

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

TWENTY-SECOND DAY

(Tuesday, April 13, 2021)

The Senate met at 12:16 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 Eckhardt offered the invocation as follows:

Texas is a place of great diversity, and through that diversity we draw great strength. Yet despite our differences in age, race, ethnicity, countries of origin, political leanings, and religions, this one rule, this Golden Rule, rings true for us all. The book of Matthew says, in everything, we must do to others what we would have them do to you, for this sums up the law and the prophets. Judaism teaches, thou shalt love thy neighbor as thyself, and that, what is hateful to you, do not to your fellow man. Islam teaches that none of you truly believes until he wishes for his brother what he wishes for himself and that which you want for yourself, seek for mankind. Hinduism tells us to do nothing unto others which would cause you pain if done to you, and Buddhism ponders, if you see yourself in others, truly see yourself in others, then whom can you harm? Black Elk, the great Lakota teacher, said, all things are our relatives; what we do to everything, we do to ourselves, all is really one. And the Yoruba religion of Nigeria warns that one going to take a pointed stick to pinch a baby bird should first try it on himself to see how it feels. Texas is a place of great diversity. As we in this Chamber debate and decide the future of the diverse, ever-growing, and ever-changing people of Texas, let us remember this one Golden Rule, that we should only do unto others as we would do to ourselves. And let us find comfort in the fact that this one simple, beautiful, powerful rule transcends borders, transcends race, and encompasses all religious beliefs held by the people of our great state. Love is a universal language. Listen for it, speak it, and act from love for all of our brothers and sisters. 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.

GUESTS PRESENTED

Senator Campbell was recognized and introduced to the Senate a delegation from the Schertz-Cibolo-Selma Chamber of Commerce.

The Senate welcomed its guests.

SENATE RESOLUTION 243

Senator Birdwell offered the following resolution:

SR 243, Congratulating the Baylor University men's basketball team for winning the 2021 National Collegiate Athletic Association championship title.

BIRDWELL
HANCOCK
HUGHES
PAXTON
TAYLOR

The resolution was read.

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

On motion of Senator Birdwell, **SR 243** was adopted by a rising vote of the Senate.

GUESTS PRESENTED

Senator Birdwell, joined by Senators Hancock, Taylor, Powell, Paxton, West, Kolkhorst, Menéndez, Whitmire, Bettencourt, Lucio, Miles, Blanco, Hughes, and the President, was recognized and introduced to the Senate Linda A. Livingstone, Baylor University President; Mack Rhoades, Baylor Vice-president and Director of Intercollegiate Athletics; and the Baylor University men's basketball team including Coach Scott Drew, Jared Butler, Lionel Cryer, Adam Flagler, Zach Loveday, Matthew Mayer, Davion Mitchell, Jackson Moffatt, Mark Paterson, Jonathan Tchatchoua, MaCio Teague, Florent Thamba, Jordan Turner, Mark Vital, and Dain Dainja.

The Senate welcomed its guests.

(Senator Buckingham in Chair)

SENATE RESOLUTION 238

Senator Gutierrez offered the following resolution:

SR 238, In memory of Ida Gonzales Ramos.

The resolution was read.

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

In honor of the memory of Ida Gonzales Ramos, the text of **SR 238** is printed at the end of today's *Senate Journal*.

Senator Gutierrez was recognized and introduced to the Senate the family of Ida Gonzales Ramos including Stephon Benavides Ramos, Jennifer Ramos, and Sonia Gonzales.

The Senate welcomed its guests and extended its sympathy.

SENATE RESOLUTION 226

Senator West offered the following resolution:

SR 226, Honoring the memory of Christine Mae Blubaugh and all victims of teenage dating violence.

The resolution was read.

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

In honor of the memory of Christine Mae Blubaugh, the text of **SR 226** is printed at the end of today's *Senate Journal*.

SENATE RESOLUTION 242

Senator Zaffirini offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize women judges from across the state on April 13, 2021, Texas Women Judges' Day at the State Capitol; and

WHEREAS, Women judges in Texas have a storied history dating back to 1925, when Governor Pat Neff appointed Hortense Sparks Ward, Hattie Leah Henenberg, and Ruth Virginia Brazzil to serve as Texas Supreme Court justices for a case from which all of the existing judges on the court had recused themselves; and

WHEREAS, The case involved a fraternal organization that had so many prominent members that no qualified male judges or attorneys could be found who did not have a conflict of interest; the women appointed to serve on the supreme court were all well-established attorneys, and these pioneering women formed the first court in the nation composed entirely of women; and

WHEREAS, The first woman to hold a permanent position on a Texas bench was Sarah Tilghman Hughes, a highly esteemed state representative who was appointed to the 14th District Court in Dallas by Governor James Allred in 1935; Judge Hughes went on to win election to the seat for a full term and was reelected for six more terms; in 1961, she became the first woman to serve as a federal district judge in Texas; and

WHEREAS, Since that time, numerous women have served with distinction on the Texas Supreme Court and on the Texas Court of Criminal Appeals; and

WHEREAS, Today, more than 1,100 women preside over courts throughout the state; they exemplify the highest standards of judicial conduct, and their dedication to public service is truly an inspiration to us all; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 87th Legislature, hereby commend the women judges of Texas for their service and their commitment to equal justice under the law and extend to them best wishes for a memorable Texas Women Judges' Day at the State Capitol; and, be it further

RESOLVED, That a copy of this Resolution be prepared in honor of this special occasion.

ZAFFIRINI	GUTIERREZ	NELSON
ALVARADO	HINOJOSA	PAXTON
BUCKINGHAM	HUFFMAN	POWELL
CAMPBELL	HUGHES	WEST
CREIGHTON	JOHNSON	WHITMIRE
ECKHARDT	KOLKHORST	

SR 242 was read and was adopted without objection.

