

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

THIRTY-EIGHTH DAY

(Wednesday, May 12, 2021)

The Senate met at 11:00 a.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, Eckhardt, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Powell, Schwertner, Seliger, Springer, Taylor, West, Whitmire, Zaffirini.

Absent-excused: Creighton.

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

Senator Gutierrez offered the invocation as follows:

Almighty God, who has given us this good land for our heritage, we humbly beseech You that we may always prove ourselves a people mindful of Your favor and glad to do Your will. Bless our land with honorable ministry, sound learning, and pure manners. Save us from violence, discord, and confusion, from pride and arrogance, and from every evil way. Defend our liberties and fashion into one united people the multitude brought hither out of many kindreds and tongues. Endow with Your spirit of wisdom those whom in Your name we entrust the authority of government, that there may be justice and peace at home and that through obedience to Your law, we may show forth Your praise among the nations of the Earth. In time of prosperity, fill our hearts with thankfulness, and in the day of trouble, suffer not our trust in You to fail, all of which we ask through Jesus Christ, our Lord. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of the previous day be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Creighton was granted leave of absence for today on account of illness.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, May 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 3** Burrows

Relating to state and local government responses to a pandemic disaster, including the establishment of the Pandemic Disaster Legislative Oversight Committee, and to in-person hospital visitation during a disaster.

HB 225 Thompson, Senfronia

Relating to the procedure for an application for a writ of habeas corpus based on certain new evidence.

HB 316 Buckley

Relating to the advertising and labeling of certain food products.

HB 692 Shine

Relating to retainage requirements for certain public works construction projects.

HB 854 Burns

Relating to the punishment for the offense of unlawfully carrying a handgun by a license holder.

HB 1252 Moody

Relating to the limitation period for filing a complaint and requesting a special education impartial due process hearing.

HB 1476 Bell, Keith

Relating to a vendor's remedies for nonpayment of a contract with this state or a political subdivision of this state.

HB 1504 Morales, Christina

Relating to ethnic studies instruction in public schools.

HB 1664 White

Relating to the reinstatement of eligibility for medical assistance of certain children placed in juvenile facilities.

HB 1683 Landgraf

Relating to the enforcement of certain federal laws regulating oil and gas operations within the State of Texas.

HB 1793 Johnson, Julie

Relating to prohibiting oral releases for automobile insurance claims.

- HB 1810** Capriglione
Relating to maintenance and production of electronic public information under the public information law.
- HB 1987** Vasut
Relating to eligibility requirements to hold a political party office.
- HB 2242** Patterson
Relating to illness or injury leave of absence for county and municipal firefighters, police officers, and emergency medical services personnel.
- HB 2656** Moody
Relating to licensing examinations for certain court interpreters.
- HB 2822** Hull
Relating to the availability of antipsychotic prescription drugs under the vendor drug program and Medicaid managed care.
- HB 2912** Vasut
Relating to a violation of the Texas Residential Property Owners Protection Act or a dedicatory instrument by a board member of a property owners' association and to the recall of a board member.
- HB 2926** Parker
Relating to the reinstatement of the parent-child relationship with respect to a person whose parental rights have been involuntarily terminated and to certain requirements in relation to the termination of the parent-child relationship or placement of a child in substitute care.
- HB 2998** Smith
Relating to the requirement that certain business entities obtain a license from the Texas Real Estate Commission.
- HB 3081** Krause
Relating to the issuance of digital tags for the taking of certain animals.
- HB 3115** Shine
Relating to the release of a judgment lien on homestead property.
- HB 3276** Parker
Relating to the security of voted ballots.
- HB 3485** Goodwin
Relating to information reported through the Public Education Information Management System and to parents regarding disciplinary measures used by a school district.
- HB 3838** Dominguez
Relating to the display of emergency and other notices by a governmental entity on the entity's Internet website.
- HB 3979** Toth
Relating to the social studies curriculum in public schools.

- HB 4012** Bonnen
Relating to an explanation of benefits provided by certain health benefit plans to enrollees regarding certain preauthorized medical care and health care services.
- HB 4018** Capriglione
Relating to legislative oversight and funding of improvement and modernization projects for state agency information resources.
- HB 4131** Parker
Relating to the self-directed and semi-independent status of the State Securities Board; authorizing fees.
- HB 4146** King, Tracy O.
Relating to a restriction on permits authorizing direct discharges of waste or pollutants into water in certain stream segments, stream assessment units, and drainage areas.
- HB 4210** Paul
Relating to the authority of entities regulated by the Texas Department of Insurance to conduct business electronically.
- HB 4387** González, Mary
Relating to the establishment of the Texas Transfer Grant Pilot Program.
- HB 4661** Thompson, Senfronia
Relating to sexual harassment by lobbyists and certain elected or appointed state officers.
- HCR 23** Murr
Designating Llano as the official Barrel Racing Capital of Texas for a 10-year period beginning in 2021.
- HCR 32** Reynolds
Designating Missouri City as the official Hip-Hop Capital of Texas for a 10-year period beginning in 2021.
- HCR 46** Hunter
Designating April as Beach Safety and Rip Current Awareness Month for a 10-year period beginning in 2021.
- HCR 61** Leman
Designating the Texas star mushroom as the official State Mushroom of Texas.
- HCR 62** Hunter
Designating the second Monday in October as Indigenous Peoples' Day for a 10-year period beginning in 2021.
- HCR 71** Lopez
Urging Congress to bestow on Marcelino Serna the Congressional Medal of Honor.
- HCR 83** Parker
Designating June 2 as Italian Heritage Day for a 10-year period beginning in 2021.
- HJR 4** Kacal
Proposing a constitutional amendment authorizing the denial of bail under some circumstances to a person accused of a violent or sexual offense or of continuous trafficking of persons.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, May 12, 2021 - 2

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 130 Rodriguez

Relating to a highway toll exemption for public school buses.

HB 297 Murr

Relating to inservice training on prevention of abuse, neglect, and illegal, unprofessional, and unethical conduct provided by certain health care facilities.

HB 671 Martinez

Relating to establishment of the disaster identification system for a declared state of disaster.

