

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTY-FIFTH DAY
(Monday, May 24, 2021)

The Senate met at 10:19 a.m. pursuant to adjournment and was called to order by President Pro Tempore Birdwell.

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

Father, we take such great comfort in knowing that You know what we do not know and that You promise us that You will answer us if we ask. And I love the picture in the scripture that says, call to me. And I think of all of the different ways and reasons that we find ourselves calling out. Sometimes we call out because we are surprised by something. Sometimes we call because we feel far away and we call out to a distant place. We feel far away. Sometimes where we call out because it's so loud around us. Sometimes we call out because we're afraid. We don't know what to do. But, Lord, in this verse You promise us that for whatever reason that we call out, if we call out to You, You will answer. And You'll know the answer we seek. As we gather here in this final week, I pray, Lord, that we be mindful that we can call out to You and that we would and that we would all hear when You tell us great and mighty things that we don't know and that we follow, that we would obey that voice for the good of Your kingdom, for the good of our fellowman and woman. And it's in the name of Jesus that I pray. Amen.

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

The motion prevailed without objection.

LEAVE OF ABSENCE

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

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 24, 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:

HCR 85 Talarico

Designating the first Friday in May as Career and Technical Education Letter of Intent Signing Day for a 10-year period beginning in 2021.

HCR 101 Wilson

Designating the city of Florence, home of the Gault Archaeological Site, as the oldest community in Texas for a 10-year period beginning in 2021.

SCR 3 Paxton Sponsor: Shaheen
Condemning China's practice of involuntary organ harvesting.

SCR 12 Creighton Sponsor: King, Phil

Claiming sovereignty under the Tenth Amendment to the U.S. Constitution over all powers not otherwise enumerated and granted to the federal government by the U.S. Constitution, serving notice to the federal government to halt and reverse certain mandates, and providing that certain federal legislation be prohibited or repealed.

SCR 51 Hughes Sponsor: Hefner
In memory of Sara "Sally" Sandlin Ratliff of Mount Pleasant.

THE HOUSE HAS CONCURRED IN THE SENATE AMENDMENTS TO THE FOLLOWING MEASURES:

HB 531 (94 Yeas, 52 Nays, 1 Present, not voting)

HB 738 (134 Yeas, 10 Nays, 1 Present, not voting)

HB 1338 (100 Yeas, 43 Nays, 2 Present, not voting)

HB 1382 (145 Yeas, 1 Nays, 1 Present, not voting)

HB 1576 (135 Yeas, 10 Nays, 1 Present, not voting)

HB 1603 (145 Yeas, 0 Nays, 1 Present, not voting)

HB 1677 (143 Yeas, 0 Nays, 1 Present, not voting)

HB 1729 (143 Yeas, 0 Nays, 1 Present, not voting)

HB 2080 (141 Yeas, 5 Nays, 1 Present, not voting)

HB 2090 (145 Yeas, 1 Nays, 1 Present, not voting)

HB 2171 (146 Yeas, 0 Nays, 1 Present, not voting)

HB 2213

HB 2326 (117 Yeas, 28 Nays, 1 Present, not voting)

HB 3442 (146 Yeas, 0 Nays, 1 Present, not voting)

HB 4030 (138 Yeas, 8 Nays, 1 Present, not voting)

THE HOUSE HAS REFUSED TO CONCUR IN THE SENATE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

HB 3282

House Conferees: Canales - Chair/Ashby/Harris/Martinez/Thompson, Ed

HB 3648

House Conferees: Geren - Chair/Hernandez/King, Phil/King, Tracy O./Paddie

THE HOUSE HAS ADOPTED THE FOLLOWING CONFERENCE COMMITTEE REPORTS:

HB 1927 (82 Yeas, 62 Nays, 2 Present, not voting)

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 24, 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:

SB 89

Menéndez

Sponsor: González, Mary

Relating to supplemental information required for inclusion with a written statement of an individualized education program developed for certain public school students who received special education services during the 2019-2020 or 2020-2021 school year.

- SB 186** Perry Sponsor: Spiller
Relating to the authority of a county to issue bonds to restore or maintain a county courthouse.
- SB 244** Bettencourt Sponsor: Campos
Relating to the application of the open meetings law to the board of directors of certain tax reinvestment zones.
- SB 271** Perry Sponsor: Klick
Relating to applicants for employment at assisted living facilities.
- SB 296** Perry Sponsor: Button
Relating to the date by which a seller must provide resale and exemption certificates to the comptroller in connection with a sales and use tax audit.
- SB 338** Powell Sponsor: Lucio III
Relating to the adoption of uniform general conditions for building construction contracts entered into by school districts and the composition of the committee that reviews uniform general conditions.
- SB 387** Schwertner Sponsor: Wilson
Relating to the appeal of rates for water or sewer service charged to certain customers of a municipality.
- SB 481** Kolkhorst Sponsor: Schofield
Relating to the transfer of certain public school students to a school district offering in-person instruction.
- SB 672** Buckingham Sponsor: Bonnen
Relating to Medicaid coverage of certain collaborative care management services.
- SB 764** Huffman Sponsor: Hinojosa
Relating to the operation of certain child-care facilities during an appeal of a suspension or denial of a license, certification, registration, or listing.
- SB 782** Hinojosa Sponsor: Herrero
Relating to authorizing the sale of certain real property by the State of Texas to the Port of Corpus Christi Authority of Nueces County, Texas.
- SB 818** Powell Sponsor: Turner, Chris
Relating to unemployment compensation eligibility and chargebacks regarding certain persons separated from employment due to being called to military service.
- SB 918** Kolkhorst Sponsor: Leman
Relating to the size, terms, and election of boards of directors of certain insurance companies.
- SB 1136** Kolkhorst Sponsor: Frank
Relating to implementation of certain health care provider initiatives and measures designed to reduce costs and improve recipient health outcomes under Medicaid.
- SB 1165** West Sponsor: Anchia
Relating to the appointment and terms of the board of the hospital managers of the Dallas County Hospital District.
- SB 1168** Campbell Sponsor: Bell, Cecil
Relating to the authority of a municipality to impose a fine or fee in certain areas in the municipality's extraterritorial jurisdiction.

- SB 1177** Birdwell Sponsor: Shaheen
Relating to the establishment of a task force to evaluate state-owned artifact collections.
- SB 1269** Whitmire Sponsor: King, Ken
Relating to the main street program administered by the Texas Historical Commission.
- SB 1359** Hughes Sponsor: White
Relating to adoption by law enforcement agencies of a mental health leave policy for peace officers.
- SB 1585** Hughes Sponsor: Cyrier
Relating to requirements for the designation of a property as a historic landmark and the inclusion of a property in a historic district by a municipality.
- SB 1655** Birdwell Sponsor: Meyer
Relating to an annual report submitted to the comptroller by a county that imposes certain hotel occupancy taxes.
- SB 1801** Zaffirini Sponsor: Turner, Chris
Relating to improper unemployment compensation benefits refunded by a claimant to the Texas Workforce Commission.
- SB 1814** Seliger Sponsor: Martinez
Relating to oversize and overweight vehicle permits.
- SB 1815** Seliger Sponsor: Martinez
Relating to motor vehicle size and weight limitations.
- SB 1942** Gutierrez Sponsor: Minjarez
Relating to the creation of public facility corporations and requirements applicable to public facility corporations.
- SB 2008** Taylor Sponsor: Perez
Relating to the San Jacinto Battleground State Historic Site; authorizing fees.
- SB 2062** Menéndez Sponsor: Goldman
Relating to the establishment of the Motor Fuel Metering and Quality Advisory Board.
- SB 2099** Zaffirini Sponsor: Patterson
Relating to methods by which a claimant may check the status of a claim for unemployment compensation benefits filed with the Texas Workforce Commission.
- SB 2183** Campbell Sponsor: King, Tracy O.
Relating to the boundaries of, and validating certain acts and proceedings of, the Driftwood Conservation District.
- SJR 35** Campbell Sponsor: Lopez
Proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a member of the armed services of the United States who is killed or fatally injured in the line of duty.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 24, 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:

SB 199 Nelson Sponsor: Price
Relating to automated external defibrillators.
(Committee Substitute)

SB 282 Alvarado Sponsor: Meyer
Relating to a prohibition against the appropriation of money to settle or pay a sexual harassment claim made against certain members of the executive, legislative, or judicial branch of state government.
(Amended)

SB 476 Nelson Sponsor: Stucky
Relating to establishment of county adult sexual assault response teams.
(Committee Substitute)

SB 611 Campbell Sponsor: Lopez
Relating to an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a member of the armed services of the United States who is killed or fatally injured in the line of duty.
(Amended)

SB 703 Buckingham Sponsor: Canales
Relating to the continuation and functions of the Department of Agriculture, the Prescribed Burning Board, and the Texas Boll Weevil Eradication Foundation and the abolishment of the Early Childhood Health and Nutrition Interagency Council.
(Amended)

SB 705 Lucio Sponsor: Cyrier
Relating to the continuation and functions of the Texas Animal Health Commission.
(Committee Substitute)

SB 713 Buckingham Sponsor: Cyrier
Relating to the sunset review process and certain governmental entities subject to that process.
(Amended)

SB 877 Hancock Sponsor: Morrison
Relating to the inspection of municipal buildings during a declared disaster.
(Committee Substitute/Amended)

- SB 904** Perry Sponsor: Lopez
Relating to requiring trauma training for certain attorneys.
(Amended)
- SB 1116** Bettencourt Sponsor: Bucy
Relating to a county, city, or independent school district posting election results on an Internet website.
(Amended)
- SB 1132** Johnson Sponsor: Turner, John
Relating to the regulation of crafted precious metal dealers; authorizing the change of a fee.
(Committee Substitute)
- SB 1315** Lucio Sponsor: Dominguez
Relating to the determination that certain property is used as an aid or facility incidental to or useful in the operation or development of a port or waterway or in aid of navigation-related commerce for purposes of the application of certain ad valorem tax laws.
(Amended)
- SB 1385** Creighton Sponsor: Murphy
Relating to the compensation and professional representation of student athletes participating in intercollegiate athletic programs at certain institutions of higher education.
(Amended)
- SB 1578** Kolkhorst Sponsor: Frank
Relating to the use of opinions from medical professionals in making certain determinations relating to the abuse or neglect of a child.
(Amended)
- SB 1817** Seliger Sponsor: Martinez
Relating to vehicle titles and registration.
(Committee Substitute)
- SB 1876** Miles Sponsor: Oliverson
Relating to emergency planning for the continued treatment and safety of end stage renal disease facility patients.
(Committee Substitute)
- SB 2054** Menéndez Sponsor: White
Relating to the payment of fees and costs associated with driver education and safety courses and driver's license examinations for foster children or youth, former foster children or youth, and youth experiencing homelessness.
(Amended)
- SB 2154** Schwertner Sponsor: Paddie
Relating to the membership of the Public Utility Commission of Texas.
(Amended)
- SB 2212** West Sponsor: Thompson, Senfronia

Relating to the duty of a peace officer to request and render aid for an injured person.
(Amended)

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

MESSAGES FROM THE GOVERNOR

The following Messages from the Governor were read and were referred to the Committee on Nominations:

May 24, 2021
Austin, Texas

TO THE SENATE OF THE EIGHTY-SEVENTH LEGISLATURE, REGULAR SESSION:

On January 21, 2021, I submitted the name of Ruth Ruggero Hughs for appointment as Secretary of State for a term to expire January 16, 2023.

Because she resigned, I hereby withdraw her nomination and request that the Senate return the appointment to me.

Respectfully submitted,

/s/Greg Abbott
Governor

May 24, 2021
Austin, Texas

TO THE SENATE OF THE EIGHTY-SEVENTH LEGISLATURE, REGULAR SESSION:

On January 21, 2021, I submitted the name of Cody C. Campbell for appointment to the Texas Higher Education Coordinating Board for a term to expire August 31, 2023.

Because he resigned, I hereby withdraw his nomination and request that the Senate return the appointment to me.

Respectfully submitted,

/s/Greg Abbott
Governor

CONCLUSION OF MORNING CALL

The President Pro Tempore at 10:26 a.m. announced the conclusion of morning call.

COMMITTEE SUBSTITUTE HOUSE BILL 4663 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 4663** at this time on its second reading:

CSHB 4663, Relating to the powers of the Hidalgo County Drainage District Number 1; authorizing the issuance of bonds.

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 4663 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 4663** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 1476 ON SECOND READING

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1476** at this time on its second reading:

HB 1476, Relating to a vendor's remedies for nonpayment of a contract with this state or a political subdivision of this state.

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

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

Absent-excused: Creighton.

HOUSE BILL 1476 ON THIRD READING

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1476** 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 4667 ON SECOND READING**

On motion of Senator Gutierrez and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 4667** at this time on its second reading:

CSHB 4667, Relating to the transfer of certain state property from the Department of Public Safety to the City of Eagle Pass.

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 4667 ON THIRD READING**

Senator Gutierrez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 4667** 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)

GUESTS PRESENTED

Senator Campbell was recognized and introduced to the Senate the Committee on Veteran Affairs and Border Security interns: Drew Eisenman; Benjamin Reynolds; Nathan McCracken; joined by his parents, Mr. and Mrs. McCracken; and Robert Pedrigi.

The Senate welcomed its guests.

HOUSE BILL 1967 ON SECOND READING

On motion of Senator Powell and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1967** at this time on its second reading:

HB 1967, Relating to a database of information about women with uterine fibroids and to uterine fibroid education and research.

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

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

Nays: Hall, Hughes, Schwertner, Springer.

Absent-excused: Creighton.

HOUSE BILL 1967 ON THIRD READING

Senator Powell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1967** 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 26, Nays 4.

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

Nays: Hall, Hughes, Schwertner, Springer.

Absent-excused: Creighton.

HOUSE BILL 3959 ON SECOND READING

Senator Perry moved to suspend the regular order of business to take up for consideration **HB 3959** at this time on its second reading:

HB 3959, Relating to the establishment of the Texas youth livestock show grant program.

The motion prevailed.

Senator Bettencourt asked to be recorded as "Present-not voting" on suspension of the regular order of business.

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

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

Nays: Hall, Hughes.

Present-not voting: Bettencourt.

Absent-excused: Creighton.

HOUSE BILL 3959 ON THIRD READING

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3959** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 2, Present-not voting 1.

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

Nays: Hall, Hughes.

Present-not voting: Bettencourt.

Absent-excused: Creighton.

HOUSE BILL 1475 ON SECOND READING

On motion of Senator Buckingham and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1475** at this time on its second reading:

HB 1475, Relating to municipal board of adjustment zoning variances based on unnecessary hardship.

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 1475 ON THIRD READING

Senator Buckingham moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1475** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 2091 ON SECOND READING

On motion of Senator Taylor and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2091** at this time on its second reading:

HB 2091, Relating to the redesignation and authority of the Harris County Board of Protective Services for Children and Adults.

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 2091 ON THIRD READING

Senator Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2091** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 4293 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 4293** at this time on its second reading:

HB 4293, Relating to the creation of a court reminder program for criminal defendants.

