

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTY-SECOND DAY

(Continued)

(Wednesday, May 19, 2021)

AFTER RECESS

The Senate met at 8:00 a.m. and was called to order by Senator Schwertner.

**SESSION HELD FOR
LOCAL AND UNCONTESTED CALENDAR**

The Presiding Officer announced that the time had arrived to consider bills and resolutions placed on the Local and Uncontested Calendar.

Pursuant to Senate Rule 9.03(d), the following bills and resolutions were laid before the Senate in the order listed, read second time, amended where applicable, passed to engrossment or third reading, read third time, and passed. The votes on passage to engrossment or third reading, suspension of the Constitutional Three-day Rule, and final passage are indicated after each caption. All Members are deemed to have voted "Yea" on viva voce votes unless otherwise indicated.

HB 180 (Blanco)

Relating to the transfer of vacation leave time to a sick leave pool in certain counties.
(viva voce vote) (31-0) (31-0)

HB 189 (Lucio)

Relating to a severance payment to a superintendent or administrator serving as educational leader and chief executive officer of an open-enrollment charter school.
(viva voce vote) (31-0) (31-0)

HB 365 (Springer)

Relating to liability arising from farm animals.
(viva voce vote) (31-0) (31-0)

(Senator Menéndez in Chair)

HB 374 (Springer)

Relating to the continuation of the Red River Boundary Commission.
(viva voce vote) (31-0) (31-0)

HB 375 (Zaffirini)

Relating to the prosecution of the offense of continuous sexual abuse of young child or disabled individual; creating a criminal offense.
(viva voce vote) (31-0) (31-0)

HB 402 (Alvarado)

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

(viva voce vote) (31-0) (31-0)

CSHB 531 (Huffman)

Relating to notice requirements for a leased dwelling located in a floodplain.

(viva voce vote) (31-0) (31-0)

HB 690 (Zaffirini)

Relating to training requirements for a member of the board of trustees of an independent school district.

(viva voce vote) (31-0) (31-0)

HB 725 (Zaffirini)

Relating to the eligibility of certain children who are or were in foster care for free prekindergarten programs in public schools.

(viva voce vote) (31-0) (31-0)

CSHB 738 (Nichols)

Relating to residential and commercial building requirements of municipalities, counties, and emergency services districts.

(viva voce vote) (31-0) (31-0)

HB 763 (Zaffirini)

Relating to the handling of illicit alcoholic beverages seized by a peace officer.

(viva voce vote) (31-0) (31-0)

HB 766 (Kolkhorst)

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

(viva voce vote) (31-0) (31-0)

HB 785 (Zaffirini)

Relating to behavior improvement plans and behavioral intervention plans for certain public school students and notification and documentation requirements regarding certain behavior management techniques.

(viva voce vote) (31-0) (31-0)

HB 837 (Zaffirini)

Relating to the procedure for amending or revoking certificates of public convenience and necessity issued to certain retail public utilities.

(viva voce vote) (31-0) (31-0)

HB 851 (Hughes)

Relating to the admission by a party of a material and substantial change of circumstances in a motion to modify an order in certain family law cases.

(viva voce vote) (31-0) (31-0)

HB 868 (Zaffirini)

Relating to the jury charge and jury findings in a suit affecting the parent-child relationship.

(viva voce vote) (31-0) (31-0)

HB 871 (Kolkhorst)

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

(viva voce vote) (30-1) "Nay" Johnson (30-1) "Nay" Johnson

HB 876 (Perry)

Relating to fees charged by certain persons for the method used for payments made under an agreement.

(viva voce vote) (30-1) "Nay" Hall (30-1) "Nay" Hall

HB 914 (Huffman)

Relating to the authority of certain municipal employees to request the removal and storage of certain abandoned or illegally parked vehicles.

(viva voce vote) (30-1) "Nay" Hall (30-1) "Nay" Hall

HB 1005 (Huffman)

Relating to the requisites of a bail bond given by certain defendants and to conditions of release on bond for certain defendants.

(viva voce vote) (31-0) (31-0)

HB 1011 (Zaffirini)

Relating to expedited death certificates for religious purposes in certain counties.

