

# SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — THIRD CALLED SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**EIGHTH DAY**

(Friday, October 15, 2021)

The Senate met at 6:55 p.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, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Powell, Schwertner, Seliger, Springer, Taylor, West, Whitmire, Zaffirini.

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

Senator Kolkhorst offered the invocation as follows:

Lord, thank You so much for this beautiful day, this beautiful time of year here in Texas. And thank You, Father, for letting us serve the people. It's been a long 10 months, Father, and we are ready to go home and see those people and continue to serve them. Bless these two bodies as the final days of this third called session come to an end, let us come together and do what's best for Texas and always remember, Father, that we are Your children. 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.

## **INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED**

The President announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

There was no objection.

## **CONCLUSION OF MORNING CALL**

The President at 6:56 p.m. announced the conclusion of morning call.

## **HOUSE BILL 25 ON SECOND READING**

Senator Perry moved to suspend the regular order of business and Senate Rule 7.12(a) to take up for consideration **HB 25** at this time on its second reading:

**HB 25**, Relating to requiring public school students to compete in interscholastic athletic competitions based on biological sex.

The motion prevailed by the following vote: Yeas 19, Nays 12.

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

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

The bill was read second time.

Senator Perry offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **HB 25** (senate committee printing) in SECTION 3 of the bill, in added Section 33.0834, Education Code, by striking Subsection (a) and relettering subsequent subsections and cross-references to those subsections accordingly.

The amendment to **HB 25** was read and was adopted by the following vote: Yeas 31, Nays 0.

**HB 25** as amended was passed to third reading by the following vote: Yeas 19, Nays 12.

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

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

**HOUSE BILL 25 ON THIRD READING**

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 25** be placed on its third reading and final passage.

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

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

Nays: Alvarado, Johnson, Menéndez, Powell, West, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 19, Nays 12.

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

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

**STATEMENT REGARDING HOUSE BILL 25**

Senator Eckhardt submitted the following statement regarding **HB 25**:

Texas is a state in crisis. An estimated 700 Texans died because our grid couldn't withstand a winter storm. Nearly 70,000 Texans have died of COVID-19. Texas has the most uninsured people in the country, and more people die of gun violence here than any other state. We do not, however, have a crisis caused by transgender teens playing high school sports.

The Legislature should address the myriad crises harming our constituents rather than engaging in bullying and belittling the most vulnerable among us. Special legislative sessions serve to concentrate the Legislature on the most pressing issues facing our great state of Texas, and HB 25 clearly fails to meet that standard.

ECKHARDT

**RECESS**

On motion of Senator Zaffirini, the Senate at 7:14 p.m. recessed until 8:00 p.m. tomorrow.