The bill was read second time.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 4293** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 75.602(a), Government Code (page 2, line 7), strike "judges" and substitute "justices of the justice courts and judges".

(2) In SECTION 1 of the bill, in added Section 75.602(a), Government Code (page 2, line 8), strike "shall" and substitute "may".

(3) In SECTION 1 of the bill, in added Section 75.602(b), Government Code (page 2, line 12), between "the" and "judges", insert "justices and".

(4) In SECTION 1 of the bill, in added Section 75.603(a), Government Code (page 2, line 18), between "the" and "judges", insert "justices of the justice courts and".

(5) Strike SECTION 2 of the bill (page 2, lines 32 through 37), substitute the following appropriately numbered SECTION, and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) Not later than September 1, 2022, the Office of Court Administration of the Texas Judicial System shall develop and make available the court reminder program as required by Section 75.601, Government Code, as added by this Act.

(b) The Office of Court Administration of the Texas Judicial System is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the office may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.

The amendment to **HB 4293** 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.

HB 4293 as amended was passed to third reading by a viva voce vote.

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

Nays: Nichols.

Absent-excused: Creighton.

HOUSE BILL 4293 ON THIRD READING

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 4293** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

Nays: Nichols.

Absent-excused: Creighton.

HOUSE BILL 4544 ON SECOND READING

On motion of Senator Whitmire and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 4544** at this time on its second reading:

HB 4544, Relating to providing children committed to the Texas Juvenile Justice Department with state-issued identification on discharge or release.

The bill was read second time.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 4544** (senate committee printing) as follows:

(1) In the recital to SECTION 2 of the bill, adding Section 245.0536, Human Resources Code (page 1, line 43), strike "Section 245.0536" and substitute "Sections 245.0536 and 245.0537".

(2) In SECTION 2 of the bill, immediately after added Section 245.0536, Human Resources Code (page 2, between lines 24 and 25), insert the following:

Sec. 245.0537. PROVIDING RELEASED OR DISCHARGED CHILD WITH BIRTH CERTIFICATE AND SOCIAL SECURITY CARD. (a) In addition to complying with the requirements of Section 245.0536, before releasing a child under supervision or finally discharging a child, the department must:

(1) determine whether the child has a:

(A) certified copy of the child's birth certificate; and

(B) copy of the child's social security card; and
(2) if the child does not have a document described by Subdivision (1), submit to the appropriate entity on behalf of the child a request for the issuance of the applicable document.

(b) The department shall submit a request under Subsection (a)(2) as soon as is practicable to enable the department to receive the applicable document before the department releases or discharges the child and to provide the child with the applicable document when the department releases or discharges the child.

(c) This section does not apply to a child who:

(1) is not legally present in the United States; or

(2) was not a resident of this state before the child was placed in the custody of the department.

(3) In SECTION 4 of the bill, adding transition language (page 2, lines 31 and 32), strike "Section 245.0536, Human Resources Code, as added by this Act, applies" and substitute "Sections 245.0536 and 245.0537, Human Resources Code, as added by this Act, apply".

The amendment to **HB 4544** 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.

HB 4544 as amended was passed to third reading by a viva voce vote.

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

Absent-excused: Creighton.

HOUSE BILL 4544 ON THIRD READING

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 4544** 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 1560 ON SECOND READING

On motion of Senator Buckingham and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1560** at this time on its second reading:

CSHB 1560, Relating to the continuation and functions of the Texas Department of Licensing and Regulation.

The bill was read second time.

Senator Buckingham offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 1560** (senate committee printing) as follows:

(1) Add the following appropriately numbered SECTION to ARTICLE 1 of the bill and renumber subsequent SECTIONS of that ARTICLE accordingly:

SECTION 1.____. Section 51.053, Occupations Code, is amended by adding Subsection (c) to read as follows:

(c) Notwithstanding any other law, a person may be a member of the commission if the person or the person's spouse is registered, certified, or licensed by a regulatory agency in the field of health care.

(2) In SECTION 4.20 of the bill, amending Section 1001.201, Education Code, strike Subsection (b) (page 33, lines 15-28) and substitute the following:

(b) The commission by rule shall provide for the issuance of a single license to a person who meets the requirements for and seeks to provide driver education courses or driver education course materials under more than one driver education provider license.

(3) In SECTION 4.71 of the bill, adding transition language (page 45, line 26), between "4.71." and "The", insert "(a)".

(4) In SECTION 4.71 of the bill, adding transition language (page 45, line 30), strike "September 1, 2021" and substitute "June 1, 2023".

(5) In SECTION 4.71 of the bill, adding transition language (page 45, line 32), after the period, insert the following:

(b) Notwithstanding Section 4.67 of this article, the Texas Department of Licensing and Regulation by rule shall provide for the continuance of each program or course under Article 45.0511(u), Code of Criminal Procedure, Section 1001.103 or 1001.111, Education Code, or Section 545.412(g) or 545.413(i), Transportation Code, as repealed by this article, until the date on which the department determines that every person subject to a court order entered before June 1, 2023, requiring participation in a program or course under those provisions has had adequate time to complete the program or course in compliance with the court order.

(6) Add the following appropriately numbered SECTION to ARTICLE 4 of the bill and renumber the SECTIONS of that ARTICLE accordingly:

SECTION 4.____. The repeal by this article of Article 45.0511(u), Code of Criminal Procedure, Sections 1001.103 and 1001.111, Education Code, and Sections 545.412(g) and 545.413(i), Transportation Code, takes effect June 1, 2023.

(7) Strike ARTICLE 5 of the bill, regulating residential service contracts (page 45, line 37, through page 49, line 21), and renumber subsequent ARTICLES and SECTIONS of the bill accordingly.

(8) Strike ARTICLE 6 of the bill, regulating speech-language pathologists and audiologists (page 49, line 22, through page 50, line 1), and renumber subsequent ARTICLES and SECTIONS of the bill accordingly.

(9) In SECTION 8.02(a) of the bill, adding an effective date (page 86, line 64), strike "Subsection (b) of this section" and substitute "this Act".

The amendment to **CSHB 1560** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Creighton.

CSHB 1560 as amended was passed to third reading by a viva voce vote.

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

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 1560 ON THIRD READING**

Senator Buckingham moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1560** 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 3379 ON SECOND READING**

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 3379** at this time on its second reading:

CSHB 3379, Relating to the duty to report child abuse and neglect.

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 3379 ON THIRD READING**

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 3379** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 2365 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 2365** at this time on its second reading:

HB 2365, Relating to the participation and reimbursement of certain military medical treatment facilities and affiliated health care providers under Medicaid.

The bill was read second time.

Senator Campbell offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 2365** (senate committee printing) in SECTION 1 of the bill by striking added Section 32.0275(d), Human Resources Code (page 1, lines 42 through 47).

The amendment to **HB 2365** 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.

HB 2365 as amended was passed to third reading by a viva voce vote.

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

Nays: Hughes.

Absent-excused: Creighton.

HOUSE BILL 2365 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 2365** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

Nays: Hughes.

Absent-excused: Creighton.

HOUSE BILL 2509 ON SECOND READING

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2509** at this time on its second reading:

HB 2509, Relating to measures to support or enhance graduate medical education for the practice of podiatric medicine in this state.

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

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

Nays: Schwertner, Springer.

Absent-excused: Creighton.

HOUSE BILL 2509 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 **HB 2509** 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 28, Nays 2.

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

Nays: Schwertner, Springer.

Absent-excused: Creighton.

HOUSE BILL 2116 ON SECOND READING

On motion of Senator Powell and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2116** at this time on its second reading:

HB 2116, Relating to certain agreements by architects and engineers in or in connection with certain construction contracts.

The bill was read second time.

Senator Powell offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 2116** (senate committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. The heading to Chapter 130, Civil Practice and Remedies Code, is amended to read as follows:

CHAPTER 130. LIABILITY PROVISIONS [~~INDEMNIFICATION~~] IN CERTAIN CONSTRUCTION CONTRACTS

SECTION 2. Section 130.002, Civil Practice and Remedies Code, is amended by adding Subsections (c), (d), (e), and (f) to read as follows:

(c) Except as provided by Subsection (d), (e), or (f), a covenant or promise in, in connection with, or collateral to a construction contract for engineering or architectural services related to an improvement to real property is void and

unenforceable to the extent the covenant or promise provides that a licensed engineer or registered architect must defend a party, including a third party, against a claim based wholly or partly on the negligence of, fault of, or breach of contract by the owner, the owner's agent, the owner's employee, or another entity over which the owner exercises control. A covenant or promise in, in connection with, or collateral to a contract for engineering or architectural services related to an improvement to real property may provide for the reimbursement of an owner's reasonable attorney's fees in proportion to the engineer's or architect's liability.

(d) Notwithstanding Subsection (c), an owner that is a party to a contract for engineering or architectural services related to an improvement to real property may require in the contract that the engineer or architect name the owner as an additional insured under any of the engineer's or architect's insurance coverage to the extent additional insureds are allowed under the policy and provide any defense to the owner provided by the policy to a named insured.

(e) Subsection (c) does not apply to a contract for services in which an owner contracts with an entity to provide both design and construction services.

(f) Subsection (c) does not apply to a covenant to defend a party, including a third party, for a claim of negligent hiring of the architect or engineer.

SECTION 3. Chapter 130, Civil Practice and Remedies Code, is amended by adding Section 130.0021 to read as follows:

Sec. 130.0021. ARCHITECT'S OR ENGINEER'S STANDARD OF CARE.

(a) A construction contract for architectural or engineering services or a contract related to the construction or repair of an improvement to real property that contains architectural or engineering services as a component part must require that the architectural or engineering services be performed with the professional skill and care ordinarily provided by competent architects or engineers practicing under the same or similar circumstances and professional license.

(b) If a contract described by Subsection (a) contains a provision establishing a different standard of care than the standard described by Subsection (a):

(1) the provision is void and unenforceable; and

(2) the standard of care described by Subsection (a) applies to the performance of the architectural or engineering services.

(c) Section 130.004 does not limit the applicability of this section.

SECTION 4. Section 130.004, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 130.004. OWNER OF INTEREST IN REAL PROPERTY. (a) Except as provided by Section 130.002(b) or (c) or Section 130.0021, this chapter does not apply to an owner of an interest in real property or persons employed solely by that owner.

(b) Except as provided by Section 130.002(b) or (c) or Section 130.0021, this chapter does not prohibit or make void or unenforceable a covenant or promise to:

(1) indemnify or hold harmless an owner of an interest in real property and persons employed solely by that owner; or

(2) allocate, release, liquidate, limit, or exclude liability in connection with a construction contract between an owner or other person for whom a construction contract is being performed and a registered architect or licensed engineer.

SECTION 5. (a) Section 130.002(c), Civil Practice and Remedies Code, as added by this Act, applies only to a covenant or promise in, in connection with, or collateral to a contract entered into on or after the effective date of this Act.

(b) Sections 130.002(d) and 130.0021, Civil Practice and Remedies Code, as added by this Act, apply only to a contract entered into on or after the effective date of this Act.

SECTION 6. This Act takes effect September 1, 2021.

The amendment to **HB 2116** 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.

HB 2116 as amended was passed to third reading by a viva voce vote.

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

Nays: Campbell, Hancock.

Absent-excused: Creighton.

HOUSE BILL 2116 ON THIRD READING

Senator Powell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2116** 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 28, Nays 2.

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

Nays: Campbell, Hancock.

Absent-excused: Creighton.

HOUSE BILL 2366 ON SECOND READING

Senator Hughes moved to suspend the regular order of business to take up for consideration **HB 2366** at this time on its second reading:

HB 2366, Relating to criminal conduct that endangers law enforcement; creating a criminal offense and increasing a criminal penalty.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Eckhardt.

Absent-excused: Creighton.

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

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

Nays: Eckhardt.

Absent-excused: Creighton.

HOUSE BILL 2366 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 **HB 2366** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Eckhardt.

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

HOUSE BILL 2822 ON SECOND READING

On motion of Senator Buckingham and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2822** at this time on its second reading:

HB 2822, Relating to the availability of antipsychotic prescription drugs under the vendor drug program and Medicaid managed care.

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 2822 ON THIRD READING

Senator Buckingham moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2822** 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)

BILLS AND RESOLUTION SIGNED

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

HB 159, HB 315, HB 699, HB 781, HB 840, HB 1005, HB 1011, HB 1049, HB 1069, HB 1080, HB 1133, HB 1213, HB 1227, HB 1228, HB 1257, HB 1264, HB 1276, HB 1296, HB 1297, HB 1372, HB 1387, HB 1397, HB 1401, HB 1403, HB 1419, HB 1434, HB 1484, HB 1543, HB 1544, HB 1571, HB 1693, HB 1728, HB 1752, HB 1777, HB 1792, HB 1799, HB 2048, HB 2094, HB 2112, HB 2167, HB 2223, HB 2748, HB 3041, HB 3395, HB 3496, HB 3514, HB 3615, HB 4080, HCR 106.

**COMMITTEE SUBSTITUTE
HOUSE BILL 1698 ON SECOND READING**

On motion of Senator Schwertner and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1698** at this time on its second reading:

CSHB 1698, Relating to authorizing an optional county fee on vehicle registration in certain counties to be used for transportation projects.

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

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

Nays: Bettencourt, Hughes, Paxton, Springer.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 1698 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 **CSHB 1698** be placed on its third reading and final passage.

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

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

Nays: Bettencourt, Hughes, Paxton, Springer.

Absent-excused: Creighton.

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

HOUSE BILL 3629 ON SECOND READING

On motion of Senator Taylor and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3629** at this time on its second reading:

HB 3629, Relating to the date a deferral or abatement of the collection of ad valorem taxes on the residence homestead of an elderly or disabled person or disabled veteran expires.

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 3629 ON THIRD READING

Senator Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3629** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 1935 ON SECOND READING

On motion of Senator Miles and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1935** at this time on its second reading:

HB 1935, Relating to emergency refills of insulin and insulin-related equipment or supplies.

The bill was read second time.

Senator Taylor offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1935** (senate committee report) in SECTION 1 of the bill, in added Section 562.0541(a)(2), Occupations Code (page 1, line 31), between "meters," and "and", by inserting "continuous glucose monitor supplies".

The amendment to **HB 1935** 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.

HB 1935 as amended was passed to third reading by a viva voce vote.

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

Absent-excused: Creighton.

HOUSE BILL 1935 ON THIRD READING

Senator Miles moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1935** 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 2896 ON SECOND READING**

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2896** at this time on its second reading:

CSHB 2896, Relating to the creation and re-creation of funds and accounts, the dedication and rededication of revenue and allocation of accrued interest on dedicated revenue, and the exemption of unappropriated money from use for general governmental purposes.

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 2896 ON THIRD READING**

Senator Nelson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2896** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

**SENATE RULE 5.14(a) SUSPENDED
(Intent Calendar)**

On motion of Senator Schwertner and by unanimous consent, Senate Rule 5.14(a), requiring bills to be posted on the Intent Calendar by 3:00 p.m., was suspended and the time was extended to 9:00 p.m. today.

