

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

TWENTY-FIRST DAY

(Monday, April 12, 2021)

The Senate met at 2:17 p.m. pursuant to adjournment and was called to order by President Pro Tempore Birdwell.

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 Pro Tempore announced that a quorum of the Senate was present.

Senator Taylor offered the invocation as follows:

Almighty God, our heavenly Father, as we gather today at the start of this legislative week, I thank You for Your overwhelming love for all, for Your exceeding grace, and for Your provision of wisdom and knowledge to those who seek You and ask You to impart it to them. As we work through and deliberate the issues we face as a state, many times we feel overwhelmed by the complexities and divisions. But as Your message for us reminds us, it's in these times we feel weakest that You make us strong. Today, Lord, I especially need to be mindful of that. May we always remember, Lord, we serve in these roles and we are at our best as leaders, we take on the role of servants to those who we serve. I thank You for the opportunity to serve this great state and its people. I also thank You for the blessings of serving with this group of individuals from across this great land that You have gathered here to serve. I ask that Your presence be among us as we deliberate here today, and I do ask that You grant us Your wisdom and discernment for I know that the plans You have for us far exceed anything we could plan for ourselves. All these things I pray with a heart of gratitude and with hopeful expectations for our future. 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.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, April 12, 2021 - 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 5** Ashby

Relating to the expansion of broadband services to certain areas.

HB 39 Neave

Relating to protective orders; making conforming changes.

HB 135 Minjarez

Relating to notifying an alleged perpetrator of child abuse or neglect of the person's right to record an investigative interview.

HB 167 Ortega

Relating to common and public nuisances.

HB 180 González, Mary

Relating to the transfer of vacation leave time to a sick leave pool in certain counties.

HB 317 Murr

Relating to prohibiting discrimination against living organ donors by certain insurers.

HB 362 Sherman, Sr.

Relating to the authority of a county to require electronic bids or proposals for competitive bidding.

HB 408 Metcalf

Relating to the administration of a veterans treatment court program.

HB 411 Johnson, Julie

Relating to the terminology used to refer to an individualized education program team.

HB 454 Metcalf

Relating to the creation of a specialty treatment court for certain individuals residing with a child who is the subject of a juvenile court case.

HB 523 Landgraf

Relating to the enforcement of commercial motor vehicle safety standards in certain counties.

HB 587 Cole

Relating to a study on the suitability of unused and underused public facilities for joint use by state and local governmental entities and artists.

- HB 626** Rosenthal
Relating to the expansion of the Texas Innovative Adult Career Education (ACE) Grant Program to include certain nonprofit organizations providing job training to veterans.
- HB 719** White
Relating to Texas Department of Criminal Justice transfer facilities.
- HB 723** Patterson
Relating to notice of a modification to the medical certification information on certain death certificates.
- HB 735** Minjarez
Relating to service contracts for leased or purchased motor vehicles.
- HB 739** Lopez
Relating to a program administered by the Texas Veterans Commission to provide energy industry career training for veterans.
- HB 780** Oliverson
Relating to the establishment of a bone marrow donor recruitment program.
- HB 788** Geren
Relating to the eligibility of emergency service dispatchers to participate in a public safety employees treatment court program.
- HB 824** Bucy
Relating to the exemption of certain property from municipal drainage service charges.
- HB 840** Moody
Relating to the selection of public members to serve on a county's salary grievance committee.
- HB 876** Craddick
Relating to fees charged by certain persons for the method used for payments made under an agreement.
- HB 917** Hernandez
Relating to the composition of the board of trustees of the Employees Retirement System of Texas.
- HB 930** Sherman, Sr.
Relating to a report on recidivism rates.
- HB 963** Lozano
Relating to the Texas natural gas vehicle grant program.
- HB 976** Price
Relating to the appointment of a judge or magistrate to preside over a regional specialty court program and the authority of that judge or magistrate in cases referred to the program.
- HB 977** Metcalf
Relating to a petition filed for a place on the ballot for the board of directors for the Montgomery County Hospital District.

- HB 1011** Turner, John
Relating to expedited death certificates for religious purposes in certain counties.
- HB 1012** Dutton
Relating to access to a residence or former residence to retrieve certain personal property.
- HB 1013** Dutton
Relating to a requirement that a decree of divorce include the date of the marriage.
- HB 1071** Harris
Relating to the presence of a qualified facility dog or qualified therapy animal in certain court proceedings.
- HB 1081** Kuempel
Relating to the issuance of specialty license plates to honor recipients of the Presidential Service Badge.
- HB 1122** Darby
Relating to county road reports.
- HB 1147** Huberty
Relating to military readiness for purposes of the college, career, or military readiness outcomes bonus under the Foundation School Program.
- HB 1158** Metcalf
Relating to the inclusion of a nonprofit attraction on a specific information logo sign.
- HB 1182** Middleton
Relating to proof of eligibility for medical priority boarding of ferries operated by the Texas Department of Transportation; creating a criminal offense.
- HB 1197** Metcalf
Relating to the period for which certain land owned by a religious organization for the purpose of expanding a place of religious worship or constructing a new place of religious worship may be exempted from ad valorem taxation.
- HB 1228** Leman
Relating to the membership of the board of managers for certain emergency communication districts.
- HB 1239** Sanford
Relating to the prohibited suspension of laws protecting religious freedom and prohibited closure of places of worship.
- HB 1257** Ashby
Relating to the definition of personal property for purposes of removing personal property from a roadway or right-of-way.
- HB 1264** Bell, Keith
Relating to the time for making required reports of deceased residents of this state to a voter registrar and to the secretary of state.
- HB 1296** Metcalf
Relating to the provision of certain notices in guardianship proceedings.

- HB 1297** Metcalf
Relating to service of process on institutions and organizations in certain probate proceedings.
- HB 1372** Guerra
Relating to authorizing a petitioner for a protective order to separate the petitioner's wireless telephone number from the respondent's wireless telephone service account.
- HB 1386** Harris
Relating to birth records of adopted persons; authorizing a fee.
- HB 1428** Huberty
Relating to procurement by a political subdivision of a contingent fee contract for legal services.
- HB 1471** Rogers
Relating to the transfer of certain state property from the Texas Department of Criminal Justice to Stephens County.
- HB 1571** Muñoz, Jr.
Relating to an exemption for certain cemeteries from cemetery location restrictions.
- HB 1589** Davis
Relating to paid leave for public officers and employees engaged in certain military service.
- HB 1680** Smith
Relating to the regulation of on-site sewage disposal systems on certain leased land that is owned by the federal government.
- HB 1787** Lambert
Relating to liability coverage under a personal automobile insurance policy for a temporary vehicle provided to an insured by an automobile repair facility.
- HB 1799** Button
Relating to the administration of apprenticeship training programs.
- HB 1831** Rogers
Relating to annual continuing education requirements for certain court clerks.
- HB 1936** Bucy
Relating to the issuance of specialty license plates to honor members of the United States Army Special Forces.
- HB 1957** Kuempel
Relating to the labeling of wine as originating from an area of this state or with the name of a vineyard in this state.
- HB 2005** Meyer
Relating to an exemption for certain cemeteries from cemetery location restrictions.
- HB 2127** Turner, Chris
Relating to consumption of alcoholic beverages in public entertainment facilities and zones.