HB 697 Rosenthal

Relating to requiring entities that provide mental health services to veterans or veterans' families to provide military informed care or military cultural competency training to certain entity personnel to accept a grant from a state agency.

HB 746 Bernal

Relating to installment payments of ad valorem taxes imposed on residence homesteads in certain counties.

HB 750 Burns

Relating to requiring a school district to post the district's employment policy on the district's Internet website.

HB 911 Patterson

Relating to the issuance of specially marked driver's licenses and personal identification certificates to veterans.

HB 1126 Anchia

Relating to an application for a writ of habeas corpus in certain felony cases.

HB 1127 Anchia

Relating to an application for a writ of habeas corpus in a community supervision case.

- HB 1206** Guillen
Relating to permissible uses of the instructional materials and technology allotment.
- HB 1290** Reynolds
Relating to the authority of a county assistance district to perform district functions outside the district.
- HB 1482** Johnson, Jarvis
Relating to measures to assist students enrolled at public institutions of higher education who are homeless or who are or were in foster care.
- HB 1613** Lopez
Relating to the requirement for certain public school teachers and principals to attend a literacy achievement academy or otherwise demonstrate proficiency in reading instruction.
- HB 1719** Reynolds
Relating to a potential erosion notice to purchasers of real property in a commercial or residential development in certain counties.
- HB 1935** Bucy
Relating to emergency refills of insulin and insulin-related equipment or supplies.
- HB 1959** Swanson
Relating to the maintenance of records and charging of fees by a notary public; increasing the amount of certain fees.
- HB 1966** Thompson, Senfronia
Relating to the designation of July as Uterine Fibroids Awareness Month.
- HB 1967** Thompson, Senfronia
Relating to a database of information about women with uterine fibroids and to uterine fibroid education and research.
- HB 2108** Wu
Relating to the waiver of jurisdiction and discretionary transfer of a child from a juvenile court to a criminal court.
- HB 2148** Stephenson
Relating to notification by the Texas Commission on Environmental Quality of accidental discharge or spill threatening certain public water systems.
- HB 2251** Hernandez
Relating to funding of entities through the community collaborative grant program.
- HB 2295** Wu
Relating to allowing certain counties to cease operation of a juvenile justice alternative education program.
- HB 2357** Reynolds
Relating to an exception from required disclosure of information related to certain crime victims.
- HB 2380** Smith
Relating to participation by videoconference at informal proceedings of the Texas Medical Board.

HB 2424

Murr

Relating to the exclusion of certain conveyances from classification as pretended sales.

HB 2503

Guillen

Relating to procedures governing a regional mobility authority in relation to certain federal public transportation funding.

HB 2539

Turner, John

Relating to the distribution of funds designated for the low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement program.

HB 2545

Thierry

Relating to health benefit plan coverage of hearing aids and cochlear implants for certain individuals.

HB 2688

VanDeaver

Relating to the term of office for certain trustees of an independent school district.

HB 2701

Slaton

Relating to the requirement that individuals joining the Texas National Guard sign a notice regarding active combat duty.

HB 2709

Johnson, Julie

Relating to the county in which an application for court-ordered mental health services must be filed.

HB 2748

Ellzey

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

HB 2754

Allen

Relating to post-release housing for inmates released on parole or to mandatory supervision.

HB 2756

Allen

Relating to the donation of food by public school campuses.

HB 2803

Thompson, Senfronia

Relating to a commercial landlord's or tenant's remedies regarding certain unlawful activities in a multiunit commercial property.

HB 2831

White

Relating to the confinement in county jail of persons with intellectual or developmental disabilities.

HB 2851

Lucio III

Relating to the consideration of modeled sustained groundwater pumping in the adoption of desired future conditions in groundwater conservation districts.

HB 2975

Hull

Relating to prohibiting the physical restraint of or use of chemical irritants on certain public school students by peace officers and school security personnel under certain circumstances.

- HB 2988** Minjarez
Relating to copayments required by a health maintenance organization or preferred provider benefit plan for visiting physical therapists.
- HB 3005** Ramos
Relating to annulment of a marriage on the grounds of concealed divorce.
- HB 3007** Ramos
Relating to annulment of a marriage on the grounds of fraud, duress, or force.
- HB 3098** Cason
Relating to conducting certain medical examinations using telemedicine under the workers' compensation system.
- HB 3153** Harris
Relating to the designation of State Highway 22 in Navarro County as the Dr. Kent Rogers Memorial Highway.
- HB 3203** Dutton
Relating to alternative times of possession under a standard possession order in a suit affecting the parent-child relationship.
- HB 3301** Landgraf
Relating to the designation of a portion of State Highway 302 in Winkler County as the Hazel and Margie Thompson Memorial Highway.
- HB 3319** Meyer
Relating to certain measures to promote compliance with and improve public awareness of the state's move over or slow down law concerning the passing of certain vehicles.
- HB 3322** Metcalf
Relating to the selection and administration of an appraisal review board in certain counties; authorizing a fee.
- HB 3374** Pacheco
Relating to the requirement to compare and verify signatures when renting a motor vehicle.
- HB 3417** Fierro
Relating to the regulation of manufactured homes.
- HB 3422** Morrison
Relating to restrictions under disaster remediation contracts; providing a civil penalty.
- HB 3449** Price
Relating to the membership of a public school concussion oversight team and the removal of a public school student from an interscholastic athletic activity on the basis of a suspected concussion.
- HB 3456** White
Relating to inclusion of funds received by certain educational institutions or programs in foundation school program funds for purposes of certain budget reductions.

