

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — SECOND CALLED SESSION

AUSTIN, TEXAS

PROCEEDINGS

SECOND DAY

(Monday, August 9, 2021)

The Senate met at 11:24 a.m. pursuant to adjournment and was called to order by the President.

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

Absent-excused: Menéndez, Miles.

The President announced that a quorum of the Senate was present.

Senator Perry offered the invocation as follows:

Heavenly Father, we thank You for the God that You are. We thank You that You've provided clarity in an unclear world if we just seek it out. We understand that You're a God that calls us to You, but it is our will that answers that call. I pray that each and every one of us will answer that call some point in our life. I just ask that as we search for the problems that challenge the secular world, which we are our own kings in, that we remind ourselves that You're the final king, the final authority, and the final sovereign God that we'll all be touched by and answer to. I pray for the challenges that we face in this state, this nation, the division, the policies that create that division sometimes. I pray that we're always looking towards You for that eternal wisdom to pull us through some of those decisions that need to be made. I pray for those that are lost, that don't know You. I pray that our witness, our testimony, will always be God glorifying and honoring. And all the people said, Amen.

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

The motion prevailed without objection.

LEAVES OF ABSENCE

On motion of Senator Whitmire, Senator Menéndez was granted leave of absence for today on account of an illness in the family.

On motion of Senator Whitmire, Senator Miles was granted leave of absence for today on account of illness.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

August 9, 2021

TO THE SENATE OF THE EIGHTY-SEVENTH LEGISLATURE, SECOND CALLED SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

ARCHITECTURAL EXAMINERS, TEXAS BOARD OF

Lauren C. Taylor - Denton

Appointment Date: August 6, 2021

Expiration Date: January 31, 2027

Jennifer N. Walker - Lampasas

Appointment Date: August 6, 2021

Expiration Date: January 31, 2027

GUADALUPE-BLANCO RIVER AUTHORITY BOARD OF DIRECTORS

Emanuel Valdez Jr. - New Braunfels

Appointment Date: August 6, 2021

Expiration Date: February 1, 2023

JUDGE, 169th JUDICIAL DISTRICT, BELL COUNTY

Cari Starritt-Burnett - Belton

Appointment Date: August 6, 2021

Expiration Date: December 31, 2022

JUSTICE, TENTH COURT OF APPEALS

Steven L. "Steve" Smith - College Station

Appointment Date: August 6, 2021

Expiration Date: December 31, 2022

LAVACA-NAVIDAD RIVER AUTHORITY

Sandra Y. "Sandy" Johs - La Ward

Appointment Date: August 6, 2021

Expiration Date: May 1, 2027

Michael V. "Vance" Mitchell - Lolita

Appointment Date: August 6, 2021

Expiration Date: May 1, 2027

Jennifer Powell Storz - Edna

Appointment Date: August 6, 2021

Expiration Date: May 1, 2027

LIBRARY AND ARCHIVES COMMISSION, TEXAS STATE

David Iglesias - Tyler

Appointment Date: August 6, 2021

Expiration Date: September 28, 2021

PUBLIC UNITY COMMISSION OF TEXAS

James W. "Jimmy" Glotfelty - Houston

Appointment Date: August 6, 2021

Expiration Date: September 1, 2025

SEX OFFENDER TREATMENT, COUNCIL ON

Jarett T. Lujan - Lubbock

Appointment Date: August 6, 2021

Expiration Date: February 1, 2027

Respectfully submitted,

/s/Greg Abbott

Governor

SENATE BILL ON FIRST READING

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

SB 3 by Hughes

Relating to civics training programs for certain public school social studies teachers and principals, parental access to certain learning management systems, and certain curriculum in public schools, including certain instructional requirements and prohibitions.

To Committee on State Affairs.

CONCLUSION OF MORNING CALL

The President at 11:41 a.m. announced the conclusion of morning call.

SENATE BILL 7 ON SECOND READING

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 7** at this time on its second reading:

SB 7, Relating to a one-time supplemental payment of benefits under the Teacher Retirement System of Texas.

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 except as follows:

Absent-excused: Menéndez, Miles.

