

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTIETH DAY

(Friday, May 14, 2021)

The Senate met at 10:00 a.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, 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 announced that a quorum of the Senate was present.

Senator Hall offered the invocation as follows:

Dear heavenly Father, the creator of all things, the maker of the heavens and Earth, we come to You humbly thankful for all You've given to us, all You've done for us. We thank You for You, Your Son, and all of creation. We pray this morning that You will guide and direct us in all that we say and do and that You will keep our troops and first responders that are out there standing in harm's way so we can be here today with Your hedge of protection. And we pray especially today, Lord, that You will look after Israel and provide protection for them and bring a swift end to this conflict there, Lord. We pray for our government leaders at all levels, that You would give them Your wisdom, Your courage, and Your strength to know and do Your will in each and everything that's done. I pray that as we go from here today that we will speak and act so that others see You through us and You get all the credit. In Christ's name we pray. Amen.

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

The motion prevailed without objection.

LEAVE OF ABSENCE

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

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Friday, May 14, 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 100 Gervin-Hawkins

Relating to a notarized affidavit requesting a municipal animal control authority to manage dangerous dogs and aggressive dogs in the municipality's extraterritorial jurisdiction.

HB 156 Ortega

Relating to the authorization by referendum of an optional county fee on vehicle registration in certain counties.

HB 1156 Thierry

Relating to creating the criminal offense of financial abuse of an elderly individual.

HB 1568 Middleton

Relating to the school district property value study conducted by the comptroller of public accounts.

HB 1686 Cortez

Relating to the regulation of food production on single-family residential lots by a municipality or property owners' association.

HB 1885 Harris

Relating to restrictions on municipal regulation in certain areas.

HB 1984 Vasut

Relating to the duration of a special open hunting season for game animals and certain game birds restricted to persons under 17 years old.

HB 2014 Lucio III

Relating to the system for appraising property for ad valorem tax purposes.

HB 2095 Wilson

Relating to water research conducted by The University of Texas Bureau of Economic Geology.

HB 2275 Zwiener

Relating to the creation and uses of the critical infrastructure resiliency fund and the eligibility of certain water-related projects for state financial assistance.

- HB 2344** Zwiener
Relating to authorizing the use of a writing portfolio assessment to assess writing performance for public school students.
- HB 2711** Hinojosa
Relating to the continuation of a residence homestead exemption from ad valorem taxation while the owner is temporarily absent because of service outside of the United States as a foreign service officer employed by the United States Department of State.
- HB 2793** Johnson, Jarvis
Relating to parole determinations and individual treatment plans for inmates.
- HB 2802** Dean
Relating to the administration of public school assessment instruments and the temporary suspension of certain accountability determinations for public schools in a school year in which public school operations are disrupted as a result of a declared disaster and the requirement to use those assessment instruments as a criterion for promotion or graduation of a public school student.
- HB 2821** White
Relating to the diversion of certain foster youth from the juvenile justice system, including through emergency behavior intervention by certain persons providing foster care services.
- HB 2950** Smith
Relating to the composition of and actions transferred by the judicial panel on multidistrict litigation.
- HB 3121** Turner, John
Relating to a voluntary quality standards certification process for certain private residential psychiatric treatment facilities that provide treatments and services to youth; imposing fees; authorizing civil and administrative penalties.
- HB 3141** Dominguez
Relating to requiring the disclosure of fees charged for the sale of concert and other event tickets.
- HB 3162** Martinez
Relating to a certificate of merit in certain actions against certain licensed or registered professionals.
- HB 3221** Leach
Relating to the accrual of a cause of action for purposes of certain laws governing certain construction liability claims.
- HB 3286** Schofield
Relating to the overnight parking of a commercial motor vehicle near certain apartment complexes.
- HB 3298** Allison
Relating to computer science and technology education, training, and curriculum.
- HB 3388** Thompson, Ed
Relating to information regarding state agency vehicle fleets.