SENATE RESOLUTION 237

Senator Campbell offered the following resolution:

SR 237, Recognizing April 13, 2021, as Alzheimer's Association State Advocacy Day.

CAMPBELL
POWELL

The resolution was read and was adopted without objection.

(President in Chair)

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.

MESSAGE FROM THE GOVERNOR

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

April 13, 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 a member of the University of Texas System Board of Regents for a term to expire February 1, 2023:

Kevin P. Eltife
Tyler, Texas

(replacing David J. Beck of Houston whose term expired)

Respectfully submitted,
/s/Greg Abbott
Governor

(Senator Seliger in Chair)

**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 6:00 p.m. today.

CONCLUSION OF MORNING CALL

The Presiding Officer at 2:04 p.m. announced the conclusion of morning call.

**COMMITTEE SUBSTITUTE
SENATE BILL 876 ON SECOND READING**

Senator Hancock moved to suspend the regular order of business to take up for consideration **CSSB 876** at this time on its second reading:

CSSB 876, Relating to the county in which a person may apply for the registration of and title for a motor vehicle.

The motion prevailed.

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

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Alvarado, Menéndez.

**COMMITTEE SUBSTITUTE
SENATE BILL 876 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 **CSSB 876** be placed on its third reading and final passage.

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

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

Nays: Alvarado, Menéndez.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 40 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 40** at this time on its second reading:

CSSB 40, Relating to the provision of telehealth services by certain health professionals licensed by the Texas Department of Licensing and Regulation.

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 40 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 40** 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 1132 ON SECOND READING

On motion of Senator Johnson and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1132** at this time on its second reading:

SB 1132, Relating to the regulation of crafted precious metal dealers; authorizing the change of a fee.

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 1132 ON THIRD READING

Senator Johnson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1132** 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 454 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 454** at this time on its second reading:

CSSB 454, Relating to mental health services development plans as updated by the Health and Human Services Commission and local mental health authority groups.

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 454 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 454** 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 938 ON SECOND READING**

On motion of Senator Campbell and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 938** at this time on its second reading:

CSSB 938, Relating to an exemption from the franchise tax and certain filing fees for certain businesses owned by veterans during an initial period of operation in the state.

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 938 ON THIRD READING**

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 938** 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 1179 ON SECOND READING

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1179** at this time on its second reading:

SB 1179, Relating to the procedure for donating juror reimbursements.

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 1179 ON THIRD READING

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1179** 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 89 ON SECOND READING**

On motion of Senator Menéndez and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 89** at this time on its second reading:

CSSB 89, Relating to supplemental information required for inclusion with a written statement of an individualized education program developed for certain public school students who received special education services during the 2019-2020 or 2020-2021 school year.

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 89 ON THIRD READING**

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 89** 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 630 ON SECOND READING

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 630** at this time on its second reading:

SB 630, Relating to the election of directors and administration of the Agua Special Utility District.

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 630 ON THIRD READING

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 630** 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 1018 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 1018** at this time on its second reading:

CSSB 1018, Relating to an early voting ballot voted by mail.

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, Paxton, Springer.

**COMMITTEE SUBSTITUTE
SENATE BILL 1018 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 1018** 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, Perry, Powell, Schwertner, Seliger, Taylor, West, Whitmire, Zaffirini.

Nays: Creighton, Paxton, Springer.

**COMMITTEE SUBSTITUTE
SENATE BILL 730 ON SECOND READING**

On motion of Senator Hall and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 730** at this time on its second reading:

CSSB 730, Relating to the designation of the portion of State Highway 66 in Rockwall County as the Commissioner David Magness Memorial Highway.

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 730 ON THIRD READING**

Senator Hall moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 730** 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)

SESSION TO CONSIDER EXECUTIVE APPOINTMENTS

The President announced the time had arrived to consider executive appointments to agencies, boards, and commissions. Notice of submission of these names for consideration was given yesterday by Senator Buckingham.

Senator Buckingham moved confirmation of the nominees reported yesterday by the Committee on Nominations.

The President asked if there were requests to sever nominees.

There were no requests offered.

NOMINEES CONFIRMED

The following nominees, as reported by the Committee on Nominations, were confirmed by the following vote: Yeas 31, Nays 0.

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.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Tuesday, April 13, 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 79

Murr

Relating to associate judges for guardianship proceedings and protective services proceedings in certain courts.

HB 115

Rodriguez

Relating to the exemption from ad valorem taxation of certain property owned by a charitable organization and used in providing housing and related services to certain homeless individuals.

HB 187

Thompson, Senfronia

Relating to the consideration of a subsequent writ of habeas corpus in certain felony cases.

HB 375

Smith

Relating to the prosecution of the offense of continuous sexual abuse of young child or disabled individual; creating a criminal offense.

HB 402

Hernandez

Relating to the use of certain funds derived from criminal asset forfeiture to provide services to domestic victims of trafficking.

HB 428

King, Ken

Relating to health benefit plan coverage for ovarian cancer testing and screening.

HB 707

Moody

Relating to a study on expanding recovery housing in this state.

HB 766

Harless

Relating to the entry into the Texas Crime Information Center of certain information regarding orders imposing a condition of bond in a criminal case involving a violent offense.

HB 786

Oliverson

Relating to required cardiopulmonary resuscitation training for telecommunicators.

HB 871

Morrison

Relating to the municipal fees charged to certain air conditioning and refrigeration contractors.

HB 885

Harris

Relating to the requirements for a junior college district to receive approval from the Texas Higher Education Coordinating Board to offer baccalaureate degree programs.

HB 1116

Thompson, Ed

Relating to toll collection and enforcement on state highway toll lanes by entities other than the Texas Department of Transportation.

