

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

SEVENTEENTH DAY

(Tuesday, March 30, 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, 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 Miles offered the invocation as follows:

Heavenly Father, we come to You on this day of uncertainty. On the day many would consider dark but, Father, You are our light. There is a war going on for the soul of Texas, and we are here to defend it. So, heavenly Father, I ask that You provide us with the strength and guidance. I ask that You touch the hearts of many and minds of many and each Senator in this body with understanding that You give us knowledge and foresight to improve the lives and to provide a better tomorrow for all God's children in the true equitable manner. Father God, the threads of our democracy are withering. So, holy and righteous God, I ask that You move within us to propel us forward to do the work despite outside influences. Lord, thank You for the prayers from this body for me last week. I am grateful to serve with such a wonderful group of human beings. Lord, I ask for health and safety and love for each person under the sound of my voice. Cover them with Your protection. Keep the faith, keep the fight as we do the work of all Texans, for in Matthew it reads, for when two to three are gathered, I am there. And so, He is here with us today. I ask that you all join me in saying, 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.

RESOLUTION SIGNED

The President announced the signing of the following enrolled resolution in the presence of the Senate: **HCR 30**.

MESSAGE FROM THE GOVERNOR

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

March 30, 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 Real Estate Commission for terms to expire January 31, 2027:

Leslie Lerner

Houston, Texas

(replacing Rayito O. Stephens of Pearland whose term expired)

Benjamin "Ben" Peña

Bayview, Texas

(replacing Thomas J. "T.J." Turner of Austin whose term expired)

Mark A. Woodroof

Houston, Texas

(replacing Robert H. "Bob" Leonard of San Antonio whose term expired)

Respectfully submitted,

/s/Greg Abbott

Governor

**SENATE RULE 7.12(a) SUSPENDED
(Printing of Bills)**

On motion of Senator Nelson and by unanimous consent, Senate Rule 7.12(a) was suspended and the committee report for **SB 1** was ordered not printed.

**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.

SENATE RESOLUTION 205

Senator Buckingham offered the following resolution:

SR 205, Honoring Texans in the medical community who lost their lives in service as frontline workers during the COVID-19 pandemic.

The resolution was read.

On motion of Senator Kolkhorst and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Buckingham, **SR 205** was adopted by a rising vote of the Senate.

GUEST PRESENTED

Senator Buckingham, joined by Senator Campbell, was recognized and introduced to the Senate Diana Fite, President of the Texas Medical Association.

The Senate welcomed its guest.

SENATE RESOLUTION 206

Senator Menéndez offered the following resolution:

SR 206, Recognizing March 30 through April 1, 2021, as VIVA San Antonio Days.

MENÉNDEZ
CAMPBELL
GUTIERREZ
ZAFFIRINI

The resolution was read and was adopted without objection.

SENATE RESOLUTION 198

Senator Alvarado offered the following resolution:

SR 198, Recognizing March 30, 2021, as Texas Music Advocacy Day.

The resolution was read and was adopted without objection.

CONCLUSION OF MORNING CALL

The President at 1:43 p.m. announced the conclusion of morning call.

(Senator Nelson in Chair)

COMMITTEE SUBSTITUTE SENATE BILL 196 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 196** at this time on its second reading:

CSSB 196, Relating to prohibited relationships between holders of certain alcoholic beverage licenses and permits.

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.

**COMMITTEE SUBSTITUTE
SENATE BILL 196 ON THIRD READING**

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 196** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

(President in Chair)

SENATE BILL 873 ON SECOND READING

On motion of Senator Hancock and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 873** at this time on its second reading:

SB 873, Relating to disclosure by the comptroller to the purchaser of a business of the amount of tax due.

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.

SENATE BILL 873 ON THIRD READING

Senator Hancock moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 873** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 343 ON SECOND READING

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 343** at this time on its second reading:

SB 343, Relating to the entry into the Texas Crime Information Center of certain information regarding conditions of bond imposed in criminal cases involving family violence.

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.

SENATE BILL 343 ON THIRD READING

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 343** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE
SENATE BILL 601 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 601** at this time on its second reading:

CSSB 601, Relating to the creation and activities of the Texas Produced Water Consortium.

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: Hall.

**COMMITTEE SUBSTITUTE
SENATE BILL 601 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 601** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1.

Nays: Hall.