**COMMITTEE SUBSTITUTE
HOUSE BILL 619 ON SECOND READING**

Senator Alvarado moved to suspend the regular order of business to take up for consideration **CSHB 619** at this time on its second reading:

CSHB 619, Relating to developing a strategic plan to support the child-care workforce.

The motion prevailed.

Senators Buckingham, Hughes, Paxton, Schwertner, and Springer asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to third reading by the following vote: Yeas 25, Nays 5.

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

Nays: Buckingham, Hughes, Paxton, Schwertner, Springer.

Absent-excused: Creighton.

COMMITTEE SUBSTITUTE HOUSE BILL 619 ON THIRD READING

Senator Alvarado moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 619** 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, Campbell, Eckhardt, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Powell, Seliger, Taylor, West, Whitmire, Zaffirini.

Nays: Buckingham, Hughes, Paxton, Schwertner, Springer.

Absent-excused: Creighton.

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

HOUSE BILL 1423 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1423** at this time on its second reading:

HB 1423, Relating to the regulation and inspection procedures of certain long-term care facilities, including a survey of certain facilities' emergency power sources.

The bill was read second time.

Senator Perry offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1423** (senate committee printing) in SECTION 4 of the bill, in the nonamendatory language, by striking added Subsection (b) (page 2, lines 25 through 28) and substituting the following:

(b) The Health and Human Services Commission shall break down the results of the survey conducted under Subsection (a) based on:

- (1) the type of facility;
- (2) the size of the facility; and
- (3) the geographic location of the facility.

(c) Not later than September 1, 2022, the Health and Human Services Commission shall submit the results of the survey conducted under Subsection (a) of this section to the members of the House Human Services Committee and the Senate Health and Human Services Committee, or the successor of those committees.

The amendment to **HB 1423** 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.

HB 1423 as amended was passed to third reading by a viva voce vote.

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

Nays: Schwertner.

Absent-excused: Creighton.

HOUSE BILL 1423 ON THIRD READING

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1423** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

Nays: Schwertner.

Absent-excused: Creighton.

RECESS

On motion of Senator Whitmire, the Senate at 12:34 p.m. recessed until 1:30 p.m. today.

AFTER RECESS

The Senate met at 2:12 p.m. and was called to order by Senator Hancock.

HOUSE BILL 792 ON SECOND READING

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 792** at this time on its second reading:

HB 792, Relating to the authority of certain municipalities to use an alternate work schedule for police dispatchers.

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 792 ON THIRD READING

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 792** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 2675 ON SECOND READING

Senator Birdwell moved to suspend the regular order of business to take up for consideration **HB 2675** at this time on its second reading:

HB 2675, Relating to a license to carry a handgun for a person who is at increased risk of becoming a victim of violence.

The motion prevailed.

Senators Alvarado, Eckhardt, and Gutierrez asked to be recorded as voting "Nay" on suspension of the regular order of business.

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

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

Nays: Alvarado, Eckhardt, Gutierrez.

Absent-excused: Creighton.

HOUSE BILL 2675 ON THIRD READING

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2675** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 3.

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

Nays: Alvarado, Eckhardt, Gutierrez.

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 3. (Same as previous roll call)

HOUSE BILL 3416 ON SECOND READING

On motion of Senator Lucio and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3416** at this time on its second reading:

HB 3416, Relating to disclosures regarding indemnification obligations and insurance coverage in connection with provision of services pertaining to wells or mines by certain subcontractors.

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 3416 ON THIRD READING

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3416** 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)

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 24, 2021 - 4

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:

SB 48 Zaffirini Sponsor: Lucio III
Relating to conditions of community supervision for defendants convicted of certain criminal offenses involving animals.

SB 50 Zaffirini Sponsor: Neave
Relating to a competitive and integrated employment initiative for certain Medicaid recipients.

SB 56 Zaffirini Sponsor: Collier
Relating to the availability of personal information of a current or former federal prosecutor or public defender.

- SB 59** Zaffirini Sponsor: Geren
Relating to the advertising and promotion of a state purchasing program for local governments.
- SB 179** Lucio Sponsor: Huberty
Relating to the use of public school counselors' work time.
- SB 220** Zaffirini Sponsor: Smithee
Relating to notice and reporting requirements for vendor rebates under a contract listed on a multiple award contract schedule.
- SB 263** Menéndez Sponsor: Minjarez
Relating to the ability of certain relative caretakers of dependent children to receive supplemental financial assistance and be assigned as protective payees for financial assistance payments.
- SB 291** Schwertner Sponsor: Bucy
Relating to the posting of certain project information at a commercial building construction site.
- SB 480** Miles Sponsor: Coleman
Relating to the student union fee at the University of Houston.
- SB 560** Lucio Sponsor: Guerra
Relating to developing a strategic plan for the improvement and expansion of high-quality bilingual education.
- SB 776** Lucio Sponsor: Dominguez
Relating to the creation of an inclusive sports program by the University Interscholastic League to provide students with intellectual disabilities access to team sports.
- SB 798** Nelson Sponsor: Neave
Relating to the issuance of a birth record, driver's license, or personal identification certificate to victims and the children of victims of family or dating violence.
- SB 873** Hancock Sponsor: Button
Relating to disclosure by the comptroller to the purchaser of a business of the amount of tax due.
- SB 993** Hancock Sponsor: Klick
Relating to the practice of therapeutic optometry.
- SB 1257** Birdwell Sponsor: Murphy
Relating to the information required to be provided by the chief appraiser of an appraisal district to the comptroller in connection with the comptroller's central registry of reinvestment zones designated and ad valorem tax abatement agreements executed under the Property Redevelopment and Tax Abatement Act.
- SB 1258** Birdwell Sponsor: Goldman
Relating to the duty of a lessee or other agent in control of certain state land to drill an offset well, pay compensatory royalty, or otherwise protect the land from drainage of oil or gas by a horizontal drainhole well located on certain land.
- SB 1270** Seliger Sponsor: Thompson, Ed
Relating to the procurement of certain goods and services related to highways by the Texas Department of Transportation.

SB 1444 Taylor Sponsor: Bonnen
Relating to participation in the uniform group coverage program for active school employees and to a study concerning health coverage for school district employees.

SB 1524 Hughes Sponsor: Guillen
Relating to a sales and use tax refund pilot program for certain persons who employ apprentices.

SB 1907 Blanco Sponsor: Martinez
Relating to a feasibility study on the colocation of federal and state motor vehicle inspection facilities at ports of entry.

SB 1955 Taylor Sponsor: Burrows
Relating to exempting learning pods from certain local government regulations.

SB 2046 Menéndez Sponsor: Gervin-Hawkins
Relating to a compliance history assessment made for purposes of allocating certain financial assistance administered by the Texas Department of Housing and Community Affairs.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 24, 2021 - 5

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:

SB 2 Hancock Sponsor: Paddie
Relating to the governance of the Public Utility Commission of Texas, the Office of Public Utility Counsel, and an independent organization certified to manage a power region.
(Committee Substitute/Amended)

SB 3 Schwertner Sponsor: Paddie
Relating to preparing for, preventing, and responding to weather emergencies and power outages; increasing the amount of administrative and civil penalties.
(Committee Substitute/Amended)

SB 6 Hancock Sponsor: Leach
Relating to liability for certain claims arising during a pandemic or disaster related to a pandemic.
(Committee Substitute/Amended)

- SB 20** Campbell Sponsor: Hefner
Relating to carrying and storing a handgun or handgun ammunition by a hotel guest.
(Amended)
- SB 24** Huffman Sponsor: Bonnen
Relating to the procedures required before a law enforcement agency hires certain persons.
(Committee Substitute)
- SB 25** Kolkhorst Sponsor: Frank
Relating to the right of certain residents to designate an essential caregiver for in-person visitation.
(Committee Substitute/Amended)
- SB 73** Miles Sponsor: Klick
Relating to providing access to local public health entities and certain health service regional offices under Medicaid.
(Amended)
- SB 181** Johnson Sponsor: White
Relating to suspension of a driver's license for persons convicted of certain offenses and the educational program required for reinstatement of a license following certain convictions; authorizing a fine.
(Committee Substitute/Amended)
- SB 288** Seliger Sponsor: Wu
Relating to preventing the loss of benefits by certain retirees of the Teacher Retirement System of Texas who resume service.
(Amended)
- SB 367** Miles Sponsor: Reynolds
Relating to the requirements for an application for a permit to drill an oil or gas well at a site adjacent to a well blowout site.
(Amended)
- SB 623** Blanco Sponsor: Minjarez
Relating to the investigation and punishment of certain sexual offenses, to protective orders issued on the basis of certain sexual offenses, to crime victims' compensation, and to the establishment of a state sexual offense prevention and response program for the Texas Military Department.
(Amended)
- SB 827** Kolkhorst Sponsor: Lucio III
Relating to health benefit plan cost-sharing requirements for prescription insulin.
(Committee Substitute)
- SB 900** Alvarado Sponsor: Paddie
Relating to the safety of storage vessels.
(Committee Substitute/Amended)
- SB 959** Zaffrini Sponsor: Romero, Jr.
Relating to student success-based funding recommendations for certain continuing workforce education courses offered by public junior colleges.
(Amended)

- SB 1113** Bettencourt Sponsor: Cain
Relating to a registrar's failure to cancel voter registrations under applicable law.
(Amended)
- SB 1164** Campbell Sponsor: Collier
Relating to the prosecution of the offense of sexual assault.
(Committee Substitute)
- SB 1356** Hughes Sponsor: Dutton
Relating to the participation by members of nonprofit teacher organizations in a tutoring program for public school students and related retirement benefits for certain tutors participating in the program.
(Amended)
- SB 1590** Bettencourt Sponsor: VanDeaver
Relating to rules by the State Board for Educator Certification regarding virtual observation options for field-based experiences and internships required for educator certification.
(Amended)
- SB 1605** Huffman Sponsor: Bonnen
Relating to directing payment, after approval, of certain miscellaneous claims and judgments against the state out of funds designated by this Act; making appropriations.
(Committee Substitute)
- SB 1648** Perry Sponsor: Krause
Relating to the provision of benefits to certain Medicaid recipients with complex medical needs.
(Amended)
- SB 1679** Alvarado Sponsor: Johnson, Jarvis
Relating to the creation of an urban land bank by certain municipalities.
(Amended)
- SB 1692** Miles Sponsor: Longoria
Relating to licensing requirements to operate an end stage renal disease facility and the provision of home dialysis care by a dialysis technician.
(Committee Substitute/Amended)
- SB 1827** Huffman Sponsor: Holland
Relating to the creation of the opioid abatement account, an opioid abatement trust fund, and a statewide opioid settlement agreement.
(Committee Substitute/Amended)
- SB 1896** Kolkhorst Sponsor: Frank
Relating to the provision of health and human services by the Department of Family and Protective Services and the Health and Human Services Commission.
(Committee Substitute/Amended)
- SB 2116** Campbell Sponsor: Parker
Relating to prohibiting contracts or other agreements with certain foreign-owned companies in connection with critical infrastructure in this state.
(Committee Substitute/Amended)

SB 2124

Blanco

Sponsor: Lucio III

Relating to the authority of a health benefit plan sponsor to consent to electronic delivery of certain communications on behalf of a party enrolled in the plan.
(Amended)

SB 2188

Seliger

Sponsor: Hernandez

Relating to the municipal or county regulation of residential detention facilities for immigrant or refugee children.
(Committee Substitute)

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

**COMMITTEE SUBSTITUTE
HOUSE BILL 981 ON SECOND READING**

On motion of Senator Miles and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 981** at this time on its second reading:

CSHB 981, Relating to a study by the Texas Higher Education Coordinating Board on the feasibility of establishing a religious studies program at Texas Southern University.

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

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

Nays: Springer.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 981 ON THIRD READING**

Senator Miles moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 981** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

Nays: Springer.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 1301 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 1301** at this time on its second reading:

CSHB 1301, Relating to services provided by colonia self-help centers and a study on colonias in this state.

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

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

Nays: Hughes, Springer.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 1301 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 1301** 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 28, Nays 2.

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

Nays: Hughes, Springer.

Absent-excused: Creighton.

HOUSE BILL 2209 ON SECOND READING

On motion of Senator Gutierrez and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2209** at this time on its second reading:

HB 2209, Relating to the use of municipal hotel occupancy tax revenue by certain municipalities.

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

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

Nays: Hall, Hughes.

Absent-excused: Creighton.

HOUSE BILL 2209 ON THIRD READING

Senator Gutierrez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2209** 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 28, Nays 2.

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

Nays: Hall, Hughes.

Absent-excused: Creighton.

HOUSE BILL 4107 ON SECOND READING

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 4107** at this time on its second reading:

HB 4107, Relating to the notice of entry for the purpose of exercising the power of eminent domain by a common carrier pipeline.

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 4107 ON THIRD READING

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 4107** 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 2030 ON SECOND READING

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2030** at this time on its second reading:

CSHB 2030, Relating to the establishment by the Texas Higher Education Coordinating Board of a grant program for regional postsecondary education collaboratives.

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

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

Nays: Hall, Hughes, Schwertner, Seliger.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 2030 ON THIRD READING**

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2030** 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 26, Nays 4.

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

Nays: Hall, Hughes, Schwertner, Seliger.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 1664 ON SECOND READING**

On motion of Senator Eckhardt and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1664** at this time on its second reading:

CSHB 1664, Relating to the reinstatement of eligibility for medical assistance of certain children placed in juvenile facilities.

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

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

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 1664 ON THIRD READING**

Senator Eckhardt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1664** 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 RULES SUSPENDED
(Posting Rules)**

On motion of Senator Schwertner and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Administration might meet at 3:00 p.m. today in the Betty King Committee Room, 2E.20.

**SENATE RULE 11.13 SUSPENDED
(Consideration of Bills in Committees)**

On motion of Senator Schwertner and by unanimous consent, Senate Rule 11.13 was suspended to grant the Committee on Administration permission to meet while the Senate is meeting today.

**COMMITTEE SUBSTITUTE
HOUSE BILL 2382 ON SECOND READING**

On motion of Senator Blanco and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2382** at this time on its second reading:

CSHB 2382, Relating to the operations and administration of the El Paso County Hospital District.

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 2382 ON THIRD READING**

Senator Blanco moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2382** 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 3973 ON SECOND READING**

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 3973** at this time on its second reading:

CSHB 3973, Relating to a study on abandoned oil and gas wells in this state and the use of the oil and gas regulation and cleanup fund.

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

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

Nays: Springer.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 3973 ON THIRD READING**

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 3973** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

Nays: Springer.

Absent-excused: Creighton.

HOUSE BILL 3971 ON SECOND READING

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3971** at this time on its second reading:

HB 3971, Relating to the appraisal for ad valorem tax purposes of residential real property located in a designated historic district.