- HB 3583** Paddie
Relating to energy savings performance contracts.
- HB 3673** Johnson, Jarvis
Relating to the establishment of a sickle cell disease registry.
- HB 3959** Buckley
Relating to the establishment of the Texas youth livestock show grant program.
- HB 4212** Moody
Relating to procedures regarding defendants who are or may be persons with a mental illness or intellectual disability.
- HB 4293** Hinojosa
Relating to the creation of a court reminder program for criminal defendants.
- HB 4355** Krause
Relating to providing children committed to the Texas Juvenile Justice Department and prisoners serving a sentence in a county jail with certain documents on discharge or release; authorizing a fee.
- HB 4545** Dutton
Relating to the assessment of public school students, the establishment of a strong foundations grant program, and providing accelerated instruction for students who fail to achieve satisfactory performance on certain assessment instruments.
- HJR 165** Jetton
Proposing a constitutional amendment providing additional powers to the State Commission on Judicial Conduct with respect to candidates for judicial office.
- SB 7** Hughes Sponsor: Cain
Relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses.
(Committee Substitute/Amended)

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

(President Pro Tempore Birdwell in Chair)

**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.

BILLS SIGNED

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

SB 8, SB 230, SB 1126, SB 1230, SB 1448, SB 1774, SB 2093.

HB 16, HB 33, HB 54, HB 454, HB 604, HB 636, HB 977, HB 1057, HB 1363, HB 1585, HB 1763, HB 2127, HB 3529.

CONCLUSION OF MORNING CALL

The President Pro Tempore at 10:18 a.m. announced the conclusion of morning call.

SENATE BILL 585 ON SECOND READING

Senator Springer moved to suspend the regular order of business to take up for consideration **SB 585** at this time on its second reading:

SB 585, Relating to the sale of wine and beer on Sundays.

The motion prevailed.

Senators Birdwell, Campbell, Hughes, and Perry 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: Birdwell, Campbell, Hughes, Perry.

Absent-excused: Creighton.

SENATE BILL 585 ON THIRD READING

Senator Springer moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 585** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 4.

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

Nays: Birdwell, Campbell, Hughes, Perry.

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 4. (Same as previous roll call)

SENATE BILL 113 ON SECOND READING

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 113** at this time on its second reading:

SB 113, Relating to community land trusts.

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

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

Nays: Hughes.

Absent-excused: Creighton.

SENATE BILL 113 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 **SB 113** 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: Hughes.

Absent-excused: Creighton.

COMMITTEE SUBSTITUTE SENATE BILL 2230 ON SECOND READING

Senator Schwertner moved to suspend the regular order of business to take up for consideration **CSSB 2230** at this time on its second reading:

CSSB 2230, Relating to the acquisition of real property or construction of buildings for the purpose of operating the Texas Bullion Depository.

The motion prevailed.

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

The bill was read second time.

Senator Schwertner offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 2230** (senate committee printing) in SECTION 1 of the bill, by striking added Section 1232.1026(b), Government Code (page 1, lines 31 through 37), and relettering the subsequent subsections of added Section 1232.1026, Government Code, accordingly.

The amendment to **CSSB 2230** 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.

Senator Seliger offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 2230** (senate committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Section 11.141(a)(1), Tax Code, is amended to read as follows:

(1) "Precious metal" means a metal, including gold, silver, platinum, palladium, and rhodium, that:

(A) bears a high value-to-weight ratio relative to common industrial metals; and

(B) customarily is formed into bullion or specie [~~has the meaning assigned by Section 2116.001, Government Code~~].

SECTION 2. Chapter 2116, Government Code, is repealed.

SECTION 3. On September 1, 2021:

(1) the Texas Bullion Depository is abolished;

(2) all obligations, rights, contracts, records, real and personal property, funds, appropriations, and money of the Texas Bullion Depository are transferred to the comptroller of public accounts;

(3) the administrator of the Texas Bullion Depository becomes an employee of the comptroller of public accounts;

(4) an employee of the Texas Bullion Depository becomes an employee of the comptroller of public accounts; and

(5) a reference in other law to the Texas Bullion Depository means the comptroller of public accounts.