**COMMITTEE SUBSTITUTE
SENATE BILL 941 ON SECOND READING**

On motion of Senator Buckingham and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 941** at this time on its second reading:

CSSB 941, Relating to the adoption of a state scenic byways program.

The bill was read second time.

Senator Seliger offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 941** (senate committee printing) in SECTION 1 of the bill by striking added Section 391.256(d), Transportation Code (page 1, lines 42-44), and substituting the following:

(d) The department may use money from the state highway fund for a project that receives a grant made under 23 U.S.C. Section 162 only for the purpose of satisfying matching funds requirements for the grant.

The amendment to **CSSB 941** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

CSSB 941 as amended 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: Hall.

COMMITTEE SUBSTITUTE SENATE BILL 941 ON THIRD READING

Senator Buckingham moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 941** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1.

Nays: Hall.

SENATE BILL 872 ON SECOND READING

On motion of Senator Hancock and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 872** at this time on its second reading:

SB 872, Relating to the expiration of the dry cleaner environmental response program.

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: Hall, Springer.

SENATE BILL 872 ON THIRD READING

Senator Hancock moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 872** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2.

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

Nays: Hall, Springer.

SENATE BILL 863 ON SECOND READING

On motion of Senator Blanco and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 863** at this time on its second reading:

SB 863, Relating to the temporary relocation of a residential child-care facility during a declared state of disaster.

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.

SENATE BILL 863 ON THIRD READING

Senator Blanco moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 863** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE
SENATE BILL 8 ON THIRD READING**

Senator Hughes moved to suspend the regular order of business to take up for consideration **CSSB 8** at this time on its third reading and final passage:

CSSB 8, Relating to abortion, including abortions after detection of an unborn child's heartbeat; authorizing a private civil right of action.

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 third time and was passed by the following vote: Yeas 19, Nays 12. (Same as previous roll call)

REMARKS ORDERED PRINTED

On motion of Senator Hughes and by unanimous consent, the remarks by Senators Lucio, Whitmire, Eckhardt, and Hughes regarding **CSSB 8** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Lucio: Thank you, Mr. President. And I must say as we had some fun just moments ago, I looked at the faces of all my colleagues on the floor and I said to myself, how beautiful, how beautiful life is. And how beautiful it is to be able to share our life together here on this floor, have some fun and at the same time do, do our best to make a difference to the people of this whole state, not just our districts. Senator Hughes, thank you for this bill. This bill speaks volumes. When I hear a person's

beating heart, I just don't hear their heart. I hear their soul speaking and I listen carefully. In committee, as I referenced yesterday, we heard the sound of two heartbeats: one a developed baby in a mother's womb, the other a newly, a newly beating baby. And those two recordings, obviously, I couldn't tell the difference, right, and you couldn't either. And nobody else said anything, but I could look at their faces, and I could see them gesturing that they were one in the same. But with both of them, you and I and others heard a human life. I know we did. Abortion is a terrible thing. I, as all of you well know by now, I am pro-life but more than that I am pro-lifetime from conception to natural death. I want to be consistent so I am also strongly opposed to the death penalty because we know that it stops a beating heart as well. Again, consistent. There's nothing in this world more precious to any one of us than life. Our families, our friends, our neighbors, the people we know, it is something so precious, and when we lose life, we mourn. And some of us never forget those that go from our world. Quoting Cardinal Bergoglio, now known as Pope Francis, he said, quote, caring for life from the beginning to the end, what a simple thing, what a beautiful thing, he said. So, go forth and don't be discouraged, care for life, it's worth it, unquote. Pro-life policies are so much more than just a bill to vote on. Life is precious and it is to be respected and protected from conception to natural death. Thou has granted you life. He called you through His grace. A heartbeat is life, indeed it is. Thank you, Mr. President. Thank you, Members.

President: Thank you, Senator Lucio. Senator Whitmire, what purpose? Speak on the bill?

Senator Whitmire: I'd speak in opposition.

President: You're recognized.