HB 1419

Hull

Relating to the duties of a law enforcement agency regarding missing children and missing persons and to the duties of a justice of the peace or other investigator regarding unidentified bodies.

HB 1544

Guillen

Relating to the eligibility of land to continue to be appraised for ad valorem tax purposes as qualified open-space land if the land is temporarily used for sand mining operations; authorizing a fee.

HB 1603

Huberty

Relating to the use of individual graduation committees and other alternative methods to satisfy certain public high school graduation requirements.

HB 1916

Turner, Chris

Relating to prohibiting certain telemarketing calls by a credit access business.

HB 2004

Ashby

Relating to a limitation on liability and sanctions in connection with certain prescribed burns.

HB 2089

Burrows

Relating to the detection and mitigation of plant pests and diseases.

HB 2536

Krause

Relating to neglect of a child and the grounds for termination of the parent-child relationship and possession of a child by the Department of Family and Protective Services.

HJR 125

Ellzey

Proposing a constitutional amendment to allow the surviving spouse of a person who is disabled to receive a limitation on the school district ad valorem taxes on the spouse's residence homestead if the spouse is 55 years of age or older at the time of the person's death.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

(Senator Bettencourt in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 1529 ON SECOND READING**

Senator Huffman moved to suspend the regular order of business to take up for consideration **CSSB 1529** at this time on its second reading:

CSSB 1529, Relating to the creation of the Texas Court of Appeals to hear certain cases; authorizing fees.

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 Huffman offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1529** (senate committee printing) in SECTION 1.02 of ARTICLE 1 of the bill as follows:

(1) In added Section 22.2155, Government Code (page 1, between lines 51 and 52), insert the following:

(c) Notwithstanding Section 659.012(a)(2), a justice of the Texas Court of Appeals shall be paid the annual base salary paid by the state under Section 659.012 to a justice of the supreme court other than the chief justice or a judge of the court of criminal appeals other than the presiding judge.

(2) Reletter subsequent subsections of added Section 22.2155, Government Code, and cross-references to those subsections accordingly.

The amendment to **CSSB 1529** 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 Huffman offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 1529** (senate committee printing) as follows:

(1) In SECTION 1.02 of ARTICLE 1 of the bill, in added Section 22.2155(a), Government Code (page 1, line 30), between "exclusive" and "appellate", insert "intermediate".

(2) In SECTION 1.02 of ARTICLE 1 of the bill, in added Section 22.2155(a)(1)(E), Government Code (page 1, line 45), strike "or".

(3) In SECTION 1.02 of ARTICLE 1 of the bill, in added Section 22.2155(a)(1)(F), Government Code (page 1, line 46), strike "or".

(4) In SECTION 1.02 of ARTICLE 1 of the bill, immediately following added Section 22.2155(a)(1), Government Code (page 1, between lines 46 and 47), insert the following:

(G) a proceeding relating to an order of expunction under Chapter 55, Code of Criminal Procedure, or an order of nondisclosure of criminal history record information under Subchapter E-1, Chapter 411; or

(H) a proceeding relating to the conditions, modification, revocation, or surrendering of a bond, including a surety bond; or

(5) In SECTION 1.04 of ARTICLE 1 of the bill, in amended Section 22.220(a), Government Code (page 2, line 22), between "exclusive" and "appellate", insert "intermediate".

(6) In SECTION 1.06(a) of ARTICLE 1 of the bill (page 2, line 33), strike "exclusive jurisdiction" and substitute "exclusive intermediate appellate jurisdiction".

The amendment to **CSSB 1529** 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 1529 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.

(President in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 1251 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 1251** at this time on its second reading:

CSSB 1251, Relating to authorizing certain joint graduate degree programs between The University of Texas Health Science Center at Houston and The University of Texas M. D. Anderson Cancer Center.

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 1251 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 1251** 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 1525 ON SECOND READING**

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1525** at this time on its second reading:

CSSB 1525, Relating to the administration of the governor's university research initiative.

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 1525 ON THIRD READING**

Senator Creighton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1525** 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 JOINT RESOLUTION 45 ON SECOND READING**

Senator Birdwell moved to suspend the regular order of business to take up for consideration **CSSJR 45** at this time on its second reading:

CSSJR 45, Proposing a constitutional amendment regarding the powers of the governor, the legislature, and the supreme court following certain disaster or emergency declarations.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Eckhardt.

The resolution was read second time and was passed to engrossment by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE JOINT RESOLUTION 45 ON THIRD READING**

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSJR 45** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Eckhardt.

The resolution was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

(Senator Schwertner in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 1025 ON SECOND READING**

Senator Birdwell moved to suspend the regular order of business to take up for consideration **CSSB 1025** at this time on its second reading:

CSSB 1025, Relating to the authority of the legislature, governor, and certain political subdivisions with respect to disasters and emergencies.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Eckhardt.

The bill was read second time.

Senator Birdwell offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1025** (senate committee printing) as follows:

(1) In SECTION 7 of the bill, in added Section 418.0165(b), Government Code (page 3, line 17), strike "The" and substitute "Except as provided by Subsection (d), the".

(2) In SECTION 7 of the bill, immediately following added Section 418.0165(c), Government Code (page 3, between lines 24 and 25), insert the following:

(d) The governor may not suspend a provision of the Election Code related to the qualifications or procedures for early voting by mail or to the procedures for accepting a voter during any voting period, including procedures related to voter identification, residency, and signature requirements, except that the governor may suspend Section 86.006(a-1), Election Code, only for the purpose of allowing a voter registered to vote at an address located in a disaster area to deliver a marked ballot voted under Section 86.006(a-1) to the early voting clerk's office on or before election day.

The amendment to **CSSB 1025** was read.