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 3971 ON THIRD READING

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3971** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 1280 ON SECOND READING

Senator Paxton moved to suspend the regular order of business to take up for consideration **HB 1280** at this time on its second reading:

HB 1280, Relating to prohibition of abortion; providing a civil penalty; creating a criminal offense.

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

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

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

Absent-excused: Creighton.

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

HOUSE BILL 3920 ON SECOND READING

Senator Hughes moved to suspend the regular order of business to take up for consideration **HB 3920** at this time on its second reading:

HB 3920, Relating to an application to vote early by mail on the grounds of disability or confinement for childbirth.

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 **HB 3920** (senate committee printing) in SECTION 2 of the bill, amending Section 82.002, Election Code, in Subdivision (a)(2) (page 1, line 34) by striking "weeks" and substituting "months".

The amendment to **HB 3920** was read and failed of adoption by the following vote: Yeas 14, Nays 16.

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

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

Absent-excused: Creighton.

HB 3920 was passed to third reading 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.

COMMITTEE SUBSTITUTE HOUSE BILL 1501 ON SECOND READING

Senator Birdwell moved to suspend the regular order of business to take up for consideration **CSHB 1501** at this time on its second reading:

CSHB 1501, Relating to certain regulations adopted by a governmental entity restricting the use of a natural gas or propane appliance or other system or component.

The motion prevailed.

Senators Blanco, Eckhardt, and Zaffirini asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Birdwell offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 1501** (senate committee report) in SECTION 1 of the bill, in added Section 3000.0021, Government Code (page 1, between lines 42 and 43), by inserting the following appropriately lettered subsection and relettering subsequent subsections accordingly:

() This section does not limit the ability of a governmental entity to use an appliance or other system or component powered by any energy source on a property owned by the entity.

The amendment to **CSHB 1501** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Creighton.

CSHB 1501 as amended was passed to third reading by a viva voce vote.

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

Nays: Blanco, Eckhardt, Zaffirini.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 1501 ON THIRD READING**

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1501** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 3.

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

Nays: Blanco, Eckhardt, Zaffirini.

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 3. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
HOUSE BILL 2757 ON SECOND READING**

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2757** at this time on its second reading:

CSHB 2757, Relating to the conduct and promotion of charitable raffles.

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

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

Nays: Birdwell, Hall, Hughes.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 2757 ON THIRD READING**

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2757** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

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

Nays: Birdwell, Hall, Hughes.

Absent-excused: Creighton.

HOUSE BILL 2622 ON THIRD READING

Senator Hall moved to suspend the regular order of business to take up for consideration **HB 2622** at this time on its third reading and final passage:

HB 2622, Relating to the enforcement of certain federal laws regulating firearms, firearm accessories, and firearm ammunition within the State of Texas.

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

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

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

Absent-excused: Creighton.

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

HOUSE BILL 1900 ON SECOND READING

Senator Huffman moved to suspend the regular order of business to take up for consideration **HB 1900** at this time on its second reading:

HB 1900, Relating to municipalities that adopt budgets that defund municipal police departments.

The motion prevailed by the following vote: Yeas 23, Nays 3, Present-not voting 4.

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

Nays: Eckhardt, Johnson, Seliger.

Present-not voting: Alvarado, Menéndez, Miles, West.

Absent-excused: Creighton.

The bill was read second time.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1900** (senate committee report) as follows:

(1) In SECTION 1.01 of the bill, strike added Section 109.004(b), Local Government Code (page 2, lines 1-5), and substitute the following:

(b) For purposes of making a determination of whether a municipality is a defunding municipality under this chapter, a municipality's appropriation to the municipality's police department does not include:

(1) any grant money received by the municipality during any fiscal year; or

(2) any sales and use tax revenue received by the municipality for the purpose of financing a crime control and prevention district under Chapter 363.

(2) In SECTION 3.01 of the bill, strike added Section 26.0444(d), Tax Code (page 3, lines 20-23), and substitute the following:

(d) For purposes of Subsection (a)(2), the amount of money appropriated for public safety and the amount of money spent by the municipality for public safety does not include:

(1) any grant money received by the municipality during any fiscal year; or

(2) any sales and use tax revenue received by the municipality for the purpose of financing a crime control and prevention district under Chapter 363, Local Government Code, during any fiscal year.

The amendment to **HB 1900** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Creighton.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 2

Amend **HB 1900** (senate committee printing) in SECTION 2.01 of the bill, in added Section 43.004, Local Government Code, as follows:

(1) In the heading (page 2, line 25), between "PROHIBITED" and the underlined period, insert "; EXCEPTION".

(2) In Subsection (b) (page 2, line 28), strike "A" and substitute "Except as provided by Subsection (c), a".

(3) Immediately after Subsection (b) (page 2, between lines 35 and 36), insert the following:

(c) This section does not apply to a defunding municipality annexing all or part of an area under Section 43.0116 that was designated an industrial district under Section 42.044(b) or the subject of an agreement under Section 42.044(c) as of January 1, 2021.

The amendment to **HB 1900** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 except as follows:

Absent-excused: Creighton.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 3

Amend **HB 1900** (senate committee printing) in SECTION 5.02 of the bill, in added Section 33.0211, Utilities Code, immediately after Subsection (b) (page 4, between lines 53 and 54), insert the following:

(c) If a municipally owned utility has not transferred funds to the defunding municipality described by Subsection (a) in the immediately preceding 12 months, the municipally owned utility may increase its rates to account for:

(1) pass-through charges imposed by a state regulatory body or the independent organization certified under Section 39.151;

(2) fuel, hedging, or wholesale power cost increases; or

(3) to fulfill debt obligations or comply with Chapter 1502, Government Code.

(d) A municipally owned utility that increases rates under this Subsection (c) may not transfer funds to the defunding municipality described by Subsection (a) until the date the criminal justice division of the governor's office issues a written determination in accordance with Section 109.005, Local Government Code, finding that the municipality described by Subsection (a) has reversed the reduction described by Section 109.003(1), Local Government Code.

The amendment to **HB 1900** 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. 3 except as follows:

Absent-excused: Creighton.

HB 1900 as amended was passed to third reading by the following vote: Yeas 23, Nays 3, Present-not voting 4.

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

Nays: Eckhardt, Johnson, Seliger.

Present-not voting: Alvarado, Menéndez, Miles, West.

Absent-excused: Creighton.

HOUSE BILL 1900 ON THIRD READING

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1900** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 23, Nays 3, Present-not voting 4.

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

Nays: Eckhardt, Johnson, Seliger.

Present-not voting: Alvarado, Menéndez, Miles, West.

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 23, Nays 3, Present-not voting 4. (Same as previous roll call)

(Senator Schwertner in Chair)

HOUSE BILL 1589 ON SECOND READING

On motion of Senator Menéndez and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1589** at this time on its second reading:

HB 1589, Relating to paid leave for public officers and employees engaged in certain military service.

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 1589 ON THIRD READING

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1589** 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)

HOUSE BILL 1578 ON SECOND READING

On motion of Senator Hughes and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1578** at this time on its second reading:

HB 1578, Relating to recovery of attorney's fees in certain civil cases.

The bill was read second time.

Senator Hughes offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1578** (senate committee printing) in SECTION 1 of the bill, in amended Section 38.001, Civil Practice and Remedies Code (page 1, line 27), between "organization" and "~~corporation~~", by inserting "other than a quasi-governmental entity authorized to perform a function by state law, a religious organization, a charitable organization, or a charitable trust".

The amendment to **HB 1578** 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.

HB 1578 as amended was passed to third reading by a viva voce vote.

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

Nays: Schwertner.

Absent-excused: Creighton.

HOUSE BILL 1578 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 **HB 1578** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

Nays: Schwertner.

Absent-excused: Creighton.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 1927 ADOPTED

Senator Schwertner called from the President's table the Conference Committee Report on **HB 1927**. The Conference Committee Report was filed with the Senate on Friday, May 21, 2021.

On motion of Senator Schwertner, the Conference Committee Report was adopted by the following vote: Yeas 17, Nays 13.

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

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

Absent-excused: Creighton.

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 in the Press Room, 2E.9, at 5:20 p.m. today.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Hughes and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on State Affairs might meet and consider **HB 1535** today in the Betty King Committee Room, 2E.20.

RECESS

On motion of Senator Whitmire, the Senate at 5:16 p.m. recessed until 5:35 p.m. today.

AFTER RECESS

The Senate met at 5:50 p.m. and was called to order by President Pro Tempore Birdwell.

HOUSE BILL 3340 ON SECOND READING

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3340** at this time on its second reading:

HB 3340, Relating to the appeal of certain orders regarding dangerous dogs.

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 3340 ON THIRD READING

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3340** 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 3821 ON SECOND READING

On motion of Senator Menéndez and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 3821** at this time on its second reading:

CSHB 3821, Relating to employing and training mental health professionals for the mental health program for veterans.

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 3821 ON THIRD READING**

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 3821** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 2056 ON SECOND READING

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2056** at this time on its second reading:

HB 2056, Relating to the practice of dentistry and the provision of teledentistry dental services.

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 2056 ON THIRD READING

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2056** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 4074 ON SECOND READING

On motion of Senator Menéndez and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 4074** at this time on its second reading:

HB 4074, Relating to the collection and use of suicide data by the statewide behavioral health coordinating council.

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

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

Nays: Springer.

Absent-excused: Creighton.

HOUSE BILL 4074 ON THIRD READING

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 4074** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

Nays: Springer.

Absent-excused: Creighton.

HOUSE BILL 4361 ON SECOND READING

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 4361** at this time on its second reading:

HB 4361, Relating to off-campus workforce education or lower-division programs offered by a public institution of higher education at the request of an employer.

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 4361 ON THIRD READING

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 4361** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 1694 ON SECOND READING

On motion of Senator Schwertner and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1694** at this time on its second reading:

HB 1694, Relating to a defense to prosecution for certain offenses involving possession of small amounts of controlled substances, marihuana, dangerous drugs, or abusable volatile chemicals, or possession of drug paraphernalia for defendants seeking assistance for a suspected overdose.

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 1694 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 **HB 1694** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 1500 ON SECOND READING

Senator Hall, on behalf of Senator Creighton, moved to suspend the regular order of business to take up for consideration **HB 1500** at this time on its second reading:

HB 1500, Relating to authority of the governor and certain political subdivisions to regulate firearms, ammunition, knives, air guns, explosives, and combustibles and certain associated businesses during certain disasters and emergencies.

The motion prevailed by the following vote: Yeas 23, Nays 7.

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

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

Absent-excused: Creighton.

The bill was read second time and was passed to third reading by the following vote: Yeas 23, Nays 7. (Same as previous roll call)

HOUSE BILL 1500 ON THIRD READING

Senator Hall, 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 **HB 1500** be placed on its third reading and final passage.

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

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

Nays: Birdwell, Eckhardt, Gutierrez, Johnson, Menéndez, Whitmire.

Absent-excused: Creighton.

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

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

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

Absent-excused: Creighton.

HOUSE BILL 1758 ON SECOND READING

Senator Birdwell moved to suspend the regular order of business to take up for consideration **HB 1758** at this time on its second reading:

HB 1758, Relating to law enforcement's use of force by means of a drone.

The motion prevailed.

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

The bill was read second time.

Senator Taylor offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1758** (senate committee report) as follows:

(1) In SECTION 1 of the bill, in added Article 2.33(b), Code of Criminal Procedure (page 1, line 30), between "agency" and "shall", insert "that uses or intends to use a drone for law enforcement purposes".

(2) In SECTION 1 of the bill, in added Article 2.33(b)(1), Code of Criminal Procedure (page 1, line 32), between "drone" and "and update", insert ", before the agency first uses a drone,".

(3) In SECTION 3 of the bill, in the transition language (page 1, line 61), between "state" and "shall", insert "that uses or intends to use a drone, as defined by Article 2.33, Code of Criminal Procedure, as added by this Act, for law enforcement purposes".

The amendment to **HB 1758** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Creighton.

Senator Birdwell offered the following amendment to the bill:

Floor Amendment No. 2

Amend **HB 1758** (senate committee printing) in SECTION 1 of the bill (page 1, lines 21-22), by striking "watercraft, or ground vehicle or a robotic device".

The amendment to **HB 1758** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 except as follows:

Absent-excused: Creighton.

HB 1758 as amended was passed to third reading by a viva voce vote.

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

Nays: Eckhardt, Menéndez.

Absent-excused: Creighton.

HOUSE BILL 1758 ON THIRD READING

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1758** be placed on its third reading and final passage.

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

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

Nays: Eckhardt, Menéndez.

Absent-excused: Creighton.

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

BILLS AND RESOLUTIONS SIGNED

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

SB 89, SB 186, SB 244, SB 271, SB 296, SB 338, SB 387, SB 481, SB 672, SB 764, SB 782, SB 818, SB 918, SB 1136, SB 1165, SB 1168, SB 1177, SB 1269, SB 1359, SB 1585, SB 1655, SB 1801, SB 1814, SB 1815, SB 1942, SB 2008, SB 2062, SB 2099, SB 2183, SCR 3, SCR 12, SCR 51, SJR 35.

RECESS

On motion of Senator Whitmire, the Senate at 6:43 p.m. recessed until 8:30 p.m. today.

AFTER RECESS

The Senate met at 8:44 p.m. and was called to order by the President.

HOUSE CONCURRENT RESOLUTION 1 ON SECOND READING

Senator Kolkhorst moved to suspend the regular order of business to take up for consideration **HCR 1** at this time on its second reading:

HCR 1, 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.

The motion prevailed.

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

Senator Menéndez asked to be recorded as "Present-not voting" on suspension of the regular order of business.

The resolution was read second time and was adopted by the following vote: Yeas 27, Nays 2, Present-not voting 1.

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

Nays: Eckhardt, Johnson.

Present-not voting: Menéndez.

Absent-excused: Creighton.

SENATE RULE 11.13 SUSPENDED
(Consideration of Bills in Committees)

On motion of Senator Hancock and by unanimous consent, Senate Rule 11.13 was suspended to grant the Committee on Business and Commerce permission to meet while the Senate is meeting today.

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 today.

SENATE RULE 5.14(a) SUSPENDED
(Intent Calendar)

On motion of Senator Schwertner and by unanimous consent, Senate Rule 5.14(a), requiring bills to be posted on the Intent Calendar by 3:00 p.m., was suspended and the time was extended to 11:00 p.m. today.

COMMITTEE SUBSTITUTE
HOUSE BILL 3617 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 3617** at this time on its second reading:

CSHB 3617, Relating to certain qualifications and requirements for residential mortgage loan companies, the investment and use of excess residential mortgage loan originator recovery fund fees, and the creation of the mortgage grant fund; changing a fee.

The bill was read second time.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 3617** (senate committee report) in SECTION 7 of the bill as follows:

(1) In added section 156.551(b), Finance Code (page 3, line 25), strike "All" and substitute "Subject to Subsection (c), all".

(2) Immediately following added Section 156.551(b), Finance Code (page 3, line 29), insert the following:

(c) The balance of the mortgage grant fund may not at any time exceed \$300,000.