Senator Whitmire: Thank you, Mr. President and Members. Members, if I could have your attention, I was very hesitant to speak because I don't think any votes are going to change, but Senator Lucio actually motivated me because, Eddie, I remember a couple sessions back you made a tough vote with the supporters of this bill. And I was driving back to Houston and I believe it was on the, Senator Patrick's talk show at that time. And you mentioned that you were proud of your vote, which I respect, but you also want to remind your colleagues that you were voting with that you can't just be pro-birth but you have to be pro-life, means after birth. That was really a profound statement that I heard years ago and I haven't forgotten it. I wish you'd continue to remind folks that whether you're talking about Medicaid expansion or health care, that the birth is the first subject we're talking about, and it really doesn't end there. I rise in opposition. I want to speak for a moment to represent the voices that can't be here today. I know for a fact that there are large number of Texans that disagree with the majority that are supporting this bill. And they do so, Senator Hughes, out of personal experiences, some family matters, some, you mentioned yesterday you'd spoken to experts that said the heartbeat would really be the best time to judge the viability. Let me just cite an expert that came to me in my neighborhood a couple of years ago. She's a doctor at Texas Children's Hospital. She said, I know you're going to be dealing with this topic in the future and I want you to know, as a professional, we're doing remarkable things at Texas Children in terms of caring for fetuses, newborn. And she said one of our experiences are because of the Supreme Court's ruling that 20

weeks is viability, that we're beginning to see, alarmingly, that some fetuses, some children are being born, their brain has not developed, their spines have not developed, and they are so underdeveloped when they're capable of leaving the hospital that the families do not want to take them home. And, you know, I'm listening to this expert. She said, and we really don't know what to do with that situation because they are becoming wards of the state indefinitely. So, I rise to let us know things are not as plain sometime as the bill's laid out to be. So, there's a health care concern, probably an unintended consequence to your proposal that hasn't been brought up. I've been very fortunate in my life to meet many people in many different situations. I was a young caseworker, what was then called the welfare department, working my way through college in the food stamp program. In 1970, one of my coworkers, during a break started crying and said that she had just learned that she was pregnant, her boyfriend had left her, didn't know what to do. Back then abortions were illegal in the State of Texas, 1970. I came here in '73. So, out of desperation she said, I've got to get to New York. And there's a system that will allow you to go to Bush Intercontinental, join other young ladies, some housewives, but I need \$300. So, if I sinned in the eyes of some of you, I assisted her with \$300, took her to the airport. Everyone thought I was probably delivering a girlfriend. I promise you, God as my witness, she was a coworker. Went up there, it was a gut-wrenching decision, but she was, had nowhere, no one else to turn to. So, I've never forgotten her experience. She came back the next day, later married, has her own family today. So, I could cite other examples. And I just rise to represent those instances and hope that my expressions will be one that let's respect, as convinced as you are, Senator Paxton and others, that you're correct, that there's a different point of view and let you know, also, when we're having this debate on this, probably the most emotional issue that I've seen in my career, that our words matter, fears matter. And I know the debate yesterday brought some tears to those listening to you, that we just have to respect that there's a different point of view and a different experience. And I'm not talking on behalf of the professional activist, the Planned Parenthoods of the world—which I think they ought to change their name, because I think they'd make more progress because y'all got them so labeled—but those who get their health care there and those that have prayed about this decision, talked to their spouse or partner, their minister, their God. And I would just close by saying, if I could just get you to at least on both sides to respect the views of the other one because this is just, we're not talking about a budget. We're talking about, probably, the most personal, gut-wrenching decision regardless of whichever side you're on. With that said, Mr. President, I'll vote "no" on behalf of those that I've witnessed throughout my life that have a different point of view than the author and his supporters, who I do respect their point of view.

President: Thank you, Senator. Senator Eckhardt, for what purpose?

Senator Eckhardt: To speak in opposition to the bill, Mr. President.

President: You're recognized.

Senator Eckhardt: I very much respect Senator Whitmire's consideration. I know that the votes on this bill won't change, but I'm hoping that by speaking this, my truth, that perhaps we will be able to build a relationship and maybe change some votes on future bills, future bills for the care and the compassion toward these women, these

children, and these families in the future. This particular bill seeks to delay or dissuade a woman's right to choose through isolating her by the threat of civil or criminal prosecution or professional ruin of anyone who attempts to help her. And so, I rise in opposition for my grandmother who helped my mother or my mother who helped countless women who faced this difficult choice and had their own conversations with God. We in this building cannot and should not seek to script an individual's conversation with their God in these most intimate moments. So, I rise in opposition because this dissuades and seeks to isolate a woman in a very, very difficult moment from the very people who are most likely to provide her the support and the comfort in this moment. Thank you, Mr. President. Thank you, Senators.