Senator Hinojosa offered the following amendment to Floor Amendment No. 1:

Floor Amendment No. 2

Amend Floor Amendment No. 1 by Birdwell to **CSSB 1025** (87r19228) in Item (2) of the amendment, adding Section 418.0165(d), Government Code, as follows:

(1) On line 9, strike "The" and substitute "Except as provided by this subsection, the".

(2) On line 18, immediately following the underlined period, insert the following:

This subsection does not prohibit the governor from suspending a provision of the Election Code to extend the voting period for early voting by mail as necessary to address the declared disaster.

The amendment to Floor Amendment No. 1 to **CSSB 1025** 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.

Question recurring on the adoption of Floor Amendment No. 1 to **CSSB 1025**, the amendment as amended was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 as amended except as follows:

Nays: Eckhardt.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 1025** (senate committee report) in SECTION 3 of the bill, in added Section 418.0125(a), Government Code (page 2, line 24), immediately following the underlined period by inserting the following:

The legislature may only exercise the authority granted by this subsection in a county after consulting with the county judge of each county impacted by the disaster.

The amendment to **CSSB 1025** 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.

(President in Chair)

Senator Paxton offered the following amendment to the bill:

Floor Amendment No. 4

Amend **CSSB 1025** (Senate Committee Report version) by adding the appropriately numbered section sequentially:

SECTION _____. Subchapter B, Chapter 418, Government Code, is amended by adding Section 418.0121 to read as follows:

Sec. 418.0121. AUTHORITY OF THE LEGISLATURE TO REVIEW AND TERMINATE AN EXECUTIVE ORDER. The legislature may review and terminate during a regular or special session an order issued by the governor under Sec. 418.012. The legislature may terminate the order by passage of a resolution approved by a majority vote of the members present in each house of the legislature.

The amendment to **CSSB 1025** was read.

Senator Paxton withdrew Floor Amendment No. 4.

CSSB 1025 as amended was passed to engrossment by the following vote: Yeas 30, Nays 1.

Nays: Eckhardt.

COMMITTEE SUBSTITUTE
SENATE BILL 1025 ON THIRD READING

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1025** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Eckhardt.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

(Senator Johnson in Chair)

SENATE BILL 165 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 165** at this time on its second reading:

SB 165, Relating to an exception to dropped course limitations at public institutions of higher education for courses dropped during a disaster that results in a bar or limit on in-person course attendance.

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 165 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 165** 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 1116 ON SECOND READING

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1116** at this time on its second reading:

SB 1116, Relating to a county, city, or independent school district posting election results on an Internet website.

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 1116 ON THIRD READING

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1116** 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.

(Senator Perry in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 1340 ON SECOND READING**

Senator Buckingham moved to suspend the regular order of business to take up for consideration **CSSB 1340** at this time on its second reading:

CSSB 1340, Relating to voter qualification and registration.

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 Hinojosa offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1340** (senate committee printing) as follows:

(1) In SECTION 2 of the bill, adding Section 11.0021, Election Code (page 1, line 33), between "VOTING." and "Notwithstanding", insert "(a)".

(2) In SECTION 2 of the bill, adding Section 11.0021, Election Code (page 1, line 33), between "law" and the underlined comma, insert "and subject to Subsections (c), (d), and (e)".

(3) In SECTION 2 of the bill, adding Section 11.0021, Election Code, on page 1, between lines 45 and 46, insert the following:

(b) The secretary of state shall by rule determine what information combinations identified as common to a voter and to an individual who is not a citizen of the United States constitute a weak match or a strong match in order to:

(1) produce the least possible impact on Texas voters; and

(2) fulfill its responsibility to manage the voter rolls.

(c) The secretary of state may not determine that a voter is ineligible to register to vote or vote based on a weak match. The secretary may inform the county of the voter's residence that a weak match exists.

(d) On receiving notification from the secretary of state under Subsection (c) that a weak match of identifying information exists for an applicant for voter registration or a voter in the county and an individual who is a noncitizen, the county shall investigate whether the applicant or voter is a citizen.

(e) The secretary of state may determine a voter is ineligible to register to vote or vote based on a strong match.

The amendment to **CSSB 1340** 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 1340 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.

(President in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 23 ON SECOND READING**

Senator Huffman moved to suspend the regular order of business to take up for consideration **CSSB 23** at this time on its second reading:

CSSB 23, Relating to an election to approve a reduction or reallocation of funding or resources for certain municipal or county law enforcement agencies.

The motion prevailed.

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

Senator Johnson asked to be recorded as "Present-not voting" on suspension of the regular order of business.

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 23** (senate committee printing) in SECTION 1 of the bill, in added Chapter 135, Local Government Code, as follows:

(1) In Section 135.001(a) (page 1, lines 27-28), strike "proposes to adopt" and substitute "adopts".

(2) In Section 135.001(b) (page 1, line 47), strike "adopt a budget with" and substitute "implement".

(3) In Section 135.005(a) (page 2, line 31), strike "adopted a budget with" and substitute "implemented".

(4) In Section 135.006(a) (page 2, line 49), strike "adopted a budget with" and substitute "implemented".

(5) In Section 135.006(c) (page 2, line 59), strike "adopted a budget with" and substitute "implemented".

(6) In Section 135.006(c)(1)(A) (page 2, line 66), strike "adopted a budget that reverses" and substitute "reversed".

The amendment to **CSSB 23** 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, Miles.

Present-not voting: Johnson.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 23** (senate committee printing) in SECTION 1 of the bill, in added Section 135.001, Local Government Code, as follows:

(1) In Subsection (a)(1) (page 1, line 31), between "agency" and "with", insert ", excluding a 9-1-1 call center,".