HB 2167

Morrison

Relating to the designation of the portion of U.S. Highway 77 in Refugio County as the Second Lieutenant Lloyd "Pete" Hughes Medal of Honor Memorial Highway.

HB 2305

Thompson, Senfronia

Relating to the Texas Real Estate Research Center, the Real Estate Research Advisory Committee, and the Texas Real Estate Commission; increasing a fee.

HB 2376

Kuempel

Relating to the repeal of the real estate inspection recovery fund.

HB 2398

Meyer

Relating to the administration and collection of sales and use taxes and certain fees applicable to sales involving marketplace providers.

HB 2429

Meyer

Relating to the alternate provisions for ad valorem tax rate notices when the de minimis rate of a taxing unit exceeds the voter-approval tax rate.

HB 2431

Murr

Relating to the designation of a portion of State Highway 173 in Bandera County as the Master Sergeant Rodney Lee Buentello Memorial Highway.

HB 2510

Noble

Relating to a sales and use tax exemption for animals adopted from or sold by nonprofit animal welfare organizations.

HB 2533

Darby

Relating to the performance of a real property evaluation for use by certain financial institutions.

HB 2586

Thierry

Relating to an annual audit of the independent organization certified for the ERCOT power region.

HB 2678

Bonnen

Relating to the designation of the portion of State Highway 3 in Dickinson as the Sergeant Andrew James Creighton Memorial Highway.

HCR 74

Smith

Commending Mary Nan Story, Aurelia Holcomb, Mary Reed, Cathy Rains, and Martha Mears for their many years of service to the Texoma Exposition and Livestock Show.

HCR 75

Smith

In memory of Clyde Moody Siebman.

HCR 77

Oliverson

Paying tribute to the lives of the physicians and other health care workers who passed away during the COVID-19 pandemic.

HCR 78

Geren

Commemorating the 85th anniversary of the Texas Alcoholic Beverage Commission.

HCR 80

Craddick

Congratulating Frederic M. Newman on his induction into the Petroleum Hall of Fame.

HCR 81

Craddick

Congratulating Paul L. Morris on his induction into the Petroleum Hall of Fame.

HCR 82

Craddick

Honoring the memory of Frank M. Late on the occasion of his posthumous induction into the Petroleum Hall of Fame.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

MESSAGES FROM THE GOVERNOR

The following Messages from the Governor were read and were referred to the Committee on Nominations:

April 12, 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 Board of Respiratory Care for terms to expire February 1, 2027:

Timothy R. "Tim" Chappell, M.D.

Plano, Texas

Sam G. "Gregg" Marshall, Ph.D.

Round Rock, Texas

Kandace D. "Kandi" Pool

San Angelo, Texas

The individuals listed above are being reappointed.

Respectfully submitted,

/s/Greg Abbott

Governor

April 12, 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 a member of the Public Utility Commission of Texas for a term to expire September 1, 2023:

Peter M. Lake
Austin, Texas
(*replacing Arthur C. D'Andrea of Austin who resigned*)

Respectfully submitted,

/s/Greg Abbott
Governor

April 12, 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 appointment:

To be the Inspector General for Health and Human Services for a term to expire February 1, 2022:

Sylvia Hernandez Kauffman
Austin, Texas
(*Ms. Kauffman is being reappointed*)

Respectfully submitted,

/s/Greg Abbott
Governor

SENATE RULE 7.07(b) SUSPENDED
(Permission to Introduce)
(Motion In Writing)

Mr. President:

The following members hereby request to suspend Senate Rule 7.07(b), Limitations on Introduction, to permit the introduction of bills and resolutions as follows:

SCR 34 by Alvarado, Urging the United States Congress to pass the I am Vanessa Guillén Act.

SCR 38 by Campbell, Designating the Texas star mushroom as the official State Mushroom of Texas.

SCR 41 by Springer, Urging Congress to propose and submit to the states for ratification the "Keep Nine" amendment to the U.S. Constitution.

SB 2190 by Whitmire, Relating to new crimes committed while committed to the Texas Juvenile Justice Department.

SB 2195 by Kolkhorst, Relating to the relationship between pharmacists or pharmacies and pharmacy benefit managers or health benefit plan issuers, including relationships governed by contracts with managed care organizations under Medicaid and the child health plan program.

SB 2199 by Buckingham, Relating to electricity service provided by certain municipally owned utilities.

SB 2200 by Buckingham, Relating to certain regulations adopted by governmental entities regarding building products, materials, or methods used in the construction or renovation of residential or commercial buildings.

SB 2201 by Buckingham, Relating to prohibiting certain limitations on the operation of certain alcoholic beverage businesses and organizations that benefit veterans during a declared state of disaster.

SB 2202 by Creighton, Relating to civics instruction public school students and instruction policies in public schools.

The Motion In Writing was read and prevailed without objection.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time, and referred to the committees indicated:

SB 2166 by Miles

Relating to the creation of the Harris County Municipal Utility District No. 580; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Local Government.

SB 2190 by Whitmire

Relating to new crimes committed while committed to the Texas Juvenile Justice Department.

To Committee on Criminal Justice.

SB 2193 by Buckingham

Relating to the creation of the Matthews Ranch Water Control and Improvement District No. 1 of Blanco County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Local Government.

SB 2194 by Schwertner, Menéndez

Relating to the regulation of certain retail electric products.

To Committee on Jurisprudence.

SB 2195 by Kolkhorst

Relating to the relationship between pharmacists or pharmacies and pharmacy benefit managers or health benefit plan issuers, including relationships governed by contracts with managed care organizations under Medicaid and the child health plan program.

To Committee on Health & Human Services.

SB 2196 by Creighton

Relating to the creation of the Cleveland Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Local Government.

SB 2197 by Creighton

Relating to the creation of the Montgomery County Municipal Utility District No. 183; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Local Government.