President: Thank, thank you, Senator Eckhardt. Senator Hughes, close?

Senator Hughes: Thank you, Mr. President. Thank you, Members. I thank each of my colleagues that spoke on this bill and representing strong feelings that each of us hold and certainly folks back home hold. I don't guess there's anything more visceral, more difficult, as far as issues that we grapple with here, than this one. Fundamentally, this bill says that heartbeat—now I can't ask you to do this but if each one of us were to place a hand up here under our chin, we would feel that pulse because each one of us has a heartbeat—that's the sign of life. Our hearts tell us that, our heads tell us that, science tells us that. And so, when does life begin? Folks may put the line in different places in the development of that little unborn baby. But it's hard to argue with the fact that that heartbeat, the heart is beating, blood is pumping, there's life. That's human life worthy of protection, and as we do this, we, even with other bills we'll consider today, we want to show love and support to those mothers many of whom are in difficult, seemingly impossible situations. As we do that, let's protect that innocent human life. The most helpless, the most innocent a human can ever be. I ask for your vote "yes" on passage of the Texas Heartbeat Act.

SENATE BILL 1173 ON THIRD READING

Senator Hancock moved to suspend the regular order of business to take up for consideration **SB 1173** at this time on its third reading and final passage:

SB 1173, Relating to the regulation of abortion, including information regarding perinatal palliative care and prohibiting discriminatory abortions; authorizing disciplinary action; providing a civil remedy; creating a criminal offense.

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 third time and was passed by the following vote: Yeas 19, Nays 12. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 9 ON THIRD READING**

Senator Paxton moved to suspend the regular order of business to take up for consideration **CSSB 9** at this time on its third reading and final passage:

CSSB 9, Relating to prohibition of abortion; providing a civil penalty; creating a criminal offense.

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 third time and was passed by the following vote: Yeas 19, Nays 12. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 394 ON THIRD READING**

Senator Lucio moved to suspend the regular order of business to take up for consideration **CSSB 394** at this time on its third reading and final passage:

CSSB 394, Relating to abortion complication reporting and the regulation of drug-induced abortion procedures, providers, and facilities; creating a criminal offense.

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 third time and was passed by the following vote: Yeas 19, Nays 12. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1647 ON THIRD READING**

Senator Perry moved to suspend the regular order of business to take up for consideration **CSSB 1647** at this time on its third reading and final passage:

CSSB 1647, Relating to information regarding perinatal palliative care, regulation of abortion, and the availability of certain defenses to prosecution for homicide and assault offenses; providing an administrative penalty; creating a criminal offense.

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 third time and was passed by the following vote: Yeas 19, Nays 12. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 802 ON THIRD READING**

Senator Paxton moved to suspend the regular order of business to take up for consideration **CSSB 802** at this time on its third reading and final passage:

CSSB 802, Relating to a required resource access assistance offer before an abortion is performed or induced.

The motion prevailed by the following vote: Yeas 20, Nays 11.

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

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

The bill was read third time.

Senator Taylor offered the following amendment to the bill:

Floor Amendment No. 1 on Third Reading

Amend **CSSB 802** on third reading in SECTION 1 of the bill, between added Sections 171.01205(c) and (d), Health and Safety Code, by adding the following appropriately lettered subsection and relettering subsequent subsections and cross-references to those subsections accordingly:

() A care agent who obtains information that the pregnant woman is a victim of human trafficking or coercion of abortion may:

(1) submit a report to the appropriate law enforcement agency of the suspected human trafficking or coercion of abortion, if, before submitting the report, the care agent:

(A) provides a written disclosure to the pregnant woman that the woman's identifying information will be provided in the report; and

(B) after receiving the written disclosure described by Paragraph (A), the pregnant woman consents to the care agent submitting the report; or

(2) provide to the pregnant woman information on the methods available for the woman to report human trafficking or coercion of abortion to the appropriate law enforcement agency.

The amendment to **CSSB 802** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 on Third Reading.

CSSB 802 as amended was finally passed by the following vote: Yeas 20, Nays 11.

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

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

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:

Member, Board for Lease of Texas Department of Criminal Justice Lands: Erin Elizabeth Lunceford, Harris County.

Member, Board for Lease of Texas Parks and Wildlife Lands: Clifton Earl Bickerstaff, Potter County.