(3) Strike added Section 156.554(b)(1), Finance Code (page 3, lines 57 through 69), and substitute the following:

(1) may provide grants in an aggregate amount of not more than \$100,000 each year to an auxiliary mortgage loan activity company or another nonprofit organization for the purposes of:

(A) providing to consumers financial education relating to mortgage loans; and

(B) providing to other nonprofit organizations training in order for those organizations to provide to consumers financial education relating to mortgage loans;

(4) Strike added Section 156.554(b)(3), Finance Code (page 4, lines 4 through 13), and substitute the following:

(3) may make disbursements from the fund to provide support for statewide financial education, activities, and programs specifically related to mortgage loans for consumers, including activities and programs described by Section 393.628(c).

The amendment to **CSHB 3617** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Creighton.

CSHB 3617 as amended was passed to third reading by a viva voce vote.

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

Nays: Buckingham, Miles, Nichols, Schwertner, Springer.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 3617 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 3617** 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, Campbell, Eckhardt, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, Kolkhorst, Lucio, Menéndez, Nelson, Paxton, Perry, Powell, Seliger, Taylor, West, Whitmire, Zaffirini.

Nays: Buckingham, Miles, Nichols, Schwertner, Springer.

Absent-excused: Creighton.

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

**HOUSE CONCURRENT RESOLUTION 5
ON SECOND READING**

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **HCR 5** at this time on its second reading:

HCR 5, 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.

The resolution was read second time and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 3571 ON SECOND READING**

On motion of Senator Springer and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 3571** at this time on its second reading:

CSHB 3571, Relating to the regulation of security measures by certain property owners' associations.

The bill was read second time.

Senator Springer offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 3571** (senate committee report) in SECTION 1 of the bill as follows:

(1) Strike added Section 202.023(a), Property Code (page 1, lines 27-29), and substitute the following:

(a) This section does not apply to:

(1) a condominium as defined by Section 81.002 or 82.003; or

(2) a master mixed-use property owners' association subject to Chapter 215.

(1) Strike added Section 202.023(c), Property Code (page 1, lines 35-37), and substitute the following:

(c) This section does not prohibit a property owners' association from:

(1) prohibiting the installation of a security camera by a property owner in a place other than the property owner's private property; or

(2) regulating the type of fencing that a property owner may install.

The amendment to **CSHB 3571** 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. except as follows:

Absent-excused: Creighton.

CSHB 3571 as amended was passed to third reading by a viva voce vote.

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

Nays: Buckingham, Hall.

Absent-excused: Creighton.

COMMITTEE SUBSTITUTE HOUSE BILL 3571 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 **CSHB 3571** 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 28, Nays 2.

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

Nays: Buckingham, Hall.

Absent-excused: Creighton.

COMMITTEE SUBSTITUTE HOUSE BILL 1247 ON SECOND READING

On motion of Senator Powell and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1247** at this time on its second reading:

CSHB 1247, Relating to the development of and report on a tri-agency work-based learning strategic framework by the Texas Workforce Commission, the Texas Education Agency, and the Texas Higher Education Coordinating Board.

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

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

Nays: Schwertner.

Absent-excused: Creighton.

COMMITTEE SUBSTITUTE HOUSE BILL 1247 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 **CSHB 1247** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

Nays: Schwertner.

Absent-excused: Creighton.

ACKNOWLEDGMENT

Senator West acknowledged the presence of State Representative Sheryl Cole and congratulated her on the passage of her legislation to name a state building the Barbara Jordan Building.

The Senate welcomed its guest.

HOUSE BILL 3720 ON SECOND READING

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3720** at this time on its second reading:

HB 3720, Relating to interest lists and eligibility criteria for certain Medicaid waiver programs.

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 3720** (senate committee report) as follows:

(1) In SECTION 1 of the bill, strike added Sections 531.06011(d) and (e), Government Code (page 1, line 61 through page 2, line 10), and reletter subsequent subsections of that section and cross-references to those subsections accordingly.

(2) Strike SECTION 2 of the bill, adding Section 32.0521, Human Resources Code (page 2, line 52 through page 3, line 28).

(3) In SECTION 3(1) of the bill (page 3, lines 32 through 34), strike ", and, subject to the availability of funds, implement Subsection (d) of that section not later than September 1, 2024".

(4) In SECTION 3 of the bill (page 3, lines 35 through 37), strike Subdivision (2) and renumber subsequent subdivisions of the SECTION and cross-references to those subdivisions accordingly.

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

SECTION _____. The Health and Human Services Commission is required to implement a provision of this Act only if the legislature appropriates money to the commission specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the commission may, but is not required to, implement a provision of this Act using other appropriations that are available for that purpose.

(6) Renumber the SECTIONS of the bill accordingly.

The amendment to **HB 3720** 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.

HB 3720 as amended was passed to third reading by a viva voce vote.

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

Absent-excused: Creighton.

HOUSE BILL 3720 ON THIRD READING

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3720** 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)

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 24, 2021 - 6

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:

SB 224 Perry Sponsor: Walle
Relating to simplified certification and recertification requirements for certain persons under the supplemental nutrition assistance program.
(Amended)

SB 1831 Taylor Sponsor: Thompson, Senfronia
Relating to the punishment for trafficking of persons, online solicitation of a minor, and prostitution and warning signs regarding certain penalties for trafficking of persons; increasing criminal penalties.
(Amended)

SJR 19 Kolkhorst Sponsor: Frank
Proposing a constitutional amendment establishing a right for residents of certain facilities to designate an essential caregiver for in-person visitation.
(Committee Substitute)

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

**COMMITTEE SUBSTITUTE
HOUSE BILL 3767 ON SECOND READING**

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 3767** at this time on its second reading:

CSHB 3767, 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.

The bill was read second time.

Senator Bettencourt offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 3767** (senate committee printing) as follows:

(1) In SECTION 3 of the bill, in added Section 204.0025, Labor Code (page 5, line 18), strike "(a)".

(2) In SECTION 3 of the bill, in added Section 204.0025, Labor Code, strike Subsections (b), (c), and (d) (page 5, lines 28 through 40).

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

SECTION _____. The Texas Workforce Commission is required to implement Section 204.0025, Labor Code, as added by this Act, only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the commission may, but is not required to, implement that section using other appropriations available for that purpose.

The amendment to **CSHB 3767** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Creighton.

CSHB 3767 as amended was passed to third reading by a viva voce vote.

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

Absent-excused: Creighton.

COMMITTEE SUBSTITUTE HOUSE BILL 3767 ON THIRD READING

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 3767** 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 686 ON SECOND READING

On motion of Senator Lucio and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 686** at this time on its second reading:

CSHB 686, Relating to the release on parole of certain youthful offenders; changing parole eligibility.

The bill was read second time.

Senator Whitmire offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 686** (senate committee report) by striking SECTION 3 of the bill, adding transition language (page 2, lines 32-39), and substituting the following:

SECTION 3. The change in law made by this Act applies to any inmate who is confined in a facility operated by or under contract with the Texas Department of Criminal Justice on or after the effective date of this Act, regardless of whether the offense for which the inmate is confined occurred before, on, or after the effective date of this Act.

The amendment to **CSHB 686** was read.

Senator Lucio moved to postpone further consideration of the bill to a time certain of 11:00 p.m. today.

The motion prevailed.

Question: Shall Floor Amendment No. 1 to **CSHB 686** be adopted?

HOUSE BILL 929 ON SECOND READING

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 929** at this time on its second reading:

HB 929, Relating to law enforcement policies and procedures regarding body worn cameras.

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 929 ON THIRD READING

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 929** 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)

(Senator Hughes in Chair)

HOUSE BILL 3131 ON SECOND READING

On motion of Senator Hancock and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3131** at this time on its second reading:

HB 3131, Relating to the information required to be included in the certificate of formation of a filing entity.

The bill was read second time.

Senator Hancock offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 3131** (senate committee report) as follows:

(1) In SECTION 1 of the bill, in amended Section 3.005(a)(6), Business Organizations Code (page 1, line 38), strike "preferred" and substitute "initial".

(2) In SECTION 3 of the bill (page 1, line 61), strike "September 1, 2021" and substitute "January 1, 2022".

The amendment to **HB 3131** 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.

HB 3131 as amended was passed to third reading by a viva voce vote.

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

Absent-excused: Creighton.

HOUSE BILL 3131 ON THIRD READING

Senator Hancock moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3131** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 2728 ON SECOND READING

On motion of Senator Johnson and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2728** at this time on its second reading:

HB 2728, Relating to the designation of January 27 as International Holocaust Remembrance Day.

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 2728 ON THIRD READING

Senator Johnson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2728** 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 1849 ON SECOND READING

On motion of Senator Paxton and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1849** at this time on its second reading:

CSHB 1849, Relating to the modification of an order establishing the conservatorship or possession of or access to a child after a conservator's death.

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 1849 ON THIRD READING

Senator Paxton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1849** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 3643 ON SECOND READING

On motion of Senator Taylor and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3643** at this time on its second reading:

HB 3643, Relating to the creation of the Texas Commission on Virtual Education.

The bill was read second time.

Senator Taylor offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 3643** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, adding Subchapter I, Chapter 48, Education Code (page 2, between lines 27 and 28), insert the following:

Sec. 48.4085. GIFTS, GRANTS, AND DONATIONS. The agency may accept gifts, grants, and donations from any source to support the commission.

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

SECTION _____. The Texas Commission on Virtual Education, as created by Subchapter I, Chapter 48, Education Code, as added by this Act, is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the agency may, but is not required to, support the commission using other appropriations available for that purpose.

The amendment to **HB 3643** 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.

HB 3643 as amended was passed to third reading by a viva voce vote.

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

Nays: Springer.

Absent-excused: Creighton.

HOUSE BILL 3643 ON THIRD READING

Senator Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3643** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

Nays: Springer.

Absent-excused: Creighton.

COMMITTEE SUBSTITUTE HOUSE BILL 4 ON SECOND READING

On motion of Senator Buckingham and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 4** at this time on its second reading:

CSHB 4, Relating to the provision and delivery of certain health care services in this state, including services under Medicaid and other public benefits programs, using telecommunications or information technology and to reimbursement for some of those services.

The bill was read second time.

Senator Buckingham offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 4** (senate committee report) as follows:

(1) In SECTION 5 of the bill, in added Section 533.008(c), Government Code (page 3, line 3), between "Code" and the underlined period, insert "including updated information provided to the organization in accordance with Section 32.025(h), Human Resources Code".

(2) Strike SECTION 10 of the bill (page 4, lines 38 through 68) and substitute the following:

SECTION 10. Section 32.025, Human Resources Code, is amended by amending Subsection (g) and adding Subsection (h) to read as follows:

(g) The application form, including a renewal form, adopted under this section must include:

(1) for an applicant who is pregnant, a question regarding whether the pregnancy is the woman's first gestational pregnancy; [~~and~~]

(2) for all applicants, a question regarding the applicant's preferences for being contacted by a managed care organization or health plan provider that provides the applicant with the option to be contacted~~[, as follows:~~

~~["If you are determined eligible for benefits, your managed care organization or health plan provider may contact you]~~ by telephone, text message, or e-mail about health care matters, including reminders for appointments and information about immunizations or well check visits; and

(3) language that:

(A) notifies the applicant that, if determined eligible for benefits, all preferred contact methods listed on the application and renewal forms will be shared with the applicant's managed care organization or health plan provider;

(B) allows the applicant to consent to being contacted through the preferred contact methods by the applicant's managed care organization or health plan provider; and

(C) explains the security risks of electronic communication. [~~All preferred methods of contact listed on this application will be shared with your managed care organization or health plan provider. Please indicate below your preferred methods of contact in order of preference, with the number 1 being the most preferable method:~~

~~[(1) By telephone (if contacted by cellular telephone, the call may be autodialed or prerecorded, and your carrier's usage rates may apply)? Yes No~~

~~[Telephone number: _____~~

~~[Order of preference: 1 2 3 (circle a number)~~

~~[(2) By text message (a free autodialed service, but your carrier may charge message and data rates)? Yes No~~

~~[Cellular telephone number: _____~~

~~[Order of preference: 1 2 3 (circle a number)~~

~~[(3) By e-mail? Yes No~~

~~[E-mail address: _____~~

~~[Order of preference: 1 2 3 (circle a number)"]~~

(h) For purposes of Subsections (g)(2) and (3), the commission shall implement a process to:

(1) transmit the applicant's preferred contact methods and consent to the managed care organization or health plan provider;

(2) allow an applicant to change the applicant's preferences in the future, including providing for an option to opt out of electronic communication; and

(3) communicate updated information to the managed care organization or health plan provider.

(3) In SECTION 11 of the bill, adding transition language (page 5, lines 2 through 5), insert the following appropriately numbered subdivision and renumber subsequent subdivisions of the SECTION accordingly:

() adopt a revised application form for medical assistance benefits that conforms to the requirements of Section 32.025(g), Human Resources Code, as amended by this Act;

The amendment to **CSHB 4** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Creighton.

CSHB 4 as amended was passed to third reading by a viva voce vote.

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

Absent-excused: Creighton.

COMMITTEE SUBSTITUTE HOUSE BILL 4 ON THIRD READING

Senator Buckingham moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 4** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 2610 ON SECOND READING

On motion of Senator Miles and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2610** at this time on its second reading:

HB 2610, Relating to the deadline to begin a county fire code inspection in certain counties.

The bill was read second time.

Senator Miles offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 2610** (senate committee report) in SECTION 1 of the bill, in added Section 233.064(e-1), Local Government Code (page 1, line 34), between "request" and the underlined period, by inserting the following:
, except the county shall begin the inspection of an indoor retail fireworks site, as defined by Section 2154.001, Occupations Code, within five business days after the date of receipt of the written inspection request

The amendment to **HB 2610** 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.

HB 2610 as amended was passed to third reading by a viva voce vote.

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

Absent-excused: Creighton.

HOUSE BILL 2610 ON THIRD READING

Senator Miles moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2610** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 3271 ON SECOND READING

Senator Blanco moved to suspend the regular order of business to take up for consideration **HB 3271** at this time on its second reading:

HB 3271, Relating to establishing loan programs to assist certain micro-businesses by increasing access to capital; authorizing fees.

The motion prevailed by the following vote: Yeas 23, Nays 6, Present-not voting 1.

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

Nays: Birdwell, Hall, Hughes, Nichols, Schwertner, Springer.

Present-not voting: Bettencourt.

Absent-excused: Creighton.

The bill was read second time.

Senator Blanco offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 3271** (senate committee printing) by striking all below the enacting clause and substituting the following:

SECTION 11. Chapter 481, Government Code, is amended by adding Subchapter CC to read as follows:

SUBCHAPTER CC. MICRO-BUSINESS DISASTER RECOVERY PROGRAM

Sec. 481.451. DEFINITIONS. In this subchapter:

(1) "Community development financial institution" has the meaning assigned by 12 U.S.C. Section 4702.