(viva voce vote) (31-0) (31-0)

HB 1049 (Huffman)

Relating to the requirement for a deputy sheriff, reserve deputy sheriff, deputy constable, or reserve deputy constable to take an official oath.

(viva voce vote) (31-0) (31-0)

HB 1069 (Birdwell)

Relating to the carrying of a handgun by certain first responders.

(viva voce vote) (28-3) "Nays" Alvarado, Eckhardt, Johnson (28-3) "Nays" Alvarado, Eckhardt, Johnson

HB 1080 (Nelson)

Relating to the eligibility for participation in University Interscholastic League activities of certain public school students who receive outpatient mental health services.

(viva voce vote) (31-0) (31-0)

HB 1133 (Hughes)

Relating to an election to revoke a county equalization tax imposed in certain counties.

(viva voce vote) (31-0) (31-0)

HB 1213 (Seliger)

Relating to court reporter costs incurred in a hearing or proceeding for the involuntary detention of a person with mental illness.

(viva voce vote) (31-0) (31-0)

HB 1227 (Zaffirini)

Relating to certain procedures regarding court-ordered financial support for a child in the conservatorship of the Department of Family and Protective Services.

(viva voce vote) (31-0) (31-0)

HB 1228 (Kolkhorst)

Relating to the membership of the board of managers for certain emergency communication districts.

(viva voce vote) (31-0) (31-0)

HB 1257 (Nichols)

Relating to the definition of personal property for purposes of removing personal property from a roadway or right-of-way.

(viva voce vote) (31-0) (31-0)

HB 1264 (Springer)

Relating to the time for making required reports of deceased residents of this state to a voter registrar and to the secretary of state.

(viva voce vote) (30-1) "Nay" Johnson (30-1) "Nay" Johnson

HB 1276 (Springer)

Relating to the sale of certain food by food service establishments.

(viva voce vote) (31-0) (31-0)

HB 1296 (Creighton)

Relating to the provision of certain notices in guardianship proceedings.

(viva voce vote) (31-0) (31-0)

(Senator Schwertner in Chair)**HB 1297** (Creighton)

Relating to service of process on institutions and organizations in certain probate proceedings.

(viva voce vote) (31-0) (31-0)

CSHB 1338 (Miles)

Relating to the continuation and operations of a health care provider participation program by the Harris County Hospital District.

(viva voce vote) (31-0) (31-0)

HB 1372 (Zaffirini)

Relating to authorizing a petitioner for a protective order to separate the petitioner's wireless telephone number from the respondent's wireless telephone service account.

(viva voce vote) (31-0) (31-0)

HB 1397 (Hughes)

Relating to the required disclosure of entities with an ownership interest in a vendor of voting system equipment.

(viva voce vote) (31-0) (31-0)

HB 1401 (Huffman)

Relating to methods to send applications and orders for sealing juvenile records.

(viva voce vote) (31-0) (31-0)

HB 1403 (Huffman)

Relating to the imposition of consecutive sentences for certain offenses arising out of the same criminal episode.

(viva voce vote) (31-0) (31-0)

HB 1419 (Alvarado)

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

(viva voce vote) (31-0) (31-0)

HB 1434 (Zaffirini)

Relating to limitations on pelvic examinations; authorizing disciplinary action, including an administrative penalty.

(viva voce vote) (31-0) (31-0)

HB 1484 (Springer)

Relating to rates applied to certain water or sewer systems after a sale or purchase of the system.

(viva voce vote) (31-0) (31-0)

HB 1510 (Creighton)

Relating to the response and resilience of certain electricity service providers to major weather-related events or other natural disasters; granting authority to issue bonds.

(viva voce vote) (31-0) (31-0)

HB 1543 (Creighton)

Relating to certain procedural requirements for public improvement districts and transfers of property located in public improvement districts.

(viva voce vote) (31-0) (31-0)

HB 1545 (Hall)

Relating to the continuation and functions of the Commission on Jail Standards.