SB 2198 by Creighton

Relating to the creation of the Chambers County Municipal Utility District No. 7; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose fees and taxes.

To Committee on Local Government.

SB 2199 by Buckingham

Relating to electricity service provided by certain municipally owned utilities.

To Committee on Administration.

SB 2200 by Buckingham

Relating to certain regulations adopted by governmental entities regarding building products, materials, or methods used in the construction or renovation of residential or commercial buildings.

To Committee on Administration.

SB 2201 by Buckingham

Relating to prohibiting certain limitations on the operation of certain alcoholic beverage businesses and organizations that benefit veterans during a declared state of disaster.

To Committee on Administration.

SB 2202 by Creighton

Relating to civics instruction public school students and instruction policies in public schools.

To Committee on State Affairs.

SCR 34 by Alvarado

Urging the United States Congress to pass the I am Vanessa Guillén Act.

To Committee on Veteran Affairs & Border Security.

SCR 38 by Campbell

Designating the Texas star mushroom as the official State Mushroom of Texas.

To Committee on Administration.

SCR 41 by Springer, Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor

Urging Congress to propose and submit to the states for ratification the "Keep Nine" amendment to the U.S. Constitution.

To Committee on Jurisprudence.

HOUSE BILLS ON FIRST READING

The following bills received from the House were read first time and referred to the committees indicated:

HB 33 to Committee on Veteran Affairs & Border Security.
HB 103 to Committee on Criminal Justice.
HB 139 to Committee on Veteran Affairs & Border Security.
HB 315 to Committee on Criminal Justice.
HB 365 to Committee on State Affairs.
HB 690 to Committee on Education.
HB 699 to Committee on Education.
HB 738 to Committee on Business & Commerce.
HB 785 to Committee on Education.
HB 868 to Committee on State Affairs.
HB 1024 to Committee on Business & Commerce.
HB 1033 to Committee on Business & Commerce.
HB 1082 to Committee on State Affairs.
HB 1118 to Committee on Finance.
HB 1227 to Committee on State Affairs.
HB 1401 to Committee on Criminal Justice.
HB 1514 to Committee on State Affairs.
HB 1658 to Committee on Finance.
HB 1677 to Committee on Administration.
HB 1689 to Committee on Business & Commerce.
HB 1729 to Committee on Business & Commerce.
HB 1755 to Committee on Business & Commerce.
HB 2073 to Committee on Local Government.
HB 2343 to Committee on Criminal Justice.
HB 2404 to Committee on Natural Resources & Economic Development.
HB 2462 to Committee on Criminal Justice.
HB 2677 to Committee on Transportation.

SENATE RESOLUTION 236

Senator Creighton offered the following resolution:

SR 236, Recognizing the participants in the Texas A&M University Agricultural and Natural Resources Policy Internship Program and Public Policy Internship Program.

CREIGHTON	MILES
HANCOCK	NELSON
HUGHES	PAXTON
LUCIO	

The resolution was read.

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

On motion of Senator Creighton, **SR 236** was adopted without objection.

GUESTS PRESENTED

Senator Creighton, joined by Senators Lucio, Nelson, Bettencourt, Miles, Paxton, Hughes, Hancock, and Schwertner, was recognized and introduced to the Senate Texas A&M University policy interns including Ryan Jones, Alicia Dixon, Christopher Livaudias, Joel Chavez, Matthew McCormick, Skyllar Duncan, Alexis Casiano, Whitney Sloan, Brittany Reed, and Faith Villarreal.

The Senate welcomed its guests.

GUEST PRESENTED

Senator Bettencourt was recognized and introduced to the Senate Daniel Cardinal DiNardo, Archbishop of the Catholic Diocese of Galveston-Houston.

The Senate welcomed its guest.

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:

Members, Advisory Committee to the Texas Board of Criminal Justice on Offenders with Medical or Mental Impairments: Sanjay Gautam Adhia, Fort Bend County; Matthew Duane Faubion, Bexar County; Randall MacNaughton, Bexar County; Denise Oncken, Harris County; Casey Colleen O'Neal, Travis County; Rogelio Cesar Rodriguez, El Paso County.

Presiding Officer, Alamo Regional Mobility Authority: Michael J. Lynd, Bexar County.

Members, Correctional Managed Health Care Committee: Jeffrey Keith Beeson, Tarrant County; John William Burruss, Collin County; Diego De la Mora, El Paso County; Robert Daniel Greenberg, Bell County.

Members, Council on Cardiovascular Disease and Stroke: Elie Rashid Balesh, El Paso County; Stanley Mathias Duchman, Harris County; Sherron Denise Franks-Meeks, Ector County; Suzanne Scism Hildebrand, Bexar County; Samantha Kersey, Galveston County; E'Loria Simon-Campbell, Harris County; Maricela Gonzalez Wilson, Travis County.

Member, Credit Union Commission: David Francis Shurtz, Parker County.

Director, Regulatory Compliance Division, Office of the Governor: Erin Bennett, Travis County.

Member, Board of Trustees, Employees Retirement System of Texas: James Kee, McLennan County.

Members, Governing Board, Texas Indigent Defense Commission: Alexander Bunin, Harris County; Valerie Covey, Williamson County; Richard Arlan Evans, Bandera County; Mary Koehler McDonald Medary, Nueces County; Gonzalo P. Rios, Tom Green County.

Members, Governing Board, Texas School for the Blind and Visually Impaired: Maghan Nicole Gautney, Collin County; Beth Ann Ashby Jones, Collin County; Brenda Wood Lee, Brown County; Elaine Wallace Robertson, Fort Bend County; Bruce Sonnenberg, Lubbock County; Ernest Worthington, Dallas County.

Members, Board of Directors, Guadalupe-Blanco River Authority: William Richard Carbonara, DeWitt County; Stephen Brent Ehrig, Gonzales County; Don B. Meador, Hays County; Sheila Leute Old, Guadalupe County; Dennis Lynn Patillo, Victoria County; Andra Mueller Wisian, Kendall County.

Members, Judicial Compensation Commission: Carlos Zarahi Amaral, Collin County; Cynthia Olson Bourland, Williamson County; Jingjing Clemence, Fort Bend County; Philip Wayne Johnson, Lubbock County; Linda Walters Kinney, Kendall County; Curtis Herman Nelson, Bexar County; Scott Jon Salmans, McLennan County.

Presiding Officer, North East Texas Regional Mobility Authority: Linda Ryan Thomas, Gregg County.

Independent Ombudsman, Office of Independent Ombudsman, Texas Juvenile Justice Department: Jeffery Don Robertson, Hays County.