- HB 3469** Hinojosa
Relating to certain notice requirements and filing requirements in court proceedings involving persons with mental illness.
- HB 3489** Parker
Relating to development of guidelines for the use of digital devices in public schools and a school district or open-enrollment charter school policy for the effective integration of those devices.
- HB 3504** Lambert
Relating to repairs made pursuant to a tenant's notice of intent to repair and the refund of a tenant's security deposit.
- HB 3512** Canales
Relating to highway memorial signs for certain deceased peace officers.
- HB 3521** Hunter
Relating to the definition of coercion for purposes of trafficking of persons.
- HB 3551** Craddick
Relating to the release of data purchased by the Texas Department of Transportation.
- HB 3584** Murr
Relating to monuments, markers, medallions, and antiquities controlled by or in the custody of the Texas Historical Commission; authorizing civil penalties.
- HB 3660** White
Relating to youth diversion programs for children accused of certain fine-only offenses and related criminal justice matters; authorizing and imposing fees and fines.
- HB 3742** Capriglione
Relating to a prohibition on the use of genetic information gathered from direct-to-consumer genetic tests by a long-term care benefit plan issuer or a life insurance company.
- HB 3744** Capriglione
Relating to the prohibited use or dissemination of certain private or false information; providing a civil penalty; creating a criminal offense; increasing a criminal penalty.
- HB 3818** Guillen
Relating to payments associated with certain medical examinations under the workers' compensation system; imposing a fee.
- HB 3819** Klick
Relating to a public school district policy providing that a school nurse may administer prescription asthma medicine to a student.
- HB 3859** Guillen
Relating to the issuance of specialty license plates for recipients of certain Texas military awards.
- HB 3868** Murr
Relating to the presidential electors of this state.

- HB 3897** Thompson, Senfronia
Relating to fees levied by municipalities and counties for alcoholic beverage permits and licenses.
- HB 3898** Anchia
Relating to the funding of public retirement systems.
- HB 3922** Oliverson
Relating to information provided by health care providers and hospitals to certain patients regarding pharmaceutical manufacturer patient assistance programs for insulin.
- HB 3932** Bernal
Relating to the establishment of the State Advisory Council on Educational Opportunity for Military Children.
- HB 3949** Martinez
Relating to the authority of the Texas Department of Transportation to sell a portion of a state highway to the owner or operator of an international port of entry.
- HB 3964** Hull
Relating to construction of certain laws prohibiting discrimination, distinctions, inducements, rebates, and certain other conduct related to property and casualty insurance.
- HB 3976** Collier
Relating to the authorized activities of a manufacturer's agent's warehousing permit holder.
- HB 4004** Rogers
Relating to a study by Texas A&M University of the appraisal of agricultural land for ad valorem tax purposes.
- HB 4025** Rodriguez
Relating to applicability of civil service status to emergency medical services personnel in certain municipalities.
- HB 4068** Parker
Relating to the eligibility of certain public retirement systems for police and fire fighters to participate in the Texas Municipal Retirement System.
- HB 4073** Smith
Relating to the operation of a vehicle or combination of vehicles on a state highway or farm or ranch road at a weight that exceeds the maximum weight authorized for the road; imposing a criminal penalty.
- HB 4074** Hunter
Relating to the collection and use of suicide data by the statewide behavioral health coordinating council.
- HB 4087** Burns
Relating to the enforcement of commercial motor vehicle safety standards in certain municipalities.
- HB 4094** Frank

Relating to certain procurements by the Department of Family and Protective Services.

HB 4113 Talarico

Relating to the confidentiality of juvenile justice information.

HB 4140 Coleman

Relating to issues affecting counties and certain other governmental entities and residents.

HB 4269 Hull

Relating to the procedure to be used by an appraisal review board to conduct a hearing on a protest.

HB 4279 Dominguez

Relating to the eligibility of the Windham School District to participate in the Jobs and Education for Texans (JET) Grant Program.

HB 4354 Coleman

Relating to the administration of medication to certain persons in the custody of a sheriff.

HB 4356 Ashby

Relating to the qualifications of directors of certain municipal development districts.

HB 4374 Cyrier

Relating to the use of executory contracts for the purchase of land to be used as a residence in certain counties.

HB 4450 Raymond

Relating to training on emergency management for members of the emergency management council and state emergency response commission.

HB 4474 Parker

Relating to the control of virtual currency and the rights of purchasers who obtain control of virtual currency for purposes of the Uniform Commercial Code.

HB 4485 Guillen

Relating to the release of a defendant arrested for a misdemeanor punishable by fine only.

HB 4563 Guillen

Relating to notice of the form to be used by a person to request a written statement stating whether there are any delinquent ad valorem taxes owed by the person to certain taxing units.

HB 4568 Holland

Relating to the Rockwall County Juvenile Board.

HB 4604 Dutton

Relating to the authority of the Barrett Management District to impose an assessment.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

GUESTS PRESENTED

Senator Perry, joined by Senators Buckingham, Gutierrez, and Blanco, was recognized and introduced to the Senate family members of the three Parks and Wildlife Department employees who perished in a helicopter crash in Brewster County including family members of Robert Dittmar: Bernadine Dittmar, Trey Dittmar, Rebecca Dittmar, Whitney Hild, and Travis Hild; family members of Dewey Stockbridge: Shannon Stockbridge, London Stockbridge, Jameson Stockbridge, Connie Stockbridge, Randy Stockbridge, Leslie Stockbridge Becker, Melina Gamel, Steve Gamel, Charles Staudt, and Peggy Staudt; and family members of Brandon White: Leticia Hartnett, Ryder White, Cortnee White, Ashley Molinar, Wesley Molinar, Cody White, Nicole White, Glenda White, and Ronnie White.

The Senate welcomed its guests and extended its sympathy.

SENATE RESOLUTION 394

Senator Campbell offered the following resolution:

SR 394, Recognizing the Texas Pediatric Society on the occasion of its 100th anniversary.

CAMPBELL
BUCKINGHAM
SCHWERTNER

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Campbell, joined by Senator Kolkhorst, was recognized and introduced to the Senate representatives of the Texas Pediatric Society: Kimberly Avila Edwards, President; Trisha Hall, Executive Director; and Clayton Travis, Director of Advocacy and Health Policy.

The Senate welcomed its guests.