(2) Strike Subsection (a)(1)(C) (page 1, lines 40-41) and substitute the following:

(C) as applicable:

(i) if the municipality or county, as applicable, has not declined in population since the preceding fiscal year, the number of peace officer positions, excluding detention officer positions; or

(ii) if the municipality or county, as applicable, has declined in population since the preceding fiscal year, the number of peace officer positions, excluding detention officer positions, the law enforcement agency is authorized to employ per 1,000 municipal or county residents, as applicable; or

(3) In Subsection (c)(1) (page 1, line 60), immediately after the underlined semicolon, strike "or".

(4) Between Subsections (c)(1) and (2) (between page 1, line 60 and page 2, line 1), insert the following and renumber subsequent subdivisions accordingly:

(2) revenues used to repay voter-approved bonded indebtedness incurred for a law enforcement purpose;

(3) detention officer compensation; or

The amendment to **CSSB 23** 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 23 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 23 ON THIRD READING**

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 23** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2, Present-not voting 1.

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

Nays: Eckhardt, Miles.

Present-not voting: Johnson.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 2, Present-not voting 1. (Same as previous roll call)

**STATEMENT REGARDING
COMMITTEE SUBSTITUTE SENATE BILL 23**

Senator Zaffirini submitted the following statement regarding **CSSB 23**:

Like many Texans, I have been shocked and dismayed by the disproportionate and extrajudicial killings of persons of color by law enforcement. This must change, and those who enforce the law must first obey it. It is understandable that the deaths of George Floyd, Mike Ramos, and too many others would animate civil unrest and vigorous advocacy for reform.

We who fully "back the blue" understand that the horrifying actions of bad actors compromise the outstanding work most law enforcement officers do in their communities every day. Accordingly, I support—and I hope we all would support—many reforms, including improved hiring and training practices; enhanced accountability measures; and policy improvements to ensure that persons who are unworthy to wear the badge do not continue to endanger their neighbors.

That said, I do not believe that "defunding the police" is a viable or helpful policy proposal. CSSB 23 is not a perfect bill, but it is a measured, sensible response. I hope it will continue to be improved in the House of Representatives. Although it allows some flexibility for local governments following a disaster, it could present significant challenges during economic recessions, which heavily impact budgeting.

What's more, the bill does not allow for any re-imagining of the scope of policing: Many persons, for example, question the efficacy of relying so heavily on law enforcement to intercede in mental health crisis situations. CSSB 23 would make such policy changes—even when they do not change the services local residents receive—much more difficult.

As a strong proponent for local control and governance, I appreciate that CSSB 23 allows residents of a community to make decisions that would impact their lives rather than prohibiting them outright. The bill does not preclude "defunding the police"; it simply asks for a referendum to confirm the decision. For this reason, I voted for CSSB 23.

ZAFFIRINI

REMARKS ORDERED PRINTED

On motion of Senator Menéndez and by unanimous consent, the remarks by Senator Whitmire regarding **CSSB 23** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Mr. President and Members, I rise to, in my judgment, put this bill in perspective. I'm very disappointed that we find ourself taking this matter up at this time. Within the last hour, we've witnessed a great piece of legislation by Senator Birdwell that literally reshape and transform state government, and then we go from that serious state matter to what I perceive as trying to micromanage city councils and county commissioners. If the politicians in Washington, the Democrats in Washington, attempted to do that to us, the majority of this body would be screaming. And I will once again raise the issue that I raised the other night about who are the true conservatives on this floor, Mr. President. This piece of legislation, reaching out to another level of government by the state, is the most liberal, progressive move that I've seen in a long time. But I'm not surprised because this issue played so well in November. The Governor attacked primarily Austin. I'm not here to defend some foolish city councilmember that in the middle of the protest that got violent, even mentioned defunding police, one of the worst messages I've heard in my almost 50 years of public service, or the fools in Portland. It obviously became a national and certainly a state issue in the November elections, and because the Republicans did such a good messaging and leveraging, we probably largely have a Republican majority and Republican Speaker in the Texas House. For certain, it affected some congressional seats. But, colleagues, there's a time to campaign and there's a time to govern. And quite frankly, in all due respect to my friend, Senator Huffman, who I know of her commitment to law enforcement, in my judgment this is largely a political document. And I rise to question our credibility, intervene even on a matter as important as public safety because we could play back my closing of two years ago on Senate Bill 2, which is played at most of the county and city conferences, because I was concerned with that provision, that piece of legislation was going to not only tie the hands of local government to increase their budgets and revenue but it was also going to defund first responders. And that's not my opinion. Don't say, Oh, Whitmire's on a tear. Whitmire is calm right now. And I'm quoting sheriffs, Republican sheriffs, Republican county judges, and county mayors. 'Til 11 o'clock at night repeatedly they came before us and asked us not to pass Senate Bill 2. Furthermore, speaking of credibility, in 2017 this body cut the budget across