Public Counsel, Office of Public Insurance Counsel: Melissa Ruth Hamilton, Travis County.

Member, Public Utility Commission of Texas: James William McAdams, Williamson County.

Members, Board of Directors, Red River Authority of Texas: Mary Lou Bradley, Childress County; Jerry Dan Davis, Collingsworth County; Zackary Kiser Smith, Randall County; Stephen Alan Thornhill, Grayson County.

Members, School Land Board: Gilbert Burciaga, Travis County; Michael Rohrman, Dallas County.

Members, State Board of Veterinary Medical Examiners: Sue Talaina Allen, McLennan County; Michael Andrew White, Montgomery County.

Members, State Pension Review Board: Christopher Elias Gonzales, Harris County; Stephanie Vincent Leibe, Hays County; Robert Douglas Ries, Travis County; Christopher Alan Zook, Harris County.

Members, State Soil and Water Conservation Board: Carl Ray Polk, Angelina County; Christine Russ Yturria Buford, Cameron County.

Member, Board of Regents, Stephen F. Austin State University: Robert Anthony Flores, Nacogdoches County.

Member, Board of Trustees, Teacher Retirement System of Texas: David Corpus, Harris County.

Members, Texas Board of Professional Geoscientists: Bereket Mebrahtu Derie, Williamson County; Margon Kathi Dillard, Fort Bend County; Steven William Fleming, Bexar County; Edward Francis Janak, Gillespie County; William Prescott, Potter County; LaFawn Denise Thompson, Comal County.

Members, Texas Commission on Fire Protection: David Eugene Coatney, Brazos County; Sue Ann Miner De Villez, Williamson County; John M. Glynn, Denton County; Phillip Hamilton, Potter County; Clyde Donald Loll, Walker County; Timothy Lynn Smith, Lubbock County; Kelly Don Vandygriff, Hale County; Russell Wynne Wilson, Dallas County.

Members, Board of Trustees, Texas County and District Retirement System: Tamberlin Rachel Biggar, Fannin County; Christopher Torrey Hill, Collin County; Christopher Lynn Taylor, Tarrant County; Holly Torbert Williamson, Harris County.

Members, Texas Juvenile Justice Board: Edeska Barnes, Jasper County; James P. Sabala Henry, Cochran County; Lisa Katherine Jarrett, Bexar County; Victoria A. Lattimore, Williamson County; Wesley Curtis Ritchey, Dallam County.

Members, Texas Medical Board: Arun Agarwal, Dallas County; James Salvatore Distefano, Brazos County; Roberto David Martinez, Hidalgo County; Jason Kelley Tibbels, Wise County.

Members, Board of Directors, Texas School Safety Center: Craig Robert Bessent, Taylor County; Edwin Stuart Flores, Dallas County; Cary B. Hedrick, Deaf Smith County; Andrew B. Kim, Comal County; James Michael Mosley, Hutchinson County; Teresa K. Oldham, Williamson County; Lizeth Cuellar Olivarez, Webb County; Kerri Washam Ranney, Montgomery County; Michael Lee Slaughter, Collin County; Jill Michelle Tate, Tarrant County; Alan S. Trevino, Burnet County; Robert Wade Wilson, Hardin County.

Members, Board of Directors, Texas State Affordable Housing Corporation: Courtney Johnson Rose, Fort Bend County; Lemuel Curly Williams, Williamson County.

Members, Texas State Board of Examiners of Psychologists: Jamie Alyson Becker, Collin County; Jeanette Deas Calhoun, Smith County; Sangeeta Swarup Singg, Tom Green County.

Members, Texas State Board of Pharmacy: Donald Gene Lewis, Henderson County; Bradley Alan Miller, Travis County; Donna Rogers Montemayor, Bexar County; Richard Arthur Tisch, Harris County.

Members, Texas State Board of Public Accountancy: Susan Irene Adams, Tarrant County; Kelly Vander Ploeg Aimone, Harris County; Renee Diane Foshee, Hays County; Ray Ramiro Garcia, Harris County; Jill Ann Holup, Travis County; Kevin James Koch, Bell County; Olivia Espinoza Riley, Dallas County; Debra Denise Seefeld, Montgomery County; Jeannette Pierro Smith, Hidalgo County; Sheila Margaret Valles-Pankratz, Hidalgo County.

Members, Board of Directors, Upper Guadalupe River Authority: Lynda Lea Ables, Kerr County; Elwynn Allen, Kerr County; Aaron Clark Bulkley, Kerr County; Austin Cartwright Dickson, Kerr County; Diane Lund McMahon, Kerr County; Blake Wayne Smith, Kerr 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 RULE 5.14(a) SUSPENDED (Intent Calendar)

On motion of Senator Schwertner and by unanimous consent, Senate Rule 5.14(a), requiring bills to be posted on the Intent Calendar by 3:00 p.m., was suspended and the time was extended to 5:00 p.m. today.

(President in Chair)

SENATE RESOLUTION 232

Senator West offered the following resolution:

SR 232, In memory of Charley Frank Pride.

The resolution was read.

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

On motion of Senator West, the resolution was adopted by a rising vote of the Senate.

In honor of the memory of Charley Frank Pride, the text of **SR 232** is printed at the end of today's *Senate Journal*.

SENATE RESOLUTION 233

Senator Lucio offered the following resolution:

SR 233, In memory of Roberto Ramiro Avitia Jr.

The resolution was read.

On motion of Senator Lucio, the resolution was adopted by a rising vote of the Senate.

In honor of the memory of Roberto Ramiro Avitia Jr., the text of **SR 233** is printed at the end of today's *Senate Journal*.

CONCLUSION OF MORNING CALL

The President at 3:04 p.m. announced the conclusion of morning call.

COMMITTEE SUBSTITUTE SENATE BILL 179 ON SECOND READING

Senator Lucio moved to suspend the regular order of business to take up for consideration **CSSB 179** at this time on its second reading:

CSSB 179, Relating to the use of public school counselors' work time.

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

Yeas: Alvarado, Bettencourt, Blanco, Campbell, Eckhardt, Gutierrez, Hinojosa, Huffman, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Paxton, Powell, Seliger, Taylor, West, Whitmire, Zaffirini.

Nays: Birdwell, Buckingham, Creighton, Hall, Hancock, Hughes, Nelson, Nichols, Perry, Schwertner, Springer.

The bill was read second time and was passed to engrossment by the following vote: Yeas 20, Nays 11. (Same as previous roll call)

SENATE BILL 204 ON SECOND READING

Senator Schwertner moved to suspend the regular order of business to take up for consideration **SB 204** at this time on its second reading:

SB 204, Relating to the operation of a public school transportation system.