SENATE RESOLUTION 400

Senator Lucio offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Dr. Narciso Garcia for his long and distinguished career in the field of education; and

WHEREAS, Dr. Garcia has served with distinction for many years as an administrator in school districts across the Rio Grande Valley; he served as superintendent of schools for the La Villa Independent School District, and during his tenure, he established the first Early College High School in the Delta area of the Rio Grande Valley; and

WHEREAS, In 2014, he became deputy superintendent of the Pharr - San Juan - Alamo Independent School District; as deputy superintendent, he oversaw the implementation of programs in such areas as career and technical education, college readiness, curriculum and instruction, and bilingual and dual language education; and

WHEREAS, In 2017, he joined Vanguard Academy, which has recorded unprecedented growth during his tenure; the academy currently has three Early College High Schools, one of which is designated as a Texas Science, Technology, Engineering, and Mathematics campus; under his leadership, the academy has also introduced a Dual Language Program; and

WHEREAS, An exemplary educator and administrator, Dr. Garcia is admired by his colleagues and the community, and it is truly fitting that he receive special recognition; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 87th Legislature, hereby commend Dr. Narciso Garcia on his exceptional contributions to quality education in the Rio Grande Valley and extend to him best wishes for continued success in all his endeavors; and, be it further

RESOLVED, That a copy of this Resolution be prepared for him as an expression of esteem from the Texas Senate.

SR 400 was read.

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

On motion of Senator Lucio, the resolution was adopted without objection.

SENATE RESOLUTION 393

Senator Taylor offered the following resolution:

SR 393, Recognizing the groundbreaking of Cole Gordon's Helping Hands Ranch.

The resolution was read.

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

On motion of Senator Taylor, the resolution was adopted without objection.

REMARKS ORDERED PRINTED

On motion of Senator Taylor and by unanimous consent, the remarks by Senators Taylor and Lucio regarding **SR 393** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Taylor: Thank you, Mr. President. Members, I rise to recognize the life and legacy of Cole Gordon in the Texas Senate today. Cole's a well-known resident of Friendswood, passed away tragically at the young age of 17. In this short time he'd already established an incredible reputation for his impressive dedication to serving others. I can assure although his life was short, he packed a lot of living and a lot serving into the life span that he did have. He lived life to the fullest. He joined in with his parents, Scott and Heather Gordon, in helping to feed people in need through the Lighthouse Charity Team. The Lighthouse Charity Team has been around our area for well over 20, 30 years, and they've been serving in disasters and helping charities when they needed food to be served at a charitable event, and this charity team is well known throughout the area. We've actually gone to Louisiana and other states that are disasters, and they've served food in people's most dire needs. Cole spent countless

hours helping the Friendswood's, helping out with Friendswood's fire department, the police department, their EMS services, the Rotary Club of Galveston and the Galveston County emergency response just to name a few. In just the last nine years, Cole volunteered at over 750 charitable events that benefit the lives of over half a million people. Cole was a natural leader. I can tell you, as a young child, I would see this man driving equipment to help these events, directing adults on what they needed to do, doing to help out. I'm talking about a 9-, 10-year-old young man, very impressive. The Cole Gordon Helping Hand Foundation was established in his honor to continue his legacy of his giving spirit and his dedication to the service of others. Through this foundation, his life will continue to make an impact on his community for decades to come. Please join me in commemorating the groundbreaking of the Cole Gordon's Helping Hand Ranch and extending our sincere well wishes to his family and all the dedicated volunteers.

Senator Lucio: I want to back up his, his request. Absolutely, the remarks that Senator Taylor are most important so people can understand that a lot of young people, young men, young women in our state are truly role models and will continue, their legacy will continue to live by doing what this young man did from the bottom of his heart. He made a huge difference in Texas. I also want to make sure we add all Member's names to this resolution and his comments, Senator Taylor's comments.

SENATE RESOLUTION 396

Senator Gutierrez offered the following resolution:

SR 396, In memory of Thomas Joseph Daniels.

The resolution was read.

On motion of Senator Gutierrez, **SR 396** was adopted by a rising vote of the Senate.

In honor of the memory of Thomas Joseph Daniels, the text of the resolution is printed at the end of today's *Senate Journal*.

Senator Gutierrez, joined by Senator Menéndez, was recognized and introduced to the Senate family members of Thomas Joseph Daniels including Tim Daniels, Robin Gurovitsch, Isa Guzman, and Aiden Gurovitsch.

The Senate welcomed its guests and extended its sympathy.

BILLS AND RESOLUTIONS SIGNED

The President Pro Tempore announced the signing of the following enrolled bills and resolutions in the presence of the Senate after the captions had been read:

SB 43, SB 44, SB 195, SB 315, SB 346, SB 390, SB 511, SB 538, SB 609, SB 633, SB 726, SB 730, SB 770, SB 780, SB 785, SB 788, SB 792, SB 813, SB 879, SB 885, SB 930, SB 1118, SB 1124, SB 1156, SB 1181, SB 1210, SB 1216, SB 1259, SB 1265, SB 1338, SB 1339, SB 1343, SB 1355, SB 1373, SB 1643, SB 1890, SB 1986, SB 1987, SB 2145, SB 2146, SB 2147, SB 2163, SB 2171, SB 2172, SB 2174, SB 2175, SB 2180, SB 2182, SB 2197, SB 2205, SB 2208, SB 2217, SCR 9, SCR 20, SCR 33, SCR 46, SCR 47.

HB 317, HB 1759, HB 2494, HB 2586, HB 2749, HB 3067.

**INTRODUCTION OF
BILLS AND RESOLUTIONS POSTPONED**

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

There was no objection.

CONCLUSION OF MORNING CALL

The President Pro Tempore at 12:13 p.m. announced the conclusion of morning call.

HOUSE BILL 3390 ON SECOND READING

On motion of Senator Blanco and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3390** at this time on its second reading:

HB 3390, Relating to the purchase of cybersecurity insurance coverage by the Texas Department of Transportation.

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

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

Absent-excused: Creighton.

HOUSE BILL 3390 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 **HB 3390** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

(President in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 1648 ON SECOND READING**

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1648** at this time on its second reading:

CSSB 1648, Relating to the provision of benefits to certain Medicaid recipients with complex medical needs.

The bill was read second time.

Senator Perry offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1648** (senate committee printing) in SECTION 2 of the bill, in added Section 533.038(h), Government Code (page 1, line 47), by striking "1 T.A.C. Chapter 355" and substituting "1 T.A.C. Section 353.4".

The amendment to **CSSB 1648** 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:

Absent-excused: Creighton.

