

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTY-FIRST DAY
(Monday, May 17, 2021)

The Senate met at 2:00 p.m. pursuant to adjournment and was called to order by President Pro Tempore Birdwell.

The roll was called and the following Senators were present: Alvarado, Bettencourt, Birdwell, Blanco, Buckingham, Campbell, 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 West offered the invocation as follows:

Dear heavenly Father, we come to You with humble hearts desiring to be the instruments that provide service to You and Your children. Indeed, each spirit that draws breath is Your child. You knew us before we knew ourselves. As Your children, we continue to ask for Your guidance and await Your direction. Each of us who serve as legislators has answered Your call upon our lives, understands the magnitude of this undertaking, and submit to Your awesome power. In the remaining days of this 87th Legislature, I want to stop, and on behalf of my colleagues, and ask You, Father, to make certain that You bless the staff and their family, for too often we forget to mention them and all of the work that You would have them do in this legislative body. We ask that You walk ahead of us so that we might make decisions that glorify You, that You will walk beside us so that our thoughts and actions do not go astray, as well as behind us to push us forward towards Your light and Your truth. These and other blessings I ask in Your darling son, Jesus. 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

Monday, May 17, 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 424

King, Ken

Relating to a continuing review and revision of the essential knowledge and skills of the public school foundation curriculum and proclamations for the production of instructional materials.

HB 578

Turner, John

Relating to the health literacy advisory committee and health literacy in the state health plan.

HB 1157

Vo

Relating to hiring and licensing certain veterans as peace officers.

HB 1400

Swanson

Relating to the creation of the criminal offense of impersonating a private investigator.

HB 1507

Middleton

Relating to an entity responsible for the local share of qualified project costs under the ship channel improvement revolving fund.

HB 1524

Lucio III

Relating to the prescribing and ordering of Schedule II controlled substances by certain advanced practice registered nurses and physician assistants.

HB 1678

Raymond

Relating to the confidentiality of certain autopsy records.

HB 1852

Sanford

Relating to the definition of "closing" for purposes of certain private activity bonds.

HB 2156

Raymond

Relating to the purchase of a United States flag or Texas flag by a governmental agency.

HB 2222

Canales

Relating to a study by the Texas Department of Transportation on future transportation needs for the year 2045.

HB 2269

Turner, John

Relating to a requirement for and the contents of a declarations page required for certain standard insurance policy forms for personal automobile insurance.

- HB 2333** Howard
Relating to the establishment of the home nursing visitation for newborn caregivers competitive grant program.
- HB 2371** Morales Shaw
Relating to the evaluation of applications for certain financial assistance administered by the Texas Department of Housing and Community Affairs.
- HB 2435** Cain
Relating to the imposition of tolls on Fairmont Parkway in Harris County.
- HB 2815** Turner, Chris
Relating to the Texas Armed Services Scholarship Program.
- HB 2864** Collier
Relating to the governance and administration of the Texas Indigent Defense Commission and to certain disclosures made in relation to the provision of funding for indigent defense services.
- HB 3044** Howard
Relating to certain criminal history record information obtained by certain facilities and private agencies on behalf of facilities.
- HB 3068** Slaton
Relating to the designation of a portion of State Highway 276 in Hunt and Rains Counties as the Staff Sergeant Shawn Henry McNabb Memorial Bridge.
- HB 3140** Bell, Cecil
Relating to the creation of the Harris-Waller Counties Municipal Utility District No. 5; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 3253** Jetton
Relating to meetings held by certain conservation and reclamation districts.
- HB 3264** Dominguez
Relating to the establishment by the Texas Workforce Commission of a workplace soft skills training pilot program.
- HB 3340** Swanson
Relating to the appeal of certain orders regarding dangerous dogs.
- HB 3363** Harless
Relating to the issuance and execution of certain search warrants in a criminal investigation and the admissibility of evidence obtained through certain searches.
- HB 3375** Davis
Relating to certain benefits payable by the public retirement systems for police and fire fighters in certain municipalities.
- HB 3436** Bell, Cecil
Relating to the creation of the Waller County Municipal Utility District No. 40; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

- HB 3438** Bell, Cecil
Relating to the creation of the Waller County Municipal Utility District No. 9A; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 3462** Morales Shaw
Relating to the designation of liaison officers to assist certain students at public institutions of higher education who are parents.
- HB 3472** Deshotel
Relating to the investment and use of excess residential mortgage loan originator recovery fund fees and to the creation of the mortgage grant fund; changing a fee.
- HB 3503** Lambert
Relating to the correction or removal of certain obsolete provisions of the Property Code.
- HB 3531** Martinez
Relating to motor vehicle titles, registration, and license plates.
- HB 3533** Martinez
Relating to the security requirement for the issuance or renewal of a motor vehicle dealer general distinguishing number or a wholesale motor vehicle auction general distinguishing number.
- HB 3630** Metcalf
Relating to the designation of a portion of State Highway 242 in Montgomery County as the Sergeant Stacey Baumgartner Memorial Highway.
- HB 3635** Frullo
Relating to vehicle modification services provided under the vocational rehabilitation program.
- HB 3740** Guillen
Relating to the provision of home telemonitoring services under Medicaid.
- HB 3750** Lucio III
Relating to financial assistance by the Texas Water Development Board for backup power generators in economically distressed areas for public water supply and sanitary sewer systems.
- HB 3759** Guillen
Relating to requiring each state agency to post on the agency's Internet website information on suicide prevention.
- HB 3802** Lozano
Relating to requirements for public drinking water supply systems and certain rates and fees charged by water supply corporations.
- HB 3929** Bernal
Relating to the loss of benefits of and the payment of certain employer contributions for certain retirees of the Teacher Retirement System of Texas who resume service.
- HB 3951** Cortez
Relating to health benefit plan coverage for certain tests to detect prostate cancer.

- HB 4023** Martinez
Relating to establishing a pilot program to employ a life skills counselor at public high school campuses in certain counties.
- HB 4058** Meza
Relating to a study on the provision of applied behavior analysis services to children with autism under Medicaid and other public benefits programs.
- HB 4124** Hinojosa
Relating to student enrollment in certain special-purpose districts and the allotment under the public school finance system for those districts.
- HB 4176** Guillen
Relating to performance criteria for the award of adult education and literacy funds.
- HB 4184** Guillen
Relating to the licensing and regulation of certain drug and alcohol related court-ordered educational programs; providing administrative penalties; requiring occupational licenses; authorizing fees; creating criminal offenses.
- HB 4338** Johnson, Ann
Relating to the representation of a community supervision and corrections department in cases in which a person under the supervision of that department challenges the fact or duration of the supervision.
- HB 4368** Rodriguez
Relating to participation in, contributions to, and the benefits and administration of retirement systems for police officers in certain municipalities.
- HB 4486** Guillen
Relating to procedures for identifying defendants suspected of having a mental illness or intellectual disability.
- HB 4535** Guillen
Relating to axle weight limitations for certain vehicles transporting aggregates.
- HB 4539** Cain
Relating to the prohibition of tolls on portions of State Highway 146 and State Highway 99.
- HB 4555** Guillen
Relating to an application for a place on a ballot filed by a person convicted of a felony.
- HB 4580** Metcalf
Relating to the creation of the Montgomery County Municipal Utility District No. 202; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4584** Ellzey
Relating to the creation of the Sterrett Road Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes; granting a limited power of eminent domain.

- HB 4589** Sanford
Relating to the creation of the LC Municipal Utility District No. 1 of Collin County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose fees and taxes.
- HB 4590** Sanford
Relating to the creation of the TRR 243 Municipal Management District; providing authority to issue bonds and impose assessments, fees, and taxes.
- HB 4591** Sanford
Relating to the creation of the Blue Meadow Municipal Utility District No. 1 of Collin County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4597** Thompson, Ed
Relating to validating certain acts and proceedings of the East Lake Houston Management District and to the authority of the district to exercise certain powers, issue bonds, and impose fees, taxes, and assessments.
- HB 4605** Bailes
Relating to the creation of the New Waverly Municipal Management District No. 1; providing authority to issue bonds and impose assessments, fees, and taxes.
- HB 4615** Gates
Relating to the creation of the Fort Bend County Municipal Utility District No. 249; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4616** Gates
Relating to the creation of the Fort Bend County Municipal Utility District No. 246; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4617** Bell, Keith
Relating to the qualifications and method of electing directors of the High Point Special Utility District of Kaufman and Rockwall Counties.
- HB 4619** Stucky
Relating to the creation of the Earthland Farms Municipal Management District; providing authority to issue bonds; providing authority to impose assessments and fees; granting a limited power of eminent domain.
- HB 4623** Leman
Relating to the creation of the Austin 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.
- HB 4624** González, Mary
Relating to the territory of the Horizon Regional Municipal Utility District.
- HB 4627** Sanford
Relating to the creation of the Uptown Municipal Utility District No. 1 of Collin County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4628 King, Phil

Relating to the creation of the Veale Ranch Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes; granting the power of eminent domain.

HB 4629 Stucky

Relating to the creation of the Agora Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4630 King, Phil

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

HB 4634 Stephenson

Relating to the creation of the Fort Bend County Municipal Utility District No. 250; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4635 Bell, Cecil

Relating to the creation of the Waller County Municipal Utility District No. 38; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4638 Bucy

Relating to the creation of the City of Leander Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4639 Bell, Cecil

Relating to the powers and duties of the Conroe Municipal Management District No. 1, including the power to undertake and finance projects through taxes and bonds as a levee improvement district.

HB 4641 Metcalf

Relating to the creation of the Montgomery County Municipal Utility District No. 209; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4642 Stephenson

Relating to the creation of the Fort Bend County Municipal Utility District No. 253; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4645 Cyrier

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

HB 4647 Rodriguez

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

- HB 4648** Bell, Cecil
Relating to the powers, duties, territory, and governance of the Westwood Magnolia Parkway Improvement District; creating a criminal offense.
- HB 4649** Metcalf
Relating to the creation of the Montgomery County Municipal Utility District No. 198; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4650** Rodriguez
Relating to the creation of the East Central Travis County Conservation and Reclamation District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4652** Metcalf
Relating to the creation of the Montgomery County Municipal Utility District No. 208; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4654** Metcalf
Relating to the creation of the Montgomery County Municipal Utility District No. 210; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4658** Bailes
Relating to the creation of the Huntsville Municipal Utility District No. 1 of Walker County, Texas; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4659** Bonnen
Relating to the authority of the City of Kemah Municipal Management District No. 1 to provide water and sewer service, exercise certain powers, issue bonds, and impose fees, taxes, and assessments and to the validation of certain acts and proceedings of the district.
- HB 4662** Thompson, Ed
Relating to the creation of the Brazoria County Municipal Utility District No. 86; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4663** Martinez
Relating to the powers of the Hidalgo County Drainage District Number 1; authorizing the issuance of bonds.
- HB 4664** Bailes
Relating to authorizing the sale of certain real property by the State of Texas to the Trinity River Authority of Texas.
- HB 4665** Sanford
Relating to the creation of the Raintree Municipal Utility District No. 1 of Collin County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4667

Morales, Eddie

Relating to the transfer of certain state property from the Department of Public Safety to the City of Eagle Pass.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 17, 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 41

Talarico

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

HB 105

Ortega

Relating to the use of promotoras and community health workers in Medicaid managed care.

HB 140

Rose

Relating to the applicability of the death penalty to a capital offense committed by a person with severe mental illness.

HB 162

Thierry

Relating to a prohibition on prosecuting or referring to juvenile court certain persons for certain conduct constituting the offense of prostitution, to the provision of services to those persons, and to the prosecution of related criminal offenses.

HB 205

Ortega

Relating to safety requirements for amusement ride operators.

HB 244

González, Mary

Relating to the establishment of a grant program for promoting computer science certification and professional development in coding, technology applications, cybersecurity, and computer science for public school teachers.

HB 285

Murr

Relating to increasing the punishment for certain conduct constituting the criminal offense of obstruction or retaliation.

- HB 318** VanDeaver
Relating to the prohibition of certain employment discrimination regarding an employee who is a volunteer emergency responder.
- HB 396** Moody
Relating to the eligibility of nurses for workers' compensation benefits for coronavirus disease (COVID-19) and payment of those benefits.
- HB 461** Shaheen
Relating to the execution of a warrant issued for certain releasees who violate a condition of release on parole or to mandatory supervision.
- HB 545** Thompson, Ed
Relating to municipal annexation of certain rights-of-way.
- HB 558** White
Relating to the taking of a blood specimen on arrest for certain intoxication offenses.
- HB 572** Dutton
Relating to authorizing a dropout recovery competency-based educational program provided through a campus or campus program charter or open-enrollment charter school.
- HB 639** White
Relating to the authority of an emergency services district to provide preventive health care services; authorizing a fee.
- HB 643** Raymond
Relating to disclosure of a beneficiary to a funeral director under a life insurance policy.
- HB 662** Collier
Relating to the administration of the homeless housing and services program by the Texas Department of Housing and Community Affairs.
- HB 740** Fierro
Relating to preferential voting in runoff elections for certain voters voting by mail.
- HB 929** Sherman, Sr.
Relating to law enforcement policies and procedures regarding body worn cameras.
- HB 1032** Thierry
Relating to authorizing school districts to provide funding using money received under the Foundation School Program to community-based organizations for purposes of reimbursing private employers for paid internships provided to certain students in career and technology education programs in the district.
- HB 1302** Guillen
Relating to measures to support and acknowledge public school student achievement, including continuing education requirements for a classroom teacher to include project-based learning and the consideration of certain student achievement indicators under the public school accountability system.

- HB 1306** Swanson
Relating to increasing the criminal penalty for assault or aggravated assault of a process server.
- HB 1467** Jetton
Relating to property owners' association annual meetings held electronically.
- HB 1480** Cyrier
Relating to the protection of animal and crop facilities; creating a criminal offense.
- HB 1516** Parker
Relating to efficiency audits of the Temporary Assistance for Needy Families program and the state temporary assistance and support services program.
- HB 1530** Murphy
Relating to authorizing the issuance of revenue bonds to fund capital projects at public institutions of higher education.
- HB 1548** Bell, Cecil
Relating to the civil liability of certain businesses in connection with allowing concealed handguns on the business premises.
- HB 1586** Lucio III
Relating to health benefit plan coverage of clinician-administered drugs.
- HB 1591** Leach
Relating to an exemption from cemetery location restrictions for a funeral establishment licensed in this state.
- HB 1631** Guerra
Relating to the requirements for an application for a permit to manage wildlife and exotic animals from aircraft; authorizing a fee.
- HB 1633** Guillen
Relating to the audiology and speech-language pathology interstate compact; authorizing fees.
- HB 1744** Guerra
Relating to measures to prepare students to teach bilingual education, English as a second language, or Spanish.
- HB 1754** Hernandez
Relating to the inclusion of suicide prevention information on certain student identification cards issued by a public school.
- HB 1907** Walle
Relating to the establishment of a statewide all payor claims database to increase public transparency of health care data and improve quality of health care in this state.
- HB 1914** Schofield
Relating to the civil liability of a children's isolation unit in a hospital.
- HB 1971** Canales
Relating to the purchase and installation of climate control systems at facilities operated by the Texas Department of Criminal Justice.