(2) "Declared disaster" means:

(A) a declaration of a state of disaster under Section 418.014 or 418.108; or

(B) a disaster declared by the president of the United States, if any part of this state is named in the federally designated disaster area.

(3) "Default rate" means the percentage of micro-business disaster recovery loans made that did not meet the payment terms during a period specified by the bank.

(4) "Fund" means the micro-business recovery fund established under Section 481.452.

(5) "Micro-business" means a corporation, partnership, sole proprietorship, or other legal entity that:

(A) is domiciled in this state and has at least 95 percent of its employees located in this state;

(B) is formed to make a profit; and

(C) employs not more than 20 employees.

(6) "Micro-business disaster recovery loan" or "disaster recovery loan" means a loan made by a participating community development financial institution to micro-businesses under the program.

(7) "Program" means the micro-business disaster recovery loan program established under this subchapter.

Sec. 481.452. MICRO-BUSINESS RECOVERY FUND. (a) The micro-business recovery fund is a dedicated account in the general revenue fund.

(b) Appropriations for the implementation and administration of this subchapter and any other amounts, including federal allocations, received by the bank or state under this subchapter shall be deposited in the fund.

(c) Money in the fund may be appropriated only to the bank for use in carrying out the purposes of this subchapter.

Sec. 481.453. POWERS OF BANK IN ADMINISTERING MICRO-BUSINESS RECOVERY FUND. In administering the fund, the bank has the powers necessary to carry out the purposes of this subchapter, including the power to:

(1) make, execute, and deliver contracts, conveyances, and other instruments necessary to the exercise of its powers;

(2) invest money at the bank's discretion in obligations determined proper by the bank, and select and use depositories for its money;

(3) employ personnel and counsel and pay those persons from money in the fund legally available for that purpose; and

(4) impose and collect fees and charges in connection with any transaction and provide for reasonable penalties for delinquent payment of fees or charges.

Sec. 481.454. ESTABLISHMENT OF LOAN PROGRAM; PURPOSE. (a) The bank shall establish and administer a revolving loan program as provided by this subchapter.

(b) The program shall expand access to capital for qualifying micro-businesses to create jobs in this state and constitutes a capital access program under Subchapter BB.

Sec. 481.455. PROGRAM ADMINISTRATION. (a) The bank, under the program, shall provide zero interest loans to eligible community development financial institutions for purposes of making interest-bearing loans to qualifying micro-businesses that have difficulty in accessing capital following a declared disaster.

(b) A loan made by an eligible community development financial institution under the program:

(1) must be made to a micro-business that:
(A) is in good standing under the laws of this state; and
(B) did not owe delinquent taxes to a taxing unit of this state before the date of the initial issuance of the disaster declaration;

(2) may not be made to a micro-business that:
(A) has total revenue that exceeds the amount for which no franchise tax is due under Section 171.002(d)(2), Tax Code;

(B) is a franchise;

(C) is a national chain with operations in this state;

(D) is a lobbying firm; or

(E) is a private equity firm or backed by a private equity firm; and

(3) must meet any other criteria provided by this subchapter.

(c) Payments on micro-business disaster recovery loans shall be made directly to the lending community development financial institutions.

(d) All income received on a loan made by a community development financial institution participating in the program is the property of the financial institution. Income received on a loan includes the payment of interest by a borrower micro-business and the administrative fees assessed by the community development financial institution.

(e) A community development financial institution participating in the program shall make payments to the bank on the zero interest loans borrowed by the financial institution under the program quarterly, and the bank or this state is not responsible or liable for any defaults in micro-business disaster recovery loans made by the community development financial institution.

Sec. 481.456. RULEMAKING. The executive director shall adopt rules relating to the implementation of the program and any other rules necessary to accomplish the purposes of this subchapter, including rules that provide criteria under which community development financial institutions may qualify for the program.

Sec. 481.457. OVERSIGHT. (a) A community development financial institution participating in the program shall report quarterly to the bank:

(1) the names of micro-businesses that have received a disaster recovery loan;

(2) the current balance of all outstanding disaster recovery loans;

(3) the default rate on existing disaster recovery loans; and

(4) any other information the bank requires.

(b) A community development financial institution participating in the program shall prepare a detailed financial statement each quarter and provide a copy to the bank.

(c) A community development financial institution shall allow the bank to inspect the institution's financial records on request for purposes that relate to loans under the program.

Sec. 481.458. PROGRAM ANNUAL STATUS REPORT. The bank shall prepare an annual status report on the program. The office shall include a summary of the report in the report to the legislature required by Section 489.107.

SECTION 12. The heading to Subchapter BB, Chapter 481, Government Code, is amended to read as follows:

SUBCHAPTER BB. ACCESS TO CAPITAL PROGRAMS [~~ACCESS PROGRAM~~]

SECTION 13. Section 481.401, Government Code, is amended by amending Subdivisions (3), (7), (8), and (9) and adding Subdivision (6-a) to read as follows:

(3) "Fund" means the original capital access fund.

(6-a) "Original capital access program" means the program established under Section 481.405.

(7) "Participating financial institution" means a financial institution participating in a ~~[the]~~ program.

(8) "Program" means an ~~[the capital]~~ access to capital program established by the bank under this subchapter.

(9) "Reserve account" means an account established in a participating financial institution on approval of the bank in which money is deposited to serve as a source of additional revenue to reimburse the financial institution for losses on loans enrolled in a ~~[the]~~ program.

SECTION 14. Section 481.402, Government Code, is amended to read as follows:

Sec. 481.402. ORIGINAL CAPITAL ACCESS FUND. (a) The original capital access fund is a dedicated account in the general revenue fund.

(b) Appropriations for the implementation and administration of the original capital access program ~~[this subchapter]~~ and any other amounts received by the state for the original capital access program ~~[under this subchapter]~~ shall be deposited in the fund.

(c) Money in the fund may be appropriated only to the bank for use in carrying out the purposes of the original capital access program ~~[this subchapter]~~.

SECTION 15. Subchapter BB, Chapter 481, Government Code, is amended by adding Section 481.403 to read as follows:

Sec. 481.403. ACCESS TO CAPITAL PROGRAMS. The bank may establish access to capital loan-related programs of the following types to promote private access to capital to certain businesses with fewer than 500 full-time employees:

(1) capital access programs;

(2) collateral support programs;

(3) loan guarantee programs; and

(4) loan participation programs.

SECTION 16. The heading to Section 481.404, Government Code, is amended to read as follows:

Sec. 481.404. POWERS OF BANK IN ADMINISTERING ORIGINAL CAPITAL ACCESS FUND.

SECTION 17. Section 481.405, Government Code, is amended to read as follows:

Sec. 481.405. ORIGINAL CAPITAL ACCESS PROGRAM. (a) The original ~~[bank shall establish a]~~ capital access program has been established by the bank to assist a participating financial institution in making loans to businesses and nonprofit organizations that face barriers in accessing capital.

(b) The bank shall use money in the fund to make a deposit in a participating financial institution's reserve account in an amount specified by this subchapter to be a source of money the institution may receive as reimbursement for losses attributable to loans in the original capital access program.

(c) The bank shall determine the eligibility of a financial institution to participate in the original capital access program and may set a limit on the number of eligible financial institutions that may participate in the original capital access program.

(d) To participate in the original capital access program, an eligible financial institution must enter into a participation agreement with the bank that sets out the terms and conditions under which the bank will make contributions to the institution's reserve account and specifies the criteria for a loan to qualify as a capital access loan under the original capital access program.

(e) To qualify as a capital access loan under the original capital access program, a loan must:

(1) be made to a small or medium-sized business or to a nonprofit organization;

(2) be used by the business or nonprofit organization for any project, activity, or enterprise in this state that fosters economic development; and

(3) meet any other criteria provided by this subchapter.

SECTION 18. Section 481.406, Government Code, is amended to read as follows:

Sec. 481.406. RULEMAKING AUTHORITY. (a) The executive director may ~~shall~~ adopt rules relating to the implementation of any ~~the~~ program established under this subchapter and any other rules necessary to accomplish the purposes of this subchapter.

(b) The rules for the original capital access program may:

(1) provide for criteria under which a certain line of credit issued by an eligible financial institution to a small or medium-sized business or nonprofit organization qualifies to participate in the original capital access program; and

(2) authorize a consortium of financial institutions to participate in the original capital access program subject to common underwriting guidelines.

(c) ~~(b)~~ To qualify for participation in the original capital access program, a line of credit must:

(1) be an account at a financial institution under which the financial institution agrees to lend money to a person from time to time to finance one or more projects, activities, or enterprises that are authorized by this subchapter; and

(2) contain the same restrictions, to the extent possible, that are placed on a capital access loan under the original capital access program that is not a line of credit.

SECTION 19. Section 481.407, Government Code, is amended to read as follows:

Sec. 481.407. PROVISIONS RELATING TO CAPITAL ACCESS LOAN UNDER ORIGINAL CAPITAL ACCESS PROGRAM. (a) Except as otherwise provided by this subchapter, the bank may not determine the recipient, amount, or interest rate of a capital access loan under the original capital access program or the fees or other requirements related to the loan.

(b) A loan under the original capital access program is not eligible to be enrolled under this subchapter if the loan is for:

- (1) construction or purchase of residential housing;
- (2) simple real estate investments, excluding the development or improvement of commercial real estate occupied by the borrower's business or organization; or
- (3) inside bank transactions, as defined by the policy board.

(c) The borrower of a capital access loan under the original capital access program must apply the loan to working capital or to the purchase, construction, or lease of capital assets, including buildings and equipment used by the business or nonprofit organization. Working capital uses include the cost of exporting, accounts receivable, payroll, inventory, and other financing needs of the business or organization.

(d) A capital access loan under the original capital access program may be sold on the secondary market with no recourse to the bank or to the loan loss reserve correspondent to the loan and under conditions as may be determined by the bank.

(e) When enrolling a loan in the original capital access program, a participating financial institution may specify an amount to be covered under the original capital access program that is less than the total amount of the loan.

SECTION 20. Section 481.408, Government Code, is amended to read as follows:

Sec. 481.408. ORIGINAL CAPITAL ACCESS PROGRAM RESERVE ACCOUNT. (a) On approval by the bank and after entering into a participation agreement with the bank, a participating financial institution making a capital access loan under the original capital access program shall establish a reserve account. The reserve account shall be used by the institution only to cover any losses arising from a default of a capital access loan under the original capital access program made by the institution under this subchapter or as otherwise provided by this subchapter.

(b) When a participating financial institution makes a loan enrolled in the original capital access program, the institution shall require the borrower to pay to the institution a fee in an amount that is not less than two percent but not more than three percent of the principal amount of the loan, which the financial institution shall deposit in the reserve account. The institution shall also deposit in the reserve account an amount equal to the amount of the fee received by the institution from the borrower under this subsection. The institution may recover from the borrower all or part of the amount the institution is required to pay under this subsection in any manner agreed to by the institution and borrower.

(c) For each capital access loan under the original capital access program made by a financial institution, the institution shall certify to the bank, within the period prescribed by the bank, that the institution has made a capital access loan, the amount the institution has deposited in the reserve account, including the amount of fees received from the borrower, and, if applicable, that the borrower is financing an enterprise project or is located in or financing a project, activity, or enterprise in an area designated as an enterprise zone under Chapter 2303.

(d) On receipt of a certification made under Subsection (c) and subject to Section 481.409, the bank shall deposit in the institution's reserve account for each capital access loan made by the institution under the original capital access program:

(1) an amount equal to the amount deposited by the institution for each loan if the institution:

(A) has assets of more than \$1 billion; or

(B) has previously enrolled loans in the original capital access program that in the aggregate are more than \$2 million;

(2) an amount equal to 150 percent of the total amount deposited under Subsection (b) for each loan if the institution is not described by Subdivision (1); or

(3) notwithstanding Subdivisions (1) and (2), an amount equal to 200 percent of the total amount deposited under Subsection (b) for each loan if:

(A) the borrower is financing an enterprise project or is located in or financing a project, activity, or enterprise in an area designated as an enterprise zone under Chapter 2303;

(B) the borrower is a small or medium-sized business or a nonprofit organization that operates or proposes to operate a day-care center or a group day-care home, as those terms are defined by Section 42.002, Human Resources Code; or

(C) the participating financial institution is a community development financial institution, as that term is defined by 12 U.S.C. Section 4702, as amended.

(e) A participating financial institution must obtain approval from the bank to withdraw funds from the reserve account.

SECTION 21. Section 481.409, Government Code, is amended to read as follows:

Sec. 481.409. LIMITATIONS ON STATE CONTRIBUTION TO ORIGINAL CAPITAL ACCESS PROGRAM RESERVE ACCOUNT. (a) The amount deposited by the bank into a participating financial institution's reserve account for any single loan recipient under the original capital access program may not exceed \$150,000 during a three-year period.

(b) The maximum amount the bank may deposit into a reserve account for each capital access loan under the original capital access program made under this subchapter is the lesser of \$35,000 or an amount equal to:

(1) eight percent of the loan amount if:

(A) the borrower is financing an enterprise project or is located in or financing a project, activity, or enterprise in an area designated as an enterprise zone under Chapter 2303;

(B) the borrower is a small or medium-sized business or a nonprofit organization that operates or proposes to operate a day-care center or a group day-care home, as those terms are defined by Section 42.002, Human Resources Code; or

(C) the participating financial institution is a community development financial institution, as that term is defined by 12 U.S.C. Section 4702, as amended; or

(2) six percent of the loan amount for any other borrower.

SECTION 22. Section 481.410, Government Code, is amended to read as follows:

Sec. 481.410. STATE'S RIGHTS WITH RESPECT TO ORIGINAL CAPITAL ACCESS PROGRAM RESERVE ACCOUNT. (a) All of the money in a reserve account established under this subchapter for the original capital access program is property of the state.

(b) The state is entitled to earn interest on the amount of contributions made by the bank, borrower, and institution to a reserve account under this subchapter for the original capital access program. The bank shall withdraw monthly or quarterly from a reserve account for the original capital access program the amount of the interest earned by the state. The bank shall deposit the amount withdrawn under this subsection into the fund.

(c) If the amount in a reserve account for the original capital access program exceeds an amount equal to 33 percent of the balance of the financial institution's outstanding capital access loans under the original capital access program, the bank may withdraw the excess amount and deposit the amount in the fund. A withdrawal of money authorized under this subsection may not reduce an active reserve account for the original capital access program to an amount that is less than \$200,000.

(d) The bank shall withdraw from the institution's reserve account under the original capital access program the total amount in the account and any interest earned on the account and deposit the amount in the fund when:

(1) a financial institution is no longer eligible to participate in the original capital access program or a participation agreement entered into under this subchapter for the original capital access program expires without renewal by the bank or institution;

(2) the financial institution has no outstanding capital access loans under the original capital access program;

(3) the financial institution has not made a capital access loan under the original capital access program within the preceding 24 months; or

(4) the financial institution fails to submit a report or other document requested by the bank for the original capital access program within the time or in the manner prescribed.