CSSB 1648 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:

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
SENATE BILL 1648 ON THIRD READING**

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1648** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 3401 ON SECOND READING

On motion of Senator Blanco and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3401** at this time on its second reading:

HB 3401, Relating to the issuance of specialty license plates to honor members of the United States Navy SEALs.

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

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

Absent-excused: Creighton.

HOUSE BILL 3401 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 **HB 3401** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 2051 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 2051** at this time on its second reading:

CSSB 2051, Relating to step therapy protocols required by health benefit plans for coverage of prescription drugs for serious mental illnesses.

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

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

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
SENATE BILL 2051 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 2051** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

**(President Pro Tempore Birdwell in Chair)
(President in Chair)**

**COMMITTEE SUBSTITUTE
SENATE BILL 1572 ON SECOND READING**

Senator Paxton moved to suspend the regular order of business to take up for consideration **CSSB 1572** at this time on its second reading:

CSSB 1572, Relating to the numbering and signing of ballots by early voting clerks and deputy early voting clerks.

The motion prevailed by the following vote: Yeas 18, Nays 12.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, 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.

Absent-excused: Creighton.

The bill was read second time.

Senator Hall offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1572** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, amending Section 85.0311, Election Code, at the end of the section (page 1, between lines 39 and 40), insert the following:

(e) The secretary of state may not adopt a rule modifying or waiving the requirements of this section.

(2) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS accordingly:

SECTION _____. Subchapter A, Chapter 213, Election Code, is amended by adding Section 213.017 to read as follows:

Sec. 213.017. RECOUNT OF CERTAIN BALLOTS. During a recount, ballots that do not comply with the requirements of Section 85.0311 shall be counted separately.

The amendment to **CSSB 1572** was read and was adopted by the following vote: Yeas 17, Nays 13.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, 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.

Absent-excused: Creighton.

CSSB 1572 as amended was passed to engrossment by the following vote: Yeas 18, Nays 12.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, 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.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 2152 ON SECOND READING**

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2152** at this time on its second reading:

CSHB 2152, Relating to the online renewal of vehicle registration.

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

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

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 2152 ON THIRD READING**

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2152** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 719 ON SECOND READING

On motion of Senator Whitmire and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 719** at this time on its second reading:

HB 719, Relating to Texas Department of Criminal Justice transfer facilities.

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

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

Absent-excused: Creighton.

HOUSE BILL 719 ON THIRD READING

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 719** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 103 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 103** at this time on its second reading:

HB 103, Relating to establishment of the Texas Active Shooter Alert System.

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

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

Absent-excused: Creighton.

HOUSE BILL 103 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 **HB 103** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

COMMITTEE SUBSTITUTE HOUSE BILL 1071 ON SECOND READING

On motion of Senator Whitmire and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1071** at this time on its second reading:

CSHB 1071, Relating to the presence of a qualified facility dog in certain court proceedings.

The bill was read second time.

Senator Whitmire offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 1071** as follows:

(1) In SECTION 1 of the bill, in the heading to added Section 21.012, Government Code (page 1, line 24), between "DOG" and "IN" insert "OR QUALIFIED THERAPY DOG".

(2) In SECTION 1 of the bill, strike added Section 21.012(a), Government Code (page 1, lines 25-28), and substitute the following:

(a) In this section:

(1) "Qualified facility dog" means a dog that is a graduate of a program operated by an assistance dog organization that is a member of a nationally recognized assistance dog association.

(2) "Qualified therapy dog" means a dog that successfully completes a program operated by an organization that registers, insures, or certifies a therapy dog and the dog's handler as meeting or exceeding the standards of practice in animal-assisted interventions.

(3) In SECTION 1 of the bill, in added Section 21.012(b), Government Code (page 1, line 31), between "dog" and "to" insert "or qualified therapy dog".

(4) In SECTION 1 of the bill, in added Section 21.012(c), Government Code (page 1, line 36), between "dog" and "to" insert "or qualified therapy dog".

(5) In SECTION 1 of the bill, in added Section 21.012(d), Government Code (page 1, line 43), between "dog" and "must" insert "or qualified therapy dog".

(6) In SECTION 1 of the bill, in added Section 21.012(f)(1), Government Code (page 1, line 50), between "dog" and "during" insert "or qualified therapy dog".

The amendment to **CSHB 1071** was read.

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

Floor Amendment No. 2

Amend Amendment No. 1 by Sen. Whitmire (87R25999) to **CSHB 1071** (senate committee printing), in Item 2 of the amendment, substituting language for added Section 21.012(a), Government Code, by striking added Subdivision (1) of that section (lines 9 through 12 of the amendment) and substituting the following:

(1) "Qualified facility dog" means a dog that:

(A) is a graduate of a program operated by an assistance dog organization that is a member of a nationally recognized assistance dog association; or

(B) before January 1, 2021, on the approval of the court, served in a court proceeding by accompanying a witness who was testifying.

The amendment to Floor Amendment No. 1 to **CSHB 1071** 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 except as follows:

Absent-excused: Creighton.

Question recurring on the adoption of Floor Amendment No. 1 to **CSHB 1071**, 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:

Absent-excused: Creighton.

CSHB 1071 as amended was passed to third reading by a viva voce vote.

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

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 1071 ON THIRD READING**

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1071** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 2181 ON SECOND READING**

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2181** at this time on its second reading:

CSSB 2181, Relating to the use of hotel occupancy tax revenue by certain municipalities for certain projects.

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.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
SENATE BILL 2181 ON THIRD READING**

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2181** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 3.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Buckingham, Campbell, 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.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 574 ON SECOND READING**

Senator Taylor moved to suspend the regular order of business to take up for consideration **CSHB 574** at this time on its second reading:

CSHB 574, Relating to the creation of criminal offenses involving elections.

The motion prevailed by the following vote: Yeas 20, Nays 10.

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

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

Absent-excused: Creighton.

The bill was read second time.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 574** (senate committee printing) in SECTION 1 of the bill, in added Section 276.014(a)(2), Election Code (page 1, lines 30 and 31) by striking "valid votes or alter a report to exclude valid votes" and substituting "votes the person knows are valid or alter a report to exclude votes the person knows are valid".

