beautiful grandchildren; and his many loving extended relatives; and, be it further

RESOLVED, That an official 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 Alan Vera.

BETTENCOURT