Members, Board of Pardons and Paroles: David Gutierrez, Bell County; Edward Ray Robertson, Travis County.

Commissioners, Board of Pilot Commissioners for Galveston County Ports: Arden Cyril Hill, Galveston County; Charles Frederick Kuebler, Galveston County; Kelly Kathleen Lovell, Galveston County; Terrilyn Tarlton-Shannon, Galveston County.

Presiding Officer, Brazos County Regional Mobility Authority: Daniel Barrett Moore, Brazos County.

Presiding Officer, Cameron County Regional Mobility Authority: Frank Parker, Cameron County.

Presiding Officer, Camino Real Regional Mobility Authority: Joyce A. Wilson, El Paso County.

Member, Oversight Committee, Cancer Prevention and Research Institute of Texas: Donald R. Margo, El Paso County; Cynthia Barberio Payne, Comal County.

Chair, State Board of Education: Keven Mirk Anthony Ellis, Angelina County.

Members, Commission on State Emergency Communications: Clinton Dale Sawyer, Lamb County; Larry Layne VanSteenberg, Montgomery County.

Justice, Court of Appeals, Fourth Court of Appeals District: Lori Irene Valenzuela, Bexar County.

Members, Finance Commission of Texas: Hector J. Cerna, Maverick County; Lawrence Bryan Long, Dallas County; Sharon McCormick, Collin County; Laura Rebecca Nassri Warren, Hildago County.

Presiding Officer, Grayson County Regional Mobility Authority: Robert Weldon Brady, Grayson County.

Member, Gulf States Marine Fisheries Commission: Douglass Whitcombe Boyd, Kendall County.

Presiding Officer, Hildalgo County Regional Mobility Authority: Samuel D. Deanda, Hildago County.

Commissioner, Interstate Commission for Adult Offender Supervision: David Gutierrez, Bell County.

Commissioners, Board of Pilot Commissioners for Jefferson and Orange County: Christopher Stephen Guy, Jefferson County; Charles Edward Holder, Orange County; William Gates Jenkins, Jefferson County; Shawn Michael Sparrow, Jefferson County; Milton Bradley Taylor, Orange County.

Members, Board of Directors, Lower Neches Valley Authority: Steven Robert Lucas, Jefferson County; James Michael Scott, Jefferson County; Charles Spurlock, Tyler County.

Member, Board of Directors, North Texas Tollway Authority: Frankie Gravely, Grayson County.

Members, Parks and Wildlife Commission: James Edward Abell, Smith County; Jeffery Dee Hildebrand, Harris County; Robert L. Patton, Tarrant County.

Member, Public Safety Commission: Steven Hall Stodghill, Dallas County.

Member, School Land Board: Todd Allen Williams, Dallas County.

Presiding Officer, Sulphur River Regional Mobility Authority: Jay Wiley Hodge, Lamar County.

Members, Texas Alcoholic Beverage Commission: Michael S. Adkins, El Paso County; Hasan Mack, Travis County; Deborah Gray Marino, Bexar County.

Members, Texas Farm and Ranch Lands Conservation Council: Abby Lynn Frank, Washington County; Leslie L. W. Kinsel, La Salle County; Natalie Cobb Koehler, Bosque County; Romey Lynn Swanson, Travis County.

Members, Texas Lottery Commission: Cynthia Anne Foster Lyons Fields, El Paso County; Erik C. Saenz, Harris County; James Higbie Clement Steen, Harris County.

Members, Texas Low-Level Radioactive Waste Disposal Compact Commission: Brandon Troy Hurley, Tarrant County; John J. Mundy, Travis County.

Adjutant General, Texas Military Department: Tracy Ray Norris, Travis County.

Member, Board of Directors, Texas Mutual Insurance Company: Brett Baker Flagg, Denton County.

Members, Texas State Board of Examiners of Marriage and Family Therapists: Russell Floyd Bartee, Tarrant County; Jodie L. Elder, Dallas County; Daniel Wayne Parrish, Dallas County; Anthony Charles Scoma, Travis County; Jeanene Lea Smith, Travis County; Evelyn Husband Thompson, Harris County.

Members, Texas State Library and Archives Commission: David Champion Garza, Cameron County; Bradley Scott Tegeler, Travis County.

Member, Board of Regents, Texas State Technical College System: Kathy Ann Stewart, Tom Green County.