the board four percent, and I recall asking that we exempt public safety. I was concerned about correction officers. But I did some checking yesterday, the DPS lost four percent in 2017 and cut 130 troopers. Now, remember that. And who did the public call when we took that measure? Yes, we want bodies to be responsive to the voters, but we should be responsive to the voters as well. And, Senator Buckingham, in all due respect, I'll follow your local issues if you go forward and allow properties, currently City of Austin taxpayers to de-annex along Lake Austin. When you lose that city revenue, you're defunding the police. So, I think we need to do a little soul searching. I think it should be called out for what it is. There's no question that someone very deliberately, in my judgment, wants to get me as a Democrat, my colleagues in the, Democratic colleagues in a Democratic Party, on record because it played so well. I guess I should point out that President Obama has publicly said we should not defund police and certainly President Biden has. But, I understand, emotion and the opportunity to keep that issue alive going forward. But I'm not going to stand here and allow anyone to question my and other colleagues' commitment to law enforcement. I take a back seat to no one. It's not a recent mission; it's one I've taken my entire career. I went to high school in middle-class, white neighborhood in Houston where if you didn't go off to college, you became a fireman or a policeman. And because of those relationships, I started riding with police officers. I rode with the Chief on Sunday and Wednesday night during the recent freeze. I know what they go through. I've got more plaques than I've got wall space coming from law enforcement, but I don't think it's the proper use of our time and our responsibility. There's not one city today that is contemplating or involved in defunding their police. Austin is rapidly putting their funding back at the levels prior to their shifting of funds, reimaging, redirecting, repurposing their funds. Their academies have been replaced. Houston increased police law enforcement spending this year, Dallas has. I did see where Fort Worth, the county is concerned that it could maybe bring them into an election because they increased the jail personnel during COVID. They don't need that personnel now and it may trigger. And the very fact that we would let any citizen make a complaint, will there ever be a time when someone doesn't make a complaint? If not any other reason to play politics with this serious issue or to get attention. So, I personally think the discussion of it, the politics of it surrounding the November election got everyone's attention. I don't know of anyone that's contemplating defunding police. I would suggest Houston is terribly undermanned, woman, personnel. We have fewer officers, Mr. President, than we had 20 years ago. I can see where if the resources were available they would significantly increase. But in closing, let me say that I don't fault the sponsor or the supporters of this. It's serving a purpose that you intended. I think it'll be the discussion all across Texas tomorrow that defunding will not be allowed or permitted. So, you got the message out, but I believe the message was there and strong. And because I perceive this as a political issue, not in my world, my opinion, unnecessary piece of

legislation, I'm not going to allow someone to show me voting "no," as strongly as I think it should not be on this floor. I'm going to be shown "yes," Patsy, because I think in the days to come we will be judged how we voted on this bill. I would urge my Democratic colleagues to vote for it, if you can in good conscience, or certainly "present-not voting," because this vote will be used against you. Maybe not by Senator Huffman, but there are folks probably in this building that will use it against you if certainly you're in a marginal district or you're somewhere where police support and the public support for law enforcement will be a major issue in your campaign. Thank you, Mr. President.

On motion of Senator Creighton and by unanimous consent, the remarks by Senator Bettencourt regarding **CSSB 23** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Thank you, Mr. President. I want to again commend Senator Huffman for putting together a bill about good public policy. The Local Government Committee spent, alone, four hours on one bill and two others on several of Senator Buckingham's bills. And I want to assure everyone and every Member here that we heard, at least about the City of Austin, average families crying out for help, families that were concerned that when they called 9-1-1, they were told that they would be unable to fulfill just even a basic drive-by to come investigate a critical situation because of the pandemic and that Austin PD did not have the resources to help. In addition, we had other calls that were documented by testimony of people that, Dean, they didn't call themselves Democrats anymore, they just call themselves Austin citizens. And what I see when I hear that type of testimony is that, we had one major city try to do this and it's a catastrophe. And this bill is attempting to stop it from happening again. I made the comment last night that there's hundreds of thousands of people in Austin that no longer feel safe, because they don't. So, what Senator Huffman's bill does is recognize the obvious. You know, she's not trying to put a political label on anybody. The last time I checked the screen, this bill was passing 28 to 2. This is a bipartisan bill to fix a problem from occurring in the future because we don't need another example, Dean, of what happened in Austin ever happening again in this state. And we took six hours of testimony from people that were just average families, people that brought their kids, that came to testify for her bills. And the theme was there, the lack of response was frightening. And it's due to their leadership. And so, this bill says if you're going to make a mistake of this magnitude, then there are consequences for it. And I, for one, support what Senator Huffman said. And if you, I'd love to show the testimony to anyone last night because it's important that when the public cries out, because they're not crying out in a partisan way. Last night, we had people just cry out that said, we don't feel safe, we don't feel safe with our kids going to parks anymore. We don't feel safe, you know, in being even able to call 9-1-1 because we're not sure what the response is. And I just want to say that there are times when we do have

a bipartisan vote and it is for good government. And I believe that's what Senator Huffman's bill is. It's for good government. Thank you, Mr. President.

On motion of Senator Bettencourt and by unanimous consent, the remarks by Senator Lucio regarding **CSSB 23** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Creighton beat me to the punch. But before I wanted to make that motion, I wanted to tell the Dean that I wish the whole world had heard you speak because you spoke from the heart. I've been here, and I've been watching you for 35 years, and I truly respect what you had to say because it came from the heart. That's all that's important here, and my brother Paul, it came from his heart as well. So, I second both motions and I think we need to come together. This should not divide us. We should be bonded to a point where we can show everyone in this state that we are truly one Texas family, Senators, with a President that also cares so much for the people of this great state. This is a great moment for me. For the young ones that are here, that have many, many more years to go before you sleep and you work on this Senate floor, I care to be here a little longer, but I know that it won't be long. But I want you to remember this night because it's important to stand and speak your piece from the depths of your heart, as of what has been done here. And, Senator Huffman, you opened it up where people could share their thoughts and their concerns, and you added amendments, and you made it a bill that those of us that voted for it, I truly felt and I told you maybe people weren't listening. I appreciate the fact that the public is going to have a chance to be part of the decision making not only in electing us, but also in participating on things that were important in their community. Mr. President, thank you for this opportunity to speak momentarily.

COMMITTEE SUBSTITUTE SENATE BILL 14 ON THIRD READING

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

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

**COMMITTEE SUBSTITUTE
SENATE BILL 179 ON THIRD READING**

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

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 third time and was passed by the following vote: Yeas 20, Nays 11. (Same as previous roll call)

SENATE BILL 1336 ON THIRD READING

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

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

SENATE BILLS AND RESOLUTION ON FIRST READING

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

SB 2203 by Kolkhorst

Relating to the creation of the Waller County Municipal Utility District No. 38; 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 2204 by Kolkhorst

Relating to the creation of the Fort Bend County Municipal Utility District No. 250; 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.