- HB 2001** Canales
Relating to procedures and practices governing the appeal of a disciplinary action within the Department of Public Safety.
- HB 2022** Darby
Relating to enrollment of certain retirees in the Texas Public School Employees Group Insurance Program.
- HB 2027** Cortez
Relating to the allocation of low income housing tax credits.
- HB 2134** Bernal
Relating to coverage for childhood cranial remolding orthosis under certain health benefit plans.
- HB 2147** Allen
Relating to the punishment for the offense of driving while license invalid, the period of certain driver's license suspensions, and the requirement that a peace officer take possession of a person's driver's license following the person's failure to pass or refusal to consent to a test for intoxication.
- HB 2179** Moody
Relating to trusts.
- HB 2182** Moody
Relating to decedents' estates and the delivery of certain notices or other communications in connection with those estates or multiple-party accounts.
- HB 2183** Moody
Relating to durable powers of attorney and the construction of certain powers conferred in those powers of attorney.
- HB 2290** Thompson, Senfronia
Relating to the affirmative defense to prosecution for a criminal offense for persons acting under duress.
- HB 2352** Parker
Relating to an educational and vocational training pilot program for certain state jail felony defendants and certain inmates released on parole; changing parole eligibility.
- HB 2384** Sherman, Sr.
Relating to measures to improve community supervision outcomes.
- HB 2391** Dominguez
Relating to the methods by which students may be admitted to public schools or transfer within a school district and the disclosure of information regarding public school admission methods.
- HB 2409** Dean
Relating to the waiver of requirements for removing a person's license from inactive status during a state of disaster.
- HB 2416** Gervin-Hawkins
Relating to the recovery of attorney's fees as compensatory damages for certain claims.

- HB 2534** Clardy
Relating to an appraisal procedure for disputed losses under personal automobile insurance policies.
- HB 2554** Gates
Relating to the operation by a school district of a vocational education program to provide eligible high school students with vocational and educational training under a plan for the issuance of a high school diploma and the application of certain student-based allotments under the public school finance system.
- HB 2629** Thompson, Senfronia
Relating to the establishment of a registry for and requiring the registration of certain unmanned teller machines; imposing a fee; providing a civil penalty.
- HB 2675** Guillen
Relating to a license to carry a handgun for a person who is at increased risk of becoming a victim of violence.
- HB 2681** Wilson
Relating to public school elective courses providing academic study of the Bible offered to certain students.
- HB 2696** Morrison
Relating to eligibility for a loan under the disaster recovery loan program.
- HB 2710** Bowers
Relating to an exemption to the cancellation of a water right for nonuse.
- HB 2726** Martinez Fischer
Relating to eligibility to serve as a member of a board of directors of certain public improvement districts.
- HB 2740** Lopez
Relating to the posting of certain business and occupational licensing information on state agency websites and the Texas Veterans Portal.
- HB 2746** Ellzey
Relating to the punishment for the criminal offense of use of laser pointers; increasing a criminal penalty.
- HB 2769** Campos
Relating to the essential knowledge and skills of the technology applications curriculum for public school students.
- HB 2795** Thompson, Senfronia
Relating to the offense of solicitation of prostitution and certain other consequences of that offense; increasing a criminal penalty; making conforming changes.
- HB 2983** Hull
Relating to medical examinations for certain children entering the conservatorship of the Department of Family and Protective Services.
- HB 3013** Biedermann
Relating to displays and exhibits located on the grounds of the Alamo complex.

- HB 3110** Meyer
Relating to possession or promotion of child sexual abuse material; increasing a criminal penalty; changing eligibility for community supervision.
- HB 3126** VanDeaver
Relating to the health care providers authorized to examine a person to determine whether the person is incapacitated for purposes of certain guardianship proceedings.
- HB 3157** Reynolds
Relating to the criminal offenses of violation of civil rights of and improper sexual activity with persons in custody; increasing a criminal penalty.
- HB 3250** Thompson, Ed
Relating to coverage of additional living expenses under a residential property insurance policy.
- HB 3255** Sanford
Relating to capital stock requirements and rate filings for certain insurance companies.
- HB 3266** Raymond
Relating to personal contact information submitted by certain local officials to the Texas Division of Emergency Management and local health departments.
- HB 3331** Murr
Relating to solicitation of patients and other prohibited marketing practices and the establishment of the task force on patient solicitation; increasing criminal penalties.
- HB 3385** Rogers
Relating to a landowner's bill of rights statement in connection with the acquisition of real property through eminent domain.
- HB 3433** Smithee
Relating to prohibited discrimination on the basis of an individual's political affiliation or expression by certain insurers.
- HB 3467** Canales
Relating to the amendment of an existing comprehensive development agreement for a portion of State Highway 130.
- HB 3598** Leach
Relating to increasing the minimum term of imprisonment and changing the eligibility for community supervision, mandatory supervision, and parole for persons convicted of intoxication manslaughter.
- HB 3601** Leach
Relating to automatic orders of nondisclosure of criminal history record information for certain misdemeanor defendants following successful completion of a period of deferred adjudication community supervision.
- HB 3658** Capriglione
Relating to state agency contracting and state employees, officers, contractors, and other persons involved with the contracting.

- HB 3691** Frank
Relating to the statewide implementation of community-based foster care by the Department of Family and Protective Services.
- HB 3720** Frank
Relating to interest lists and eligibility criteria for certain Medicaid waiver programs.
- HB 3767** Murphy
Relating to measures to support the alignment of education and workforce development in the state with state workforce needs, including the establishment of the Tri-Agency Workforce Initiative.
- HB 3798** Minjarez
Relating to county and municipal housing authority pet policies.
- HB 3880** Dutton
Relating to a student's eligibility for special education services provided by a school district, including services for dyslexia and related disorders.
- HB 3889** Morales Shaw
Relating to the cost for certain public school students of a broadband Internet access program offered by the Texas Education Agency.
- HB 3906** Goldman
Relating to the regulation of political funds, campaigns, and lobbying, including certain functions and procedures of the Texas Ethics Commission.
- HB 3916** Goldman
Relating to the interconnection and operation of certain distributed electric generation facilities for the food supply chain.
- HB 3920** Dean
Relating to an application to vote early by mail on the grounds of disability or confinement for childbirth.
- HB 3925** Collier
Relating to pedestrian use of a sidewalk.
- HB 3941** Guillen
Relating to surcharges imposed for the use of a credit card and to certain reimbursements and discounts allowed for the collection and payment of sales and use taxes.
- HB 3985** Huberty
Relating to the offense of providing an alcoholic beverage to a minor; increasing a criminal penalty.
- HB 4107** Burrows
Relating to the notice of entry for the purpose of exercising the power of eminent domain by a common carrier pipeline.
- HB 4110** Leach
Relating to the regulation of metal recycling; increasing a criminal penalty.

HB 4179

Bonnen

Relating to the procedures to be used by an appraisal district in resolving a protest following the filing of a notice of protest by a property owner.

HB 4361

Raney

Relating to off-campus workforce education or lower-division programs offered by a public institution of higher education at the request of an employer.

HB 4420

Krause

Relating to certain studies and reports regarding delivery methods, funding, and comprehensive development agreements for certain public projects, including transportation projects.

HB 4472

Landgraf

Relating to the Texas emissions reduction plan.

HB 4487

Rosenthal

Relating to measures to facilitate the successful completion of degree and certificate programs by certain adult learners at public institutions of higher education.

HB 4509

Bonnen

Relating to instruction on informed American patriotism in public schools.

HB 4525

Gates

Relating to the approval of career and technology courses by the State Board of Education.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 17, 2021 - 3

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 1

Stephenson

Supporting prayers, including the use of the word "God," at public gatherings and displays of the Ten Commandments in public educational institutions and other government buildings.

HCR 5 Cole

Directing the Texas Facilities Commission to name the building being constructed on the east side of North Congress Avenue between 16th and 17th Streets the Barbara Jordan Building.

HCR 7 Raymond

Directing the Texas Facilities Commission to rename the TWC building the Lloyd M. Bentsen State Office Building.

HCR 54 Meza

Approving the SNAP settlement agreement between the U.S. Department of Justice and the Texas Health and Human Services Commission.

HCR 66 Wu

Condemning racism against Asian Americans and Pacific Islanders.

HCR 67 Schofield

Designating April 6 as Tejano Day for a 10-year period beginning in 2021.

HCR 84 Parker

Recognizing the vital importance of the enduring friendship between Texas and the United Kingdom.

HCR 103 Sanford

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

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

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 2:20 p.m. announced the conclusion of morning call.

SENATE BILL 1084 ON SECOND READING

On motion of Senator Powell and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1084** at this time on its second reading:

SB 1084, Relating to the Preparation for Adult Living Program and other services for foster children transitioning to independent living.

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 1084 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 **SB 1084** 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 1003 ON SECOND READING

Senator Springer moved to suspend the regular order of business to take up for consideration **CSSB 1003** at this time on its second reading:

CSSB 1003, Relating to siting requirements for the construction of a wind turbine.

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

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

Nays: Alvarado, Blanco, Eckhardt, Johnson, Lucio, Miles, Perry, Powell, Seliger, West, Whitmire, Zaffirini.

Absent-excused: Creighton.

The bill was read second time and was passed to engrossment by the following vote: Yeas 17, Nays 13.

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

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

Absent-excused: Creighton.

HOUSE BILL 1197 ON SECOND READING

On motion of Senator Campbell and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1197** at this time on its second reading:

HB 1197, Relating to the period for which certain land owned by a religious organization for the purpose of expanding a place of religious worship or constructing a new place of religious worship may be exempted from ad valorem taxation.

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 1197 ON THIRD READING

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1197** 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 1571 ON SECOND READING

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1571** at this time on its second reading:

CSHB 1571, Relating to an exemption for certain cemeteries from cemetery location restrictions.

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 1571 ON THIRD READING

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1571** 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 BILL 1311 ON SECOND READING

Senator Hall moved to suspend the regular order of business to take up for consideration **SB 1311** at this time on its second reading:

SB 1311, Relating to the provision of and professional liability insurance coverage for gender transitioning or gender reassignment medical procedures and treatments for certain children.

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 second time.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1311** (senate committee printing) in SECTION 1 of the bill, in added Section 161.703, Health and Safety Code, as follows:

(1) Immediately before "The" (page 2, line 6), insert "(a)".

(2) Immediately after "testing." (page 2, between lines 20 and 21), insert the following:

(b) The prohibitions under Section 161.702 do not apply to the provision by a physician or other health care provider of gender transitioning or gender reassignment procedures or treatments to a child:

(1) who has been diagnosed with gender dysphoria, anxiety, depression, or suicidal ideation;

(2) who has attempted suicide; or

(3) whose physician and therapist agree that the child needs the procedures or treatments to affirm the child's gender identity.

MENÉNDEZ
ECKHARDT
POWELL

The amendment to **SB 1311** was read and failed of adoption by the following vote: Yeas 13, Nays 17.

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

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

Absent-excused: Creighton.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 2

Amend **SB 1311** (senate committee printing) in SECTION 1 of the bill, in added Section 161.703, Health and Safety Code, as follows:

(1) Immediately before "The" (page 2, line 6), insert "(a)".

(2) Immediately after "testing." (page 2, between lines 20 and 21), insert the following:

(b) The prohibition under Section 161.702(3)(A) does not apply to a physician or other health care provider who prescribes, administers, or supplies a puberty blocking medication to a child who is experiencing precocious puberty.

MENÉNDEZ
ECKHARDT
POWELL

The amendment to **SB 1311** was read and failed of adoption by the following vote: Yeas 13, Nays 17.

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

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

Absent-excused: Creighton.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 3

Amend **SB 1311** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 161.702, Health and Safety Code, as added by this Act, applies only to a procedure or treatment provided by a physician or other health care provider on or after the effective date of this Act.

MENÉNDEZ
ECKHARDT
POWELL

The amendment to **SB 1311** was read and failed of adoption by the following vote: Yeas 13, Nays 17.

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

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

Absent-excused: Creighton.

SB 1311 was passed to engrossment 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.

SENATE RESOLUTION 383

Senator Blanco offered the following resolution:

SR 383, In memory of Enrique Moreno.

The resolution was read.

On motion of Senator Blanco, **SR 383** was adopted by a rising vote of the Senate.

In honor of the memory of Enrique Moreno, the text of the resolution is printed at the end of today's *Senate Journal*.

COMMITTEE SUBSTITUTE SENATE BILL 2246 ON SECOND READING

On motion of Senator Schwertner and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2246** at this time on its second reading:

CSSB 2246, Relating to the designation of a portion of State Highway 164 in Limestone County as the Trooper Chad M. Walker Memorial Highway.

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

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

Absent-excused: Creighton.

COMMITTEE SUBSTITUTE SENATE BILL 2246 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 2246** 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 699 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 699** at this time on its second reading:

CSHB 699, Relating to public school attendance requirements for students diagnosed with or undergoing related treatment for severe or life-threatening illnesses.

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 699 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 699** 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 315 ON SECOND READING**

On motion of Senator Hughes and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 315** at this time on its second reading:

CSHB 315, Relating to the purchasing of the uniform of certain honorably retired or medically discharged peace officers.

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 315 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 **CSHB 315** 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 BILL 7 WITH HOUSE AMENDMENTS

Senator Hughes called **SB 7** from the President's table for consideration of the House amendments to the bill.

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

Amendment

A BILL TO BE ENTITLED AN ACT

relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. GENERAL PROVISIONS

SECTION 1.01. SHORT TITLE. This Act may be cited as the Election Integrity Protection Act of 2021.

SECTION 1.02. PURPOSE. The purpose of this Act is to exercise the legislature's constitutional authority under Section 4, Article VI, Texas Constitution, to make all laws necessary to detect and punish fraud and preserve the purity of the ballot box.

SECTION 1.03. FINDINGS. The legislature finds that:

(1) full, free, and fair elections are the underpinnings of a stable constitutional democracy;

(2) fraud in elections threatens the stability of a constitutional democracy by undermining public confidence in the legitimacy of public officers chosen by election;

(3) reforms are needed to the election laws of this state to ensure that fraud does not undermine the public confidence in the electoral process;

(4) Section 4, Article VI, Texas Constitution, entrusts the enactment of laws to combat fraud in the electoral process to the sound discretion of the legislature; and

(5) the reforms to the election laws of this state made by this Act are not intended to impair the right of free suffrage guaranteed to the people of Texas by the United States and Texas Constitutions, but are enacted solely to prevent fraud in the electoral process.

SECTION 1.04. Chapter 1, Election Code, is amended by adding Section 1.0015 to read as follows:

Sec. 1.0015. LEGISLATIVE INTENT. It is the intent of the legislature that the application of this code and the conduct of elections shall be uniform and consistent throughout this state to reduce the likelihood of fraud in the conduct of elections.

SECTION 1.05. Section 1.003, Election Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) A public official shall construe the provisions of this code strictly to effect the intent of the legislature under Section 1.0015.

SECTION 1.06. Section 1.005, Election Code, is amended by adding Subdivision (15-a) to read as follows:

(15-a) "Public official" means any person elected, selected, appointed, employed, or otherwise designated as an officer, employee, or agent of this state, a government agency, a political subdivision, or any other public body established by state law.

ARTICLE 2. REGISTRATION OF VOTERS AND CONDUCT OF ELECTIONS

SECTION 2.01. Sections 16.001(a) and (b), Election Code, are amended to read as follows:

(a) Each month the local registrar of deaths shall prepare an abstract of each death certificate issued in the month for a decedent 18 years of age or older who was a resident of the state at the time of death. The local registrar of deaths shall file each abstract with the voter registrar of the decedent's county of residence and the secretary of state as soon as possible, but not later than the 7th [10th] day after [of the month following the month in which] the abstract is prepared.