SENATE BILL 7 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 **SB 7** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Menéndez, Miles.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

**SENATE RULE 11.19 SUSPENDED
(Tag Rule)**

Senator Hughes moved to suspend Senate Rule 11.19 in order that the Committee on State Affairs might meet and consider **SB 3** tomorrow.

The motion prevailed by the following vote: Yeas 18, Nays 11.

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

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

Absent-excused: Menéndez, Miles.

**(Senator Hall in Chair)
(President in Chair)**

SENATE BILL 6 ON SECOND READING

Senator Huffman moved to suspend the regular order of business to take up for consideration **SB 6** at this time on its second reading:

SB 6, Relating to rules for setting the amount of bail, to the release of certain defendants on a monetary bond or personal bond, to related duties of certain officers taking bail bonds and of a magistrate in a criminal case, to charitable bail organizations, and to the reporting of information pertaining to bail bonds.

The motion prevailed.

Senators Blanco and Eckhardt asked to be recorded as voting "Nay" on suspension of the regular order of business.

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 on the passage to engrossment except as follows:

Nays: Blanco, Eckhardt.

Absent-excused: Menéndez, Miles.

SENATE BILL 6 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 **SB 6** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 2.

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

Nays: Blanco, Eckhardt.

Absent-excused: Menéndez, Miles.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 2. (Same as previous roll call)

SENATE JOINT RESOLUTION 3 ON SECOND READING

Senator Huffman moved to suspend the regular order of business to take up for consideration **SJR 3** at this time on its second reading:

SJR 3, Proposing a constitutional amendment requiring a judge or magistrate to impose the least restrictive conditions of bail that may be necessary and authorizing the denial of bail under some circumstances to a person accused of a violent or sexual offense or of continuous trafficking of persons.

The motion prevailed.

Senators Blanco and Eckhardt asked to be recorded as voting "Nay" on suspension of the regular order of business.

The resolution 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 except as follows:

Nays: Blanco, Eckhardt.

Absent-excused: Menéndez, Miles.

SENATE JOINT RESOLUTION 3 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 **SJR 3** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 2.

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

Nays: Blanco, Eckhardt.

Absent-excused: Menéndez, Miles.

The resolution was read third time and was passed by the following vote: Yeas 27, Nays 2. (Same as previous roll call)

(Senator Creighton in Chair)

SENATE BILL 8 ON SECOND READING

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 8** at this time on its second reading:

SB 8, Relating to the authority of a person who acquires a residence homestead to receive an ad valorem tax exemption for the homestead in the year in which the property is acquired and to the protection of school districts against the resulting loss in revenue.

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 except as follows:

Absent-excused: Menéndez, Miles.

SENATE BILL 8 ON THIRD READING

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 8** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Menéndez, Miles.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

SENATE BILL 12 ON SECOND READING

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 12** at this time on its second reading:

SB 12, Relating to the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed by a school district on the residence homestead of an individual who is elderly or disabled to reflect any reduction from the preceding tax year in the district's maximum compressed rate and to the protection of school districts against the resulting loss in local revenue.

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 except as follows:

Absent-excused: Menéndez, Miles.

SENATE BILL 12 ON THIRD READING

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 12** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Menéndez, Miles.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

SENATE JOINT RESOLUTION 2 ON SECOND READING

The President laid before the Senate **SJR 2** by Senator Bettencourt at this time on its second reading:

SJR 2, Proposing a constitutional amendment authorizing the legislature to provide for the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed for general elementary and secondary public school purposes on the residence homestead of a person who is elderly or disabled to reflect any statutory reduction from the preceding tax year in the maximum compressed rate of the maintenance and operations taxes imposed for those purposes on the homestead.

The resolution 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 except as follows:

Absent-excused: Menéndez, Miles.

SENATE JOINT RESOLUTION 2 ON THIRD READING

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SJR 2** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Menéndez, Miles.

The resolution was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

SENATE BILL 13 ON SECOND READING

Senator Huffman moved to suspend the regular order of business to take up for consideration **SB 13** at this time on its second reading:

SB 13, Relating to dates of certain elections to be held in 2022.

The motion prevailed.

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

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 except as follows:

Nays: Gutierrez.

Absent-excused: Menéndez, Miles.