(viva voce vote) (31-0) (31-0)

HB 1572 (Springer)

Relating to the rental and operation of electric generation equipment.

(viva voce vote) (31-0) (31-0)

CSHB 1576 (Paxton)

Relating to the creation of a work group on blockchain matters concerning this state.

(viva voce vote) (31-0) (31-0)

HB 1606 (Schwertner)

Relating to the construction, maintenance, rehabilitation, and removal of dams by the Upper Brushy Creek Water Control and Improvement District.

(viva voce vote) (31-0) (31-0)

HB 1618 (Kolkhorst)

Relating to the number of signatures required on a petition filed in connection with an election to create certain hospital districts.

(viva voce vote) (31-0) (31-0)

CSHB 1677 (Springer)

Relating to the establishment of a Texas Police Service Animals Memorial Monument in the Capitol Complex.

(viva voce vote) (31-0) (31-0)

HB 1680 (Springer)

Relating to the regulation of on-site sewage disposal systems on certain leased land that is owned by the federal government.

(viva voce vote) (31-0) (31-0)

HB 1728 (Perry)

Relating to partnerships between the Texas Parks and Wildlife Department and nonprofit entities to promote hunting and fishing by certain veterans.

(viva voce vote) (31-0) (31-0)

CSHB 1729 (Nichols)

Relating to the sale of alcoholic beverages in areas annexed by certain municipalities.

(viva voce vote) (31-0) (31-0)

HB 1752 (Schwertner)

Relating to benefit review conferences under the Texas workers' compensation system.

(viva voce vote) (31-0) (31-0)

HB 1777 (Hancock)

Relating to disclosures and standards required for certain annuity transactions and benefits under certain annuity contracts.

(viva voce vote) (31-0) (31-0)

(Senator Buckingham in Chair)**HB 1792** (Zaffirini)

Relating to the evaluation of child-care providers participating in the Texas Rising Star Program.

(viva voce vote) (31-0) (31-0)

HB 1799 (Zaffirini)

Relating to the administration of apprenticeship training programs.

(viva voce vote) (31-0) (31-0)

HB 1904 (Kolkhorst)

Relating to the use of the water infrastructure fund.

(viva voce vote) (31-0) (31-0)

HB 1936 (Schwertner)

Relating to the issuance of specialty license plates to honor members of the United States Army Special Forces.

(viva voce vote) (31-0) (31-0)

HB 1939 (Creighton)

Relating to the limitations periods for certain suits against real estate appraisers and appraisal firms.

(viva voce vote) (31-0) (31-0)

HB 1958 (Springer)

Relating to the regulation of livestock export-import processing facilities; creating a criminal offense.

(viva voce vote) (31-0) (31-0)

HB 2004 (Nichols)

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

(viva voce vote) (31-0) (31-0)

HB 2083 (Perry)

Relating to the general manager of the Upper Colorado River Authority.

(viva voce vote) (31-0) (31-0)

CSHB 2090 (Hancock)

Relating to the establishment of a statewide all payor claims database and health care cost disclosures by health benefit plan issuers and third-party administrators.

(viva voce vote) (31-0) (31-0)

HB 2093 (Blanco)

Relating to including certain licensed physician assistants in the definition of non-physician mental health professional for purposes of certain provisions applicable to non-physician mental health professionals.

(viva voce vote) (31-0) (31-0)

HB 2094 (Hinojosa)

Relating to the right to remove property encroaching on areas owned or controlled by the Hidalgo County Drainage District Number 1.

(viva voce vote) (31-0) (31-0)

HB 2167 (Kolkhorst)

Relating to the designation of the portion of U.S. Highway 77 in Refugio County as the Second Lieutenant Lloyd "Pete" Hughes Medal of Honor Memorial Highway.

(viva voce vote) (31-0) (31-0)

CSHB 2171 (Creighton)

Relating to the eligibility of certain retired firefighters and emergency medical services providers to purchase continued health benefits coverage.

(viva voce vote) (31-0) (31-0)

CSHB 2213 (Kolkhorst)

Relating to the slaughter and processing of exotic animals for donation to a nonprofit food bank.