(b) Each month the clerk of each court having probate jurisdiction shall prepare an abstract of each application for probate of a will, administration of a decedent's estate, or determination of heirship, and each affidavit under Chapter 205, Estates Code, that is filed in the month with a court served by the clerk. The clerk shall file each abstract with the voter registrar and the secretary of state as soon as possible, but not later than the 7th [10th] day after [of the month following the month in which] the abstract is prepared.

SECTION 2.02. Section 64.007(c), Election Code, is amended to read as follows:

(c) An election officer shall maintain a register of spoiled ballots at the polling place, including spoiled ballots from a direct recording electronic voting unit. An election officer shall enter on the register the name of each voter who returns a spoiled ballot and the spoiled ballot's number.

ARTICLE 3. ELECTION OFFICERS AND OBSERVERS

SECTION 3.01. Section 32.075, Election Code, is amended by adding Subsection (g) to read as follows:

(g) A presiding judge may not:

(1) have a watcher appointed under Subchapter A, Chapter 33, removed from the polling place; or

(2) require a watcher appointed under Subchapter A, Chapter 33, to leave the polling place.

SECTION 3.02. Subchapter A, Chapter 33, Election Code, is amended by adding Section 33.0015 to read as follows:

Sec. 33.0015. CHAPTER PURPOSE AND WATCHER DUTY. The purpose of this chapter is to preserve the integrity of the ballot box in accordance with Section 4, Article VI, Texas Constitution, by providing for the appointment of watchers. To effect that purpose, a watcher appointed under this chapter shall observe the conduct of an election and call to the attention of an election officer any observed or suspected irregularity or violation of law in the conduct of the election.

SECTION 3.03. Section 33.051, Election Code, is amended by adding Subsections (g) and (h) to read as follows:

(g) An election officer commits an offense if the officer intentionally or knowingly refuses to accept a watcher for service when acceptance of the watcher is required by this section.

(h) An offense under Subsection (g) is a Class B misdemeanor.

SECTION 3.04. Section 33.056, Election Code, is amended by adding Subsection (e) to read as follows:

(e) In this code, a watcher who is entitled to "observe" an activity or procedure is entitled to sit or stand near enough to see and hear the activity or procedure.

SECTION 3.05. Subchapter C, Chapter 33, Election Code, is amended by adding Section 33.0605 to read as follows:

Sec. 33.0605. OBSERVING DATA STORAGE SEALING AND TRANSFER.

A watcher appointed to serve at a polling place in an election may observe the sealing and transfer of a memory card, flash drive, hard drive, data storage device, or other medium now existing or later developed used by the voting system equipment.

SECTION 3.06. Section 33.061(a), Election Code, is amended to read as follows:

(a) A person commits an offense if the person serves in an official capacity at a location at which the presence of watchers is authorized and knowingly prevents a watcher from observing an activity or procedure the watcher is entitled to observe, including by taking any action to obstruct the view of a watcher or distance the watcher from the activity or procedure to be observed in a manner that would make observation not reasonably effective.

SECTION 3.07. Subchapter C, Chapter 33, Election Code, is amended by adding Section 33.062 to read as follows:

Sec. 33.062. REMOVAL OF WATCHER FROM POLLING PLACE. The presiding judge may remove a watcher from a polling place only if the watcher engages in activity that would constitute an offense related to the conduct of the election, including an offense under Chapter 276.

SECTION 3.08. Section 61.001, Election Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) Except as permitted by this code and as described by Subsection (a-1), a person may not be in the polling place from the time the presiding judge arrives there on election day to make the preliminary arrangements until the precinct returns have been certified and the election records have been assembled for distribution following the election.

(a-1) Under this code, a person may be lawfully present in a polling place during the time described by Subsection (a) if the person is:

(1) an election judge or clerk;

(2) a watcher;

(3) the secretary of state;

(4) a staff member of the Elections Division of the Office of the Secretary of State performing an official duty in accordance with this code;

(5) an election official, a sheriff, or a staff member of an election official or sheriff delivering election supplies;

(6) a state inspector;

(7) a person admitted to vote;

(8) a child under 18 years of age who is accompanying a parent who has been admitted to vote;

(9) a person providing assistance to a voter under Section 61.032 or 64.032;

(10) a person accompanying a voter who has a disability;

(11) a special peace officer appointed by the presiding judge under Section 32.075;

(12) the county chair of a political party conducting a primary election, as authorized by Section 172.1113;

(13) a voting system technician, as authorized by Section 125.010;

(14) the county election officer, as defined by Section 31.091, as necessary to perform tasks related to the administration of the election; or

(15) a person whose presence has been authorized by the presiding judge and alternate presiding judge in accordance with this code.

SECTION 3.09. Section 86.006(a-1), Election Code, is amended to read as follows:

(a-1) The voter may deliver a marked ballot in person to the early voting clerk's office only while the polls are open on election day. A voter who delivers a marked ballot in person must present an acceptable form of identification described by Section 63.0101. A poll watcher is entitled to observe the delivery of ballots under this subsection. The poll watcher must be able to determine how the ballots are being delivered and how election officials are making decisions about the delivery of ballots, if applicable. The poll watcher may not disrupt the process of delivering ballots.

SECTION 3.10. Section 87.026, Election Code, is amended to read as follows:

Sec. 87.026. BYSTANDERS EXCLUDED. (a) Except as permitted by this code and as described by Subsection (b), a person may not be in the meeting place of an early voting ballot board during the time of the board's operations.

(b) Under this code, a person may be lawfully present in the meeting place of an early voting ballot board during the time of the board's operations if the person is:

(1) a presiding judge or member of the board;

(2) a watcher;

(3) a voting system technician, as authorized by Section 125.010;

(4) the county election officer, as defined by Section 31.091, as necessary to perform tasks related to the administration of the election; or

(5) a person whose presence has been authorized by the presiding judge in accordance with this code.

SECTION 3.11. Subchapter A, Chapter 127, Election Code, is amended by adding Section 127.008 to read as follows:

Sec. 127.008. BYSTANDERS EXCLUDED. (a) Except as permitted by this code and as described by Subsection (b), a person may not be in a central counting station while ballots are being counted.

(b) Under this code, a person may be lawfully present in the central counting station while ballots are being counted if the person is:

(1) a counting station manager, tabulation supervisor, assistant to the tabulation supervisor, presiding judge, or clerk;

(2) a watcher;

- (3) a voting system technician, as authorized by Section 125.010;
- (4) the county election officer, as defined by Section 31.091, as necessary to perform tasks related to the administration of the election; or
- (5) a person whose presence has been authorized by the presiding judge of the central counting station in accordance with this code.

ARTICLE 4. ASSISTANCE OF VOTERS

SECTION 4.01. Subchapter B, Chapter 64, Election Code, is amended by adding Section 64.0322 to read as follows:

Sec. 64.0322. SUBMISSION OF FORM BY ASSISTANT. (a) A person, other than an election officer, who assists a voter in accordance with this chapter is required to complete a form stating:

- (1) the name and address of the person assisting the voter;
- (2) the manner in which the person is assisting the voter;
- (3) the reason the assistance is necessary; and
- (4) the relationship of the assistant to the voter.

(b) The secretary of state shall prescribe the form required by this section. The form must be incorporated into the official carrier envelope if the voter is voting an early voting ballot by mail and receives assistance under Section 86.010, or must be submitted to an election officer at the time the voter casts a ballot if the voter is voting at a polling place or under Section 64.009.

SECTION 4.02. Section 64.034, Election Code, is amended to read as follows:

Sec. 64.034. OATH. A person selected to provide assistance to a voter must take the following oath, administered by an election officer at the polling place, before providing assistance:

"I swear (or affirm) under penalty of perjury that I will not suggest, by word, sign, or gesture, how the voter should vote; I will confine my assistance to answering the voter's questions, to stating propositions on the ballot, and to naming candidates and, if listed, their political parties; I will prepare the voter's ballot as the voter directs; I did not pressure, encourage, coerce, or intimidate the voter into choosing me to provide assistance; and I am not the voter's employer, an agent of the voter's employer, or an officer or agent of a labor union to which the voter belongs."

SECTION 4.03. Section 86.010, Election Code, is amended by amending Subsections (e), (h), and (i) and adding Subsection (i-1) to read as follows:

(e) A person who assists a voter to prepare a ballot to be voted by mail shall enter on the official carrier envelope of the voter:

- (1) the person's signature, printed name, and residence address;
- (2) the manner of any assistance provided to the voter by the person;
- (3) the relationship of the person providing the assistance to the voter; and
- (4) whether the person received or accepted any form of compensation or other benefit from a candidate, campaign, or political committee in exchange for providing assistance ~~[on the official carrier envelope of the voter].~~

(h) Subsection (f) does not apply to:

- (1) a violation of Subsection (c), if the person is related to the voter within the second degree by affinity or the third degree by consanguinity, as determined under Subchapter B, Chapter 573, Government Code, or was physically living in the same dwelling as the voter at the time of the event; or

(2) a violation of Subsection (e), if the person is related to the voter within the second degree by affinity or the third degree by consanguinity, as determined under Subchapter B, Chapter 573, Government Code.

(i) An offense under this section for a violation of Subsection (c) is increased to the next higher category of offense if it is shown on the trial of an offense under this section that:

- (1) the defendant was previously convicted of an offense under this code;
- (2) the offense involved a voter 65 years of age or older; or
- (3) the defendant committed another offense under this section in the same election.

(i-1) An offense under this section for a violation of Subsection (e) is a felony of the third degree if it is shown on the trial of the offense that the person committed an offense under Section 64.036 for providing unlawful assistance to the same voter in connection with the same ballot.

SECTION 4.04. Sections 86.0105(a), (c), and (e), Election Code, are amended to read as follows:

(a) A person commits an offense if the person:

(1) compensates or offers to compensate another person for assisting voters as provided by Section 86.010~~[, as part of any performance based compensation scheme based on the number of voters assisted or in which another person is presented with a quota of voters to be assisted as provided by Section 86.010];~~ or

(2) solicits, receives, or ~~[engages in another practice that causes another person's compensation from or employment status with the person to be dependent on the number of voters assisted as provided by Section 86.010; or~~

~~[(3) with knowledge that accepting compensation for such activity is illegal,]~~ accepts compensation for an activity described by Subdivision (1) ~~[or (2)].~~

(c) An offense under this section is a state jail felony ~~[if it is shown on the trial of an offense under this section that the defendant was previously convicted two or more times under this section].~~

(e) For purposes of this section, compensation means any form of monetary payment, goods, services, benefits, or promises or offers of employment, political favors, beneficial or favorable discretionary official acts, or any other form of consideration offered to another person in exchange for assisting voters.

SECTION 4.05. Section 86.013(b), Election Code, is amended to read as follows:

(b) Spaces must appear on the reverse side of the official carrier envelope for:

(1) indicating the identity and date of the election; ~~[and]~~

(2) entering the signature, printed name, and residence address of a person other than the voter who deposits the carrier envelope in the mail or with a common or contract carrier; and

(3) indicating the manner of any assistance provided by a person assisting the voter, and the relationship of that person to the voter.

ARTICLE 5. FRAUD AND OTHER UNLAWFUL PRACTICES

SECTION 5.01. Chapter 63, Election Code, is amended by adding Section 63.0111 to read as follows:

Sec. 63.0111. OFFENSES RELATED TO PROVISIONAL VOTING. (a) An election judge commits an offense if the judge knowingly provides a voter with a form for an affidavit required by Section 63.001 if the form contains false information that was entered on the form by the judge.

(b) An offense under this section is a state jail felony.

SECTION 5.02. Section 64.012, Election Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) A person commits an offense if the person:

(1) votes or attempts to vote in an election in which the person knows the person is not eligible to vote;

(2) knowingly votes or attempts to vote more than once in an election;

(3) knowingly votes or attempts to vote a ballot belonging to another person, or by impersonating another person; ~~or~~

(4) knowingly marks or attempts to mark any portion of another person's ballot without the consent of that person, or without specific direction from that person how to mark the ballot; or

(5) knowingly votes or attempts to vote in an election in this state after voting in another state in an election in which a federal office appears on the ballot and the election day for both states is the same day.

(c) If conduct that constitutes an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section, the other law, or both.

SECTION 5.03. Sections 276.013(a) and (b), Election Code, are amended to read as follows:

(a) A person commits an offense if the person knowingly or intentionally makes any effort to:

(1) influence the independent exercise of the vote of another in the presence of the ballot or during the voting process, including by altering the ballot of another or by otherwise causing a ballot to not reflect the intent of the voter;

(2) cause a voter to become registered, a ballot to be obtained, or a vote to be cast under false pretenses; ~~or~~

(3) count invalid votes or alter a report to include invalid votes;

(4) fail to count valid votes or alter a report to exclude valid votes; or

(5) ~~(3)~~ cause any intentionally misleading statement, representation, or information to be provided:

(A) to an election official; or

(B) on an application for ballot by mail, carrier envelope, or any other official election-related form or document.

(b) An offense under this section is a state jail felony ~~[Class A misdemeanor]~~.

SECTION 5.04. Chapter 276, Election Code, is amended by adding Sections 276.014, 276.016, 276.017, 276.018, and 276.019 to read as follows:

Sec. 276.014. PAID VOTE HARVESTING. (a) In this section:

(1) "Benefit" means anything reasonably regarded as a gain or advantage, including:

(A) a promise or offer of employment, a political favor, or a favorable discretionary official act; and

(B) a benefit to any other person in whose welfare the beneficiary has an interest.

(2) "Vote harvesting services" means direct interaction with one or more voters in connection with an official ballot, a ballot voted by mail, or an application for ballot by mail, intended to deliver votes for a specific candidate or measure.

(b) A person commits an offense if the person, directly or through a third party, knowingly provides or offers to provide vote harvesting services in exchange for compensation or other benefit.

(c) A person commits an offense if the person, directly or through a third party, knowingly provides or offers to provide compensation or other benefit to a person in exchange for vote harvesting services.

(d) A person commits an offense if the person knowingly collects or possesses a ballot voted by mail or official carrier envelope from a voter in connection with vote harvesting services.

(e) This section does not apply to political speech or other acts merely promoting a candidate or measure that do not involve direct interaction with:

(1) an application for ballot by mail, in the presence of the voter; or

(2) a voter's official ballot, ballot voted by mail, or carrier envelope.

(f) In this section, compensation or other benefit in exchange for vote harvesting services is inferred if a person who performed the vote harvesting services for a candidate or campaign solicits, receives, or is offered compensation from the candidate or campaign, directly or through a third party, for services other than the vote harvesting services provided.

(g) An offense under this section is a felony of the third degree.

(h) If conduct that constitutes an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section, the other law, or both.

Sec. 276.016. UNLAWFUL SOLICITATION AND DISTRIBUTION OF APPLICATION TO VOTE BY MAIL. (a) A public official commits an offense if the official, while acting in an official capacity, knowingly:

(1) solicits the submission of an application to vote by mail from a person who did not request an application;

(2) distributes an application to vote by mail to a person who did not request the application unless the distribution is expressly authorized by another provision of this code;

(3) authorizes or approves the expenditure of public funds to facilitate third-party distribution of an application to vote by mail to a person who did not request the application; or

(4) completes any portion of an application to vote by mail and distributes the application to an applicant.

(b) An offense under this section is a state jail felony.