The motion prevailed by the following vote: Yeas 26, Nays 5.

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

Nays: Eckhardt, Johnson, Miles, Seliger, West.

The bill was read second time and was passed to engrossment by the following vote: Yeas 26, Nays 5. (Same as previous roll call)

SENATE BILL 204 ON THIRD READING

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 204** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 5.

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

Nays: Eckhardt, Johnson, Miles, Seliger, West.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 5. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 73 ON SECOND READING

On motion of Senator Miles and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 73** at this time on its second reading:

CSSB 73, Relating to providing access to local public health entities and certain health service regional offices under Medicaid.

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, Hughes, Springer.

**COMMITTEE SUBSTITUTE
SENATE BILL 73 ON THIRD READING**

Senator Miles moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 73** 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 28, Nays 3.

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

Nays: Hall, Hughes, Springer.

**COMMITTEE SUBSTITUTE
SENATE BILL 1112 ON THIRD READING**

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **CSSB 1112** at this time on its third reading and final passage:

CSSB 1112, Relating to requirements for an early voting ballot voted by mail; creating a criminal offense.

The motion prevailed by the following vote: Yeas 18, Nays 13.

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, Menéndez, Miles, Powell, West, Whitmire, Zaffirini.

The bill was read third time and was passed by the following vote: Yeas 18, Nays 13. (Same as previous roll call)

SENATE BILL 1113 ON THIRD READING

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **SB 1113** at this time on its third reading and final passage:

SB 1113, Relating to a registrar's failure to cancel voter registrations under applicable law.

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

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

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, Johnson, Lucio, 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 1114 ON THIRD READING

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **CSSB 1114** at this time on its third reading and final passage:

CSSB 1114, Relating to verification of the citizenship status of certain registered voters.

The motion prevailed by the following vote: Yeas 18, Nays 13.

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, Menéndez, Miles, Powell, West, Whitmire, Zaffirini.

The bill was read third time and was passed by the following vote: Yeas 18, Nays 13. (Same as previous roll call)

COMMITTEE SUBSTITUTE
SENATE BILL 14 ON SECOND READING

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSSB 14** at this time on its second reading:

CSSB 14, Relating to the regulation by a municipality or county of certain employment benefits and policies.

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 Creighton offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 14** (senate committee printing) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 1, between lines 47 and 48), by adding the following appropriately numbered subdivision to that subsection and renumbering subsequent subdivisions of that subsection accordingly:

() the authority of a political subdivision to negotiate the terms of employment with the political subdivision's employees;

The amendment to **CSSB 14** 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 West offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 14** (senate committee printing) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 1, between lines 47 and 48), by adding the following appropriately numbered subdivision to that subsection and renumbering subsequent subdivisions of that subsection accordingly:

() an ordinance, order, rule, regulation, or policy relating to terms of employment for employees of a city or county, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2021;

The amendment to **CSSB 14** was read.

Senator West withdrew Floor Amendment No. 2.

Senator West offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 14** (senate committee printing) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 1, between lines 47 and 48), by adding the following appropriately numbered subdivision to that subsection and renumbering subsequent subdivisions of that subsection accordingly:

() an ordinance, order, rule, regulation, or policy relating to terms of employment in contracts or agreements entered into between a private entity, including an organization representing city employees or county employees, and a governmental entity, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2021;

The amendment to **CSSB 14** 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. 3.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 4

Amend **CSSB 14** (senate committee printing) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 1, between lines 47 and 48), by adding the following appropriately numbered subdivision to that subsection and renumbering subsequent subdivisions of that subsection accordingly:

() an ordinance, order, rule, regulation, or policy that prohibits discrimination, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2021;

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The amendment to **CSSB 14** was read.

Senator Creighton moved to table Floor Amendment No. 4.

Senator Creighton withdrew his motion to table Floor Amendment No. 4.

Question recurring on the adoption of Floor Amendment No. 4 to **CSSB 14**, the amendment failed of adoption by the following vote: Yeas 13, Nays 18.

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

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

Senator Eckhardt offered the following amendment to the bill:

Floor Amendment No. 5

Amend **CSSB 14** (senate committee printing) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 1, between lines 47 and 48), by adding the following appropriately numbered subdivision to that subsection and renumbering subsequent subdivisions of that subsection accordingly:

() an ordinance, order, rule, regulation, or policy that requires rest breaks for construction workers, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2021;

The amendment to **CSSB 14** was read.

On motion of Senator Creighton, Floor Amendment No. 5 was tabled by the following vote: Yeas 18, Nays 13.

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, Menéndez, Miles, Powell, West, Whitmire, Zaffirini.

CSSB 14 as amended was passed to engrossment 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.

SENATE BILL 44 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 44** at this time on its second reading:

SB 44, Relating to leave for state employees who are volunteers of certain disaster relief organizations.

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: Creighton, Schwertner, Springer.

SENATE BILL 44 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 **SB 44** 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 28, Nays 3.

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

Nays: Creighton, Schwertner, Springer.

COMMITTEE SUBSTITUTE SENATE BILL 623 ON SECOND READING

On motion of Senator Blanco and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 623** at this time on its second reading:

CSSB 623, Relating to the investigation and punishment of certain sexual offenses, to protective orders issued on the basis of certain sexual offenses, to crime victims' compensation, and to the establishment of a state sexual offense prevention and response program for the Texas Military Department.

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 623 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 **CSSB 623** 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 1336 ON SECOND READING

Senator Hancock moved to suspend the regular order of business to take up for consideration **SB 1336** at this time on its second reading:

SB 1336, Relating to a limit on the rate of growth of certain appropriations.

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

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

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

The bill was read second time.

Senator Hancock offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1336** (senate committee printing) in SECTION 1 of the bill, in added Section 316.001(d)(2), Government Code (page 1, line 56), by striking "disaster recovery" and substituting "recovery from a disaster declared by the governor under Section 418.014".

The amendment to **SB 1336** 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.

SB 1336 as amended was passed to engrossment by the following vote: Yeas 19, Nays 12.

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

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

SENATE BILL 1234 ON SECOND READING

On motion of Senator Hughes and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1234** at this time on its second reading:

SB 1234, Relating to a requirement that a voting system use a paper record or produce a paper receipt for verification purposes.

The bill was read second time.

Senator Hughes offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1234** (senate committee printing) in SECTION 1 of the bill, by striking the text of added Section 129.003, Election Code (page 1, lines 24-40), and substituting the following:

Sec. 129.003. PAPER AUDIT TRAIL REQUIRED. (a) In this section, "auditable voting system" means a voting system that:

(1) uses a paper record; or

(2) produces a paper record by which a voter can verify that the voter's ballot will be counted accurately.