(viva voce vote) (31-0) (31-0)

HB 2223 (Nichols)

Relating to a study by the Texas Department of Transportation on the impact of certain classifications of motor vehicle on the roads and bridges of this state.

(viva voce vote) (31-0) (31-0)

HB 2301 (Paxton)

Relating to a change of name for participants in the address confidentiality program administered by the office of the attorney general.

(viva voce vote) (31-0) (31-0)

CSHB 2326 (Springer)

Relating to the possession and transportation of certain nonindigenous snakes; increasing a criminal penalty.

(viva voce vote) (31-0) (31-0)

HB 2343 (Whitmire)

Relating to the purchase of food and beverages by the Department of Public Safety for certain persons.

(viva voce vote) (31-0) (31-0)

HB 2374 (Kolkhorst)

Relating to efficiency audits of the Department of Family and Protective Services.

(viva voce vote) (31-0) (31-0)

(Senator Johnson in Chair)**HB 2530** (Nelson)

Relating to the rate of interest on certain tax refunds.

(viva voce vote) (31-0) (31-0)

HB 2669 (Zaffirini)

Relating to the confidentiality of a child's criminal records related to certain misdemeanor offenses.

(viva voce vote) (31-0) (31-0)

HB 2819 (Nichols)

Relating to temporary licenses for insurance professionals.

(viva voce vote) (31-0) (31-0)

HB 2840 (Hinojosa)

Relating to the inapplicability of state citrus fruit maturity standards to grapefruit and oranges processed for juice.

(viva voce vote) (31-0) (31-0)

HB 2841 (Hinojosa)

Relating to suits to collect assessments owed by certain citrus producers.

(viva voce vote) (30-1) "Nay" Hancock (30-1) "Nay" Hancock

HB 2847 (Powell)

Relating to the authority of the Tarrant County Hospital District or a nonprofit corporation formed by the district regarding certain technology or intellectual property owned by or licensed to the district or corporation.

(viva voce vote) (31-0) (31-0)

HB 2920 (Hancock)

Relating to a grace period for payment of premiums on insurance policies renewed by the Texas Windstorm Insurance Association.

(viva voce vote) (31-0) (31-0)

HB 2941 (Springer)

Relating to the appointment of appraisal review board members.

(viva voce vote) (31-0) (31-0)

HB 3130 (Paxton)

Relating to state agency contracts for Internet application development.

(viva voce vote) (31-0) (31-0)

HB 3132 (Seliger)

Relating to the performance of equine dentistry by students of equine dental provider certification programs.

(viva voce vote) (31-0) (31-0)

HB 3165 (Whitmire)

Relating to an affirmative defense to an allegation of truant conduct.

(viva voce vote) (31-0) (31-0)

CSHB 3282 (Nichols)

Relating to the authority of a district engineer for the Texas Department of Transportation to temporarily lower the speed limit at a highway maintenance activity site.

(viva voce vote) (30-1) "Nay" Springer (30-1) "Nay" Springer

HB 3394 (Creighton)

Relating to determining the incapacity of a guardian.

(viva voce vote) (31-0) (31-0)

HB 3395 (Hinojosa)

Relating to the knowledge test required for a commercial driver's license.

(viva voce vote) (31-0) (31-0)

HB 3644 (Schwertner)

Relating to the establishment of a memorial monument dedicated to emergency medical services personnel on the Capitol grounds.

(viva voce vote) (31-0) (31-0)

CSHB 3648 (Hancock)

Relating to the provision of natural gas and electric services in this state.

(viva voce vote) (31-0) (31-0)

HB 3689 (Gutierrez)

Relating to the appeal of rates charged for water or sewer service by certain retail public utilities.

(viva voce vote) (30-1) "Nay" Schwertner (30-1) "Nay" Schwertner

HB 3721 (Kolkhorst)

Relating to the inclusion of information for reporting suspicious activity to the Department of Public Safety on certain human trafficking signs or notices.

(viva voce vote) (31-0) (31-0)

HB 3769 (Zaffirini)

Relating to required disclosures for certain occupational insurance policies.