SENATE BILL 13 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 **SB 13** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Gutierrez.

Absent-excused: Menéndez, Miles.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 1. (Same as previous roll call)

SENATE RULES SUSPENDED (Posting Rules)

Senator Schwertner moved to suspend Senate Rule 11.10(a) and Senate Rule 11.18(a) in order that the Committee on Business and Commerce might meet today.

Senator Schwertner withdrew the motion.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 1:46 p.m. agreed to adjourn, pending the receipt of committee reports, until 3:00 p.m. tomorrow.

CO-AUTHORS OF SENATE BILL 1

On motion of Senator Hughes, Senators Buckingham, Nelson, and Paxton will be shown as Co-authors of **SB 1**.

CO-AUTHORS OF SENATE BILL 2

On motion of Senator Perry, Senators Bettencourt, Birdwell, Buckingham, Hall, Kolkhorst, Paxton, and Schwertner will be shown as Co-authors of **SB 2**.

CO-AUTHORS OF SENATE BILL 4

On motion of Senator Lucio, Senators Bettencourt, Birdwell, Buckingham, Kolkhorst, Paxton, and Schwertner will be shown as Co-authors of **SB 4**.

CO-AUTHORS OF SENATE BILL 5

On motion of Senator Hughes, Senators Buckingham and Paxton will be shown as Co-authors of **SB 5**.

CO-AUTHORS OF SENATE BILL 6

On motion of Senator Huffman, Senators Buckingham, Campbell, Creighton, Hall, Hughes, Nelson, Paxton, Schwertner, and Springer will be shown as Co-authors of **SB 6**.

CO-AUTHORS OF SENATE BILL 7

On motion of Senator Huffman, Senators Alvarado, Bettencourt, Birdwell, Blanco, Buckingham, Campbell, Creighton, Eckhardt, Hall, Hancock, Hinojosa, Hughes, Johnson, Kolkhorst, Miles, Nelson, Nichols, Paxton, Powell, Schwertner, Seliger, Springer, West, Whitmire, and Zaffirini will be shown as Co-authors of **SB 7**.

CO-AUTHORS OF SENATE BILL 8

On motion of Senator Bettencourt, Senators Alvarado, Birdwell, Blanco, Creighton, Eckhardt, Gutierrez, Hall, Hughes, Powell, and West will be shown as Co-authors of **SB 8**.

CO-AUTHORS OF SENATE BILL 12

On motion of Senator Bettencourt, Senators Alvarado, Birdwell, Blanco, Creighton, Gutierrez, Hall, Hughes, Powell, Schwertner, and West will be shown as Co-authors of **SB 12**.

CO-AUTHOR OF SENATE BILL 13

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

CO-AUTHORS OF SENATE JOINT RESOLUTION 2

On motion of Senator Bettencourt, Senators Alvarado, Birdwell, Blanco, Creighton, Gutierrez, Hall, Hinojosa, Hughes, Powell, Schwertner, and West will be shown as Co-authors of **SJR 2**.

CO-AUTHORS OF SENATE JOINT RESOLUTION 3

On motion of Senator Huffman, Senators Buckingham, Campbell, Creighton, Hall, Nelson, Paxton, and Schwertner will be shown as Co-authors of **SJR 3**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Congratulatory Resolutions

SR 3 by Nichols, Recognizing Michael Lee on the occasion of his retirement.

SR 4 by Eckhardt, Recognizing Bonifacio "Barney" Martinez Jr. on the occasion of his retirement.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 2:59 p.m. Tuesday, August 10, 2021, adjourned until 3:00 p.m. today.

APPENDIX

COMMITTEE REPORTS

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

August 9, 2021

HEALTH AND HUMAN SERVICES — **SB 4, SB 2**

CONSTITUTIONAL ISSUES — **SJR 1**

BUSINESS AND COMMERCE — **SB 14**

STATE AFFAIRS — **CSSB 1**

BILLS AND RESOLUTIONS ENGROSSED

August 9, 2021

SB 6, SB 7, SB 8, SB 12, SB 13, SJR 2, SJR 3

RESOLUTIONS ENROLLED

August 9, 2021

SR 3, SR 4