(b) Except as provided by Subsection (e), a voting system that consists of direct recording electronic voting machines may not be used in an election unless the system is an auditable voting system.

(c) Except for a recount under Title 13 or an election contest under Title 14, the electronic vote is the official record of the ballot. For a recount of ballots cast on a system involving direct recording electronic voting machines, or in an election contest, the paper record is the official record of the vote cast.

(d) An authority that purchased a voting system other than an auditable voting system after September 1, 2016, and before September 1, 2021, may use available federal funding and, if federal funding is not available, available state funding to retrofit the purchased voting system as an auditable voting system in accordance with the following schedule:

(1) if the voting system was retrofitted as an auditable voting system not later than the election taking place November 8, 2022, the authority is eligible to have 100 percent of the cost of retrofitting reimbursed under this section; and

(2) if the authority is not eligible for a 100 percent reimbursement of cost under Subdivision (1) and the voting system was retrofitted as an auditable voting system not later than the election taking place November 3, 2026, the authority is eligible to have 50 percent of the cost of retrofitting reimbursed under this section.

(e) Subsections (a)-(c) do not apply to an election held before September 1, 2026.

The amendment to **SB 1234** 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.

SB 1234 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 1234 ON THIRD READING

Senator Hughes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1234** 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 367 ON SECOND READING

On motion of Senator Miles and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 367** at this time on its second reading:

SB 367, Relating to the requirements for an application for a permit to drill an oil or gas well at a site adjacent to a well blowout site.

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: Hughes, Springer.

SENATE BILL 367 ON THIRD READING

Senator Miles moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 367** 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, Hall, Hancock, Hinojosa, Huffman, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Powell, Schwertner, Seliger, Taylor, West, Whitmire, Zaffirini.

Nays: Hughes, Springer.

(Senator Springer in Chair)

(President in Chair)

SENATE BILL 669 ON SECOND READING

On motion of Senator Perry, on behalf of Senator Springer, and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 669** at this time on its second reading:

SB 669, Relating to certain reports created by the Texas Water Development Board.

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

SENATE BILL 669 ON THIRD READING

Senator Perry, on behalf of Senator Springer, moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 669** 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 598 ON SECOND READING**

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 598** at this time on its second reading:

CSSB 598, Relating to auditable voting systems.

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 598** (senate committee printing) in SECTION 2 of the bill, adding Section 129.003, Election Code, as follows:

- (1) Strike "or" (page 2, line 48).
- (2) Insert the following (page 2, between lines 48 and 49):
(2) for an election contest under Title 14; or
- (3) Strike "(2)" and substitute "(3)" (page 2, line 49).

The amendment to **CSSB 598** 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 Hall offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 598** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, adding Subchapter I, Chapter 127, Election Code (page 2, between lines 26 and 27), insert the following:

Sec. 127.306. WAIVER NOT PERMITTED. The secretary of state may not waive any requirements of this subchapter.

(2) In SECTION 2 of the bill, adding Section 129.003, Election Code (page 3, between lines 11 and 12), insert the following:

(j) The secretary of state may not waive any requirements of this section.

(3) In SECTION 3 of the bill, amending Section 129.054, Election Code (page 3, between lines 26 and 27), insert the following:

(c) The secretary of state may not waive any requirements of this section.

The amendment to **CSSB 598** 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.

CSSB 598 as amended 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 598 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 **CSSB 598** 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 646 ON SECOND READING**

Senator Schwertner moved to suspend the regular order of business to take up for consideration **CSSB 646** at this time on its second reading:

CSSB 646, Relating to county approval of certain proposed purchases or conversions of properties to house homeless individuals.

The motion prevailed by the following vote: Yeas 18, Nays 13.

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, Menéndez, Miles, Powell, West, Whitmire, Zaffirini.

The bill was read second time.

Senator Hall offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 646** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In added Section 233.201(a), Local Government Code (page 1, lines 28 and 29), strike "person, including a political subdivision, may not" and substitute "political subdivision may not purchase or contract with a private entity to".

(2) In added Section 233.201(b), Local Government Code (page 1, lines 33 and 34), strike "person may not convert the use of a property owned by the person" and substitute "political subdivision may not convert or contract with a private entity to convert the use of a property owned by the political subdivision or private entity".

(3) In added Section 233.203, Local Government Code (page 1, lines 57 and 58), strike "person who intends to purchase or convert" and substitute "political subdivision that intends to purchase or convert or to contract with a private entity for the purchase or conversion of".

The amendment to **CSSB 646** 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 except as follows:

Nays: Eckhardt.

CSSB 646 as amended was passed to engrossment by the following vote: Yeas 18, Nays 13.

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, Menéndez, Miles, Powell, West, Whitmire, Zaffirini.

SENATE BILL 346 ON SECOND READING

Senator Paxton moved to suspend the regular order of business to take up for consideration **SB 346** at this time on its second reading:

SB 346, Relating to the participation of open-enrollment charter schools in the Jobs and Education for Texans (JET) Grant Program.

The motion prevailed.

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

The bill was read second time.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 346** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in amended Section 134.004(a), Education Code (page 1, line 28), between "colleges," and "and", insert "eligible nonprofit organizations,".

(2) Add the following appropriately numbered SECTIONS to the bill and renumber the SECTIONS of the bill appropriately:

SECTION _____. Section 134.001, Education Code, is amended by adding Subdivision (1-a) to read as follows:

(1-a) "Nonprofit organization" means an organization exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c)(3) of that code.

SECTION _____. Chapter 134, Education Code, is amended by adding Section 134.005 to read as follows:

Sec. 134.005. GRANTS TO NONPROFIT ORGANIZATIONS FOR INNOVATIVE AND SUCCESSFUL PROGRAMS. (a) The commission may award a grant to a nonprofit organization eligible under Subsection (b) for the development, support, or expansion of programs to prepare low-income students for careers in high-demand occupations.

(b) To be eligible to receive a grant under this section, a nonprofit organization must:

(1) provide a program to offer assistance to low-income students in preparing for, applying to, and enrolling in a public junior college or public technical institute;

(2) be governed by a board or other governing structure that includes recognized leaders of broad-based community organizations and members of the local business community;

(3) demonstrate to the satisfaction of the advisory board that the organization's program has achieved or will achieve the following measures of success among program participants to the extent applicable to the type of program the organization provides:

(A) above-average completion of developmental education among participating public junior college or public technical institute students;

(B) above-average persistence rates among participating public junior college or public technical institute students;

(C) above-average certificate or degree completion rates by participating students within a three-year period compared to demographically comparable public junior college and public technical institute students; and

(D) employment of participating students at an average full-time starting wage that is equal to or greater than the prevailing wage for the occupation entered; and

(4) provide matching funds in accordance with rules adopted under Section 134.008.

