

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

THIRTEENTH DAY

(Tuesday, March 23, 2021)

The Senate met at 1:00 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, Nelson, Nichols, Paxton, Perry, Powell, Schwertner, Seliger, Springer, Taylor, West, Whitmire, Zaffirini.

Absent-excused: Miles.

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

Patsy Spaw offered the invocation as follows:

Heavenly Father, we come to You today asking for Your blessings upon this body of servants of Yours and of the great State of Texas. Father, we ask a special blessing on one of our Members who is ill today, and we ask for his full and complete recovery, our precious Senator Borris Miles. Put Your healing hand upon him and bring him back to his place in this body. Father, we thank You for all of the blessings of life that You give us, for our families, for our ability to work and to worship and to serve You. Father, we ask You to forgive us when we fail You. Build us up, give us strength and courage to go on. Bless our state. Bless our government. Bless our President. Bless the United States of America. In Jesus' name I pray. 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.

LEAVE OF ABSENCE

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:

March 23, 2021
Austin, Texas

TO THE SENATE OF THE EIGHTY-SEVENTH LEGISLATURE, REGULAR SESSION:

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

To be members of the Texas Commission on Fire Protection for terms to expire February 1, 2027:

Christopher G. "Chris" Cantu
Round Rock, Texas
(replacing Carlos Cortez, Jr. Harlingen whose term expired)

David E. Coatney
College Station, Texas
(replacing Robert L. Moore of Bryan whose term expired)

John M. "Michael" Glynn, Jr.
Roanoke, Texas
(replacing Steven C. "Steve" Tull of Valley Mills whose term expired)

Clyde D. Loll
Huntsville, Texas
(replacing Kelly E. Doster of Frisco whose term expired)

Timothy L. "Tim" Smith
Lubbock, Texas
(replacing Carl "Tommy" Anderson of Santa Fe whose term expired)

Respectfully submitted,

/s/Greg Abbott
Governor

SENATE RESOLUTION 65

Senator Nelson offered the following resolution:

SR 65, Celebrating February 17, 2021, as CASA Day.

The resolution was again read.

The resolution was previously adopted on Tuesday, February 23, 2021.

SENATE RESOLUTION 182

Senator Perry offered the following resolution:

SR 182, Recognizing Texas game wardens for 125 years of service.

PERRY
SPRINGER

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Perry, joined by Senators Springer and Lucio, was recognized and introduced to the Senate members of the Texas Game Warden Association including Carter Smith, Executive Director; Colonel Chad Jones; Lieutenant Colonel Ron VanderRoest; Major Quint Balkcom, Game Warden Peace Officers Association President; Retired Colonel David Sinclair, GWPOA Legislative Consultant; and Chief Chris Davis.

The Senate welcomed its guests.

SENATE RESOLUTION 177

Senator Campbell offered the following resolution:

SR 177, Recognizing the fourth week of March 2021 as Hereditary Colon Cancer Syndrome Awareness Week.

The resolution was read and was adopted without objection.

SENATE RESOLUTION 66

Senator Nelson offered the following resolution:

SR 66, Recognizing February 15, 2021, as Texas Council on Family Violence Day.

The resolution was again read.

The resolution was previously adopted on Tuesday, February 23, 2021.

SENATE RESOLUTION 187

Senator Zaffirini offered the following resolution:

SR 187, In memory of Teresa Altagracia Lozano Long.

ZAFFIRINI
ECKHARDT

On motion of Senator Zaffirini, the resolution was read and was adopted by a rising vote of the Senate.

In honor of the memory of Teresa Altagracia Lozano Long, the text of the resolution is printed at the end of today's *Senate Journal*.

REMARKS ORDERED PRINTED

On motion of Senator Menéndez and by unanimous consent, the remarks by Senators Zaffirini, Eckhardt, and Menéndez regarding **SR 187** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Zaffirini: Thank you, Mr. President. Mr. President and Members, if you read the *Austin American-Statesman* today, you saw this beautiful article with a headline, "UT's Mother Teresa Built Life Around Giving" and that was the legacy of Dr. Teresa Lozano Long. The beautiful, brilliant, and beloved Dr. Teresa Altagracia Lozano Long was a dairy farmer's daughter from Premont who became a legend in her own time. Altagracia translates literally into high grace or very gracious, so