The amendment to **CSHB 574** 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:

Absent-excused: Creighton.

CSHB 574 as amended was passed to third reading by the following vote: Yeas 21, Nays 9.

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

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

Absent-excused: Creighton.

COMMITTEE SUBSTITUTE HOUSE BILL 574 ON THIRD READING

Senator Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 574** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 6.

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

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, Miles, Whitmire.

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 21, Nays 9.

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

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

Absent-excused: Creighton.

SENATE BILL 402 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 402** at this time on its second reading:

SB 402, Relating to the municipal sales and use tax for street maintenance.

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: Hancock.

Absent-excused: Creighton.

SENATE BILL 402 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 402** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1.

Nays: Hancock.

Absent-excused: Creighton.

HOUSE BILL 788 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 788** at this time on its second reading:

HB 788, Relating to the eligibility of emergency service dispatchers to participate in a public safety employees treatment court program.

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

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

Absent-excused: Creighton.

HOUSE BILL 788 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 **HB 788** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 2081 ON SECOND READING**

Senator Menéndez moved to suspend the regular order of business to take up for consideration **CSSB 2081** at this time on its second reading:

CSSB 2081, Relating to class size limits for prekindergarten classes provided by or on behalf of public schools.

The motion prevailed by the following vote: Yeas 24, Nays 6.

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

Nays: Birdwell, Buckingham, Hall, Hughes, Nelson, Springer.

Absent-excused: Creighton.

The bill was read second time.

Senator Bettencourt offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 2081** (senate committee printing) as follows:

(1) In SECTION 4 of the bill, amending Section 12.056(b)(2)(F), Education Code (page 2), strike lines 13 through 15 and substitute the following:
Chapter 29, except class size limits for prekindergarten classes imposed under Section 25.112, which do not apply;

(2) In SECTION 5 of the bill, amending Section 12.104(b)(3)(H), Education Code (page 2), strike lines 52 through 54 and substitute the following:
or E-1, Chapter 29, except class size limits for prekindergarten classes imposed under Section 25.112, which do not apply;

The amendment to **CSSB 2081** was read and was adopted by the following vote: Yeas 16, Nays 14.

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

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

Absent-excused: Creighton.

CSSB 2081 as amended was passed to engrossment by the following vote: Yeas 24, Nays 6.

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

Nays: Birdwell, Buckingham, Hall, Hughes, Nelson, Springer.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
SENATE BILL 2081 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 2081** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 6.

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

Nays: Birdwell, Buckingham, Hall, Hughes, Nelson, Springer.

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 6. (Same as previous roll call)

HOUSE BILL 918 ON THIRD READING

Senator Hughes moved to suspend the regular order of business to take up for consideration **HB 918** at this time on its third reading and final passage:

HB 918, Relating to a license to carry a handgun for certain young adults who are protected under certain court orders related to family violence.

The motion prevailed by the following vote: Yeas 18, Nays 12.

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

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

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 18, Nays 12. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1254 ON THIRD READING**

Senator Hall moved to suspend the regular order of business to take up for consideration **CSSB 1254** at this time on its third reading and final passage:

CSSB 1254, Relating to an interstate compact on border security and immigration enforcement.

The motion prevailed by the following vote: Yeas 17, Nays 13.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, 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.

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 17, Nays 13. (Same as previous roll call)

(President Pro Tempore Birdwell in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 1606 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 1606** at this time on its second reading:

CSSB 1606, Relating to the resilience of the electric grid and certain municipalities.

The bill was read second time.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1606** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 44.004, Utilities Code (page 3, line 35), strike "teams" and substitute "teams, including groups or teams with external stakeholders,".

(2) In SECTION 1 of the bill, in added Section 44.006, Utilities Code:

(A) in the section heading (page 4, line 13), between "44.006." and "PLAN", insert "RECOMMENDED";

(B) in Subsection (a) (page 4, line 15), between "a" and "plan", insert "recommended";

(C) at the beginning of Subsection (b) (page 4, line 18), between "The" and "plan", insert "recommended";

(D) at the beginning of Subsection (b)(4) (page 4, line 34), between "long-term" and "resilience", insert "grid"; and

(E) in Subsection (c) (page 4, line 46), between "the" and "plan", insert "recommended".

(3) In SECTION 2 of the bill, strike added Section 380.004(a), Local Government Code (page 4, line 62, through page 5, line 3), and substitute:

(a) After the Texas Grid Security Commission develops grid resilience recommendations under Section 44.005, Utilities Code, the grid security commission in consultation with diverse stakeholder groups composed of industry experts from various populations and industry types shall develop grid resilience recommendations for municipalities in the following essential services areas:

(1) emergency services;

(2) communications systems;

(3) clean water and sewer services;

(4) health care systems;

(5) financial services;

- (6) energy systems; and
 (7) transportation systems.

(4) In SECTION 2 of the bill, in added Section 380.004, Local Government Code:

(A) at the beginning of Subsection (b) (page 5, line 4), strike "Standards" and substitute "Recommendations";

(B) in Subsection (c) (page 5, line 10), strike "standards" and substitute "recommendations"; and

(C) in Subsection (d) (page 5, line 21), strike "standards" and substitute "recommendations".

The amendment to **CSSB 1606** 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:

Absent-excused: Creighton.

CSSB 1606 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:

Absent-excused: Creighton.

COMMITTEE SUBSTITUTE SENATE BILL 1606 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 1606** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

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) to permit the introduction of bills and resolutions as follows:

SCR 48 West

Designating the second Monday in October as Indigenous Peoples' Day for a 10-year period beginning in 2021.

SCR 49 Springer

Designating Celina as the official Halloween Capital of North Texas for a 10-year period beginning in 2021.

SCR 50 Campbell

Directing the governor of the State of Texas to award the Texas Legislative Medal of Honor to U.S. Army Private Marcelino Serna and to U.S. Coast Guard Seaman Apprentice William Ray Flores.

The Motion In Writing was read and prevailed without objection.

SENATE RESOLUTIONS ON FIRST READING

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

SCR 48 by West

Designating the second Monday in October as Indigenous Peoples' Day for a 10-year period beginning in 2021.

To Committee on Administration.