(c) It is an exception to the application of Subsection (a)(2) that the public official engaged in the conduct described by Subsection (a)(2) by providing access to an application to vote by mail from a publicly accessible Internet website.

(d) It is an exception to the application of Subsection (a)(4) that the public official engaged in the conduct described by Subsection (a)(4) while lawfully assisting the applicant under Section 84.003.

Sec. 276.017. UNLAWFUL DISTRIBUTION OF EARLY VOTING BALLOTS AND BALLOTING MATERIALS. (a) The early voting clerk or other election official commits an offense if the clerk or official knowingly mails or otherwise provides an early voting ballot by mail or other early voting by mail ballot materials to a person who did not submit an application for a ballot to be voted by mail under Section 84.001.

(b) An offense under this section is a state jail felony.

Sec. 276.018. PERJURY IN CONNECTION WITH CERTAIN ELECTION PROCEDURES. (a) A person commits an offense if the person makes a false statement or swears to the truth of a false statement previously made while making the oath described by Section 64.034.

(b) An offense under this section is a state jail felony.

Sec. 276.019. UNLAWFUL ALTERING OF ELECTION PROCEDURES. A public official may not alter, waive, or suspend an election standard, practice, or procedure mandated by law or rule unless the alteration, waiver, or suspension is expressly authorized by this code.

ARTICLE 6. ENFORCEMENT

SECTION 6.01. Subchapter C, Chapter 22, Government Code, is amended by adding Section 22.2235 to read as follows:

Sec. 22.2235. COURT SITTING IN PANELS FOR CERTAIN ELECTION PROCEEDINGS; CRIMINAL OFFENSE. (a) In this section, "public official" has the meaning assigned by Section 1.005(15-a), Election Code.

(b) Notwithstanding any other law or rule, a court proceeding entitled to priority under Section 22.304 and filed in a court of appeals shall be docketed by the clerk of the court and assigned to a panel of three justices determined using an automated assignment system.

(c) A person, including a public official, commits an offense if the person communicates with a court clerk with the intention of influencing or attempting to influence the composition of a three-justice panel assigned a specific proceeding under this section.

(d) An offense under this section is a state jail felony.

SECTION 6.02. Subchapter D, Chapter 22, Government Code, is amended by adding Section 22.304 to read as follows:

Sec. 22.304. PRIORITY OF CERTAIN ELECTION PROCEEDINGS. (a) The supreme court or a court of appeals shall prioritize over any other proceeding pending or filed in the court a proceeding for injunctive relief under Chapter 273, Election Code, based on alleged conduct constituting an offense under Chapter 276, Election Code, pending or filed in the court on or after the 60th day before a general or special election.

(b) The court with jurisdiction over a proceeding described by Subsection (a), on request of any party to the proceeding, shall grant the party the opportunity to present an oral argument and begin hearing the argument as soon as practicable but not later than 24 hours after the time the last brief for the proceeding is due to be filed with the court.

(c) Oral argument for a proceeding described by Subsection (a) may be given in person or through electronic means.

SECTION 6.03. Section 23.101, Government Code, is amended by amending Subsection (a) and adding Subsections (b-1) and (b-2) to read as follows:

(a) Except as provided by Subsection (b-1), the [The] trial courts of this state shall regularly and frequently set hearings and trials of pending matters, giving preference to hearings and trials of the following:

- (1) temporary injunctions;
- (2) criminal actions, with the following actions given preference over other criminal actions:
 - (A) criminal actions against defendants who are detained in jail pending trial;
 - (B) criminal actions involving a charge that a person committed an act of family violence, as defined by Section 71.004, Family Code;
 - (C) an offense under:
 - (i) Section 21.02 or 21.11, Penal Code;
 - (ii) Chapter 22, Penal Code, if the victim of the alleged offense is younger than 17 years of age;
 - (iii) Section 25.02, Penal Code, if the victim of the alleged offense is younger than 17 years of age;
 - (iv) Section 25.06, Penal Code;
 - (v) Section 43.25, Penal Code; or
 - (vi) Section 20A.02(a)(7), 20A.02(a)(8), or 20A.03, Penal Code;
 - (D) an offense described by Article 62.001(6)(C) or (D), Code of Criminal Procedure; and
 - (E) criminal actions against persons who are detained as provided by Section 51.12, Family Code, after transfer for prosecution in criminal court under Section 54.02, Family Code;
- (3) election contests and suits under the Election Code;
- (4) orders for the protection of the family under Subtitle B, Title 4, Family Code;
- (5) appeals of final rulings and decisions of the division of workers' compensation of the Texas Department of Insurance regarding workers' compensation claims and claims under the Federal Employers' Liability Act and the Jones Act;
- (6) appeals of final orders of the commissioner of the General Land Office under Section 51.3021, Natural Resources Code;
- (7) actions in which the claimant has been diagnosed with malignant mesothelioma, other malignant asbestos-related cancer, malignant silica-related cancer, or acute silicosis; and

(8) appeals brought under Section 42.01 or 42.015, Tax Code, of orders of appraisal review boards of appraisal districts established for counties with a population of less than 175,000.

(b-1) The trial courts of this state shall prioritize over any other proceeding pending or filed in the court a proceeding for injunctive relief under Chapter 273, Election Code, based on alleged conduct constituting an offense under Chapter 276, Election Code, pending or filed in the court on or after the 60th day before a general or special election.

(b-2) The court on written request of any party to a case set under Section 23.301 shall hold a hearing on a proceeding described by Subsection (b-1). A hearing under this subsection shall begin as soon as practicable but not later than 24 hours after the court receives the hearing request. The hearing may be held in person or through electronic means.

SECTION 6.04. Chapter 23, Government Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. GENERAL PROVISIONS

Sec. 23.301. ASSIGNMENT OF CERTAIN ELECTION PROCEEDINGS; CRIMINAL OFFENSE. (a) In this section, "public official" has the meaning assigned by Section 1.005(15-a), Election Code.

(b) Notwithstanding any other law or rule, the clerk of a district court in which a proceeding entitled to priority under Section 23.101(b-1) is filed shall docket the proceeding and, if more than one district court in the county has jurisdiction over the proceeding, randomly assign the proceeding to a district court using an automated assignment system.

(c) Notwithstanding any other law or rule, the clerk of a county court or statutory county court in which a proceeding entitled to priority under Section 23.101(b-1) is filed shall docket the proceeding and, if more than one court in the county has jurisdiction over the proceeding, randomly assign the proceeding to a court using an automated assignment system.

(d) A person, including a public official, commits an offense if the person communicates with a county or district clerk with the intention of influencing or attempting to influence the court or judge assigned to a proceeding under this section.

(e) An offense under this section is a state jail felony.

ARTICLE 7. REPEALER; SEVERABILITY; TRANSITION; EFFECTIVE DATE

SECTION 7.01. The following provisions of the Election Code are repealed:

- (1) Section 86.0052(b); and
- (2) Section 86.0105(b).

SECTION 7.02. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 7.03. The changes in law made by this Act apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect when the offense was

committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 7.04. This Act takes effect September 1, 2021.

Floor Amendment No. 2

Amend **CSSB 7** (house committee printing) on page 1, line 12, by striking "and preserve the purity of the ballot box".

Floor Amendment No. 3

Amend **CSSB 7** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 64.031, Election Code, is amended to read as follows:

Sec. 64.031. ELIGIBILITY FOR ASSISTANCE. A voter is eligible to receive assistance in marking or reading the ballot, as provided by this subchapter, if the voter cannot prepare or read the ballot because of:

- (1) a physical disability that renders the voter unable to write or see; or
- (2) an inability to read the language in which the ballot is written.

SECTION _____. Section 64.032, Election Code, is amended by adding Subsection (e) to read as follows:

(e) A person may only provide assistance to a voter who is eligible to receive assistance under Section 64.031.

Floor Amendment No. 4

Amend **CSSB 7** (house committee printing) as follows:

(1) On page 1, lines 16 through 18 and substitute the following:

"(2) minimizing the potential for fraud in elections and enhancing the opportunities to vote strengthen our constitutional democracy and provide for wide-scale confidence in elections;"

(2) On page 1, line 23, between "to" and "combat", insert "make voting more accessible or to".

(3) On page 2, lines 10 and 11, between "to" and "reduce", insert "increase voter access and".

(4) On page 3, line 26, strike "Subsection (g)" and substitute "Subsections (g) and (h)".

(5) On page 4, between lines 4 and 5, insert the following:

"(h) Notwithstanding Subsection (g), a presiding judge may call a law enforcement officer to request that a poll watcher be removed if the poll watcher commits a breach of the peace or a violation of this code."

(6) On page 4, line 14, after the period, insert the following:

"A watcher may not photograph:

- (1) private information;
- (2) the actual ballot; or
- (3) the marking of a ballot."

(7) On page 5, line 3, between "election" and "may", insert "who is available at the time of the action".

(8) On page 7, line 15, between "watcher" and "is", insert "who is available at the time of the action".

(9) On page 16, lines 16 and 17, strike "felony of the third degree" and substitute "Class A misdemeanor".

(10) On page 18, line 5, between "not" and "alter", insert "knowingly".

Floor Amendment No. 5

Amend **CSSB 7** (committee printing) as follows:

(1) On page 9, strike lines 14-16, and renumber the subsections accordingly.

(2) On page 10, strike lines 20-21, and renumber the subsections accordingly.

(3) On page 11, line 6, strike "or"

(4) On page 11, line 11, insert the following:

(3) the voter is a person with a disability whose assistor is a previously known attendant, caregiver, or friend, whether paid or unpaid."

(5) On page 13, lines 5-6, strike "the manner of any assistance provided by a person assisting the voter, and"

(6) On page 17, line 18, insert the following:

(e) It is an exception to the application of Subsection (a) that the public official provided general information about voting by mail, the vote by mail process, or the timelines associated with voting to a person or the public.

Floor Amendment No. 6

Amend **CSSB 7** (house committee printing) as follows:

(1) On page 1, line 24, strike "and".

(2) On page 2, line 5, strike the period and substitute "and ensure that all legally cast ballots are counted. Integral to the right to vote is the assurance of voter access and the right for all votes legally cast to be counted;".

(3) On page 2, between lines 5 and 6, insert the following:

(6) additionally, preventing a valid vote from being counted violates the basic constitutional rights guaranteed to each citizen by the United States Constitution and the law of the land; and

(7) providing for voter access and increasing the stability of a constitutional democracy ensures public confidence in the legitimacy of public officers chosen by election.

(4) On page 2, line 11, between "elections" and the underlined period, insert "promote voter access, and ensure that all lawfully cast votes are counted".

(5) On page 2, strike lines 17 through 23 and renumber subsequent SECTIONS of ARTICLE 1 accordingly.

(6) Add the following appropriately numbered SECTION to ARTICLE 1 of the bill:

SECTION _____. Section 1.018, Election Code, is amended to read as follows:

Sec. 1.018. APPLICABILITY OF PENAL CODE. In addition to Section 1.03, Penal Code, and to other titles of the Penal Code that may apply to this code, Titles 2 and [Title] 4, Penal Code, apply [applies] to offenses prescribed by this code.

(7) Strike page 3, line 27 through page 4, line 4 and substitute the following:

(g) A presiding judge may not have a watcher duly accepted for service under Subchapter A, Chapter 33, removed from the polling place for violating a provision of this code, the Penal Code, or any other provision of law relating to the conduct of elections, unless the violation was observed by an election judge or clerk after the watcher was previously warned that the watcher's conduct violated the law.

(8) On page 4, line 10, between the underlined period and "To", insert "It is the intent of the legislature that watchers duly accepted for service under this chapter be allowed to observe and report on irregularities in the conduct of any election, but may not interfere in the orderly conduct of an election."

(9) On page 4, line 11, between "observe" and "the" insert "without obstructing".

(10) On page 4, line 23, strike "Subsection (e)" and substitute "Subsections (e) and (f)".

(11) On page 4, line 26, between "procedure" and the underlined period, insert "in accordance with Section 33.057"

(12) On page 4, between lines 26 and 27, insert the following:

(f) A watcher who believes that the watcher was unlawfully obstructed from the performance of the watcher's duties may seek injunctive relief under Section 273.081, a writ of mandamus under Section 161.009 or 273.061, and any other remedy available under law.

(13) On page 5, strike line 2 through 6, and substitute the following:

Sec. 33.0605. OBSERVING DATA STORAGE SEALING AND TRANSFER. Notwithstanding any other provision of this code, a watcher duly accepted for service at a polling location is entitled to follow the transfer of election materials from the polling place at which the watcher was accepted to a regional tabulating center, the central counting station, or any other location designated to process election materials. The authority responsible for administering a regional tabulating center or another location where election materials are processed must accept duly appointed watchers for service in the same manner a watcher is accepted for service under Section 33.051 and must accept the same number of watchers that may serve under Section 33.007(a).

(14) On page 5, strike lines 16 through 22 and renumber subsequent SECTIONS of ARTICLE 3 accordingly.

(15) On page 6, line 16, strike "a state" and substitute "an".

(16) On page 6, line 16, between "inspector" and ":", insert "designated by law".

(17) On page 7, line 15, strike "A poll watcher is entitled to observe" and substitute "If a poll watcher duly accepted for service is available at the time of".

(18) On page 7, line 16, between "subsection" and the underlined period, insert ", the watcher is entitled to observe the delivery".

(19) On page 8, line 9, strike "or".

(20) On page 8, between lines 9 and 10, insert the following:

(5) the county chair of a political party conducting a primary election or runoff primary election; or

(21) On page 8, line 10, strike "(5)" and substitute "(6)".

(22) On page 10, lines 12-13, strike "Section 86.010, Election Code, is amended by amending Subsections (e), (h), and (i) and adding Subsection (i-1)" and substitute "Sections 86.010(e), (h), and (i) are amended".

(23) Strike page 11, lines 20-24.

(24) On page 12, strike lines 17 through 21 and substitute the following:

(e) For purposes of this section, compensation means an economic benefit as defined by Section 38.01, Penal Code [~~any form of monetary payment, goods, services, benefits, or promises or offers of employment, or any other form of consideration offered to another person in exchange for assisting voters~~].

(25) On page 14, strike lines 22 and 23 and substitute the following:

(3) count votes that are invalid or should otherwise not be counted under law, fail to count votes that were lawfully cast, or alter a report to include invalid votes;

(26) On page 14, line 25, strike "or".

(27) On page 15, line 3, strike the period and substitute "∴".

(28) On page 15, between lines 3 and 4, insert the following:

(6) prevent a voter from casting a legal ballot in an election in which the voter is eligible to vote; or

(7) provide false information to a voter with the intent of preventing the voter from voting in an election in which the voter is eligible to vote.

(29) On page 16, lines 17 and 18, strike "felony of the third degree" and substitute "state jail felony".

(30) On page 16, line 23, strike "A public official" and substitute "An early voting clerk".

(31) On page 16, line 24, strike "official" and substitute "clerk".

(32) On page 17, line 11, strike "public official" and substitute "early voting clerk".

(33) On page 17, line 15, strike "public official" and substitute "early voting clerk".

(34) On page 17, line 25, strike "state jail felony" and substitute "Class A misdemeanor".

(35) On page 18, strike lines 13-15 and substitute the following:

PROCEEDINGS; CRIMINAL OFFENSE. (a) In this section, "public official" means any person elected, selected, appointed, employed, or otherwise designated as an officer, employee, or agent of this state, a government agency, a political subdivision, or any other public body established by state law.

