

# SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**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 heaven 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 and resolutions 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 & Economic Development.

**HB 170** to Committee on Business & 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 & Human Services.

**HB 273** to Committee on Transportation.

**HB 275** to Committee on Criminal Justice.

**HB 297** to Committee on Health & 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 & Human Services.  
**HB 671** to Committee on Water, Agriculture & Rural Affairs.  
**HB 679** to Committee on Criminal Justice.  
**HB 707** to Committee on Health & 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 & 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 & Border Security.  
**HB 1217** to Committee on Local Government.  
**HB 1225** to Committee on Local Government.  
**HB 1237** to Committee on Health & 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 & Human Services.  
**HB 1433** to Committee on Business & 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 & Human Services.  
**HB 1681** to Committee on Health & Human Services.  
**HB 1686** to Committee on Local Government.  
**HB 1719** to Committee on Business & 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 & 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 & 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 & 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 & 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 & 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 & Rural Affairs.  
**HB 2893** to Committee on Local Government.  
**HB 2903** to Committee on Veteran Affairs & 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 & Human Services.  
**HB 3203** to Committee on State Affairs.  
**HB 3261** to Committee on Education.  
**HB 3271** to Committee on Business & Commerce.  
**HB 3289** to Committee on Water, Agriculture & 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 & Economic Development.  
**HB 3374** to Committee on Business & Commerce.  
**HB 3388** to Committee on Business & Commerce.  
**HB 3413** to Committee on Transportation.  
**HB 3422** to Committee on Business & Commerce.  
**HB 3456** to Committee on Education.  
**HB 3565** to Committee on Natural Resources & Economic Development.

**HB 3566** to Committee on State Affairs.  
**HB 3583** to Committee on Business & Commerce.  
**HB 3584** to Committee on Natural Resources & Economic Development.  
**HB 3610** to Committee on Finance.  
**HB 3626** to Committee on Health & Human Services.  
**HB 3629** to Committee on Local Government.  
**HB 3665** to Committee on Transportation.  
**HB 3673** to Committee on Health & Human Services.  
**HB 3744** to Committee on Business & Commerce.  
**HB 3774** to Committee on Jurisprudence.  
**HB 3789** to Committee on Criminal Justice.  
**HB 3818** to Committee on Business & Commerce.  
**HB 3864** to Committee on Education.  
**HB 3898** to Committee on Finance.  
**HB 3959** to Committee on Water, Agriculture & 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 & Economic Development.  
**HB 4182** to Committee on Business & Commerce.  
**HB 4210** to Committee on Business & Commerce.  
**HB 4242** to Committee on Natural Resources & Economic Development.  
**HB 4279** to Committee on Natural Resources & Economic Development.  
**HB 4293** to Committee on Criminal Justice.  
**HB 4294** to Committee on Business & 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 & Commerce.  
**HB 4485** to Committee on Jurisprudence.  
**HB 4571** to Committee on Health & Human Services.  
**HB 4572** to Committee on Health & 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.

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**APPENDIX**

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**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**