SCR 49 by Springer

Designating Celina as the official Halloween Capital of North Texas for a 10-year period beginning in 2021.

To Committee on Administration.

SCR 50 by Campbell

Directing the governor of the State of Texas to award the Texas Legislative Medal of Honor to U.S. Army Private Marcelino Serna and to U.S. Coast Guard Seaman Apprentice William Ray Flores.

To Committee on Veteran Affairs and Border Security.

HOUSE BILLS AND RESOLUTIONS ON FIRST READING

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

HB 21 to Committee on Natural Resources and Economic Development.

HB 394 to Committee on State Affairs.

HB 440 to Committee on Business and Commerce.

HB 622 to Committee on Education.

HB 750 to Committee on Education.

HB 872 to Committee on Business and Commerce.

HB 911 to Committee on Veteran Affairs and Border Security.

HB 1075 to Committee on Transportation.

HB 1231 to Committee on Business and Commerce.

HB 1492 to Committee on Ports.

HB 1726 to Committee on Education.

HB 1818 to Committee on Business and Commerce.

HB 1935 to Committee on Health and Human Services.

HB 1966 to Committee on Administration.

HB 1967 to Committee on Health and Human Services.

HB 2145 to Committee on Criminal Justice.

HB 2148 to Committee on Water, Agriculture and Rural Affairs.

HB 2172 to Committee on Natural Resources and Economic Development.

HB 2209 to Committee on Natural Resources and Economic Development.

HB 2274 to Committee on Business and Commerce.

HB 2306 to Committee on Transportation.
HB 2345 to Committee on Natural Resources and Economic Development.
HB 2433 to Committee on Natural Resources and Economic Development.
HB 2545 to Committee on Business and Commerce.
HB 2556 to Committee on Veteran Affairs and Border Security.
HB 2595 to Committee on Business and Commerce.
HB 2628 to Committee on Transportation.
HB 2645 to Committee on Higher Education.
HB 2667 to Committee on Water, Agriculture and Rural Affairs.
HB 2748 to Committee on Transportation.
HB 2850 to Committee on Water, Agriculture and Rural Affairs.
HB 2936 to Committee on Finance.
HB 3006 to Committee on Water, Agriculture and Rural Affairs.
HB 3033 to Committee on Education.
HB 3037 to Committee on Health and Human Services.
HB 3114 to Committee on Criminal Justice.
HB 3153 to Committee on Transportation.
HB 3256 to Committee on Local Government.
HB 3301 to Committee on Transportation.
HB 3319 to Committee on Transportation.
HB 3322 to Committee on Local Government.
HB 3348 to Committee on Higher Education.
HB 3366 to Committee on Health and Human Services.
HB 3387 to Committee on Water, Agriculture and Rural Affairs.
HB 3408 to Committee on Business and Commerce.
HB 3449 to Committee on Education.
HB 3469 to Committee on Health and Human Services.
HB 3504 to Committee on Business and Commerce.
HB 3512 to Committee on Transportation.
HB 3521 to Committee on Jurisprudence.
HB 3551 to Committee on Transportation.
HB 3570 to Committee on Criminal Justice.
HB 3578 to Committee on Finance.
HB 3682 to Committee on Natural Resources and Economic Development.
HB 3742 to Committee on Business and Commerce.
HB 3773 to Committee on Administration.
HB 3819 to Committee on Education.
HB 3821 to Committee on Health and Human Services.
HB 3833 to Committee on Local Government.
HB 3859 to Committee on Transportation.
HB 3897 to Committee on Business and Commerce.
HB 3922 to Committee on Health and Human Services.
HB 3927 to Committee on Transportation.
HB 3932 to Committee on Education.
HB 3963 to Committee on Water, Agriculture and Rural Affairs.
HB 4004 to Committee on Local Government.

HB 4016 to Committee on Business and Commerce.
HB 4025 to Committee on Local Government.
HB 4048 to Committee on Health and Human Services.
HB 4074 to Committee on Health and Human Services.
HB 4094 to Committee on Health and Human Services.
HB 4131 to Committee on Finance.
HB 4153 to Committee on Business and Commerce.
HB 4269 to Committee on Local Government.
HB 4272 to Committee on Health and Human Services.
HB 4295 to Committee on Health and Human Services.
HB 4305 to Committee on Natural Resources and Economic Development.
HB 4356 to Committee on Local Government.
HB 4374 to Committee on Local Government.
HB 4429 to Committee on Local Government.
HB 4564 to Committee on Local Government.
HB 4568 to Committee on Criminal Justice.
HB 4621 to Committee on Water, Agriculture and Rural Affairs.
HCR 32 to Committee on Administration.
HCR 46 to Committee on Administration.
HCR 61 to Committee on Administration.
HCR 62 to Committee on Administration.
HCR 71 to Committee on Veteran Affairs and Border Security.
HCR 83 to Committee on Administration.

(President in Chair)

SENATE BILL 13 WITH HOUSE AMENDMENT

Senator Birdwell called **SB 13** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Floor Amendment No. 1

Amend **SB 13** (house committee printing) as follows:

(1) On page 1, line 11, between "means" and "refusing", insert ", without an ordinary business purpose,".

(2) On page 1, line 13, strike ", solely or primarily,".

(3) On page 11, line 25, strike "Section 2274.003" and substitute "Subsection (c)".

(4) On page 12, strike lines 5-24 and substitute the following:

(c) Subsection (b) does not apply to:

(1) a governmental entity that determines the requirements of Subsection (b) are inconsistent with the governmental entity's constitutional, statutory, or fiduciary duties related to the issuance, incurrence, or management of debt obligations or the deposit, custody, management, borrowing, or investment of funds; or

(2) a contract for which a governmental entity determines the requirements of Subsection (b) would effectively prevent the governmental entity from accessing the services provided under the contract.

The amendment was read.

Senator Birdwell moved that the Senate do not concur in the House amendment, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed without objection.

The President asked if there were any motions to instruct the conference committee on **SB 13** before appointment.

There were no motions offered.

The President announced the appointment of the following conferees on the part of the Senate: Senators Birdwell, Chair; Hughes, Lucio, Kolkhorst, and Seliger.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Perry and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Water, Agriculture, and Rural Affairs might meet and consider **HB 3689** tomorrow.