(36) On page 18, line 26, strike "state jail felony" and substitute "Class A misdemeanor".

(37) On page 19, lines 5 through 7, strike "based on alleged conduct constituting an offense under Chapter 276, Election Code,".

(38) On page 19, line 7, strike "60th" and substitute "70th".

(39) On page 19, line 13, strike "24" and substitute "48".

(40) On page 21, lines 11 through 13, strike "based on alleged conduct constituting an offense under Chapter 276, Election Code,".

(41) On page 21, line 13, strike "60th" and substitute "70th".

(42) On page 21, line 18, strike "24" and substitute "48".

(43) Strike page 21, line 24 through page 22, line 16, and substitute the following:

Sec. 23.301. ASSIGNMENT OF CERTAIN ELECTION PROCEEDINGS. (a) Notwithstanding any other law or rule, the clerk of a district court in which a proceeding entitled to priority under Section 23.101(b-1) is filed shall docket the proceeding and, if more than one district court in the county has jurisdiction over the proceeding, randomly assign the proceeding to a district court using an automated assignment system.

(b) Notwithstanding any other law or rule, the clerk of a county court or statutory county court in which a proceeding entitled to priority under Section 23.101(b-1) is filed shall docket the proceeding and, if more than one court in the county has jurisdiction over the proceeding, randomly assign the proceeding to a court using an automated assignment system.

(c) If a district or county clerk does not comply with this section, a person may seek from the supreme court or a court of appeals a writ of mandamus as provided by Section 273.061 to compel compliance with this section.

(44) Renumber SECTIONS of the bill accordingly.

Floor Amendment No. 7

Amend **CSSB 7** (house committee printing) as follows:

(1) On page 13, strike lines 20-22 and substitute:

(a) A person commits an offense if the person:

(1) votes or attempts to vote in an election if ~~[in which]~~ the person knows:

(A) of particular circumstances that make the person ineligible ~~[is not eligible]~~ to vote in the election; and

(B) that those circumstances make the person ineligible to vote in the election;

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

SECTION _____. The change in law made by this Act applies to an offense under Section 64.012(a)(1), Election Code, regardless of whether the offense was committed before, on, or after the effective date of this Act.

SECTION _____. Chapter 42, Code of Criminal Procedure, is amended by adding Article 42.0194 to read as follows:

Art. 42.0194. FINDING REGARDING FELONY CONVICTION. In the trial of a felony offense, if the defendant is 18 years of age or older and is adjudged guilty of the offense, the court shall:

(1) make an affirmative finding that the person has been found guilty of a felony and enter the affirmative finding in the judgment of the case; and

(2) instruct the defendant regarding how the felony conviction will impact the defendant's right to vote in this state.

Floor Amendment No 9

Amend **CSSB 7** (house committee printing) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES of the bill accordingly:

ARTICLE _____. INTERNET POSTING

SECTION _____.01. Chapter 4, Election Code, is amended by adding Section 4.009 to read as follows:

Sec. 4.009. INTERNET POSTING. (a) Not later than the 21st day before election day, a county that holds or provides election services for an election and maintains an Internet website shall post on its public Internet website for an election administered by the county:

- (1) the date of the election;
- (2) the location of each polling place;
- (3) each candidate for an elected office on the ballot; and
- (4) each measure on the ballot.

(b) Not later than the 21st day before election day, a city or independent school district that holds an election and maintains an Internet website shall post on the public Internet website for the city or independent school district, as applicable:

- (1) the date of the next election;
- (2) the location of each polling place;
- (3) each candidate for an elected office on the ballot; and
- (4) each measure on the ballot.

SECTION ____ .02. Subchapter A, Chapter 65, Election Code, is amended by adding Section 65.016 to read as follows:

Sec. 65.016. INTERNET POSTING OF ELECTION RESULTS. (a) A county that holds or provides election services for an election and maintains an Internet website shall post on its public Internet website for an election administered by the county:

- (1) the results of each election;
- (2) the total number of votes cast;
- (3) the total number of votes cast for each candidate or for or against each measure;
- (4) the total number of votes cast by personal appearance on election day;
- (5) the total number of votes cast by personal appearance or mail during the early voting period; and
- (6) the total number of counted and uncounted provisional ballots cast.

(b) A city or independent school district that holds an election and maintains an Internet website shall post on the public Internet website for the city or independent school district, as applicable:

- (1) the results of each election;
- (2) the total number of votes cast;
- (3) the total number of votes cast for each candidate or for or against each measure;
- (4) the total number of votes cast by personal appearance on election day;
- (5) the total number of votes cast by personal appearance or mail during the early voting period; and
- (6) the total number of counted and uncounted provisional ballots cast.

(c) The information described by Subsections (a) and (b) must be:

- (1) clearly labeled in plain language;
- (2) provided as soon as practicable after the election;
- (3) accessible without having to make more than two selections or view

more than two network locations after accessing the Internet website home page of the county, city, or district, as applicable, for the most recent election; and

(4) accessible without having to make more than four selections or view more than four network locations after accessing the Internet website home page of the county, city, or district, as applicable, for a previous election.

SECTION _____.03. The changes in law made in this article apply only to an election ordered on or after the effective date of this Act. An election ordered before the effective date of this Act is governed by the law in effect when the election was ordered, and the former law is continued in effect for that purpose.

Floor Amendment No. 10

Amend **CSSB 7** (house committee printing) by adding the following appropriately numbered SECTIONS to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION 2.____. Section 2.053(a), Election Code, is amended to read as follows:

(a) On receipt of the certification, the governing body of the political subdivision by order or ordinance shall ~~may~~ declare each unopposed candidate elected to the office. If no election is to be held on election day by the political subdivision, a copy of the order or ordinance shall be posted on election day at each polling place used or that would have been used in the election.

SECTION 2.____. Section 2.056(c), Election Code, is amended to read as follows:

(c) A certifying authority shall ~~may~~ declare a candidate elected to an office of the state or county government if, were the election held, only the votes cast for that candidate in the election for that office may be counted.

SECTION 2.____. Section 52.092(a), Election Code, is amended to read as follows:

(a) Except as provided by Section 2.053(c) or 2.056(e), for ~~For~~ an election at which offices regularly filled at the general election for state and county officers are to appear on the ballot, the offices shall be listed in the following order:

- (1) offices of the federal government;
- (2) offices of the state government:
 - (A) statewide offices;
 - (B) district offices;
- (3) offices of the county government:
 - (A) county offices;
 - (B) precinct offices.

Floor Amendment No. 11

Amend **CSSB 7** (house committee printing) on page 13, lines 14 and 15, by striking "false information that was entered on the form by the judge" and substituting "information that the judge entered on the form knowing it was false".

Floor Amendment No. 12

Amend **CSSB 7** (house committee printing) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES of the bill accordingly:

ARTICLE ____ . DATABASE

SECTION ____ .01. Section 4.003(e), Election Code, is amended to read as follows:

(e) The authority responsible for giving notice of the election shall deliver to the secretary of state:

(1) a copy of the notice of a consolidated precinct required by Subsection (b) not later than the date of the election; and

(2) information for the secretary of state's database of election information under Section 31.017 in an electronic format required by the secretary of state.

SECTION ____ .02. Subchapter A, Chapter 31, Election Code, is amended by adding Sections 31.017 and 31.018 to read as follows:

Sec. 31.017. INTERNET DATABASE OF ELECTION INFORMATION. (a) The secretary of state shall post on the secretary of state's public Internet website a database containing information provided by each authority responsible for giving notice of an election in this state. The database must include the following information:

(1) the name of the authority;

(2) each office to be filled at the election;

(3) whether the office is elected at large or by district; and

(4) the dates of the preceding and next election for the office.

(b) The secretary of state shall adopt rules as necessary to implement this section.

Sec. 31.018. INTERNET DATABASE FOR INCUMBENTS AND CANDIDATES. (a) The secretary of state shall post on the secretary of state's Internet website a database containing information about each holder of and candidate for any elected office in this state.

(b) The database must include the following information about a holder of an elected office:

(1) name;

(2) office title, including any district, place, or position;

(3) if the office is elected at large or by district;

(4) date of the previous and next election for the office;

(5) public mailing address;

(6) public telephone number, if available; and

(7) public e-mail address, if available.

(c) The database must include the following information about a candidate for an elected office:

(1) name;

(2) office sought, including any district, place, or position;

(3) if the office is elected at large or by district;

(4) date of the election;

(5) public mailing address;

(6) public telephone number, if available;

(7) public e-mail address, if available;

(8) name of the incumbent; and

(9) if the candidate has filed as a write-in candidate.

(d) The authority with whom a declaration of candidacy is filed, a state chair of a political party, or the presiding officer of a political party's convention shall provide information about a candidate or officeholder to the secretary of state.

(e) The secretary of state shall adopt rules as necessary to implement this section.

SECTION ____ .03. Section 141.032, Election Code, is amended by adding Subsection (h) to read as follows:

(h) The authority with whom the application is filed shall provide the secretary of state with the candidate's information required for the secretary of state's Internet website under Section 31.018.

Floor Amendment No. 13

Amend **CSSB 7** (house committee report) by adding the following SECTION to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of the ARTICLE appropriately:

SECTION ____ . Section 13.046(h), Election Code, is amended to read as follows:

(h) The secretary of state shall:

(1) consult with the Texas Education Agency regarding the number of registration application forms to provide to each high school;

(2) provide to each high school registration application forms once each fall and spring semester in the number determined from the consultation under Subdivision (1); and

(3) prescribe any additional procedures necessary to implement this section.

Floor Amendment No. 14

Amend **CSSB 7** (house committee printing) by adding the following SECTIONS to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of ARTICLE 2 accordingly:

SECTION ____ . Chapter 86, Election Code, is amended by adding Section 86.015 to read as follows:

Sec. 86.015. **ELECTRONIC TRACKING OF APPLICATION FOR BALLOT VOTED BY MAIL OR BALLOT VOTED BY MAIL.** (a) The secretary of state shall develop or otherwise provide an online tool to each early voting clerk that enables a person who submits an application for a ballot to be voted by mail to track the location and status of the person's application and ballot on the secretary's Internet website and on the county's Internet website if the early voting clerk is the county clerk of a county that maintains an Internet website.

(b) The online tool developed or provided under Subsection (a) must require the voter to provide, before permitting the voter to access information described by that subsection:

(1) the voter's name and registration address and the last four digits of the voter's social security number; and

(2) the voter's:

(A) driver's license number; or

(B) personal identification card number issued by the Department of

Public Safety.

(c) An online tool used under this section must update the applicable Internet website as soon as practicable after each of the following events occurs:

(1) receipt by the early voting clerk of the person's application for a ballot to be voted by mail;

(2) acceptance or rejection by the early voting clerk of the person's application for a ballot to be voted by mail;

(3) placement in the mail by the early voting clerk of the person's official ballot;

(4) receipt by the early voting clerk of the person's marked ballot; and

(5) acceptance or rejection by the early voting ballot board of a person's marked ballot.

(d) The secretary of state shall adopt rules and prescribe procedures as necessary to implement this section.

(e) The information contained in Subsection (c) is not public information for purposes of Chapter 552, Government Code, until after election day.

SECTION _____. Section 87.121, Election Code, as amended by Chapters 1083 (HB 1850) and 1215 (SB 902), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

Sec. 87.121. EARLY VOTING ROSTERS. (a) The early voting clerk shall maintain for each election a roster listing each person who votes an early voting ballot by personal appearance and a roster listing each person to whom an early voting ballot to be voted by mail is sent.

(b) For each person listed, the applicable roster must include:

(1) the person's name, address, and voter registration number;

(2) an identification of the person's county election precinct of registration;

and

(3) the date of voting or the date the ballot was mailed to the person, as applicable.

(c) Each roster shall be updated daily.

(d) Each roster may be maintained in any form approved by the secretary of state.

(e) The clerk shall preserve each roster after the election for the period for preserving the precinct election records.

(f) Information on the roster for a person to whom an early voting mail ballot has been sent is not available for public inspection, except to the voter seeking to verify that the information pertaining to the voter is accurate, until the first business day after election day.

(g) Information on the roster for a person who votes an early voting ballot by personal appearance shall be made available for public inspection as provided by Subsection (i) not later than 11 a.m. on the day after the date the information is entered on the roster under Subsection (c).

(h) Information on the roster for a person who votes an early voting ballot by mail shall be made available for public inspection as provided by Subsection (i) not later than 11 a.m. on the day following the day the early voting clerk receives any [a] ballot voted by mail.

(i) The information under Subsections (g) and (h) must be made available:

- (1) for an election in which the county clerk is the early voting clerk:
 - (A) on the publicly accessible Internet website of the county; or
 - (B) if the county does not maintain a website, on the bulletin board used for posting notice of meetings of the commissioners court; or
- (2) for an election not described by Subdivision (1):
 - (A) on the publicly accessible Internet website of the authority ordering the election; or
 - (B) if the authority ordering the election does not maintain a website, on the bulletin board used for posting notice of meetings of the governing body of the authority.

(j) [(+)] The early voting clerk for a primary election or the general election for state and county officers shall submit to the secretary of state for posting on the secretary of state's Internet website the information described by:

(1) Subsection (g) not later than 11 a.m. on the day after the date the information is entered on the roster under Subsection (c); and

(2) Subsection (h) not later than 11 a.m. on the day following the day the early voting clerk receives any [✱] ballot voted by mail.

(k) The early voting clerk for a primary election or the general election for state and county officers shall submit to the secretary of state for posting on the secretary of state's Internet website the election day information described by Subsections (g) and (h) not later than 11 a.m. on the day after the election.

(l) The early voting clerk for a primary election or the general election for state and county officers shall submit to the secretary of state for posting on the secretary of state's Internet website the final rosters containing information described by Subsections (g) and (h) not later than the 20th day after the date of the local canvass.

(m) [(+)] The secretary of state shall ~~make any early voting roster created under this section available to the public on the secretary's Internet website.~~

~~[(+)]~~ The secretary of state shall post the information described by Subsection (j) [(+)] on the secretary of state's Internet website in a downloadable format not later than 11 a.m. on the day following the day of receipt of the information.

(n) [(+)] The secretary of state shall create a system for an early voting clerk for a primary election or the general election for state and county officers to provide the information to the secretary of state for posting on the secretary of state's Internet website under Subsection (j) [(+)].

SECTION _____. To the extent of any conflict, this Act prevails over another Act of the 87th Legislature, Regular Session, 2021, relating to nonsubstantive additions to and corrections in enacted codes.

Floor Amendment No. 15

Amend **CSSB 7** by adding the following appropriately numbered ARTICLE and renumbering subsequent ARTICLES of the bill accordingly:

ARTICLE _____. CORRECTING MAIL BALLOT DEFECTS

SECTION _____. Section 84.032(c) and (d), Election Code, is amended to read as follows:

(c) An applicant may submit a request after the close of early voting by personal appearance by appearing in person and:

- (1) returning the ballot to be voted by mail to the early voting clerk; or

- (2) executing an affidavit that the applicant:
- (A) has not received the ballot to be voted by mail; ~~[or]~~
 - (B) never requested a ballot to be voted by mail; or
 - (C) received a notice of defect under Section 87.0411(b).

(d) An applicant may also submit a request by appearing in person and returning the ballot to be voted by mail or presenting a notice received under Section 86.006(h) or 87.0411(b) to:

- (1) the early voting clerk or deputy early voting clerk at any polling place that is open for early voting by personal appearance; or
- (2) the presiding election judge on election day at the applicant's precinct polling place.