(c) The matching funds required under Subsection (b)(4) may be obtained from any source available to the nonprofit organization, including in-kind contributions, community or foundation grants, individual contributions, and local governmental agency operating funds.

(d) Grants awarded under this section must be awarded in a manner that takes a balanced geographical distribution into consideration.

The amendment to **SB 346** 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.

SB 346 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: Gutierrez, Miles.

SENATE BILL 346 ON THIRD READING

Senator Paxton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 346** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

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

Nays: Gutierrez, Miles.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2. (Same as previous roll call)

**SENATE RULES SUSPENDED
(Posting Rules)**

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

CO-AUTHOR OF SENATE BILL 14

On motion of Senator Creighton, Senator Lucio will be shown as Co-author of **SB 14**.

CO-AUTHOR OF SENATE BILL 21

On motion of Senator Huffman, Senator Nelson will be shown as Co-author of **SB 21**.

CO-AUTHOR OF SENATE BILL 40

On motion of Senator Zaffirini, Senator Seliger will be shown as Co-author of **SB 40**.

CO-AUTHOR OF SENATE BILL 111

On motion of Senator West, Senator Bettencourt will be shown as Co-author of **SB 111**.

CO-AUTHOR OF SENATE BILL 185

On motion of Senator Perry, Senator Hughes will be shown as Co-author of **SB 185**.

CO-AUTHOR OF SENATE BILL 450

On motion of Senator Hancock, Senator Zaffirini will be shown as Co-author of **SB 450**.

CO-AUTHORS OF SENATE BILL 513

On motion of Senator Hall, Senators Bettencourt and Perry will be shown as Co-authors of **SB 513**.

CO-AUTHOR OF SENATE BILL 538

On motion of Senator Blanco, Senator Zaffirini will be shown as Co-author of **SB 538**.

CO-AUTHOR OF SENATE BILL 550

On motion of Senator Springer, Senator Birdwell will be shown as Co-author of **SB 550**.

CO-AUTHOR OF SENATE BILL 572

On motion of Senator Springer, Senator Zaffirini will be shown as Co-author of **SB 572**.

CO-AUTHORS OF SENATE BILL 623

On motion of Senator Blanco, Senators Alvarado, Hinojosa, Lucio, Menéndez, West, and Zaffirini will be shown as Co-authors of **SB 623**.

CO-AUTHORS OF SENATE BILL 858

On motion of Senator Johnson, Senators Nichols and West will be shown as Co-authors of **SB 858**.

CO-AUTHOR OF SENATE BILL 865

On motion of Senator Creighton, Senator Menéndez will be shown as Co-author of **SB 865**.

CO-AUTHOR OF SENATE BILL 904

On motion of Senator Perry, Senator Zaffirini will be shown as Co-author of **SB 904**.

CO-AUTHOR OF SENATE BILL 938

On motion of Senator Campbell, Senator Zaffirini will be shown as Co-author of **SB 938**.

CO-AUTHOR OF SENATE BILL 964

On motion of Senator Zaffirini, Senator Menéndez will be shown as Co-author of **SB 964**.

CO-AUTHORS OF SENATE BILL 1126

On motion of Senator Springer, Senators Nelson and West will be shown as Co-authors of **SB 1126**.

CO-AUTHOR OF SENATE BILL 1263

On motion of Senator Birdwell, Senator Nichols will be shown as Co-author of **SB 1263**.

CO-AUTHOR OF SENATE BILL 1385

On motion of Senator Creighton, Senator Miles will be shown as Co-author of **SB 1385**.

CO-AUTHOR OF SENATE BILL 1521

On motion of Senator Zaffirini, Senator Blanco will be shown as Co-author of **SB 1521**.

CO-AUTHORS OF SENATE BILL 1650

On motion of Senator Perry, Senators Hinojosa and Nichols will be shown as Co-authors of **SB 1650**.

CO-AUTHOR OF SENATE BILL 1776

On motion of Senator Campbell, Senator Kolkhorst will be shown as Co-author of **SB 1776**.

CO-AUTHOR OF SENATE BILL 2026

On motion of Senator Taylor, Senator Bettencourt will be shown as Co-author of **SB 2026**.

CO-AUTHOR OF SENATE BILL 2038

On motion of Senator Menéndez, Senator Schwertner will be shown as Co-author of **SB 2038**.

CO-AUTHORS OF SENATE BILL 2092

On motion of Senator Hughes, Senators Johnson and Menéndez will be shown as Co-authors of **SB 2092**.

CO-AUTHOR OF SENATE BILL 2188

On motion of Senator Seliger, Senator Eckhardt will be shown as Co-author of **SB 2188**.

CO-AUTHORS OF SENATE CONCURRENT RESOLUTION 3

On motion of Senator Paxton, Senators Huffman and Taylor will be shown as Co-authors of **SCR 3**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

HCR 75 (Springer), In memory of Clyde Moody Siebman.

Congratulatory Resolutions

SR 235 by Creighton, Recognizing Lloyd Tisdale for his service on the San Jacinto River Authority Board of Directors.

SR 239 by Gutierrez, Recognizing Lauren O. Sawvel for being named a Boys & Girls Clubs Regional Military Youth of the Year.

SR 240 by Gutierrez, Recognizing Lauren A. Almendarez for being named a Boys & Girls Clubs Regional Youth of the Year.

SR 241 by Gutierrez, Recognizing Jaime Daniella P. Vegamora for being named a Boys & Girls Clubs Regional Military Youth of the Year.

HCR 80 (Seliger), Congratulating Frederic M. Newman on his induction into the Petroleum Hall of Fame.

HCR 81 (Seliger), Congratulating Paul L. Morris on his induction into the Petroleum Hall of Fame.