SECTION 4. This Act takes effect September 1, 2021.

The amendment to **CSSB 2230** was read.

Senator Seliger withdrew Floor Amendment No. 2.

CSSB 2230 as amended was passed to engrossment by a viva voce vote.

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

Nays: Miles, Seliger.

Absent-excused: Creighton.

COMMITTEE SUBSTITUTE SENATE BILL 2230 ON THIRD READING

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2230** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

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

Nays: Miles, Seliger.

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 2. (Same as previous roll call)

(Senator Springer in Chair)

SENATE BILL 2247 ON SECOND READING

Senator Huffman moved to suspend the regular order of business to take up for consideration **SB 2247** at this time on its second reading:

SB 2247, Relating to the removal of a fee for the issuance of an original, duplicate, modified, or renewed license to carry a handgun.

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

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, 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.

Absent-excused: Creighton.

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

HOUSE JOINT RESOLUTION 125 ON SECOND READING

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **HJR 125** at this time on its second reading:

HJR 125, 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.

The resolution 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 JOINT RESOLUTION 125 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 **HJR 125** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

The resolution 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)**SENATE BILL 2247 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 **SB 2247** be placed on its third reading and final passage:

SB 2247, Relating to the removal of a fee for the issuance of an original, duplicate, modified, or renewed license to carry a handgun.

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

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

Nays: Eckhardt, Gutierrez, Lucio, Powell, West, Whitmire.

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 18, Nays 12.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, 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.

Absent-excused: Creighton.

SENATE BILL 734 ON SECOND READING

On motion of Senator Paxton and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 734** at this time on its second reading:

SB 734, Relating to an exemption from ad valorem taxation of property owned by a charitable organization that provides services related to the placement of a child in a foster or adoptive home.

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.

SENATE BILL 734 ON THIRD READING

Senator Paxton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 734** 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 487 ON SECOND READING**

Senator Hughes moved to suspend the regular order of business to take up for consideration **CSSB 487** at this time on its second reading:

CSSB 487, Relating to the applicability of certain laws to open-enrollment charter schools.

The motion prevailed by the following vote: Yeas 21, Nays 9.

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

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

Absent-excused: Creighton.

The bill was read second time.

Senator Hughes offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 487** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, adding Section 12.1058(d), Education Code (page 1, line 36), strike "Except as provided by Section 12.103(c), a" and substitute "A".

(2) In SECTION 1 of the bill, adding Section 12.1058(d), Education Code (page 1, line 40), strike "eminent domain".

(3) Strike SECTION 3 of the bill, amending Section 395.022(b), Local Government Code (page 2, line 69 through page 3, line 13).

(4) Add the following appropriately numbered SECTION to the bill:

SECTION ____ . Section 12.103(c), Education Code, is repealed.

(5) Renumber SECTIONS of the bill accordingly.

The amendment to **CSSB 487** 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 487 as amended was passed to engrossment by the following vote: Yeas 22, Nays 8.

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

Nays: Eckhardt, Gutierrez, Menéndez, Miles, Powell, Seliger, West, Whitmire.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
SENATE BILL 487 ON THIRD READING**

Senator Hughes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 487** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 5.

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

Nays: Eckhardt, Gutierrez, Menéndez, Seliger, Whitmire.

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 23, Nays 7.

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

Nays: Eckhardt, Gutierrez, Menéndez, Miles, Powell, Seliger, Whitmire.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
SENATE BILL 2193 ON SECOND READING**

On motion of Senator Buckingham and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2193** at this time on its second reading:

CSSB 2193, Relating to the creation of the Matthews Ranch Water Control and Improvement District No. 1 of Blanco County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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 2193 ON THIRD READING**

Senator Buckingham moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2193** 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 2431 ON SECOND READING

On motion of Senator Buckingham and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2431** at this time on its second reading:

HB 2431, Relating to the designation of a portion of State Highway 173 in Bandera County as the Master Sergeant Rodney Lee Buentello Memorial Highway.