SECTION _____. Section 87.022, Election Code, is amended to read as follows:

Sec. 87.022. TIME OF DELIVERY: GENERAL RULE. Except as provided by Section 87.0221,~~[87.0222,]~~ 87.023, or 87.024, the materials shall be delivered to the early voting ballot board under this subchapter during the time the polls are open on election day, or as soon after the polls close as practicable, at the time or times specified by the presiding judge of the board.

SECTION _____. Section 87.0221(a), Election Code, is amended to read as follows:

(a) In an election in which regular paper ballots are used for early voting by personal appearance or by mail, the materials may be delivered to the board beginning on the ninth day before the last day of ~~[between the end of]~~ the period for early voting by personal appearance. The early voting clerk shall deliver all early voting ballots voted by mail to the board that have been returned to the clerk by the end of the third day before the last day of the period for early voting by personal appearance, and shall deliver all early voting ballots voted by mail received thereafter to the board at least once per day ~~[and the closing of the polls on election day, or as soon after closing as practicable, at the time or times specified by the presiding judge of the board].~~

SECTION _____. Section 87.024(a), Election Code, is amended to read as follows:

(a) In an election in which early voting votes by personal appearance are cast on voting machines, the jacket envelopes containing the early voting ballots voted by mail may be delivered to the board beginning on the ninth day before the last day of ~~[between the end of]~~ the period for early voting by personal appearance. The early voting clerk shall deliver all early voting ballots voted by mail to the board that have been returned to the clerk by the end of the third day before the last day of the period for early voting by personal appearance, and shall deliver all early voting ballots voted by mail received thereafter to the board at least once per day ~~[and the closing of the polls on election day, or as soon after closing as practicable, at a time specified by the presiding judge of the board].~~

SECTION _____. Section 87.0241(a), Election Code, is amended to read as follows:

(a) The early voting ballot board may determine whether to accept early voting ballots voted by mail in accordance with Section 87.041 at any time after the ballots are delivered to the board except that the board shall determine whether to accept any

early voting ballots voted by mail delivered to the board by the end of the third day before the last day of the period for early voting by personal appearance by the end of the last day of the period for early voting by personal appearance.

SECTION _____. Section 87.027(i), Election Code, is amended to read as follows:

(i) The signature verification committee shall compare the signature on each carrier envelope certificate, except those signed for a voter by a witness, with the signature on the voter's ballot application to determine whether the signatures are those of the voter. The committee may also compare the signatures with any two or more signatures of the voter made within the preceding six years and on file with the county clerk or voter registrar to determine whether the signatures are those of the voter. Except as provided by Subsection (l), a determination under this subsection that the signatures are not those of the voter must be made by a majority vote of the committee's membership. The committee shall place the jacket envelopes, carrier envelopes, and applications of voters whose signatures are not those of the voter in separate containers from those of voters whose signatures are those of the voter. As soon as practicable, but in no event more than one business day, after the committee discovers that a voter did not sign the carrier envelope certificate or determines that the signature on the voter's ballot application or certificate is not that of the voter, the committee chair shall deliver the jacket envelope, carrier envelope, and application of the voter to the early voting ballot board. The committee chair shall deliver the jacket envelopes, carrier envelopes, and applications of voters whose signatures are those of the voter [sorted materials] to the early voting ballot board at the time specified by the board's presiding judge.

SECTION _____. Subchapter C, Chapter 87, Election Code, is amended by adding Section 87.0411 to read as follows:

Sec. 87.0411. OPPORTUNITY TO CORRECT DEFECT: EARLY VOTING BALLOT BOARD. (a) This section applies to an early voting ballot voted by mail:

- (1) for which the voter did not sign the carrier envelope certificate;
- (2) for which it cannot immediately be determined whether the signature on the carrier envelope certificate is that of the voter; or
- (3) that does not contain a statement of residence form if required pursuant to Section 86.002(a).

(b) Before deciding whether to accept or reject a ballot under Section 87.041, the early voting ballot board shall notify a voter within one business day of the discovery of a defect under Subsection (a) to advise the voter of the defect and provide the voter an opportunity to correct the defect by providing:

- (1) if the defect involves the voter's signature:
 - (A) the following identification:
 - (i) the identification number from an unexpired driver's license, election identification certificate, or personal identification card issued to the voter by the Department of Public Safety;
 - (ii) the last four digits of the voter's Social Security number; or
 - (iii) if the voter does not possess any identification described by Subdivisions (i) or (ii), a form of identification described by Section 63.0101; and

(B) a signed cure attestation in a form prescribed by the secretary of state stating that the ballot at issue is that of the voter; or

(2) if the defect involves a required statement of residence form, a signed and completed statement of residence form.

(c) Subsection (b) does not apply if the early voting ballot board determines that it would be impossible to correct the defect before the ninth day after the date of the election.

(d) A voter may submit materials listed under Subsection (b) to the early voting clerk by:

(1) personal delivery;

(2) mail;

(3) e-mail; or

(4) telephonic facsimile machine, if a machine is available in the clerk's office.

(e) The notice under Subsection (b) must:

(1) inform the voter that the voter's vote will not be counted unless the voter submits the materials listed under Subsection (b) not later than the ninth day after the date of the election;

(2) instruct the voter on the methods of returning the materials listed under Subsection (b);

(3) include a copy of the cure attestation or statement of residence in the form prescribed by the secretary of state; and

(4) direct the voter to the location of the cure attestation or statement of residence form on the secretary of state's Internet website.

(f) The early voting ballot board shall provide notice to the voter under Subsection (b) by mail and any other method reasonably calculated to provide sufficient time for the voter to submit the required materials before the deadline prescribed by this section.

(g) The early voting ballot board is not required to provide notice under Subsection (b) if the board makes a determination under Section 87.027(j) that the signature on the carrier envelope certificate and ballot application are those of the voter.

(h) If the early voting ballot board does not provide notice to the voter under Subsection (b) and the ballot meets the requirements of Sections 87.041(b)(1),(3),(4),(5),(6), and (7), the board shall accept the ballot in the manner provided by Section 87.042.

(i) The secretary of state shall:

(1) prominently display and maintain on the main page of the secretary's Internet website a link to blank versions of the statement of residence form and the cure attestation described by Subsection(b); and

(2) adopt rules and prescribe forms as necessary to implement this section.

(j) A statement of residence form or a cure attestation prescribed under this section must include clear instructions for completion and notice of the penalties associated with election fraud and voting more than once in an election. The cure attestation and statement of residence may not require the voter to have the form notarized or signed by a witness.

(k) The signature provided by the voter on a cure attestation or a statement of residence form shall be placed on file with the county clerk or voter registrar to allow its use for future signature comparison as provided by Section 87.027(i) and Section 87.041(e).

SECTION _____. Sections 87.041(b) and (d), Election Code, are amended to read as follows:

(b) Except as provided by Section 87.0411(h), a [A] ballot may be accepted only if:

- (1) the carrier envelope certificate is properly executed;
- (2) neither the voter's signature on the ballot application nor the signature on the carrier envelope certificate is determined to have been executed by a person other than the voter, unless signed by a witness;
- (3) the voter's ballot application states a legal ground for early voting by mail;
- (4) the voter is registered to vote, if registration is required by law;
- (5) the address to which the ballot was mailed to the voter, as indicated by the application, was outside the voter's county of residence, if the ground for early voting is absence from the county of residence;
- (6) for a voter to whom a statement of residence form was required to be sent under Section 86.002(a), the statement of residence is returned in the carrier envelope and indicates that the voter satisfies the residence requirements prescribed by Section 63.0011; and
- (7) the address to which the ballot was mailed to the voter is an address that is otherwise required by Sections 84.002 and 86.003.

(d) Except as provided by Section 87.0411(h), a [A] ballot shall be rejected if any requirement prescribed by Subsection (b) is not satisfied. In that case, the board shall indicate the rejection by entering "rejected" on the carrier envelope and on the corresponding jacket envelope.

SECTION _____. Section 87.0222, Election Code, is repealed.

Floor Amendment No. 16

Amend **CSSB 7** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Sections 276.004(a) and (b), Election Code, are amended to read as follows:

(a) A person commits an offense if, with respect to another person over whom the person has authority in the scope of employment, the person knowingly:

(1) refuses to permit the other person to be absent from work on election day or while early voting is in progress for the purpose of attending the polls to vote; or

(2) subjects or threatens to subject the other person to a penalty for attending the polls on election day or while early voting is in progress to vote.

(b) It is an exception to the application of this section that the person's conduct occurs in connection with an election in which the polls are open on election day or while early voting is in progress for voting for two consecutive hours outside of the voter's working hours.

Floor Amendment No. 17

Amend **CSSB 7** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 15.021, Election Code, is amended by amending Subsections (b) and (d) and adding Subsections (d-1) and (d-2) to read as follows:

(b) Except as provided by Subsection (d), the [The] voter shall use the registration certificate or a registration application form as the notice, indicating the correct information in the appropriate space on the certificate or application form unless the voter does not have possession of the certificate or an application form at the time of giving the notice.

(d) ~~A voter [who continues to reside in the county in which the voter is registered]~~ may correct information under this section by digital transmission of the information under a program administered by the secretary of state and the Department of Information Resources.

(d-1) If the notice indicates that a voter no longer resides in the county in which the voter is registered, the registrar shall forward the notice and the voter's original application for registration to the registrar of the county in which the voter resides. The registrars shall coordinate to ensure that the voter's existing registration is canceled immediately after the voter is registered in the county in which the voter resides in accordance with Subsection (d-2).

(d-2) A registrar who receives a voter's notice and application from another registrar under Subsection (d-1) shall treat it as an original application for registration under Section 13.002, and shall register the voter if the voter resides in the county and is otherwise eligible under Section 13.001.

Floor Amendment No. 18

Amend **CSSB 7** by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Sections 52.031(b) and (c), Election Code, are amended to read as follows:

(b) In combination with the surname, a candidate may use one or more of the following:

- (1) a given name;
- (2) a contraction or familiar form of a given name by which the candidate is known; ~~or~~
- (3) an initial of a given name; or
- (4) a name under which the candidate is known, if the candidate has supplied the required affidavits under Section 141.031(e).

(c) A nickname of one unhyphenated word of not more than 10 letters by which the candidate has been commonly known for at least three years preceding the election may be used in combination with a candidate's name. A nickname that constitutes a slogan or otherwise indicates a political, economic, social, or religious view or affiliation may not be used. A nickname may not be used unless the candidate has complied with the requirements of Section 141.031(e) [executes and files with the application for a place on the ballot an affidavit indicating that the nickname complies with this subsection].

SECTION _____. Section 141.031, Election Code, is amended by amending Subsection (a) and adding Subsections (e) and (f) to read as follows:

(a) A candidate's application for a place on the ballot that is required by this code must:

(1) be in writing;

(2) be signed and sworn to before a person authorized to administer oaths in this state by the candidate and indicate the date that the candidate swears to the application;

(3) be timely filed with the appropriate authority; and

(4) include:

(A) the candidate's name, and if the candidate is seeking to run under a name other than the candidate's surname acquired by law or marriage and given name, or a contraction or familiar form of a given name by which the candidate is known or an initial of a given name, the affidavits required by Subsection (e);

(B) the candidate's occupation;

(C) the office sought, including any place number or other distinguishing number;

(D) an indication of whether the office sought is to be filled for a full or unexpired term if the office sought and another office to be voted on have the same title but do not have place numbers or other distinguishing numbers;

(E) a statement that the candidate is a United States citizen;

(F) a statement that the candidate has not been determined by a final judgment of a court exercising probate jurisdiction to be:

(i) totally mentally incapacitated; or

(ii) partially mentally incapacitated without the right to vote;

(G) a statement that the candidate has not been finally convicted of a felony from which the candidate has not been pardoned or otherwise released from the resulting disabilities;

(H) the candidate's date of birth;

(I) the candidate's residence address or, if the residence has no address, the address at which the candidate receives mail and a concise description of the location of the candidate's residence;

(J) the candidate's length of continuous residence in the state and in the territory from which the office sought is elected as of the date the candidate swears to the application;

(K) the statement: "I, _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the constitution and laws of the United States and of the State of Texas";

(L) a statement that the candidate is aware of the nepotism law, Chapter 573, Government Code; and

(M) a public mailing address at which the candidate receives correspondence relating to the candidate's campaign, if available, and an electronic mail address at which the candidate receives correspondence relating to the candidate's campaign, if available.

(e) A candidate seeking to have placed on the ballot a name other than the candidate's surname acquired by law or marriage and given name, or a contraction or familiar form of a given name by which the candidate is known or an initial of a given name, must include with the application 50 affidavits, each:

(1) signed by a person eligible to vote in the election for which the candidate is applying; and

(2) stating that the candidate is known to the person signing the affidavit by the name under which the candidate is seeking to run.

(f) A person who gives false information in order to acquire the affidavits required by Subsection (e) or who induces a person to sign a false affidavit submitted under Subsection (e) is liable to the state for a civil penalty in an amount not to exceed \$10,000. A suit brought under this subsection shall be advanced for trial and determined as expeditiously as possible. No postponement or continuance shall be granted except for reasons considered imperative by the court.

SECTION _____. The change in law made by this Act applies only to an application for a ballot to be voted by mail submitted on or after the effective date of this Act. An application for a ballot to be voted by mail submitted before the effective date of this Act is governed by the law in effect when the application was submitted, and the former law is continued in effect for that purpose.

Floor Amendment No. 19

Amend **CSSB 7** (house committee printing) as follows:

(1) On page 9, line 15, between "voter" and the underlined semicolon, insert "under Section 64.031".

(2) On page 9, line 16, strike "; and" and substitute "under Section 64.031";".

(3) On page 9, line 17, strike "assistant" and substitute "person assisting the voter".

(4) On page 9, line 17, between "voter" and the underlined period, insert the following:
; and

(5) whether the person assisting the voter received or accepted any form of compensation or other benefit from a candidate, campaign, or political committee in exchange for providing assistance

(5) On page 10, line 3, between "that" and "I", insert the following:
the voter I am assisting is eligible to receive assistance because of a physical disability that renders the voter unable to write or see or to read the language in which the ballot is written;

(6) On page 10, lines 5 through 8, strike "answering the voter's questions, to stating propositions on the ballot, and to naming candidates and, if listed, their political parties; I will prepare the voter's ballot as the voter directs;" and substitute "reading the ballot to the voter, directing the voter to read the ballot, marking the voter's ballot, or directing the voter to mark the ballot; [answering the voter's questions, to stating propositions on the ballot, and to naming candidates and, if listed, their political parties; I will prepare the voter's ballot as the voter directs;]".

(7) On page 10, line 9, strike "and".

(8) On page 10, line 11, between "belongs" and the period, insert the following:

; I will not communicate information about how the voter has voted to another person; and I understand that if assistance is provided to a voter who is not eligible for assistance, the voter's ballot may not be counted

(9) On page 10, line 21, between "person" and the underlined semicolon, insert "under Section 64.031".

(10) On page 10, line 23, between "voter" and the underlined semicolon, insert "under Section 64.031".

Floor Amendment No. 20

Amend **CSSB 7** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of that article accordingly:

SECTION 2. _____. Sections 43.007(c) and (d), Election Code, are amended to read as follows:

(c) In conducting the program, the secretary of state shall provide for an audit of the voting system equipment [~~direct recording electronic voting units~~] before and after the election, and during the election to the extent such an audit is practicable.