(viva voce vote) (31-0) (31-0)

STATEMENT OF LEGISLATIVE INTENT

Senator Zaffirini submitted the following statement of legislative intent for **HB 3769**:

HB 3769 does not change any existing requirements on nonsubscriber insurance carriers or existing employer-required notice requirements in TX Admin Code 110.101.

ZAFFIRINI

HB 3786 (Nelson)

Relating to the authority of the comptroller to send, or to require the submission to the comptroller of, certain ad valorem tax-related items electronically.

(viva voce vote) (31-0) (31-0)

HB 3788 (Nelson)

Relating to the training and education of appraisal review board members.

(viva voce vote) (31-0) (31-0)

HB 3794 (Hinojosa)

Relating to oil and gas liens.

(viva voce vote) (31-0) (31-0)

HB 3856 (Springer)

Relating to administrative penalties imposed by the Texas Animal Health Commission.

(viva voce vote) (30-1) "Nay" Hancock (30-1) "Nay" Hancock

CSHB 4030 (Hancock)

Relating to the licensing and regulation of insurance professionals.

(viva voce vote) (31-0) (31-0)

HB 4436 (Perry)

Relating to the operation of aircraft in or on protected freshwater areas.

(viva voce vote) (31-0) (31-0)

HB 4577 (Creighton)

Relating to the authority of the Chambers County Improvement District No. 1 to issue bonds and impose certain taxes or assessments.

(viva voce vote) (31-0) (31-0)

HB 4579 (Perry)

Relating to the powers, duties, and bond authority of the Lubbock Reese Redevelopment Authority; providing authority to impose a fee.

(viva voce vote) (31-0) (31-0)

HB 4585 (Buckingham)

Relating to the election of members of the board of directors of the Travis County Water Control and Improvement District No. 17.

(viva voce vote) (31-0) (31-0)

HB 4610 (Schwertner)

Relating to the division of the CLL Municipal Utility District No. 1 and districts created by the division of the CLL Municipal Utility District No. 1.

(viva voce vote) (31-0) (31-0)

SCR 31 (Kolkhorst)

Conferring legislative approval of the Coleman Settlement Agreement.

(31-0)

SB 608 (Alvarado)

Relating to the allocation of low income housing tax credits.

(viva voce vote) (31-0) (31-0)

SB 1083 (Campbell)

Relating to parental approval for a student's participation in human sexuality instruction in public schools.

(viva voce vote) (28-3) "Nays" Alvarado, Eckhardt, Johnson (28-3) "Nays" Alvarado, Eckhardt, Johnson

CSSB 1386 (Creighton)

Relating to a body worn camera program for emergency medical personnel.

(viva voce vote) (31-0) (31-0)

CSSB 1451 (Alvarado)

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

(viva voce vote) (31-0) (31-0)

SB 1486 (Hughes)

Relating to the repeal of the authority of political subdivisions to adopt or enforce juvenile curfews.

(viva voce vote) (29-2) "Nays" Alvarado, Seliger (29-2) "Nays" Alvarado, Seliger

CSSB 2214 (Eckhardt)

Relating to the creation of the Moore's Crossing Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (31-0) (31-0)

CSSB 2237 (Creighton)

Relating to the boundaries of the Harris County Water Control and Improvement District No. 70.

(viva voce vote) (31-0) (31-0)

SB 2242 (Gutierrez)

Relating to the creation of the Medina County Water Control and Improvement District No. 4; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (31-0) (31-0)

SB 2244 (Birdwell)

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

(viva voce vote) (31-0) (31-0)

**BILL REMOVED FROM
LOCAL AND UNCONTESTED CALENDAR**

Senator Springer and Senator Schwertner requested in writing that **HB 2112** be removed from the Local and Uncontested Calendar.

**SESSION CONCLUDED FOR
LOCAL AND UNCONTESTED CALENDAR**

Senator Johnson announced that the session to consider bills and resolutions placed on the Local and Uncontested Calendar was concluded.

RECESS

Pursuant to a previously adopted motion, the Senate at 9:03 a.m. recessed until 11:00 a.m. today.