Members, Texas Transportation Commission: James Bruce Bugg, Bexar County; Robert Carl Vaughn, Dallas County.

Members, Texas Veterans Commission: Mary Lopez Dale, Williamson County; Mike Perez Hernandez, Taylor County.

Members, Board of Regents, University of Houston System: Guadalupe Cantu, Hidalgo County; John A. McCall, Houston County.

Members, Board of Regents, University of North Texas System: Melisa A. Denis, Tarrant County; Daniel R. Feehan, Tarrant County.

Presiding Officer, Webb County-City of Laredo Regional Mobility Authority: Jed Alton Brown, Webb 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.

SENATE RULES SUSPENDED (Posting Rules)

On motion of Senator Hancock and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Business and Commerce might meet today.

SENATE CONCURRENT RESOLUTION 37

The President laid before the Senate the following resolution:

WHEREAS, Section 17, Article III, Texas Constitution, provides that neither house of the legislature may adjourn for more than three days without the consent of the other house; now, therefore, be it

RESOLVED by the 87th Legislature of the State of Texas, That each house grant the other permission to adjourn for more than three days during the period beginning on Wednesday, March 31, 2021, and ending on Tuesday, April 6, 2021.

WHITMIRE

SCR 37 was read.

On motion of Senator Whitmire and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

COMMITTEE SUBSTITUTE SENATE BILL 12 ON SECOND READING

Senator Hughes moved to suspend the regular order of business to take up for consideration **CSSB 12** at this time on its second reading:

CSSB 12, Relating to complaint procedures and disclosure requirements for social media platforms and to the censorship of users' expressions by an interactive computer service.

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

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

Nays: Alvarado, Gutierrez, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Seliger, West, Whitmire, Zaffirini.

The bill was read second time.

Senator Hughes offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 12** (senate committee printing) in SECTION 3 of the bill as follows:

(1) Between added Sections 143A.003 and 143A.004, Civil Practice and Remedies Code (page 4, between lines 67 and 68), insert the following:

(d) This chapter does not apply to censorship of an expression that is the subject of a referral or request from an organization whose purpose is to prevent the sexual exploitation of children and protect survivors of childhood sexual abuse from ongoing harassment.

(2) In added Section 143A.005, Civil Practice and Remedies Code (page 5, line 3), between the underlined period and "This", insert "(a)".

(3) Between added Sections 143A.005 and 143A.006, Civil Practice and Remedies Code (page 5, between lines 8 and 9), insert the following:

(b) This chapter may not be construed to prohibit or restrict an interactive computer service from authorizing or facilitating a user's ability to censor specific expression at the request of that user.

The amendment to **CSSB 12** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

Senator Blanco offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 12** (senate committee printing) in SECTION 3 of the bill, between added Sections 143A.003 and 143A.004, Civil Practice and Remedies Code (page 4, between lines 67 and 68), by inserting the following:

(e) This chapter does not apply to censorship of an expression that directly incites criminal activity or consists of specific threats of violence targeted against a person or group because of their race, color, disability, religion, national origin or ancestry, age, sex, or status as a peace officer or judge.

The amendment to **CSSB 12** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2.

Senator Gutierrez offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 12** (senate committee printing), in SECTION 2 of the bill (page 1, line 60), by striking "100" and substituting "25".

The amendment to **CSSB 12** was read and failed of adoption by the following vote: Yeas 10, Nays 21.

Yeas: Alvarado, Eckhardt, Gutierrez, Hinojosa, Johnson, Menéndez, Miles, West, Whitmire, Zaffirini.

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

CSSB 12 as amended was passed to engrossment by the following vote: Yeas 18, Nays 13.

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

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

ACKNOWLEDGMENT

The President acknowledged the presence of Congressman Pat Fallon.

The Senate welcomed its guest.

SENATE RULES SUSPENDED (Posting Rules)

On motion of Senator Campbell and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Veteran Affairs and Border Security might meet today.

CO-AUTHORS OF SENATE BILL 5

On motion of Senator Nichols, Senators Alvarado, Birdwell, Creighton, Gutierrez, and Hughes will be shown as Co-authors of **SB 5**.

CO-AUTHORS OF SENATE BILL 12

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

CO-AUTHORS OF SENATE BILL 24

On motion of Senator Huffman, Senators Creighton, Nelson, Schwertner, Seliger, and West will be shown as Co-authors of **SB 24**.