(d) The secretary of state shall select to participate in the program each county that:

(1) has held a public hearing under Subsection (b);

(2) has submitted documentation listing the steps taken to solicit input on participating in the program by organizations or persons who represent the interests of voters;

(3) has implemented a computerized voter registration list that allows an election officer at the polling place to verify that a voter has not previously voted in the election;

(4) uses direct recording electronic voting machines, ballot marking devices, or hand-marked scannable paper ballots that are printed and scanned at the polling place or any other type of voting system equipment that the secretary of state determines is capable of processing votes for each type of ballot to be voted in the county; and

(5) is determined by the secretary of state to have the appropriate technological capabilities.

The amendments were read.

Senator Hughes moved that the Senate do not concur in the House amendments, 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 7** before appointment.

There were no motions offered.

The President announced the appointment of the following conferees on the part of the Senate: Senators Hughes, Chair; Buckingham, Bettencourt, Kolkhorst, and Powell.

SENATE BILL 1947 ON SECOND READING

On motion of Senator Springer and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1947** at this time on its second reading:

SB 1947, Relating to the time for the issuance of municipal building permits.

The bill was read second time.

Senator Hughes offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1947** (senate committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 212.009, Local Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Unless specifically authorized by another law of this state, a municipal planning commission or the governing body of the municipality may not:

(1) require a person to submit or obtain approval of any document or fulfill any other prerequisites or conditions before the person files a copy of the plan or plat with the municipal planning commission or governing body; or

(2) refuse to accept a filed copy of the plan or plat.

SECTION _____. Section 212.009(a-1), Local Government Code, as added by this Act, applies only to a plan or plat application filed on or after the effective date of this Act.

The amendment to **SB 1947** 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.

SB 1947 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.

SENATE BILL 1947 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 1947** 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 1388 ON SECOND READING**

On motion of Senator Huffman, on behalf of Senator Creighton, and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1388** at this time on its second reading:

CSSB 1388, Relating to the unlawful disclosure of an autopsy image or other visual depiction; creating a criminal offense.

The bill was read second time.

Senator Huffman, on behalf of Senator Creighton, offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1388** (senate committee report) in SECTION 1 of the bill as follows:

(1) In added Section 42.076(b)(1)(A), Penal Code (page 1, line 40), following the underlined semicolon, strike "or".

(2) Following added Section 42.076(b)(1)(B), Penal Code (page 1, between lines 42 and 43), insert the following:

(C) a legitimate medical, educational, research, scientific, investigational, forensic, or academic proceeding; or

The amendment to **CSSB 1388** 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 1388 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 1388 ON THIRD READING**

Senator Huffman, on behalf of Senator Creighton, moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1388** 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 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 105 to Committee on Health & Human Services.
HB 162 to Committee on Jurisprudence.
HB 244 to Committee on Education.
HB 285 to Committee on Criminal Justice.
HB 318 to Committee on Natural Resources & Economic Development.
HB 332 to Committee on Education.
HB 372 to Committee on Criminal Justice.
HB 396 to Committee on Business & Commerce.
HB 461 to Committee on Criminal Justice.
HB 544 to Committee on Health & Human Services.
HB 558 to Committee on Criminal Justice.
HB 572 to Committee on Education.
HB 578 to Committee on Health & Human Services.
HB 639 to Committee on Local Government.
HB 643 to Committee on Business & Commerce.
HB 740 to Committee on State Affairs.
HB 757 to Committee on Criminal Justice.
HB 783 to Committee on Local Government.
HB 834 to Committee on Jurisprudence.
HB 929 to Committee on Jurisprudence.
HB 1157 to Committee on State Affairs.
HB 1193 to Committee on Jurisprudence.
HB 1294 to Committee on Transportation.
HB 1302 to Committee on Education.
HB 1306 to Committee on Criminal Justice.
HB 1400 to Committee on Criminal Justice.
HB 1476 to Committee on Local Government.
HB 1480 to Committee on Water, Agriculture & Rural Affairs.
HB 1493 to Committee on State Affairs.
HB 1507 to Committee on Transportation.
HB 1516 to Committee on Health & Human Services.
HB 1524 to Committee on Health & Human Services.
HB 1530 to Committee on Higher Education.
HB 1548 to Committee on State Affairs.
HB 1564 to Committee on Local Government.
HB 1586 to Committee on Business & Commerce.
HB 1591 to Committee on Business & Commerce.
HB 1631 to Committee on Water, Agriculture & Rural Affairs.
HB 1633 to Committee on Health & Human Services.
HB 1664 to Committee on Health & Human Services.
HB 1678 to Committee on Health & Human Services.
HB 1709 to Committee on Jurisprudence.
HB 1754 to Committee on Education.
HB 1793 to Committee on Business & Commerce.
HB 1802 to Committee on Veteran Affairs & Border Security.
HB 1852 to Committee on Business & Commerce.

HB 1907 to Committee on Business & Commerce.
HB 1914 to Committee on Health & Human Services.
HB 1971 to Committee on Finance.
HB 2001 to Committee on Jurisprudence.
HB 2022 to Committee on Education.
HB 2027 to Committee on Local Government.
HB 2108 to Committee on Jurisprudence.
HB 2134 to Committee on Business & Commerce.
HB 2156 to Committee on Administration.
HB 2169 to Committee on State Affairs.
HB 2179 to Committee on State Affairs.
HB 2182 to Committee on State Affairs.
HB 2183 to Committee on State Affairs.
HB 2222 to Committee on Transportation.
HB 2236 to Committee on Local Government.
HB 2281 to Committee on State Affairs.
HB 2290 to Committee on Criminal Justice.
HB 2357 to Committee on Criminal Justice.
HB 2365 to Committee on Health & Human Services.
HB 2371 to Committee on Local Government.
HB 2384 to Committee on Criminal Justice.
HB 2409 to Committee on Health & Human Services.
HB 2416 to Committee on State Affairs.
HB 2424 to Committee on Business & Commerce.
HB 2435 to Committee on Transportation.
HB 2448 to Committee on Jurisprudence.
HB 2485 to Committee on Jurisprudence.
HB 2554 to Committee on Education.
HB 2607 to Committee on Natural Resources & Economic Development.
HB 2675 to Committee on State Affairs.
HB 2681 to Committee on Education.
HB 2696 to Committee on Finance.
HB 2710 to Committee on Water, Agriculture & Rural Affairs.
HB 2726 to Committee on Local Government.
HB 2740 to Committee on Veteran Affairs & Border Security.
HB 2746 to Committee on Criminal Justice.
HB 2756 to Committee on Education.
HB 2795 to Committee on Criminal Justice.
HB 2815 to Committee on Veteran Affairs & Border Security.
HB 2864 to Committee on Criminal Justice.
HB 2914 to Committee on Local Government.
HB 2947 to Committee on Local Government.
HB 2975 to Committee on Education.
HB 3009 to Committee on State Affairs.
HB 3034 to Committee on Local Government.
HB 3057 to Committee on Business & Commerce.

HB 3068 to Committee on Transportation.
HB 3110 to Committee on Criminal Justice.
HB 3126 to Committee on Jurisprudence.
HB 3140 to Committee on Local Government.
HB 3141 to Committee on Business & Commerce.
HB 3157 to Committee on Criminal Justice.
HB 3216 to Committee on State Affairs.
HB 3221 to Committee on State Affairs.
HB 3264 to Committee on Natural Resources & Economic Development.
HB 3266 to Committee on Business & Commerce.
HB 3286 to Committee on Transportation.
HB 3340 to Committee on Local Government.
HB 3363 to Committee on Criminal Justice.
HB 3375 to Committee on Finance.
HB 3385 to Committee on State Affairs.
HB 3416 to Committee on Natural Resources & Economic Development.
HB 3433 to Committee on State Affairs.
HB 3436 to Committee on Local Government.
HB 3438 to Committee on Local Government.
HB 3503 to Committee on State Affairs.
HB 3531 to Committee on Transportation.
HB 3533 to Committee on Transportation.
HB 3557 to Committee on Education.
HB 3598 to Committee on Criminal Justice.
HB 3617 to Committee on Business & Commerce.
HB 3630 to Committee on Transportation.
HB 3635 to Committee on Natural Resources & Economic Development.
HB 3658 to Committee on Finance.
HB 3691 to Committee on Health & Human Services.
HB 3697 to Committee on Natural Resources & Economic Development.
HB 3720 to Committee on Health & Human Services.
HB 3740 to Committee on Health & Human Services.
HB 3750 to Committee on Water, Agriculture & Rural Affairs.
HB 3767 to Committee on Higher Education.
HB 3802 to Committee on Water, Agriculture & Rural Affairs.
HB 3838 to Committee on Business & Commerce.
HB 3880 to Committee on Education.
HB 3889 to Committee on Education.
HB 3906 to Committee on State Affairs.
HB 3916 to Committee on Business & Commerce.
HB 3920 to Committee on State Affairs.
HB 3929 to Committee on Education.
HB 3941 to Committee on Business & Commerce.
HB 3951 to Committee on Business & Commerce.
HB 3957 to Committee on Transportation.
HB 3964 to Committee on Business & Commerce.

HB 3973 to Committee on Finance.
HB 3985 to Committee on Criminal Justice.
HB 3986 to Committee on Jurisprudence.
HB 4058 to Committee on Health & Human Services.
HB 4107 to Committee on State Affairs.
HB 4110 to Committee on Natural Resources & Economic Development.
HB 4124 to Committee on Education.
HB 4176 to Committee on Natural Resources & Economic Development.
HB 4179 to Committee on Local Government.
HB 4338 to Committee on Criminal Justice.
HB 4361 to Committee on Higher Education.
HB 4368 to Committee on Finance.
HB 4472 to Committee on Natural Resources & Economic Development.
HB 4486 to Committee on Criminal Justice.
HB 4525 to Committee on Education.
HB 4535 to Committee on Transportation.
HB 4539 to Committee on Transportation.
HB 4545 to Committee on Education.
HB 4555 to Committee on State Affairs.
HB 4580 to Committee on Local Government.
HB 4584 to Committee on Local Government.
HB 4589 to Committee on Local Government.
HB 4590 to Committee on Local Government.
HB 4591 to Committee on Local Government.
HB 4597 to Committee on Local Government.
HB 4605 to Committee on Local Government.
HB 4615 to Committee on Local Government.
HB 4616 to Committee on Local Government.
HB 4617 to Committee on Local Government.
HB 4619 to Committee on Local Government.
HB 4623 to Committee on Local Government.
HB 4624 to Committee on Local Government.
HB 4627 to Committee on Local Government.
HB 4628 to Committee on Local Government.
HB 4629 to Committee on Local Government.
HB 4630 to Committee on Local Government.
HB 4634 to Committee on Local Government.
HB 4635 to Committee on Local Government.
HB 4638 to Committee on Local Government.
HB 4639 to Committee on Local Government.
HB 4641 to Committee on Local Government.
HB 4642 to Committee on Local Government.
HB 4645 to Committee on Local Government.
HB 4647 to Committee on Local Government.
HB 4648 to Committee on Local Government.
HB 4649 to Committee on Local Government.

HB 4650 to Committee on Water, Agriculture & Rural Affairs.
HB 4652 to Committee on Local Government.
HB 4654 to Committee on Local Government.
HB 4658 to Committee on Local Government.
HB 4659 to Committee on Local Government.
HB 4662 to Committee on Local Government.
HB 4663 to Committee on Local Government.
HB 4664 to Committee on Local Government.
HB 4665 to Committee on Local Government.
HB 4667 to Committee on Local Government.
HCR 1 to Committee on State Affairs.
HCR 5 to Committee on Administration.
HCR 7 to Committee on Administration.
HCR 23 to Committee on Administration.
HCR 54 to Committee on Health & Human Services.
HCR 66 to Committee on Administration.
HCR 67 to Committee on Administration.
HCR 84 to Committee on Administration.
HCR 103 to Committee on Administration.

REPORT OF COMMITTEE ON NOMINATIONS

Senator Buckingham submitted the following report from the Committee on Nominations:

We, your Committee on Nominations, to which were referred the following appointments, have had same under consideration and report them back to the Senate with a recommendation that they be confirmed:

Member, Board of Directors, Angelina and Neches River Authority: Robert Edward Hopkins, Jasper County.

Members, Board, Texas Department of Motor Vehicles: Christian Alexis Alvarado, Travis County; Sharla Lewis Omumu, Harris County.

Members, Commission on Jail Standards: Ross Garrick Reyes, Collin County; Kelly Shane Rowe, Lubbock County.

Member, Correctional Managed Health Care Committee: Erin Holt, Fannin County.

Members, Council on Sex Offender Treatment: Ezio DaRosa Leite, Tarrant County; Emily Gray Orozco-Crousen, Taylor County.

Member, Finance Commission of Texas: Deborah Sue Scanlon, Fort Bend County.

Members, Governing Board, Texas Civil Commitment Office: Rona Kay Stratton Gouyton, Tarrant County; Kathryn Elaine McClure, Harris County.

Members, Governing Board, Texas School for the Deaf: Erin Colleen Cockerham-O'Donnell, Wilbarger County; Dina Lynne Moore, Williamson County; Darlene J. Nobles, McLennan County.

Members, Board of Directors, Lower Colorado River Authority: Melissa Kay Blanding, Hays County; Joseph Michael Crane, Matagorda County; Carol Gregoire Freeman, Llano County; Martha Leigh Miller Whitten, San Saba County.

Administrator, Nonresident Violator Compact: Sheri Sanders Gipson, Williamson County.

Members, Board of Directors, Nueces River Authority: Eric Lee Burnett, San Patricio County; Karin Elizabeth Knolle, Jim Wells County; Stacy Lynn Meuth, Wilson County.

Inspector General, Office of Inspector General, Health and Human Services Commission: Sylvia Hernandez Kauffman, Travis County.

Member, Prepaid Higher Education Tuition Board: Judy Helen Treviño, Bexar County.

Member, Product Development and Small Business Incubator Board: Kimberly Marusak Gramm, Lubbock County.

Member, Real Estate Research Advisory Committee: Patrick Geddes, Collin County.

Member, Board of Directors, San Jacinto River Authority: Billie Ruth Buick, Montgomery County.

Member, Board of Directors, State Bar of Texas: G. Michael Vasquez, Travis County.

Member, State Board for Educator Certification: Rex William Gore, Travis County.

Members, State Board of Dental Examiners: Yvonne Elizabeth Maldonado, El Paso County; Robert Gordon McNeill, Dallas County; Margo Yvette Melchor, Harris County; Marquita F. Pride, Denton County.

Member, State Board of Veterinary Medical Examiners: Raquel R. Olivier, Harris County.

Members, State Employee Charitable Campaign Policy Committee: Brent Daniel Connett, Travis County; Alicia Gray Key Ellison, Hays County; Vanessa Lee Cortez Tanner, Travis County.

Members, Board of Regents, The Texas A&M University System: Robert Leak Albritton, Tarrant County; James Randal Brooks, Tom Green County; William Mahomes, Dallas County.

Members, Texas Board of Chiropractic Examiners: Sarah Thomas Abraham, Fort Bend County; Brandon Matthew Allen, Travis County; Nicholas Shelby Baucum, Nueces County; Mark Richard Bronson, Parker County; Michael Paul Henry, Travis County; Scott Dale Wofford, Taylor County.