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 2431 ON THIRD READING

Senator Buckingham moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2431** 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 2404 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2404** at this time on its second reading:

CSHB 2404, Relating to the creation and maintenance of a database of information regarding certain local economic development agreements; providing a civil penalty.

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 2404 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 **CSHB 2404** 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 3399 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 3399** at this time on its second reading:

HB 3399, Relating to the authority of the Texas Department of Transportation to provide road services on federal military property.

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 3399 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 3399** 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 1544 ON SECOND READING

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **CSHB 1544** at this time on its second reading:

CSHB 1544, 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.

The motion prevailed by the following vote: Yeas 25, Nays 5.

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

Nays: Bettencourt, Hall, Hughes, Schwertner, Seliger.

Absent-excused: Creighton.

The bill was read second time and was passed to third reading by the following vote: Yeas 25, Nays 5. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
HOUSE BILL 1544 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 **CSHB 1544** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 5.

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

Nays: Bettencourt, Hall, Hughes, Schwertner, Springer.

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 25, Nays 5. (Same as previous roll call)

HOUSE BILL 773 ON SECOND READING

On motion of Senator Powell and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 773** at this time on its second reading:

HB 773, Relating to indicators of achievement under the public school accountability 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 773 ON THIRD READING

Senator Powell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 773** 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 1957 ON SECOND READING

On motion of Senator Buckingham and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1957** at this time on its second reading:

HB 1957, Relating to the labeling of wine as originating from an area of this state or with the name of a vineyard in this state.

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:

Nays: Hughes.

Absent-excused: Creighton.

HOUSE BILL 1957 ON THIRD READING

Senator Buckingham moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1957** 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: Hughes.

Absent-excused: Creighton.

SENATE BILL 1471 ON SECOND READING

Senator Taylor moved to suspend the regular order of business to take up for consideration **SB 1471** at this time on its second reading:

SB 1471, Relating to eligibility to establish a multiple employer welfare arrangement.

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, Powell, Schwertner, Seliger, Springer, Taylor.

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

Absent-excused: Creighton.

The bill was read second time and was passed to engrossment by the following vote: Yeas 20, Nays 10. (Same as previous roll call)

HOUSE BILL 2390 ON SECOND READING

On motion of Senator Taylor and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2390** at this time on its second reading:

HB 2390, Relating to the authority of a development corporation created by the Gulf Coast Authority to finance certain projects.

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 2390 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 **HB 2390** 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 3948 REREFERRED (Motion In Writing)

Senator Perry submitted a Motion In Writing requesting that **HB 3948** be withdrawn from the Committee on Business and Commerce and rereferred to the Committee on Water, Agriculture and Rural Affairs.

The Motion In Writing was read and prevailed without objection.

SENATE BILL 1471 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 **SB 1471** be placed on its third reading and final passage:

SB 1471, Relating to eligibility to establish a multiple employer welfare arrangement.

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

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

Nays: Gutierrez, Johnson, Miles, West, Whitmire, Zaffirini.

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 20, Nays 10.

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

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

Absent-excused: Creighton.

RECESS AND MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 12:26 p.m. agreed to recess until 2:00 p.m. today for the introduction of bills and resolutions on first reading.

The Senate further agreed to adjourn, upon completion of the introduction of bills and resolutions on first reading, until 2:00 p.m. Monday, May 17, 2021.

AFTER RECESS

The Senate met at 3:00 p.m. and was called to order by the President.

SENATE BILLS ON FIRST READING

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

SB 2257 by Springer

Relating to the creation of the Northwest Denton County Municipal Utility District No. 1; 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 2258 by Springer

Relating to the creation of the Clear Sky Municipal Utility District of Denton County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Local Government.