CO-AUTHOR OF SENATE BILL 64

On motion of Senator Nelson, Senator Zaffirini will be shown as Co-author of **SB 64**.

CO-AUTHOR OF SENATE BILL 98

On motion of Senator Menéndez, Senator Miles will be shown as Co-author of **SB 98**.

CO-AUTHOR OF SENATE BILL 106

On motion of Senator Menéndez, Senator Hinojosa will be shown as Co-author of **SB 106**.

CO-AUTHORS OF SENATE BILL 155

On motion of Senator Perry, Senators Hall and Taylor will be shown as Co-authors of **SB 155**.

CO-AUTHOR OF SENATE BILL 243

On motion of Senator Eckhardt, Senator Menéndez will be shown as Co-author of **SB 243**.

CO-AUTHOR OF SENATE BILL 253

On motion of Senator Menéndez, Senator Miles will be shown as Co-author of **SB 253**.

CO-AUTHOR OF SENATE BILL 260

On motion of Senator Menéndez, Senator Eckhardt will be shown as Co-author of **SB 260**.

CO-AUTHORS OF SENATE BILL 343

On motion of Senator Kolkhorst, Senators Bettencourt, Hinojosa, Perry, and West will be shown as Co-authors of **SB 343**.

CO-AUTHOR OF SENATE BILL 632

On motion of Senator Buckingham, Senator West will be shown as Co-author of **SB 632**.

CO-AUTHOR OF SENATE BILL 706

On motion of Senator Lucio, Senator Seliger will be shown as Co-author of **SB 706**.

CO-AUTHORS OF SENATE BILL 788

On motion of Senator Creighton, Senators West and Zaffirini will be shown as Co-authors of **SB 788**.

CO-AUTHOR OF SENATE BILL 930

On motion of Senator Zaffirini, Senator Kolkhorst will be shown as Co-author of **SB 930**.

CO-AUTHOR OF SENATE BILL 941

On motion of Senator Buckingham, Senator Gutierrez will be shown as Co-author of **SB 941**.

CO-AUTHOR OF SENATE BILL 1248

On motion of Senator Creighton, Senator Hall will be shown as Co-author of **SB 1248**.

CO-AUTHOR OF SENATE BILL 1377

On motion of Senator Johnson, Senator Hinojosa will be shown as Co-author of **SB 1377**.

CO-AUTHOR OF SENATE BILL 1603

On motion of Senator Kolkhorst, Senator Birdwell will be shown as Co-author of **SB 1603**.

CO-AUTHOR OF SENATE BILL 1647

On motion of Senator Perry, Senator Lucio will be shown as Co-author of **SB 1647**.

CO-AUTHOR OF SENATE BILL 2092

On motion of Senator Hughes, Senator Hinojosa will be shown as Co-author of **SB 2092**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 209 by Schwertner, In memory of William Henry Peckham III.

SR 211 by Hughes, In memory of Wilson M. Dickson.

SR 213 by Lucio, In memory of Charlotte Han Sharp.

Congratulatory Resolutions

SR 210 by Schwertner, Recognizing the 150th anniversary of the City of Bryan.

SR 212 by Schwertner, Recognizing Tom and Ginny Holloway on the birth of their son, Graham Charles Holloway II.

HCR 68 (Hinojosa and Lucio), Commending former Hidalgo County Judge Ramon Garcia for his service.

HCR 70 (Nelson), Congratulating Southwest Airlines on its 50th anniversary.

RECESS

On motion of Senator Whitmire, the Senate at 5:17 p.m. recessed 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 30, 2021

FINANCE — **CSSB 1**

WATER, AGRICULTURE AND RURAL AFFAIRS — **CSSB 634, CSSB 905, CSSB 1160, CSSB 387, CSSB 600**

STATE AFFAIRS — **CSSB 1018, CSSB 29**

FINANCE — **SB 1156, SB 742, SB 478, SB 477, SB 813, SB 220, SB 851, SB 197, SB 1336**

BILLS ENGROSSED

March 30, 2021

SB 8, SB 9, SB 196, SB 343, SB 394, SB 601, SB 802, SB 863, SB 872, SB 873, SB 941, SB 1173, SB 1647

RESOLUTIONS ENROLLED

March 30, 2021

SR 198, SR 205, SR 206, SR 209, SR 210, SR 211, SR 212, SR 213