Members, Texas Board of Criminal Justice: Rodney Dale Burrow, Camp County; Molly Meredith Francis, Dallas County; Faith Simmons Johnson, Dallas County; Eric James Roy Nichols, Travis County; Derrelynn Perryman, Tarrant County.

Members, Texas Board of Medical Radiologic Technology: Nicholas Marc Beckmann, Harris County; Scott Alan Morren, Hockley County; Shaila Danielle Parker, Dallas County.

Members, Texas Board of Nursing: Daryl Chambers, Tarrant County; Laura Alicia Disque, Hidalgo County; Allison Porter Edwards, Harris County; Carol Kay Hawkins-Garcia, Bexar County; Kenneth David Johnson, Tom Green County; Kathy Lynette Leader-Horn, Hood County; Tamara Georgeann Williams Rhodes, Randall County; David Edward Saucedo, El Paso County; Melissa D. Schat, Hood County; Rickey Kendell Williams, Bell County.

Members, Texas Commission on Law Enforcement: Patricia Garza Burruss, Collin County; Michael Wayne Griffis, Ector County.

Members, Board, Texas Department of Housing and Community Affairs: Brandon Aubrey Batch, Midland County; Kenny Ewell Marchant, Dallas County.

Member, Texas Diabetes Council: Gary Lee Francis, Bexar County.

Member, Texas Facilities Commission: Brian Allen Bailey, Travis County.

Members, Texas Funeral Service Commission: Larry Michael Allen, Dallas County; Timothy Ray Brown, Hidalgo County.

Members, Texas Higher Education Coordinating Board: Fred Farias, Hidalgo County; Emma W. Schwartz, El Paso County; R. Sam Torn, Harris County.

Members, Texas Historical Commission: Donna McDaniel Bahorich, Harris County; James Edward Bruseh, Hays County; John Walter Crain, Dallas County; Rupa Dutia, Dallas County; Gilbert Eric Peterson, Brewster County.

Members, Texas Optometry Board: Judith Ann Chambers, Hays County; John Todd Purvis Cornett, Potter County; Ronald Lee Hopping, Galveston County; Carey Aston Patrick, Collin County; Rene Daniel Pena, El Paso County; Meghan Anne Schutte, Travis County.

Members, Texas Physician Assistant Board: Steve Saeed Ahmed, Howard County; Clayton Partick Bulls, Taylor County; Karrie Lynn Crosby, McLennan County; Melinda Anne Moore Gottschalk, Williamson County; Victor Shen-Pou Ho, Harris County; Sandra Longoria, Cameron County; Gregory Spencer Rowin, Cameron County; Andrew William Sauer, Randall County; Laura Lillian Shipley, Travis County.

Members, Board of Directors, Texas Public Finance Authority: Larry Gene Holt, Brazos County; Ramon Manning, Harris County.

Members, Board of Regents, Texas Southern University: James Matthew Benham, Brazos County; Caroline Baker Hurley, Harris County; Stephanie Nellons-Paige, Harris County; Marilyn Agatha Rose, Harris County; Mary Evans Sias, Dallas County.

Member, Texas State Board of Acupuncture Examiners: Rey Ximenes, Burnet County.

Members, Texas State Board of Plumbing Examiners: James Ronald Ainsworth, Kendall County; William Karl Klock, Travis County; Thomas J. MacDonald, Kerr County; Mark George Savasta, Harris County.

Member, Texas State Board of Social Worker Examiners: Katie Andrade, Titus County.

Members, Board of Regents, Texas Tech University System: Arcilia Carrasco Acosta, Tarrant County; Cody Cagle Campbell, Tarrant County; Patrick Robert Gordan, El Paso County.

Members, Board of Regents, Texas Woman's University: Wanda Shepard, Parker County; Crystal Clay Wright, Harris County.

Members, Board of Regents, The University of Texas System: Robert Stephen Hicks, Travis County; Nolan Edward Perez, Cameron County; Stuart West Stedman, Harris County.

NOTICE OF CONSIDERATION OF NOMINATIONS

Senator Buckingham gave notice that tomorrow she would submit to the Senate for consideration nominations to agencies, boards, and commissions of the state.

COMMITTEE SUBSTITUTE SENATE BILL 2094 ON SECOND READING

Senator Taylor moved to suspend the regular order of business to take up for consideration **CSSB 2094** at this time on its second reading:

CSSB 2094, Relating to the assessment of public school students, providing accelerated instruction for students who fail to achieve satisfactory performance on certain assessment instruments, and an accelerated learning and sustainment outcomes bonus allotment under the foundation school program.

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

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

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

Absent-excused: Creighton.

The bill was read second time.

Question: Shall **CSSB 2094** be passed to engrossment?

AT EASE

The President at 4:37 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

The President at 4:50 p.m. called the Senate to order as In Legislative Session.

Question: Shall **CSSB 2094** be passed to engrossment?

CSSB 2094 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: Blanco, Eckhardt, Johnson, Menéndez, Miles, Powell.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
SENATE BILL 2094 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 **CSSB 2094** 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, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Springer, Taylor, West, Whitmire, Zaffirini.

Nays: Eckhardt, Johnson, Menéndez, Miles, Powell.

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 6.

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

Nays: Blanco, Eckhardt, Johnson, Menéndez, Miles, Powell.

Absent-excused: Creighton.

BILLS AND RESOLUTIONS SIGNED

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

SCR 1, SCR 11, SCR 17, SCR 43.

HB 773, HB 1957, HB 2390, HB 2431, HB 3399, HJR 125.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Kolkhorst and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Health and Human Services might meet tomorrow in the Senate press room, 2E.9.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Taylor and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Education might meet and consider **HB 2519** tomorrow.

**SENATE RULE 11.10(a) SUSPENDED
(Public Notice of Committee Meetings)**

On motion of Senator Hughes and by unanimous consent, Senate Rule 11.10(a) was suspended in order that the Committee on State Affairs might meet in the Betty King Committee Room, 2E.21, today.

**SENATE RULES SUSPENDED
(Tag Rule and Posting Rule)**

Senator Hughes moved to suspend Senate Rule 11.19 and Senate Rule 11.18(a) in order that the Committee on State Affairs might meet and consider **HB 3979** today.

The motion prevailed by a viva voce vote.

All Members are deemed to have voted "Yea" on the motion to suspend except as follows:

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

Absent-excused: Creighton.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Campbell, on behalf of Senator Nelson, and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Finance might meet and consider **HB 2625** tomorrow in Room E1.036.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Hancock and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Business and Commerce might meet and consider the following bills tomorrow:

HB 1659, HB 3115, HB 3374, HB 3388, HB 2911, HB 3897, HB 3617.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Whitmire and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Criminal Justice might meet and consider the following bills tomorrow:

HB 217, HB 225, HB 275, HB 385, HB 1126, HB 1127, HB 1156, HB 2315.

CO-AUTHOR OF SENATE BILL 1084

On motion of Senator Powell, Senator Eckhardt will be shown as Co-author of **SB 1084**.

CO-AUTHOR OF SENATE BILL 1614

On motion of Senator Bettencourt, Senator Taylor will be shown as Co-author of **SB 1614**.

CO-AUTHOR OF SENATE BILL 2094

On motion of Senator Taylor, Senator Bettencourt will be shown as Co-author of **SB 2094**.

CO-AUTHOR OF SENATE BILL 2247

On motion of Senator Huffman, Senator Creighton will be shown as Co-author of **SB 2247**.

CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 50

On motion of Senator Campbell, Senator Blanco will be shown as Co-author of **SCR 50**.

CO-SPONSOR OF HOUSE BILL 15

On motion of Senator Kolkhorst, Senator Alvarado will be shown as Co-sponsor of **HB 15**.

CO-SPONSORS OF HOUSE BILL 19

On motion of Senator Taylor, Senators Bettencourt, Buckingham, Creighton, Hall, Hinojosa, Huffman, Hughes, Nichols, Paxton, Schwertner, and Springer will be shown as Co-sponsors of **HB 19**.

CO-SPONSOR OF HOUSE BILL 133

On motion of Senator Kolkhorst, Senator Alvarado will be shown as Co-sponsor of **HB 133**.

CO-SPONSOR OF HOUSE BILL 135

On motion of Senator Miles, Senator Zaffirini will be shown as Co-sponsor of **HB 135**.

CO-SPONSORS OF HOUSE BILL 315

On motion of Senator Hughes, Senators Powell and Zaffirini will be shown as Co-sponsors of **HB 315**.

CO-SPONSOR OF HOUSE BILL 402

On motion of Senator Alvarado, Senator Zaffirini will be shown as Co-sponsor of **HB 402**.

CO-SPONSOR OF HOUSE BILL 686

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

CO-SPONSOR OF HOUSE BILL 1382

On motion of Senator Hughes, Senator Zaffirini will be shown as Co-sponsor of **HB 1382**.

CO-SPONSORS OF HOUSE BILL 1919

On motion of Senator Schwertner, Senators Hughes, Perry, and Springer will be shown as Co-sponsors of **HB 1919**.

CO-SPONSOR OF HOUSE BILL 2171

On motion of Senator Creighton, Senator Zaffirini will be shown as Co-sponsor of **HB 2171**.

CO-SPONSOR OF HOUSE BILL 2219

On motion of Senator Nichols, Senator Hinojosa will be shown as Co-sponsor of **HB 2219**.

CO-SPONSOR OF HOUSE BILL 2343

On motion of Senator Whitmire, Senator Zaffirini will be shown as Co-sponsor of **HB 2343**.

CO-SPONSOR OF HOUSE BILL 2593

On motion of Senator Johnson, Senator Hinojosa will be shown as Co-sponsor of **HB 2593**.

CO-SPONSOR OF HOUSE BILL 3165

On motion of Senator Whitmire, Senator Zaffirini will be shown as Co-sponsor of **HB 3165**.

CO-SPONSOR OF HOUSE BILL 3476

On motion of Senator Bettencourt, Senator Campbell will be shown as Co-sponsor of **HB 3476**.

CO-SPONSOR OF HOUSE BILL 3512

On motion of Senator Schwertner, Senator Hinojosa will be shown as Co-sponsor of **HB 3512**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SCR 51 by Hughes, Alvarado, Bettencourt, Birdwell, Blanco, Buckingham, Campbell, Creighton, Eckhardt, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Powell, Schwertner, Seliger, Springer, Taylor, West, Whitmire, and Zaffirini, In memory of Sara "Sally" Sandlin Ratliff of Mount Pleasant.

SR 419 by Lucio, In memory of James T. Willerson.

SR 421 by Lucio, In memory of Adolph Weldon Bannert Jr.

SR 422 by Lucio, In memory of Joe A. Rodriguez.

SR 423 by Lucio, In memory of Jamie Rutherford Munal.

SR 424 by Lucio, In memory of Modesto "Mo" Garcia.

SR 425 by Eckhardt, In memory of Margaret Wright.

SR 426 by Eckhardt, In memory of Amanda Denise Broderick.

SR 427 by Eckhardt, In memory of Alyssa Marie Broderick.

SR 428 by Eckhardt, In memory of Willie Moses Simmons III.

Congratulatory Resolutions

SR 414 by Kolkhorst, Recognizing Janet Moerbe for her service to La Grange.

SR 415 by Schwertner, Recognizing Jonathan Macias for receiving a Lifesaving Award from the Texas Public Safety Commission.

SR 416 by Schwertner, Recognizing Writ Baese for his service to Round Rock.

SR 417 by Powell, Recognizing Faye Beaulieu for her service on the Hurst-Eules-Bedford Independent School District Board of Trustees.

SR 418 by Powell, Recognizing Karen Shira on the occasion of her retirement.

SR 420 by Lucio, Recognizing the Valley Environmental Coalition for its efforts to promote and maintain ecosystems in South Texas.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 5:15 p.m. adjourned, in memory of Enrique Moreno, 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 17, 2021

LOCAL GOVERNMENT — **HB 1925**

JURISPRUDENCE — **CSHB 1540, CSHB 20**

CRIMINAL JUSTICE — **CSHB 39**

HEALTH AND HUMAN SERVICES — **CSHB 549, CSHB 3961**

TRANSPORTATION — **HB 1321, HB 2219, HB 2521, HB 3078, HB 532, HB 1115, HB 1181, HB 1693, HB 2048, HB 2086, HB 2748, HB 2807, HB 3212, HB 3496, HB 3514, HB 3893, HB 4080**

RESOLUTIONS ENROLLED

May 14, 2021

SCR 1, SCR 11, SCR 17, SCR 43, SR 411

SIGNED BY GOVERNOR

May 15, 2021

SB 479, SB 599, SB 635, SB 669, SB 863, SB 872, SB 1203, SB 1212, SB 1280, SB 1367, SB 1523, SCR 10, SCR 13, SCR 14, SCR 15, SCR 16, SCR 19, SCR 25, SCR 35, SCR 36, SCR 40

BILLS ENGROSSED

May 17, 2021

SB 1084, SB 1388, SB 1947, SB 2094, SB 2246

In Memory
of
Enrique Moreno
Senate Resolution 383

WHEREAS, The community of El Paso lost a champion for civil rights and social justice with the death of attorney Enrique Moreno on October 10, 2019, at the age of 63; and

WHEREAS, Enrique Moreno was born on December 28, 1955, in Chihuahua, Mexico, to Enriqueta and Manuel Moreno, and he grew up in El Paso with two siblings, Rosa and Manuel; after graduating from Austin High School, he earned his bachelor's degree at Harvard University and his law degree from Harvard Law School; and

WHEREAS, Returning to El Paso, Mr. Moreno joined the law firm of Kemp Smith, and in 1999, he opened his own practice, handling civil rights, personal injury, and employment law cases; in court, he was a powerful advocate for individual rights and civic progress; he won a \$27.5 million settlement in behalf of a woman of Iranian descent who had been racially profiled by an airline, and he represented the father of a Guatemalan migrant who died in the custody of U.S. Customs and Border Protection; and

WHEREAS, Twice nominated to the Fifth Circuit Court of Appeals by President Bill Clinton, Mr. Moreno was consistently rated as one of the top trial lawyers in El Paso; he was cited as a Texas Super Lawyer by *Texas Monthly* magazine, as a Top Lawyer in El Paso by the *El Paso Herald-Post* survey of state judges, and as Lawyer of the Year by the Mexican American Bar Association of El Paso, among other accolades; he was a founding member and past president of the George A. McAlmon American Inn of Court, and he honored his Mexican roots through his service as a consulting attorney to the government of Mexico; and

WHEREAS, Mr. Moreno's many awards included the Albert Armendariz Sr. Lifetime Achievement Award from the Mexican American Bar Association, the Civil Rights Award from the El Paso chapter of the NAACP, the Guadalupe Award for Community Service from the Hispanic Leadership Institute, and the Eagle Award for Community Advocacy from the El Paso Hispanic Chamber of Commerce; and

WHEREAS, In all his endeavors, Mr. Moreno enjoyed the love and support of Carla Monsisvais, and he took great pride in his son, Enrique Moreno Jr., and his stepchildren, Joe and Anna Rodriguez; and

WHEREAS, Enrique Moreno lived a rich and purposeful life devoted to serving others and standing up for his ideals, and he leaves behind a legacy that will continue to inspire all those who knew and loved him; now, therefore, be it

RESOLVED, That the Senate of the 87th Texas Legislature hereby pay tribute to the memory of Enrique Moreno and extend heartfelt sympathy to the members of his family and his many 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 Enrique Moreno.

BLANCO