SR 5 by Hall

Recognizing that all businesses are essential and all Texans who want to work should be free to earn a living free from government interference.

To Committee on Business & Commerce.

HOUSE BILLS ON FIRST READING

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

- HB 39** to Committee on Criminal Justice.
- HB 79** to Committee on Jurisprudence.
- HB 115** to Committee on Finance.
- HB 135** to Committee on Health & Human Services.
- HB 187** to Committee on Criminal Justice.
- HB 317** to Committee on Business & Commerce.
- HB 362** to Committee on Local Government.
- HB 375** to Committee on Criminal Justice.
- HB 428** to Committee on Business & Commerce.
- HB 454** to Committee on Criminal Justice.
- HB 626** to Committee on Veteran Affairs & Border Security.
- HB 719** to Committee on Criminal Justice.
- HB 723** to Committee on Health & Human Services.
- HB 735** to Committee on Business & Commerce.
- HB 780** to Committee on Health & Human Services.
- HB 786** to Committee on Health & Human Services.
- HB 840** to Committee on Local Government.
- HB 876** to Committee on Business & Commerce.
- HB 917** to Committee on Finance.
- HB 976** to Committee on Jurisprudence.
- HB 977** to Committee on Local Government.
- HB 1081** to Committee on Transportation.
- HB 1116** to Committee on Transportation.
- HB 1147** to Committee on Education.
- HB 1228** to Committee on Local Government.
- HB 1264** to Committee on State Affairs.
- HB 1419** to Committee on Criminal Justice.
- HB 1428** to Committee on Jurisprudence.
- HB 1571** to Committee on Business & Commerce.
- HB 1603** to Committee on Education.
- HB 1916** to Committee on Business & Commerce.
- HB 2005** to Committee on Business & Commerce.
- HB 2089** to Committee on Water, Agriculture & Rural Affairs.
- HB 2167** to Committee on Transportation.
- HB 2305** to Committee on Business & Commerce.
- HB 2429** to Committee on Local Government.
- HB 2533** to Committee on Business & Commerce.
- HB 2536** to Committee on State Affairs.

HB 2586 to Committee on Jurisprudence.

HB 2678 to Committee on Transportation.

CO-AUTHOR OF SENATE BILL 18

On motion of Senator Creighton, Senator Hall will be shown as Co-author of **SB 18**.

CO-AUTHORS OF SENATE BILL 23

On motion of Senator Huffman, Senators Bettencourt, Kolkhorst, and Nelson will be shown as Co-authors of **SB 23**.

CO-AUTHOR OF SENATE BILL 40

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

CO-AUTHORS OF SENATE BILL 288

On motion of Senator Seliger, Senators Lucio and Schwertner will be shown as Co-authors of **SB 288**.

CO-AUTHOR OF SENATE BILL 299

On motion of Senator Hinojosa, Senator Perry will be shown as Co-author of **SB 299**.

CO-AUTHORS OF SENATE BILL 313

On motion of Senator Huffman, Senators Alvarado, Kolkhorst, Nelson, and West will be shown as Co-authors of **SB 313**.

CO-AUTHOR OF SENATE BILL 335

On motion of Senator Johnson, Senator Huffman will be shown as Co-author of **SB 335**.

CO-AUTHOR OF SENATE BILL 454

On motion of Senator Kolkhorst, Senator Eckhardt will be shown as Co-author of **SB 454**.

CO-AUTHOR OF SENATE BILL 468

On motion of Senator Zaffirini, Senator Eckhardt will be shown as Co-author of **SB 468**.

CO-AUTHOR OF SENATE BILL 475

On motion of Senator Nelson, Senator Kolkhorst will be shown as Co-author of **SB 475**.

CO-AUTHORS OF SENATE BILL 513

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

CO-AUTHOR OF SENATE BILL 550

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

CO-AUTHOR OF SENATE BILL 674

On motion of Senator Buckingham, Senator Blanco will be shown as Co-author of **SB 674**.

CO-AUTHOR OF SENATE BILL 679

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

CO-AUTHOR OF SENATE BILL 938

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

CO-AUTHORS OF SENATE BILL 1018

On motion of Senator Zaffirini, Senators Hinojosa and Hughes will be shown as Co-authors of **SB 1018**.

CO-AUTHOR OF SENATE BILL 1047

On motion of Senator Seliger, Senator Johnson will be shown as Co-author of **SB 1047**.

CO-AUTHORS OF SENATE BILL 1118

On motion of Senator Johnson, Senators Kolkhorst and Perry will be shown as Co-authors of **SB 1118**.

CO-AUTHOR OF SENATE BILL 1196

On motion of Senator Whitmire, Senator Lucio will be shown as Co-author of **SB 1196**.

CO-AUTHOR OF SENATE BILL 1253

On motion of Senator Hall, Senator Creighton will be shown as Co-author of **SB 1253**.

CO-AUTHOR OF SENATE BILL 1295

On motion of Senator Creighton, Senator Lucio will be shown as Co-author of **SB 1295**.

CO-AUTHOR OF SENATE BILL 1297

On motion of Senator Zaffirini, Senator Lucio will be shown as Co-author of **SB 1297**.

CO-AUTHORS OF SENATE BILL 1650

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

CO-AUTHOR OF SENATE BILL 1710

On motion of Senator Springer, Senator Perry will be shown as Co-author of **SB 1710**.

CO-AUTHOR OF SENATE BILL 1740

On motion of Senator Zaffirini, Senator Paxton will be shown as Co-author of **SB 1740**.

CO-AUTHOR OF SENATE BILL 2115

On motion of Senator Lucio, Senator Perry will be shown as Co-author of **SB 2115**.