SB 2259 by Springer

Relating to the creation of the Clear Sky Municipal Utility District No. 1 of Cooke County; granting a limited power of eminent domain.

To Committee on Local Government.

HOUSE BILLS AND RESOLUTIONS ON FIRST READING

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

HB 100 to Committee on Local Government.

HB 157 to Committee on Natural Resources and Economic Development.

HB 170 to Committee on Business and Commerce.

HB 193 to Committee on Jurisprudence.

HB 217 to Committee on Criminal Justice.

HB 225 to Committee on Criminal Justice.

HB 252 to Committee on Jurisprudence.

HB 270 to Committee on Health and Human Services.

HB 273 to Committee on Transportation.

HB 275 to Committee on Criminal Justice.

HB 297 to Committee on Health and Human Services.

HB 302 to Committee on Criminal Justice.

HB 385 to Committee on Criminal Justice.

HB 525 to Committee on State Affairs.

HB 547 to Committee on Education.
HB 652 to Committee on Health and Human Services.
HB 671 to Committee on Water, Agriculture and Rural Affairs.
HB 679 to Committee on Criminal Justice.
HB 707 to Committee on Health and Human Services.
HB 775 to Committee on Local Government.
HB 805 to Committee on Finance.
HB 829 to Committee on Jurisprudence.
HB 830 to Committee on Jurisprudence.
HB 859 to Committee on Jurisprudence.
HB 1045 to Committee on Jurisprudence.
HB 1097 to Committee on Health and Human Services.
HB 1126 to Committee on Criminal Justice.
HB 1127 to Committee on Criminal Justice.
HB 1156 to Committee on Criminal Justice.
HB 1206 to Committee on Education.
HB 1207 to Committee on Education.
HB 1208 to Committee on Veteran Affairs and Border Security.
HB 1217 to Committee on Local Government.
HB 1225 to Committee on Local Government.
HB 1237 to Committee on Health and Human Services.
HB 1290 to Committee on Local Government.
HB 1300 to Committee on State Affairs.
HB 1340 to Committee on Jurisprudence.
HB 1394 to Committee on Jurisprudence.
HB 1423 to Committee on Health and Human Services.
HB 1433 to Committee on Business and Commerce.
HB 1441 to Committee on Jurisprudence.
HB 1482 to Committee on Higher Education.
HB 1500 to Committee on State Affairs.
HB 1568 to Committee on Local Government.
HB 1613 to Committee on Education.
HB 1676 to Committee on Health and Human Services.
HB 1681 to Committee on Health and Human Services.
HB 1686 to Committee on Local Government.
HB 1719 to Committee on Business and Commerce.
HB 1758 to Committee on Jurisprudence.
HB 1861 to Committee on Local Government.
HB 1929 to Committee on Local Government.
HB 1984 to Committee on Water, Agriculture and Rural Affairs.
HB 2014 to Committee on Local Government.
HB 2030 to Committee on Higher Education.
HB 2107 to Committee on Jurisprudence.
HB 2168 to Committee on State Affairs.
HB 2175 to Committee on Local Government.
HB 2204 to Committee on State Affairs.