gracious really was her maiden name. Known as UT's Mother Teresa, she was as kind and as lovely as she was fierce and focused on creating a better future, especially for low-income Mexican Americans through education and through the arts. In 1945, Terry took her first step as a Texas trailblazer as the first Mexican American high school valedictorian in Premont. She accepted an unsolicited \$50 scholarship, \$25 a semester, from UT Austin. That year the petite 16-year-old was the only Mexican American and the only female in her major department, physical education. Soon she became the first Mexican American woman to earn bachelor's, master's, and doctoral degrees in PE from UT, though between graduate degrees, she moved to Alice. She was teaching junior high PE and Joe was teaching high school civics there when they met and fell madly in love at a time when inter-ethnic relationships were not only rare, but also controversial. They married and lived happily ever after as a unifying force for good, a motivating model of selfless service and an inspiring paragon of mutual loyalty and devotion. They were inseparable. Equally joyfully, Terry and Joe contributed more than \$150 million to nonprofits and to education. Terry Long was loved so very much because she was so loving, and she was as much a blessing in the lives of those she loved as they were in hers. She was happy about so many things, but most especially about the accomplishments of young scholars at the Dr. Teresa Lozano Long Institute of Latin American Studies at UT Austin and the Joe R. and Teresa Lozano Long School of Medicine at the UT Health Science Center at San Antonio. It was my pleasure to introduce Terry many times as she and Joe received multiple awards from a rich variety of groups including Texas Exes, Caritas, and Mental Health America of Texas. Dr. Teresa Lozano Long was a true Texas treasure, an icon who will be missed. Her impact, however, will increase over time as generations will benefit from her gifts to society. Our communities and our state are better because she lived. Thank you, Mr. President and Members. It is my pleasure to yield to Senator Eckhardt.

President: Thank you, Senator. Senator Eckhardt, you're recognized.

Senator Eckhardt: I did not have the honor of being on a first-name basis with Dr. Long as Senator Zaffirini was, but her reputation is all over the city and all over this state. Truly, *altagracia* is an appropriate term, high grace, and Dr. Long had a life that represented high grace. If any of you all have been in the lovely room at the top of the Long Center for any kind of event, that room should be the Room of High Grace named for Dr. Long, and I will talk to them about renaming it such. Dr. Long represented what it means to pay it forward, what it means to leave this state better than you found it, what it means to build opportunity infrastructure, not just for you, not just for your family, but families into the future that you will never know, families into the future that may have nothing to do with you, but everything to do with opportunity for every Texan for generations to come. So, thank you very much for this resolution, and I joyfully join you in it.

President: Senator Menéndez, you're recognized on the resolution.

Senator Menéndez: Thank you, Mr. President. First, I'd like to make a motion to reduce to writing the comments on Resolution 187 and put them in the Journal, if that's appropriate.

President: It's very appropriate. Any objection? Hearing none, motion is adopted.

Senator Menéndez: I'd also like to thank our friend and colleague, Senator Zaffirini and Senator Eckhardt for bringing this forward. I had the privilege of getting to know or meet Dr. Teresa Altagracia Lozano Long and Joe. And you know, you've said it all, but I just want to reaffirm that she dedicated her life to service. Her commitment to higher education, continuous generosity opened the door for countless students to pursue education in the State of Texas. And, you know, their record for, their philanthropic roles in this state are renowned. But what I love is that their strong marriage, their bond, their love that lasted 60-plus years and the happiness that they took in helping others. And so, many times it's, you know, it is not always that people who have great success look back and look for ways to help others. And not only did they help in the medical school in San Antonio that you mentioned, which is going to provide so many more access to medical services in South Texas, nursing school that's there, the dental school, but also their endowment of the Teresa Lozano Long Institute of Latin American Studies. And because of their gift, UT Austin is now a flagship in Latin American studies, and students from across the state and the nation will have an opportunity to enroll in that department and to learn more about their heritage. And I just believe and know for a fact that through their foundation and the permanent fund set up for scholarships that it's going to just help so many students who might otherwise not be able to attend college, be able to be there. So, it is very appropriate that when you recognize whose lifelong contributions will be embedded in our state for generations to come. Her dedication to service, to students, and particularly to Hispanic students will be forever present in this state and her spirit should be an example to all of us, so thank you very much for bringing this forward. It is an honor to be able to speak on this resolution. Thank you, Mr. President.

President: Thank you, Senator. Senator Zaffirini to close.

Senator Zaffirini: Thank you, Mr. President. Mr. President and Members, every time I introduced Joe and Terry for one of their multiple awards, I always interviewed them, because I always wanted the most recent facts about their accomplishments. And one time I asked them, do you have any regrets, and this is what they agreed. They regretted that they didn't have more money so they would have more money to give away. Isn't that incredible? Mr. President, I move adoption, Senate Resolution 187.