HCR 82 (Seliger), Honoring the memory of Frank M. Late on the occasion of his posthumous induction into the Petroleum Hall of Fame.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 5:40 p.m. adjourned, in memory of Charley Frank Pride and Roberto Ramiro Avitia Jr., until 12:00 p.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

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

April 12, 2021

VETERAN AFFAIRS AND BORDER SECURITY — **CSSB 456**

STATE AFFAIRS — **SB 1253, CSSB 1678**

FINANCE — **CSSB 903**

TRANSPORTATION — **CSSB 1064**

JURISPRUDENCE — **CSSB 232, CSSB 335, CSSB 615, CSSB 1129**

CRIMINAL JUSTICE — **SB 568, CSSB 49, SB 1047, CSSB 1125, SB 1164, SB 1354**

LOCAL GOVERNMENT — **CSSB 526, CSSB 916**

FINANCE — **CSSB 288**

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **SB 952, SB 676, CSSB 518, CSSB 1261, CSSB 700, CSSB 1046**

FINANCE — **CSSB 475**

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **SB 1257, SB 818**

LOCAL GOVERNMENT — **CSSB 604, CSSB 1355**

STATE AFFAIRS — **CSSB 737, CSSB 18**

LOCAL GOVERNMENT — **CSSB 10**

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **CSSB 13**

RESOLUTION ENROLLED

April 9, 2021

SR 234

BILLS ENGROSSED

April 12, 2021

SB 44, SB 73, SB 204, SB 346, SB 367, SB 598, SB 623, SB 669, SB 1112, SB 1113, SB 1114, SB 1234

RESOLUTIONS ENROLLED

April 12, 2021

SR 232, SR 233, SR 235, SR 236, SR 239, SR 240, SR 241

In Memory
of
Charley Frank Pride
Senate Resolution 232

WHEREAS, The Senate of the State of Texas honors and commemorates the life of Charley Frank Pride, a pioneering country music legend, who died on December 12, 2020, at the age of 86; and

WHEREAS, A native of Sledge, Mississippi, Charley Pride was born on March 18, 1934, as the fourth of 11 children in a family of sharecroppers; he developed a love of baseball and music at a young age, and his mother bought him his first guitar when he was 14 years old; and

WHEREAS, Charley left home for Memphis to seek out a career in professional baseball, and in 1952, he was signed by the Memphis Red Sox, and he went on to become an All-Star pitcher in the Negro American League; he was drafted into the United States Army in 1956, and he married Ebby Rozene Cohrad, his best friend and spiritual partner, while on leave that same year; after his military service, he played baseball on several minor league teams in Montana while also working as a smelter and performing at clubs in a four-piece band, the Night Hawks; his rise to musical stardom began in 1965, when he moved to Nashville and the influential country music producer Chet Atkins signed him to the RCA Victor record label; and

WHEREAS, Charley released his first single through RCA Victor in 1966; he landed on the country music charts with his third single, "Just Between You and Me," and he became the first black performer to appear at the Grand Ole Opry since founding member DeFord Bailey appeared there more than 25 years earlier; in 1971, he released his biggest hit, "Kiss an Angel Good Morning," a song that reached the pop music charts and was among the Top-10 songs on the adult contemporary charts; he also earned Grammy Awards in 1971 for Best Sacred Performance and Best Gospel Performance and was named the Country Music Association's Entertainer of the Year, and the following year, he won a Grammy Award for Best Male Country Vocal Performance; and

WHEREAS, Over the next five decades, Charley amassed more than 50 Top-10 country hits, including 30 Number-1 hits; he routinely was sold out at American venues, and he developed a strong and loyal following in Ireland and the United Kingdom, which led to the sale of millions of albums worldwide; and

WHEREAS, Charley and his beloved wife, Rozene, settled in Dallas during his music career, and he remained a treasured honorary Texan for the rest of his life; he was a devoted father to three children, Carlton Kraig, Charles Dion, and Angela Rozene, and his five grandchildren and two great-grandchildren enriched his life immeasurably; and

WHEREAS, A lifelong baseball fan, Charley often sang the National Anthem at Texas Rangers games, and in 2021, the team dedicated a baseball field in his name and established the Charley Pride Internship for minority college students to train for careers in baseball; and

WHEREAS, Charley was inducted into the Grand Ole Opry in 1993, and he was honored with a star on the Hollywood Walk of Fame in 1999; in 2000, he was inducted into the Country Music Hall of Fame; his trailblazing contributions to country music's rich heritage were recognized with the Willie Nelson Lifetime Achievement Award in 2020; and

WHEREAS, Known for his smooth baritone voice and his friendly, graceful demeanor, Charley Pride remained kindhearted and humble, even after his remarkable talents brought him to the height of celebrity; his gentle presence inspired all who were blessed with his company, and his contributions to American music will continue to be appreciated for generations to come; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 87th Legislature, hereby extend sincere condolences to the bereaved family of Charley Frank Pride; and, be it further

RESOLVED, That a 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 Charley Pride.

WEST

In Memory
of
Roberto Ramiro Avitia Jr.
Senate Resolution 233

WHEREAS, The Senate of the State of Texas honors and commemorates the life of Roberto Ramiro Avitia Jr., who died March 20, 2021, at the age of 67; and

WHEREAS, A beloved civic leader and an esteemed law enforcement officer, Roberto Avitia enjoyed a fulfilling life of service to his family, his community, and his church; and

WHEREAS, Roberto Avitia was born on October 23, 1953, in Harlingen; he graduated cum laude from Pan American University with a bachelor of science degree in law enforcement; he served with distinction as a member of the Brownsville Police Department for 36 years, and during his tenure, he earned numerous commendations for his work in the Criminal Investigation Division; he was appointed police commander in 2004 and was appointed commander of the Professional Standard Command two years later; he retired from public service in 2011; and

WHEREAS, Mr. Avitia shared 45 years of marriage with his life's love, Elizabeth Limón Avitia; he was blessed with three sons and with five grandchildren, who enriched his life immeasurably; and

WHEREAS, A man guided in all things by his Christian faith, Mr. Avitia taught Sunday school at both Temple Emmanuel Assemblies of God Church and the International Christian Center, and he volunteered his time to numerous charitable organizations; his many civic leadership roles included serving on the board of directors of the Brownsville Men's Bowling Association and the Boys Club and serving as president of the Mr. and Mrs. Club, the Mr. Amigo Association, and the Gathering of the Eagles; and

WHEREAS, Mr. Avitia was passionate about football and especially enjoyed watching the Dallas Cowboys, and he was an avid collector of sports memorabilia; he was always ready to help a neighbor in need, and he took great joy in searching for personalized gifts for his many loved ones; and

WHEREAS, Noted for his compassionate nature, his quick wit, and his tireless devotion to his community, Roberto Avitia was beloved by many, and he leaves behind memories that will long be cherished by all who were privileged to share in his life; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 87th Legislature, hereby extend sincere condolences to the bereaved family of Roberto Ramiro Avitia Jr.; and, be it further

RESOLVED, That a 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 Roberto Avitia.

LUCIO