HB 2251 to Committee on Health and Human Services.
HB 2272 to Committee on Local Government.
HB 2287 to Committee on Education.
HB 2295 to Committee on Jurisprudence.
HB 2405 to Committee on Local Government.
HB 2428 to Committee on Local Government.
HB 2539 to Committee on Natural Resources and Economic Development.
HB 2569 to Committee on Local Government.
HB 2593 to Committee on State Affairs.
HB 2627 to Committee on Finance.
HB 2633 to Committee on Health and Human Services.
HB 2656 to Committee on Jurisprudence.
HB 2664 to Committee on State Affairs.
HB 2670 to Committee on Local Government.
HB 2700 to Committee on Transportation.
HB 2709 to Committee on Jurisprudence.
HB 2711 to Committee on Local Government.
HB 2758 to Committee on Health and Human Services.
HB 2802 to Committee on Education.
HB 2827 to Committee on Higher Education.
HB 2831 to Committee on Criminal Justice.
HB 2851 to Committee on Water, Agriculture and Rural Affairs.
HB 2893 to Committee on Local Government.
HB 2903 to Committee on Veteran Affairs and Border Security.
HB 2950 to Committee on Jurisprudence.
HB 3002 to Committee on Criminal Justice.
HB 3007 to Committee on State Affairs.
HB 3016 to Committee on Jurisprudence.
HB 3051 to Committee on State Affairs.
HB 3088 to Committee on Health and Human Services.
HB 3203 to Committee on State Affairs.
HB 3261 to Committee on Education.
HB 3271 to Committee on Business and Commerce.
HB 3289 to Committee on Water, Agriculture and Rural Affairs.
HB 3298 to Committee on Education.
HB 3315 to Committee on Criminal Justice.
HB 3325 to Committee on Transportation.
HB 3333 to Committee on State Affairs.
HB 3338 to Committee on Jurisprudence.
HB 3373 to Committee on Natural Resources and Economic Development.
HB 3374 to Committee on Business and Commerce.
HB 3388 to Committee on Business and Commerce.
HB 3413 to Committee on Transportation.
HB 3422 to Committee on Business and Commerce.
HB 3456 to Committee on Education.
HB 3565 to Committee on Natural Resources and Economic Development.

HB 3566 to Committee on State Affairs.
HB 3583 to Committee on Business and Commerce.
HB 3584 to Committee on Natural Resources and Economic Development.
HB 3610 to Committee on Finance.
HB 3626 to Committee on Health and Human Services.
HB 3629 to Committee on Local Government.
HB 3665 to Committee on Transportation.
HB 3673 to Committee on Health and Human Services.
HB 3744 to Committee on Business and Commerce.
HB 3774 to Committee on Jurisprudence.
HB 3789 to Committee on Criminal Justice.
HB 3818 to Committee on Business and Commerce.
HB 3864 to Committee on Education.
HB 3898 to Committee on Finance.
HB 3959 to Committee on Water, Agriculture and Rural Affairs.
HB 3979 to Committee on State Affairs.
HB 4068 to Committee on Finance.
HB 4073 to Committee on Transportation.
HB 4087 to Committee on Transportation.
HB 4113 to Committee on Criminal Justice.
HB 4149 to Committee on Criminal Justice.
HB 4172 to Committee on Natural Resources and Economic Development.
HB 4182 to Committee on Business and Commerce.
HB 4210 to Committee on Business and Commerce.
HB 4242 to Committee on Natural Resources and Economic Development.
HB 4279 to Committee on Natural Resources and Economic Development.
HB 4293 to Committee on Criminal Justice.
HB 4294 to Committee on Business and Commerce.
HB 4354 to Committee on Jurisprudence.
HB 4355 to Committee on Criminal Justice.
HB 4426 to Committee on Local Government.
HB 4450 to Committee on Business and Commerce.
HB 4485 to Committee on Jurisprudence.
HB 4571 to Committee on Health and Human Services.
HB 4572 to Committee on Health and Human Services.
HB 4661 to Committee on Jurisprudence.
HJR 82 to Committee on Finance.
HJR 99 to Committee on Transportation.
HJR 141 to Committee on Local Government.
HJR 165 to Committee on Jurisprudence.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Friday, May 14, 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:

HCR 106 Paul

In memory of Alayna Kay McDonald.

SCR 1 Johnson Sponsor: White
Expressing opposition to the enactment or enforcement in Texas of a law, under a federal mandate, that automatically suspends the driver's license of an individual who is convicted of certain offenses.

SCR 11 Blanco Sponsor: Morales, Eddie
Designating Fort Davis as the official Highest Town in Texas for a 10-year period beginning in 2021.