CONCLUSION OF MORNING CALL

The President at 1:51 p.m. announced the conclusion of morning call.

SENATE BILL 156 ON SECOND READING

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 156** at this time on its second reading:

SB 156, Relating to the transfer of certain probate proceedings to the county in which the executor or administrator of a decedent's estate resides.

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: Miles.

SENATE BILL 156 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 **SB 156** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Miles.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 157 ON SECOND READING

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 157** at this time on its second reading:

CSSB 157, Relating to eminent domain reporting requirements for certain entities.

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: Miles.

COMMITTEE SUBSTITUTE SENATE BILL 157 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 **CSSB 157** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Miles.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

REPORT OF COMMITTEE ON NOMINATIONS

Senator Buckingham submitted the following report from the Committee on Nominations:

We, your Committee on Nominations, to which were referred the following appointments, have had same under consideration and report them back to the Senate with a recommendation that they be confirmed:

Judge, 181st Judicial District Court, Potter and Randall Counties: Titiana Dixon Frausto, Potter County.

Judge, 192nd Judicial District Court, Dallas County: Kristina Marie Williams, Dallas County.

Judge, 303rd Judicial District Court, Dallas County: Rhonda Hunter, Dallas County.

Judge, 358th Judicial District Court, Ector County: John Floyd Shrode, Ector County.

Judge, 44th Judicial District Court, Dallas County: Ashley Elizabeth Wysocki, Dallas County.

Judge, 455th Judicial District Court, Travis County: Dustin Mark Howell, Travis County.

Judge, 466th Judicial District Court, Comal County: Stephanie Strange Bascon, Comal County.

Judge, 467th Judicial District Court, Denton County: Derbha Ann Houston Jones, Denton County.

Judge, 54th Judicial District Court, McLennan County: Susan Neely Kelly, McLennan County.

Judge, 72nd Judicial District Court, Crosby and Lubbock Counties: Ann-Marie Carruth, Lubbock County.

Presiding Judge, Fifth Administrative Judicial Region: Mary Koehler McDonald Medary, Nueces County.

Presiding Judge, Ninth Administrative Judicial Region: Anahid Elizabeth Estevez, Randall County.

Presiding Judge, Sixth Administrative Judicial Region: Stephen Bruce Ables, Kerr County.

Members, Board of Directors, Angelina and Neches River Authority: Joseph Lee Anderson, Angelina County; Kimberly McRae Childs, Nacadoches County; Thomas Richard Murphy, Houston County.

Member, Board of Pardons and Paroles: Linda Garza Molina, Bexar County.

Members, Board of Directors, Brazos River Authority: Thomas Abraham, Fort Bend County; Gary Olin Boren, Lubbock County; Michael Lee Fernandez, Taylor County; James P. Lattimore, Palo Pinto County; Wesley David Lloyd, McLennan County; David Ruiz, Bell County; David Lawrence Savage, Fort Bend County.

Members, Board of Directors, Coastal Water Authority: Thomas Allan Reiser, Harris County; Jon M. Sjolander, Liberty County; Douglas E. Walker, Chambers County.

Justice, Court of Appeals, Eighth Court of Appeals District: Jeffrey Scott Alley, El Paso County.

Justice, Court of Appeals, Fourteenth Court of Appeals District: Randall William Wilson, Harris County.

Judge, Court of Criminal Appeals: Jesse Foster McClure, Harris County.

Criminal District Attorney, Brazoria County: Thomas Joseph Selleck, Brazoria County.

Chief Administrative Law Judge, State Office of Administrative Hearings: Kristofer S. Monson, Hays County.

Commissioners, Texas Animal Health Commission: Jimmie Ruth Evans, Bexar County; Melanie J. Johnson, Harris County; Kenneth Gene Jordan, San Saba County; Barret Jay Klein, Kendall County; Joe Lynn Leathers, King County.

Chief, Texas Division of Emergency Management: W. Nim Kidd, Comal County.

Member, Texas Facilities Commission: Eddy Betancourt, Hildalgo County.

Members, Texas Forensic Science Commission: Jeffrey Joseph Barnard, Dallas County; Bruce Budowle, Tarrant County; Patrick Buzzini, Harris County; Michael DeWitt Coble, Tarrant County; Mark G. Daniel, Tarrant County; Nancy Ruth Downing, Brazos County; Jasmine Millican Drake, Harris County; Sarah Kerrigan, Montgomery County; Jarvis Jermaine Parsons, Brazos County.