CO-AUTHORS OF SENATE CONCURRENT RESOLUTION 12

On motion of Senator Creighton, Senators Hall and Kolkhorst will be shown as Co-authors of **SCR 12**.

CO-AUTHORS OF SENATE CONCURRENT RESOLUTION 17

On motion of Senator Hughes, Senators Buckingham, Creighton, and Kolkhorst will be shown as Co-authors of **SCR 17**.

CO-AUTHOR OF SENATE RESOLUTION 242

On motion of Senator Zaffirini, Senator Lucio will be shown as Co-author of **SR 242**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 245 by Powell, Nelson, Whitmire, and Zaffirini, In memory of former Texas Senator Hugh Quay Parmer.

SR 247 by Eckhardt, In memory of Keith David Braithwaite.

Congratulatory Resolutions

SR 244 by Powell, Recognizing Imani Mogaka for her selection as Youth of the Year for the Boys & Girls Clubs of Greater Tarrant County.

SR 246 by Creighton, Recognizing Julie Gauthier for her work as state president of the Texas Elementary Principals and Supervisors Association.

HCR 74 (Springer), 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.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 7:25 p.m. adjourned, in memory of Christine Mae Blubaugh and all victims of teenage dating violence and Ida Gonzales Ramos, 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:

April 13, 2021

FINANCE — **HB 1445, SB 1029, SB 1438, HB 1195, SB 313, SB 706**

WATER, AGRICULTURE AND RURAL AFFAIRS — **CSSB 1117, CSSB 1890, CSSB 739, CSSB 1118, CSSB 703**

ADMINISTRATION — **CSSCR 9, CSSCR 23, SCR 7, SCR 20, SCR 26, SCR 11, SCR 21**

HEALTH AND HUMAN SERVICES — **SB 1578**

PORTS — **CSSB 1642, SB 1643, SB 1986, SB 2175, CSSB 782, CSSB 1774, CSSB 635**

EDUCATION — **SB 1522, SB 1697, SB 1696, SB 1063, SB 785**

BILLS AND RESOLUTION ENGROSSED

April 13, 2021

SB 14, SB 23, SB 40, SB 89, SB 165, SB 179, SB 454, SB 630, SB 730, SB 876, SB 938, SB 1018, SB 1025, SB 1116, SB 1132, SB 1179, SB 1251, SB 1336, SB 1525, SJR 45

RESOLUTIONS ENROLLED

April 13, 2021

SR 226, SR 237, SR 238, SR 242, SR 243, SR 244, SR 245, SR 246, SR 247

In Memory
of
Ida Gonzales Ramos
Senate Resolution 238

WHEREAS, Countless lives were touched by the kindness and generosity of restaurateur Ida Gonzales Ramos of San Antonio, who passed away on February 7, 2020, at the age of 76; and

WHEREAS, The daughter of Nicolas and Paulita Gonzales, the former Ida Gonzales was born in Tilden on September 5, 1943, and grew up with the companionship of four brothers, Cosme, Nicolas, Ruben, and Refugio, and four sisters, Maria, Casey, Dora, and Gloria; she married Richard Ramos, and they became the proud parents of three daughters, Brenda, Gina, and Jennifer; through the years, Ms. Ramos experienced the joy of welcoming into her treasured family five grandsons, Branden, Seth, Bryan, Stephon, and Solomon, as well as a great-grandson, Connor; she set an example of strength and determination for the younger generations and instilled in them the value of hard work; and

WHEREAS, Ms. Ramos was the owner of El Torero Restaurant for more than 44 years, and she extended a warm welcome to all, including families, politicians, softball and dart teams, teachers from Riverside Park Elementary, and anyone who needed love and compassion, as well as a good meal; over the years, she became a mother figure to a host of people, offering hugs, a shoulder to cry on, wise counsel, or kind words of encouragement; she was a strong advocate for her Southside community, and she was especially dedicated to VFW Post No. 9186; and

WHEREAS, Although Ida Ramos will be deeply missed, the passage of time will never diminish the joy and love that she brought into the lives of all who knew her; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 87th Legislature, hereby pay tribute to the life of Ida Gonzales Ramos and extend sincere condolences to all who mourn her passing; and, be it further

RESOLVED, That an official copy of this Resolution be prepared for her family and that when the Texas Senate adjourns this day, it do so in memory of Ida Gonzales Ramos.

GUTIERREZ

In Memory
of
Christine Mae Blubaugh
Senate Resolution 226

WHEREAS, The Senate of the State of Texas recognizes the victims of teenage dating violence and honors the memory of the late Christine Mae Blubaugh of Grand Prairie, who tragically lost her life at the age of 16 as a result of dating violence; and

WHEREAS, According to the Centers for Disease Control and Prevention, one in 11 female and one in 14 male high school students report having experienced dating violence within the last year; 26 percent of women and 15 percent of men who have been victims of violence by an intimate partner, whether physical violence, sexual violence, or stalking, first experienced dating violence before the age of 18; and

WHEREAS, On March 25, 2000, Christine Blubaugh's life was taken as a result of dating violence, and for the past 21 years, her family and loved ones have tirelessly advocated the importance of educating young people about the warning signs and prevention of child abuse, family violence, and teen dating violence; and

WHEREAS, The Texas Senate is committed to the safety of the state's young citizens, and in recognition of the need for public awareness about the dangers and devastating consequences of teenage dating violence, the Texas Legislature designated February of 2021 as Teen Dating Violence Prevention Month; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 87th Legislature, hereby pay tribute to the memory of Christine Mae Blubaugh and to all victims who have suffered as a result of teenage dating violence and encourage citizens throughout the state to help promote the awareness of this important issue; and, be it further

RESOLVED, That a copy of this Resolution be prepared in memory of Christine Blubaugh and in honor of the victims of teenage dating violence.

WEST