SCR 17 Hughes Sponsor: Herrero
Urging Congress to repeal the Government Pension Offset and the Windfall Elimination Provision of the Social Security Act.

SCR 23 Schwertner Sponsor: Wilson
Establishing an America 250 state commission.
(Amended)

SCR 43 Hughes Sponsor: Hefner
In memory of Michael Phillip Smith of Tyler.

THE HOUSE HAS GRANTED THE REQUEST OF THE SENATE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

SB 13 (non-record vote)
House Conferees: King, Phil - Chair/Darby/Guillen/Harless/Lucio III

SB 295 (non-record vote)
House Conferees: Minjarez - Chair/Cole/Guillen/Morales Shaw/Raymond

SB 1438 (non-record vote)
House Conferees: Meyer - Chair/Burrows/Guillen/Metcalf/Noble

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

CO-AUTHOR OF SENATE BILL 487

On motion of Senator Hughes, Senator Campbell will be shown as Co-author of **SB 487**.

CO-AUTHOR OF SENATE BILL 585

On motion of Senator Springer, Senator Bettencourt will be shown as Co-author of **SB 585**.

CO-AUTHOR OF SENATE BILL 1247

On motion of Senator Creighton, Senator Hall will be shown as Co-author of **SB 1247**.

CO-AUTHORS OF SENATE BILL 2247

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

CO-SPONSORS OF HOUSE BILL 1957

On motion of Senator Buckingham, Senators Alvarado and Bettencourt will be shown as Co-sponsors of **HB 1957**.

CO-SPONSOR OF HOUSE BILL 3924

On motion of Senator Springer, Senator Seliger will be shown as Co-sponsor of **HB 3924**.

CO-SPONSOR OF HOUSE JOINT RESOLUTION 125

On motion of Senator Birdwell, Senator Blanco will be shown as Co-sponsor of **HJR 125**.

RESOLUTION OF RECOGNITION

The following resolution was adopted by the Senate:

Congratulatory Resolution

SR 411 by Hughes, Recognizing Adam and Taylor Kline Taylor on the birth of their daughter, Eleanor Jane Taylor.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 3:09 p.m. adjourned until 2:00 p.m. Monday, May 17, 2021.

APPENDIX

COMMITTEE REPORTS

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

May 14, 2021

JURISPRUDENCE — **HB 766, HB 1005, HB 1013, HB 1213, HB 1296, HB 1297, HB 3394, HB 1372**

EDUCATION — **CSSB 1968, CSHB 1525**

STATE AFFAIRS — **HB 365, HB 1382, HB 781, HB 851, HB 1069, HB 3721, HB 2301, HB 1387**

BUSINESS AND COMMERCE — **CSHB 3648**

HEALTH AND HUMAN SERVICES — **HB 3041, HB 2374, HB 1434, HB 2093, HB 1276, HB 1618, SCR 31**

WATER, AGRICULTURE AND RURAL AFFAIRS — **HB 3856**

BUSINESS AND COMMERCE — **CSHB 4030**

EDUCATION — **CSHB 1496, HB 690, SB 1083, HB 2721, HB 1342, HB 1133, HB 1080, HB 189**

LOCAL GOVERNMENT — **HB 2094, HB 4577, HB 4585, HB 4610, CSHB 1338**

EDUCATION — **HB 159**

BILLS AND RESOLUTIONS ENROLLED

May 13, 2021

SB 8, SB 230, SB 1126, SB 1230, SB 1448, SB 1774, SB 2093, SR 402, SR 406, SR 407, SR 409

BILLS ENGROSSED

May 14, 2021

SB 113, SB 487, SB 585, SB 734, SB 1471, SB 2193, SB 2230, SB 2247

SENT TO GOVERNOR

May 14, 2021

SB 8, SB 230, SB 1126, SB 1230, SB 1448, SB 1774, SB 2093