Members, Texas Judicial Council: Sonia Velasco Clayton, Montgomery County; Jon Richard Gimble, McLennan County.

Members, Texas Military Preparedness Commission: Patrick Kamohoalii Akuna, Bell County; Carol Ann Halliday Bonds, Tom Green County; Garry William Bradford, Nueces County; Darrell Glen Coleman, Wichita County; Dennis Leamon Lewis, Bowie County; Benjamin Miranda, El Paso County; Kevin Earl Pottinger, Tarrant County; Kenneth Francis Sheets, Dallas County; Shannalea Grubb Taylor, Edwards County.

Member, Board of Regents, University of Houston System: Durga D. Agrawal, Harris County.

Member, Board of Regents, University of North Texas System: John Stuart Scott, Tarrant County.

Member, Veterans' Land Board: Grant Austin Moody, Bexar County.

NOTICE OF CONSIDERATION OF NOMINATIONS

Senator Buckingham gave notice that tomorrow she would submit to the Senate for consideration nominations to agencies, boards, and commissions of the state.

CO-AUTHOR OF SENATE BILL 9

On motion of Senator Paxton, Senator Creighton will be shown as Co-author of **SB 9**.

CO-AUTHORS OF SENATE BILL 12

On motion of Senator Hughes, Senators Creighton and Hancock will be shown as Co-authors of **SB 12**.

CO-AUTHORS OF SENATE BILL 18

On motion of Senator Creighton, Senators Kolkhorst and Nelson will be shown as Co-authors of **SB 18**.

CO-AUTHORS OF SENATE BILL 19

On motion of Senator Schwertner, Senators Kolkhorst and Springer will be shown as Co-authors of **SB 19**.

CO-AUTHOR OF SENATE BILL 95

On motion of Senator Menéndez, Senator West will be shown as Co-author of **SB 95**.

CO-AUTHOR OF SENATE BILL 151

On motion of Senator Johnson, Senator Eckhardt will be shown as Co-author of **SB 151**.

CO-AUTHORS OF SENATE BILL 153

On motion of Senator Perry, Senators Bettencourt, Hall, and Springer will be shown as Co-authors of **SB 153**.

CO-AUTHOR OF SENATE BILL 155

On motion of Senator Perry, Senator Bettencourt will be shown as Co-author of **SB 155**.

CO-AUTHOR OF SENATE BILL 177

On motion of Senator Seliger, Senator Lucio will be shown as Co-author of **SB 177**.

CO-AUTHOR OF SENATE BILL 192

On motion of Senator West, Senator Paxton will be shown as Co-author of **SB 192**.

CO-AUTHOR OF SENATE BILL 204

On motion of Senator Schwertner, Senator Hall will be shown as Co-author of **SB 204**.

CO-AUTHOR OF SENATE BILL 228

On motion of Senator Blanco, Senator Buckingham will be shown as Co-author of **SB 228**.

CO-AUTHORS OF SENATE BILL 231

On motion of Senator Seliger, Senators Hall and Zaffirini will be shown as Co-authors of **SB 231**.

CO-AUTHOR OF SENATE BILL 327

On motion of Senator Lucio, Senator Eckhardt will be shown as Co-author of **SB 327**.

CO-AUTHOR OF SENATE BILL 460

On motion of Senator Lucio, Senator Perry will be shown as Co-author of **SB 460**.

CO-AUTHOR OF SENATE BILL 528

On motion of Senator Hughes, Senator Huffman will be shown as Co-author of **SB 528**.

CO-AUTHOR OF SENATE BILL 679

On motion of Senator Kolkhorst, Senator Gutierrez will be shown as Co-author of **SB 679**.

CO-AUTHOR OF SENATE BILL 780

On motion of Senator Hinojosa, Senator Lucio will be shown as Co-author of **SB 780**.

CO-AUTHOR OF SENATE BILL 827

On motion of Senator Kolkhorst, Senator Gutierrez will be shown as Co-author of **SB 827**.

CO-AUTHOR OF SENATE BILL 980

On motion of Senator Powell, Senator Schwertner will be shown as Co-author of **SB 980**.

CO-AUTHOR OF SENATE BILL 1135

On motion of Senator Kolkhorst, Senator Buckingham will be shown as Co-author of **SB 1135**.

CO-AUTHORS OF SENATE BILL 1173

On motion of Senator Hancock, Senators Birdwell, Campbell, Creighton, Hall, Lucio, Perry, and Springer will be shown as Co-authors of **SB 1173**.