CO-AUTHORS OF SENATE BILL 487

On motion of Senator Hughes, Senators Bettencourt and Lucio will be shown as Co-authors of **SB 487**.

CO-AUTHOR OF SENATE BILL 1572

On motion of Senator Paxton, Senator Creighton will be shown as Co-author of **SB 1572**.

CO-AUTHOR OF SENATE BILL 2081

On motion of Senator Menéndez, Senator Blanco will be shown as Co-author of **SB 2081**.

CO-AUTHORS OF SENATE BILL 2247

On motion of Senator Huffman, Senators Schwertner and Springer will be shown as Co-authors of **SB 2247**.

CO-AUTHOR OF SENATE BILL 2255

On motion of Senator Alvarado, Senator Nelson will be shown as Co-author of **SB 2255**.

CO-AUTHOR OF SENATE RESOLUTION 394

On motion of Senator Campbell, Senator Lucio will be shown as Co-author of **SR 394**.

CO-SPONSORS OF HOUSE BILL 103

On motion of Senator Zaffirini, Senators Blanco, Hinojosa, and Lucio will be shown as Co-sponsors of **HB 103**.

CO-SPONSORS OF HOUSE BILL 574

On motion of Senator Taylor, Senators Bettencourt and Campbell will be shown as Co-sponsors of **HB 574**.

CO-SPONSOR OF HOUSE BILL 686

On motion of Senator Lucio, Senator Hall will be shown as Co-sponsor of **HB 686**.

CO-SPONSOR OF HOUSE BILL 1147

On motion of Senator Taylor, Senator Buckingham will be shown as Co-sponsor of **HB 1147**.

CO-SPONSOR OF HOUSE BILL 1322

On motion of Senator Zaffirini, Senator Seliger will be shown as Co-sponsor of **HB 1322**.

CO-SPONSOR OF HOUSE BILL 1545

On motion of Senator Hall, Senator Bettencourt will be shown as Co-sponsor of **HB 1545**.

CO-SPONSOR OF HOUSE BILL 1588

On motion of Senator Paxton, Senator Menéndez will be shown as Co-sponsor of **HB 1588**.

CO-SPONSORS OF HOUSE BILL 1763

On motion of Senator Hughes, Senators Bettencourt, Birdwell, Blanco, Campbell, Eckhardt, Hall, Hinojosa, Huffman, Menéndez, Nelson, Paxton, Powell, Perry, Schwertner, Springer, West, and Zaffirini will be shown as Co-sponsors of **HB 1763**.

CO-SPONSOR OF HOUSE BILL 2152

On motion of Senator Nichols, Senator Bettencourt will be shown as Co-sponsor of **HB 2152**.

CO-SPONSOR OF HOUSE BILL 3401

On motion of Senator Blanco, Senator Hughes will be shown as Co-sponsor of **HB 3401**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 401 by Eckhardt, In memory of Andrew Sharp Peacock.

Congratulatory Resolution

SR 399 by Hinojosa, Recognizing the Healthy South Texas program for its contributions to the state during the COVID-19 pandemic.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 2:53 p.m. adjourned, in memory of Thomas Joseph Daniels, until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

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

May 12, 2021

STATE AFFAIRS — **CSHB 29**

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **CSHB 2404**

FINANCE — **CSHB 2080**

BUSINESS AND COMMERCE — **CSSB 1003, HB 1957**

TRANSPORTATION — **HB 3399, CSSB 2246**

BUSINESS AND COMMERCE — **CSHB 1576**

BILLS AND RESOLUTIONS ENROLLED

May 11, 2021

SB 346, SB 538, SB 1338, SR 353, SR 395, SR 397, SR 398

BILLS ENGROSSED

May 12, 2021

SB 402, SB 1254, SB 1606, SB 1648, SB 2051, SB 2081, SB 2181

SENT TO GOVERNOR

May 12, 2021

SB 43, SB 44, SB 195, SB 315, SB 346, SB 390, SB 511, SB 538, SB 609, SB 633, SB 726, SB 730, SB 770, SB 780, SB 785, SB 788, SB 792, SB 813, SB 879, SB 885, SB 930, SB 1118, SB 1124, SB 1156, SB 1181, SB 1210, SB 1216, SB 1259, SB 1265, SB 1338, SB 1339, SB 1343, SB 1355, SB 1373, SB 1643, SB 1890, SB 1986, SB 1987, SB 2145, SB 2146, SB 2147, SB 2163, SB 2171, SB 2172, SB 2174, SB 2175, SB 2180, SB 2182, SB 2197, SB 2205, SB 2208, SB 2217, SCR 9, SCR 20, SCR 33, SCR 46, SCR 47

In Memory
of
Thomas Joseph Daniels
Senate Resolution 396

WHEREAS, The passing of Thomas Joseph Daniels of San Antonio on April 4, 2020, at the age of 65, has brought a profound loss to his family and to his many dear friends and colleagues; and

WHEREAS, Born on December 22, 1954, Tom Daniels earned a degree in economics at The University of Texas at Austin; he began his professional life selling insurance in San Antonio before changing course and pursuing a career in the political arena; a dedicated member of the Democratic Party, he served as a campaign manager and consultant to a host of candidates for public office, including three state representatives; he was also an entrepreneur who owned and operated a successful family business; and

WHEREAS, In his leisure time, Mr. Daniels enjoyed gathering with family and friends, spending time at the coast, and boating; an avid walker, he successfully completed a two-week, 156-mile-long walk in support of ThriveWell Cancer Foundation in 2019; after he passed away from pancreatic cancer, the nonprofit partnered with his friends and family to organize a tribute walk in his memory that raised money for patients battling cancer; and

WHEREAS, Tom Daniels was an engaged member of his community who was admired for his diligence, his wisdom, and his integrity, and he will forever be a source of inspiration to those who were fortunate enough to know him; now, therefore, be it

RESOLVED, That the Senate of the 87th Texas Legislature hereby pay tribute to the memory of Thomas Joseph Daniels and extend heartfelt condolences to his family and friends; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of Tom Daniels.

GUTIERREZ