SECTION 23. Section 481.411, Government Code, is amended to read as follows:

Sec. 481.411. ANNUAL REPORT. A participating financial institution shall submit an annual report to the bank. The report must, at a minimum:

(1) provide information regarding outstanding ~~[capital access]~~ loans, ~~[capital access]~~ loan losses, and any other information related to participation in a program established under this subchapter ~~[on capital access loans]~~ the bank considers appropriate;

(2) state the total amount of loans for which the bank has made a contribution from the fund under this subchapter;

(3) include a copy of the institution's most recent financial statement; and

(4) include information regarding the type and size of businesses and nonprofit organizations with ~~[capital access]~~ loans under this subchapter.

SECTION 24. Section 481.412(a), Government Code, is amended to read as follows:

(a) The office shall submit to the legislature an annual status report on the ~~[program's]~~ activities of all programs established under this subchapter.

SECTION 25. The heading to Section 481.415, Government Code, is amended to read as follows:

Sec. 481.415. ALLOCATION AND TRANSFER OF MONEY FROM ORIGINAL CAPITAL ACCESS FUND.

SECTION 26. Section 481.415(a), Government Code, is amended to read as follows:

(a) Notwithstanding any other provision of this subchapter, the bank may allocate money held in or due to the original capital access fund to programs administered by the bank under Section 489.108 or Subchapter D, Chapter 489. The bank may transfer money from the original capital access fund to the Texas product development fund or the Texas small business incubator fund.

SECTION 27. Section 489.105(b), Government Code, is amended to read as follows:

(b) The fund consists of:

- (1) appropriations for the implementation and administration of this chapter;
- (2) investment earnings under the original capital access fund established under Section 481.402;
- (3) fees charged under Subchapter BB, Chapter 481;
- (4) interest earned on the investment of money in the fund;
- (5) fees charged under this chapter;
- (6) investment earnings from the programs administered by the bank;
- (7) amounts transferred under Section 2303.504(b), as amended by Article 2, Chapter 1134, Acts of the 77th Legislature, Regular Session, 2001;
- (8) investment earnings under the Texas product development fund under Section 489.211;
- (9) investment earnings under the Texas small business incubator fund under Section 489.212; and
- (10) any other amounts received by the state under this chapter.

SECTION 28. Section 489.108, Government Code, is amended to read as follows:

Sec. 489.108. PROGRAMS, SERVICES, AND FUNDS UNDER BANK'S DIRECTION. Notwithstanding any other law, the bank shall perform the duties and functions of the office with respect to the following programs, services, and funds:

- (1) the original capital access program established under Section 481.405;
- (2) the Texas Leverage fund;
- (3) the enterprise zone program established under Chapter 2303;
- (4) the industrial revenue bond program;
- (5) the defense economic readjustment zone program established under Chapter 2310;
- (6) the Empowerment Zone and Enterprise Community grant program established under Section 481.025; and
- (7) the renewal community program.

SECTION 29. Section 489.211(b), Government Code, is amended to read as follows:

(b) The product fund is composed of proceeds of bonds issued under this subchapter, financing application fees, loan repayments, guarantee fees, royalty receipts, dividend income, money appropriated by the legislature for authorized purposes of the product fund, amounts received by the state from loans, loan guarantees, and equity investments made under this subchapter, amounts received by the state from federal grants or other sources, amounts transferred from the original capital access fund under Section 481.415, and any other amounts received under this subchapter and required by the bank to be deposited in the product fund. The product fund contains a program account, an interest and sinking account, and other accounts that the bank authorizes to be created and maintained. Money in the product fund is available for use by the board under this subchapter. Investment earnings under the product fund must be transferred to the fund created under Section 489.105. Notwithstanding any other provision of this subchapter, any money in the product fund may be used for debt service.

SECTION 30. Section 489.212(b), Government Code, is amended to read as follows:

(b) The small business fund is composed of proceeds of bonds issued under this subchapter, financing application fees, loan repayments, guarantee fees, royalty receipts, dividend income, money appropriated by the legislature for authorized purposes of the small business fund, amounts received by the state from loans, loan guarantees, and equity investments made under this subchapter, amounts received by the state from federal grants or other sources, amounts transferred from the original capital access fund under Section 481.415, and any other amounts received under this subchapter and required by the bank to be deposited in the small business fund. The small business fund contains a project account, an interest and sinking account, and other accounts that the bank authorizes to be created and maintained. Money in the small business fund is available for use by the board under this subchapter. Investment earnings under the small business fund must be transferred to the fund created under Section 489.105. Notwithstanding any other provision of this subchapter, any money in the small business fund may be used for debt service.

SECTION 31. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

The amendment to **HB 3271** 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.

HB 3271 as amended was passed to third reading by a viva voce vote.

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

Nays: Birdwell, Hall, Hughes, Nichols, Schwertner, Springer.

Present-not voting: Bettencourt.

Absent-excused: Creighton.

HOUSE BILL 3271 ON THIRD READING

Senator Blanco moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3271** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 5, Present-not voting 1.

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

Nays: Birdwell, Hall, Nichols, Schwertner, Springer.

Present-not voting: Bettencourt.

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 23, Nays 6, Present-not voting 1.

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

Nays: Birdwell, Hall, Hughes, Nichols, Schwertner, Springer.

Present-not voting: Bettencourt.

Absent-excused: Creighton.

HOUSE BILL 3348 ON SECOND READING

On motion of Senator Paxton, on behalf of Senator Creighton, and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3348** at this time on its second reading:

HB 3348, Relating to the number of baccalaureate degree programs certain public junior colleges may offer.

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

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

Nays: Buckingham, Seliger, West.

Absent-excused: Creighton.

HOUSE BILL 3348 ON THIRD READING

Senator Paxton, 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 **HB 3348** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

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

Nays: Buckingham, Seliger, West.

Absent-excused: Creighton.

SENATE RULE 5.14(a) SUSPENDED (Intent Calendar)

On motion of Senator Schwertner and by unanimous consent, Senate Rule 5.14(a), requiring bills to be posted on the Intent Calendar by 3:00 p.m., was suspended and the time was extended to 11:30 p.m. today.

(President in Chair)

HOUSE BILL 2219 ON SECOND READING

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2219** at this time on its second reading:

HB 2219, Relating to the issuance of Texas Mobility Fund obligations.

The bill was read second time.

Senator Nichols offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 2219** (senate committee report) as follows:

(1) In the recital to SECTION 1 of the bill (page 1, lines 22-23), strike "201.943(a), Transportation Code, is amended" and substitute "201.943, Transportation Code, is amended by amending Subsections (a) and (l) and adding Subsection (m)".

(2) In SECTION 1 of the bill, in amended Section 201.943(a), Transportation Code (page 1, line 24), strike "and (g), [~~and (l)~~]" and substitute "(g), [~~and~~] (l), and (m)".

(3) In SECTION 1 of the bill, immediately following amended Section 201.943(a), Transportation Code (page 1, between lines 34 and 35), insert the following:

(1) Except as otherwise provided by this subsection, obligations may not be issued under this section or Section 49-k, Article III, Texas Constitution, on or after January 1, 2027 [~~2015~~]. The commission may issue obligations to refund:

(1) outstanding obligations to provide savings to the state; and

(2) outstanding variable rate obligations and may renew or replace credit agreements relating to the variable rate obligations.

(m) The aggregate principal amount of obligations that may be issued under this section or Section 49-k, Article III, Texas Constitution, after May 31, 2021, and before January 1, 2027, other than obligations described by Subsection (l)(1) or (2), may not exceed an amount equal to 60 percent of the outstanding principal amount existing on May 1, 2021, of obligations issued under this section or Section 49-k, Article III, Texas Constitution.

(4) Strike SECTION 2 of the bill (page 1, lines 35 and 36) and renumber the SECTIONS of the bill accordingly.

The amendment to **HB 2219** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Creighton.

Senator Nichols offered the following amendment to the bill:

Floor Amendment No. 2

Amend **HB 2219** (senate committee report) as follows:

(1) In the recital to SECTION 1 of the bill (page 1, line 22), strike "Section 201.943(a), Transportation Code, is" and substitute "Sections 201.943(a) and (d), Transportation Code, are".

(2) In SECTION 1 of the bill, immediately following amended Section 201.943(a), Transportation Code (page 1, between lines 34 and 35), insert the following:

(d) Obligations may be issued for one or more of the following purposes:

(1) to pay all or part of the costs of constructing, reconstructing, acquiring, and expanding state highways, including any necessary design and acquisition of rights-of-way, in the manner and locations determined by the commission that, according to conclusive findings of the commission, have an expected useful life, without material repair, of not less than 10 years;

(2) to provide participation by the state in the payment of part of the costs of constructing and providing ~~publicly owned toll roads and other~~ public transportation projects that are determined by the commission to be in the best interests of the state in its major goal of improving the mobility of the residents of the state;

(3) to create debt service reserve accounts;

(4) to pay interest on obligations for a period of not longer than two years;

(5) to refund or cancel outstanding obligations; and

(6) to pay the commission's costs of issuance.

The amendment to **HB 2219** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 except as follows:

Absent-excused: Creighton.

HB 2219 as amended was passed to third reading by a viva voce vote.

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

Nays: Hall, Hughes, Paxton.

Absent-excused: Creighton.

HOUSE BILL 2219 ON THIRD READING

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2219** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

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

Nays: Hall, Hughes, Paxton.

Absent-excused: Creighton.

(Senator Hughes in Chair)

HOUSE BILL 525 ON SECOND READING

Senator Hall moved to suspend the regular order of business to take up for consideration **HB 525** at this time on its second reading:

HB 525, Relating to the protection of religious organizations.

The motion prevailed.

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

The bill was read second time.

Senator Schwertner offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 525** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in proposed Section 2401.003(a), Government Code (page 2, lines 6 and 7), strike "an actual or threatened" and substitute "a".

(2) In SECTION 1 of the bill, strike proposed Section 2401.004, Government Code (page 2, lines 16 through 20), and renumber the subsequent sections of proposed Chapter 2401, Government Code, accordingly.

The amendment to **HB 525** 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.

HB 525 as amended was passed to third reading by a viva voce vote.

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

Nays: Eckhardt, Johnson, Miles.

Absent-excused: Creighton.

HOUSE BILL 525 ON THIRD READING

Senator Hall moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 525** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 3.

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

Nays: Eckhardt, Johnson, Miles.

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 3. (Same as previous roll call)

HOUSE BILL 624 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 624** at this time on its second reading:

HB 624, Relating to increasing the criminal penalty for certain offenses committed in retaliation for or on account of a person's service or status as a public servant.

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

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

Nays: Hall.

Absent-excused: Creighton.

HOUSE BILL 624 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 624** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

Nays: Hall.

Absent-excused: Creighton.

(President Pro Tempore Birdwell in Chair)

**COMMITTEE SUBSTITUTE
HOUSE BILL 1919 ON SECOND READING**

On motion of Senator Schwertner and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1919** at this time on its second reading:

CSHB 1919, Relating to certain prohibited practices for certain health benefit plan issuers and certain required and prohibited practices for certain pharmacy benefit managers.

The bill was read second time.

Senator Schwertner offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 1919** (senate committee report) in SECTION 1 of the bill, in added Section 1369.552(6), Insurance Code (page 1, line 51), by striking "primary care".

The amendment to **CSHB 1919** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Creighton.

Senator Schwertner offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSHB 1919** (senate committee report) as follows:

(1) In the recital to SECTION 1 of the bill adding Subchapters L and M, Chapter 1369, Insurance Code (page 1, line 27), strike "Subchapters L and M" and substitute "Subchapter L".

(2) In SECTION 1 of the bill, strike added Subchapter M, Chapter 1369, Insurance Code (page 2, line 46, through page 3, line 61).

(3) Strike SECTION 3 of the bill adding transition language for Subchapter M, Chapter 1369, Insurance Code (page 3, lines 66 through 69), and renumber subsequent SECTIONS of the bill accordingly.

The amendment to **CSHB 1919** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 except as follows:

Absent-excused: Creighton.

CSHB 1919 as amended was passed to third reading by a viva voce vote.

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

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 1919 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 **CSHB 1919** 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 2283 ON SECOND READING**

Senator Hughes, on behalf of Senator Creighton, moved to suspend the regular order of business to take up for consideration **CSHB 2283** at this time on its second reading:

CSHB 2283, Relating to the prohibition of certain contributions and donations for the administration of elections.

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 Hughes offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 2283** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION_. Section 405.005, Government Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) The secretary of state shall ensure that any gift, grant, or donation accepted under Subsection (a) to perform a function of administering elections is equitably distributed throughout the state based on a percentage of the population of each county or another method determined by the secretary.

(d) Not later than January 1 of each odd-numbered year, the secretary shall submit a report to the governor, the lieutenant governor, and the speaker of the house of representatives that includes a detailed summary of any gifts, grants, or donations described by Subsection (a) and the manner in which those amounts were expended in the administration of an election.

The amendment to **CSHB 2283** 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:

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

Absent-excused: Creighton.

CSHB 2283 as amended was passed to third reading 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.

(President in Chair)

HOUSE BILL 2107 ON SECOND READING

On motion of Senator Menéndez and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2107** at this time on its second reading:

HB 2107, Relating to services for children who are unfit or lack responsibility to proceed in juvenile court proceedings as a result of intellectual disabilities.

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

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

Nays: Hall.

Absent-excused: Creighton.

HOUSE BILL 2107 ON THIRD READING

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2107** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

Nays: Hall.

Absent-excused: Creighton.

HOUSE CONCURRENT RESOLUTION 86 ON SECOND READING

On motion of Senator Miles and by unanimous consent, the regular order of business was suspended to take up for consideration **HCR 86** at this time on its second reading:

HCR 86, Expressing support for equitable access to transformative therapies for sickle cell disease.

The resolution was read second time and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: Creighton.

HOUSE BILL 700 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 700** at this time on its second reading:

HB 700, Relating to the eligibility of foster children to receive college credit for completing the Preparation for Adult Living Program.

The bill was read second time.

Senator Powell offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 700** (senate committee printing) as follows:

(1) Strike the recital to SECTION 1 of the bill (page 1, lines 23 and 24) and substitute the following:

SECTION 1. Section 264.121, Family Code, is amended by amending Subsections (a), (a-2), (a-6), (e-1), and (g) and adding Subsections (a-7) and (e-4) to read as follows:

(2) In SECTION 1 of the bill, in amended Section 264.121, Family Code (page 1, between lines 24 and 25) insert the following:

(a) The department shall address the unique challenges facing foster children in the conservatorship of the department who must transition to independent living by:

(1) expanding efforts to improve transition planning and increasing the availability of transitional family group decision-making to all youth age 14 or older in the department's permanent managing conservatorship, including enrolling the youth in the Preparation for Adult Living Program before the age of 16;

(2) coordinating with the commission to obtain authority, to the extent allowed by federal law, the state Medicaid plan, the Title IV-E state plan, and any waiver or amendment to either plan, necessary to:

(A) extend foster care eligibility and transition services for youth up to age 21 and develop policy to permit eligible youth to return to foster care as necessary to achieve the goals of the Transitional Living Services Program; and

(B) extend Medicaid coverage for foster care youth and former foster care youth up to age 21 with a single application at the time the youth leaves foster care; ~~and~~

(3) entering into cooperative agreements with the Texas Workforce Commission and local workforce development boards to further the objectives of the Preparation for Adult Living Program. The department, the Texas Workforce Commission, and the local workforce development boards shall ensure that services are prioritized and targeted to meet the needs of foster care and former foster care children and that such services will include, where feasible, referrals for short-term stays for youth needing housing;

(4) addressing barriers to participation in the Preparation for Adult Living Program for a youth who has a disability by making appropriate accommodations that allow the youth to meaningfully participate in the program; and

(5) documenting in the youth's case file any accommodations made under Subdivision (4).