CO-AUTHOR OF SENATE BILL 1175

On motion of Senator Johnson, Senator Eckhardt will be shown as Co-author of **SB 1175**.

CO-AUTHOR OF SENATE BILL 1441

On motion of Senator Campbell, Senator Gutierrez will be shown as Co-author of **SB 1441**.

CO-AUTHOR OF SENATE BILL 1719

On motion of Senator Hall, Senator Perry will be shown as Co-author of **SB 1719**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 27

On motion of Senator Hancock, Senator Perry will be shown as Co-author of **SJR 27**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Congratulatory Resolutions

SR 178 by Kolkhorst, Recognizing Alonzo Gonzalez on the occasion of his retirement.

SR 188 by Nelson, Hancock, and Powell, Recognizing Laura Hill on the occasion of her retirement.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 1:57 p.m. adjourned, in memory of Teresa Altagracia Lozano Long, until 1:00 p.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

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

March 23, 2021

JURISPRUDENCE — **SB 343, SB 516, SB 626, SB 768, SB 2154**

BILLS ENGROSSED

March 23, 2021

SB 156, SB 157

RESOLUTIONS ENROLLED

March 23, 2021

SR 177, SR 178, SR 182, SR 187, SR 188

In Memory
of
Teresa Altagracia Lozano Long
Senate Resolution 187

WHEREAS, The Senate of the State of Texas honors and commemorates the life of Teresa Altagracia Lozano Long, beloved wife, friend, patron of the arts, champion of education, and philanthropist, who died March 22, 2021, at the age of 92; and

WHEREAS, "Altagracia" translates as "High Grace" or "Very Gracious," a reflection of Teresa's remarkable kindness, compassion, and commitment to improving the lives of low-income Texans; and

WHEREAS, Teresa Lozano Long was born in Premont on July 20, 1928, to Arturo V. and Elvira D. Lozano, and immediately began blazing trails: She was Premont High School's first Mexican American valedictorian at the age of 16 before enrolling at The University of Texas at Austin, at which she was the only female and the only Mexican American student majoring in physical education; and

WHEREAS, While teaching junior high in Alice, Texas, she met Joe Long, at a time when intercultural relationships were not only rare, but also controversial, and after marrying on February 1, 1958, they were blessed with more than six happy and harmonious decades together; and

WHEREAS, Teresa and Joe shone together as ardent advocates of education and the arts who basked in the joy of providing scholarships for students and who became significant contributors in myriad fields including medicine, teaching, and the fine and performing arts; and

WHEREAS, She blossomed professionally as a Consultant for the U.S. Office of Education on Migrant Education and Head Start Program and in the Review Section of the Division of Compensatory Education of the Texas Education Agency, where she also worked as a Research Assistant, and as a Research Associate for the Governor's Committee on Public School Education; and

WHEREAS, Her civic leadership was evident through the countless boards and councils on which she served, including the Chancellor's Council and Development Board at The University of Texas, Texas Committee for National Museum of Women in the Arts, National Council on the Arts, Austin College, First State Bank and Community National Bank, Austin Lyric Opera, St. Austin Catholic School, Seton Medical Center Auxiliary, Laguna Gloria Museum, and Ballet Austin; and

WHEREAS, Her legacy of service forever will be memorialized in the Dr. Teresa Lozano Long Institute of Latin American Studies at The University of Texas at Austin, the Joe R. and Teresa Lozano Long School of

Medicine at The University of Texas Health Science Center at San Antonio, and the Joe R. and Teresa Lozano Long Center for the Performing Arts in Austin; and

WHEREAS, She received countless awards and honors for her civic and philanthropic work, including being named a Distinguished Alumna of The University of Texas at Austin, a member of the Texas Women's Hall of Fame, and a recipient of the National Humanities Medal; and

WHEREAS, She and her husband will impact generations of Texans, past, present, and future, through the more than \$150 million they have contributed to nonprofits and higher education, mostly for scholarships and programs; and

WHEREAS, She is survived not only by her beloved husband, but also by her brother, Hector Lozano; her honorary grandchildren, Gael, Alan, and Aranza—children of Ulises and Betty Perez; her many nieces, nephews, cousins, and dear friends; and she will be best remembered by those who know her as a devoted wife; a beloved friend; and an avid believer in the transformational power of education; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 87th Legislature, hereby extend sincere condolences to the bereaved family of Teresa Lozano Long; and, be it further

RESOLVED, That a copy of this Resolution be prepared for her 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 Teresa Lozano Long.

ZAFFIRINI
ECKHARDT