(a-2) The experiential life-skills training under Subsection (a-1) must include:

(1) a financial literacy education program developed in collaboration with the Office of Consumer Credit Commissioner and the State Securities Board that:

(A) includes instruction on:

(i) obtaining and interpreting a credit score;

(ii) protecting, repairing, and improving a credit score;

(iii) avoiding predatory lending practices;

(iv) saving money and accomplishing financial goals through prudent financial management practices;

(v) using basic banking and accounting skills, including balancing a checkbook;

(vi) using debit and credit cards responsibly;

(vii) understanding a paycheck and items withheld from a paycheck;

(viii) understanding the time requirements and process for filing federal taxes;

(ix) protecting financial, credit, and personally identifying information in personal and professional relationships and online;

(x) forms of identity and credit theft; and

(xi) using insurance to protect against the risk of financial loss; and

(B) assists a youth who has a source of income to:

(i) establish a savings plan and, if available, a savings account that the youth can independently manage; and

(ii) prepare a monthly budget that includes the following expenses:

(a) rent based on the monthly rent for an apartment advertised for lease during the preceding month;

(b) utilities based on a reasonable utility bill in the area in which the youth resides;

(c) telephone service based on a reasonable bill for telephone service in the area in which the youth resides;

(d) Internet service based on a reasonable bill for Internet service in the area in which the youth resides; and

(e) other reasonable monthly expenses; and

(2) for youth who are 17 years of age or older, lessons related to:

(A) insurance, including applying for and obtaining automobile insurance and residential property insurance, including tenants insurance; ~~and~~

(B) civic engagement, including the process for registering to vote, the places to vote, and resources for information regarding upcoming elections; and

(C) the documents the youth is required to receive under Subsection (e-1) prior to being discharged from foster care and how those documents may be used.

(3) In SECTION 1 of the bill, in amended Section 264.121, Family Code (page 1, between lines 42 and 43) insert the following:

(a-7) The department shall ensure that before a youth leaves foster care, each youth who is 14 years of age or older has an e-mail address through which the youth may receive encrypted copies of personal documents and records.

(e-1) If, at the time a youth is discharged from foster care, the youth is at least 18 years of age or has had the disabilities of minority removed, the department shall provide to the youth, not later than the 30th day before the date the youth is discharged from foster care, the following information and documents unless the youth already has the information or document:

(1) the youth's birth certificate;

(2) the youth's immunization records;

(3) the information contained in the youth's health passport;

(4) a personal identification certificate under Chapter 521, Transportation Code;

(5) a social security card or a replacement social security card, if appropriate; and

(6) a Medicaid card or other proof of the youth's enrollment in Medicaid or an insurance card from a health plan that provides health coverage to foster youth, ~~if appropriate~~.

(e-4) The youth's caseworker shall:

(1) assist the youth with developing a plan for keeping the documents described by Subsection (e) in a safe place; and

(2) inform the youth about the documents the youth is required to receive before the date the youth is discharged from foster care.

(g) For a youth taking prescription medication, the department shall ensure that the youth's transition plan includes provisions to assist the youth in managing the use of the medication and in managing the child's long-term physical and mental health needs after leaving foster care, including:

(1) provisions that inform the youth about:

(A) [(1)] the use of the medication;

(B) [(2)] the resources that are available to assist the youth in managing the use of the medication; and

(C) [(3)] informed consent and the provision of medical care in accordance with Section 266.010(l); and

(2) for each youth who is 17 years of age or older and preparing to leave foster care, a program supervised by a health care professional to assist the youth with independently managing the youth's medication.

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

SECTION ____ . Subchapter B, Chapter 264, Family Code, is amended by adding Section 264.1214 to read as follows:

Sec. 264.1214. HOUSING FOR HOMELESS YOUTH AGING OUT OF FOSTER CARE. (a) For a youth who will voluntarily enter extended foster care on the youth's 18th birthday, the youth's caseworker shall, not later than six months before the youth's 18th birthday, complete any necessary transitional living or supervised independent living paperwork to ensure the youth has housing on the date the youth enters extended foster care. Not later than the 90th day before the youth's 18th birthday, the caseworker shall review the qualifications and requirements for the youth's housing.

(b) If a youth intends to continue living with the youth's substitute care provider after the youth's 18th birthday, the department shall waive any background check otherwise required for the youth to remain living with the substitute care provider.

(c) For a youth who continues living with the youth's substitute care provider after the youth's 18th birthday, the youth may share a bedroom with another youth who is 16 years of age or older provided the age difference between the youths does not exceed two years.

(d) A substitute care provider who prohibits a youth from living in the facility after the youth's 18th birthday shall notify the youth's caseworker of that fact:

(1) not later than:

(A) the 90th day before the youth's 18th birthday if the facility is a foster home; or

(B) six months before the youth's 18th birthday if the facility is a cottage family home or general residential operation; or

(2) as soon as possible if the youth is placed in a foster home, cottage family home, or general residential operation less than six months before the youth's 18th birthday.

(e) After receiving notice under Subsection (d), the youth's caseworker shall verbally communicate with the youth about the youth's living arrangements and document the substance of the communication in the youth's case file.

(f) The department shall assist a youth living in a supervised independent living program arrangement to develop a rental history by allowing the youth to cosign the lease for the youth's housing provided the property owner does not object.

(g) The department by rule shall establish a protocol that may be implemented for a youth to prevent the youth from aging out of a residential treatment center. The protocol, if implemented, must be implemented not later than the youth's 17th birthday or at the time the youth is placed in a residential treatment center after the youth's 17th birthday.

The amendment to **HB 700** 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.

HB 700 as amended was passed to third reading by a viva voce vote.

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

Absent-excused: Creighton.

HOUSE BILL 700 ON THIRD READING

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 700** 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 686 ON SECOND READING

The President laid before the Senate **CSHB 686** by Senator Lucio on its second reading. The bill had been read second time, an amendment offered, and further consideration postponed to a time certain of 11:00 p.m. today:

CSHB 686, Relating to the release on parole of certain youthful offenders; changing parole eligibility.

Question: Shall Floor Amendment No. 1 to **CSHB 686** be adopted?

Senator Whitmire temporarily withdrew Floor Amendment No. 1.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSHB 686** (senate committee printing) in SECTION 2 of the bill (page 2, line 26), by striking "20" and substituting "30".

The amendment to **CSHB 686** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 except as follows:

Nays: Eckhardt.

Absent-excused: Creighton.

Senator Whitmire again offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 686** (senate committee report) by striking SECTION 3 of the bill, adding transition language (page 2, lines 32-39), and substituting the following:

SECTION 3. The change in law made by this Act applies to any inmate who is confined in a facility operated by or under contract with the Texas Department of Criminal Justice on or after the effective date of this Act, regardless of whether the offense for which the inmate is confined occurred before, on, or after the effective date of this Act.

The amendment to **CSHB 686** was again 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:

Nays: Bettencourt, Huffman, Nelson.

Absent-excused: Creighton.

CSHB 686 as amended was passed to third reading by the following vote: Yeas 29, Nays 1.

Nays: Nelson.

Absent-excused: Creighton.

COMMITTEE SUBSTITUTE HOUSE BILL 686 ON THIRD READING

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 686** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Nelson.

Absent-excused: Creighton.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

COMMITTEE SUBSTITUTE HOUSE BILL 2667 ON SECOND READING

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2667** at this time on its second reading:

CSHB 2667, Relating to universal service fund assistance to high cost rural areas and the uniform charge that funds the universal service fund.

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 2667 ON THIRD READING**

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2667** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 2708 ON SECOND READING

On motion of Senator Paxton and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2708** at this time on its second reading:

HB 2708, Relating to the use of certain fees deposited to the hazardous and solid waste remediation fee account for reimbursement of environmental remediation at certain former battery recycling facility sites.

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 2708 ON THIRD READING

Senator Paxton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2708** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 3717 ON SECOND READING

On motion of Senator Lucio and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3717** at this time on its second reading:

HB 3717, Relating to the sale of a water or sewer utility system by a municipality without an election.

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 3717 ON THIRD READING

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3717** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 954 ON SECOND READING

On motion of Senator Whitmire and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 954** at this time on its second reading:

HB 954, Relating to certain contract and notice requirements applicable to certain facilities used to house inmates or releasees from the Texas Department of Criminal Justice.

The bill was read second time.

Senator Buckingham offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 954** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) As soon as practicable after the effective date of this Act, the Texas Department of Criminal Justice shall transfer to the City of Burnet the real property described by Subsection (e) of this section.

(b) The City of Burnet shall use the property transferred under this section only for a purpose that benefits the public interest of the state. If the City of Burnet uses the property for any purpose other than a purpose that benefits the public interest of the state, ownership of the property automatically reverts to the Texas Department of Criminal Justice.

(c) The Texas Department of Criminal Justice shall transfer the property by an appropriate instrument of transfer. The instrument of transfer must provide that:

(1) the City of Burnet use the property only for a purpose that benefits the public interest of the state; and

(2) ownership of the property will automatically revert to the Texas Department of Criminal Justice if the City of Burnet uses the property for any purpose other than a purpose that benefits the public interest of the state.

(d) The Texas Department of Criminal Justice shall retain custody of the instrument of transfer after the instrument of transfer is filed in the real property records of Burnet County.

(e) The real property referred to in Subsection (a) of this section is described as follows:

A 28.157 ACRE TRACT OUT OF THE EUGENIO PEREZ SURVEY NO. 41, ABSTRACT NO. 672, BURNET COUNTY, TEXAS, OF LAND AS DESCRIBED IN THE REMAINDER TRACT OF A CALLED 300.000 ACRE TRACT OF LAND AS DESCRIBED IN DOCUMENT TO THE STATE OF TEXAS, RECORDED ON VOLUME 608, PAGE 19 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS, SAID 28.157 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION AS FOLLOWS:

BEGINNING at a found 5/8" iron pin, at the northwesterly corner of a called 20.611 acre tract of land as described in document to the City of Burnet, recorded in Volume 300, Page 184 of the Deed Records of Burnet County, Texas, at the southwesterly corner of the variable width right-of-way of Ellen Halbert Drive, along the easterly line of the remnant of said 300.000 acre tract, and being an easterly angle point hereof;

THENCE South 13°58'54" East, along the westerly line of said 20.611 acre tract, the westerly line of a called 2.259 acre tract of land as described in document to the City of Burnet, Recorded in Document No. 200908664 of the Official Public Records of Burnet County, Texas, a distance of 1844.69' to a 1/2" iron pin set with "CUPLIN" property cap, along the northerly line of a called 61.30 acre tract of land as described in document to the City of Burnet, recorded in Document No. 201904590 of the Official Public Records of Burnet County, Texas, along the southerly line of the remnant tract of said 300.000 acre tract, and being the southeasterly corner hereof, from whence a found 1/2" iron pin at the southeasterly corner of said 2.259 acre tract bears North 75°50'42" East, a distance of 255.72';

THENCE South 75°50'42" West, along the northerly line of said 61.30 acre tract, the southerly line of the remnant tract of said 300.000 acre tract, and hereof, a distance of 1120.41' to a 1/2" iron pin set with "CUPLIN" property cap, at the southwesterly corner hereof, from whence a found 3/8" iron pin with "Landtech" property cap at the northwesterly corner of said 61.30 acre tract bears, South 75°50'42" West, a distance of 1497.86';

THENCE over and across the remnant tract of said 300.000 acre tract, and the westerly lines hereof the following courses and distances;

- 1) North 12°11'19" East, a distance of 850.00' to a 1/2" iron pin set with "CUPLIN" property cap;
- 2) North 12°58'09" East, a distance of 525.00' to a 1/2" iron pin set with "CUPLIN" property cap;
- 3) North 12°00'15" East, a distance of 415.00' to a 1/2" iron pin set with "CUPLIN" property cap;
- 4) North 12°46'27" East, a distance of 155.00' to a 1/2" iron pin set with "CUPLIN" property cap;
- 5) North 40°37'37" East, a distance of 92.00' to a 1/2" iron pin set with "CUPLIN" property cap;
- 6) North 22°36'53" East, a distance of 110.76' to a 1/2" iron pin set with "CUPLIN" property cap;
- 7) North 57°10'01" East, a distance of 69.29' to a 1/2" iron pin set with "CUPLIN" property cap;

8) North 31°27'02" East, a distance of 55.74' to a 1/2" iron pin set with "CUPLIN" property cap;

9) North 88°09'32" East, a distance of 10.21' to a 1/2" iron pin set with "CUPLIN" property cap, along the easterly line of the remnant tract of said 300.00 acre tract, the easterly line of a called 70' wide access easement as described in Document No. 200712014 of the Official Public Records of Burnet County, Texas, along the westerly line of said Ellen Halbert Drive, and being the northeasterly corner hereof, from whence a 1/2" iron pin with "1877" property cap at the northeasterly corner of said 70' wide access easement bears, North 14°02'32" West, a distance of 45.80';

THENCE South 14°02'32" East, along the westerly right-of-way line of said Ellen Halbert Drive, the easterly line of said 70' wide access easement, the easterly line of the remnant tract of said 300.000 acre tract, and hereof, a distance of 27.05' to a 1/2" iron pin found, at the southeasterly corner of said 70' wide access easement, and being an easterly angle point hereof;

THENCE South 13°40'34" East, along the westerly right-of-way line of said Ellen Halbert Drive, the easterly line of the remnant tract of said 300.000 acre tract, and hereof, a distance of 68.74' to the POINT OF BEGINNING, containing 28.157 acres, more or less.

The amendment to **HB 954** 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.

HB 954 as amended was passed to third reading by a viva voce vote.

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

Absent-excused: Creighton.

HOUSE BILL 954 ON THIRD READING

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 954** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 385 ON SECOND READING

On motion of Senator Hughes and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 385** at this time on its second reading:

HB 385, Relating to conditions of community supervision and procedures applicable to the reduction or termination of a defendant's period of community supervision.

The bill was read second time.

Senator Hughes offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 385** (senate committee report) in SECTION 1 of the bill, by striking added Article 42A.052(a)(2), Code of Criminal Procedure (page 1, lines 31-35), and substituting the following:

(2) prioritizing the conditions ordered by the court according to the defendant's progress under supervision.

The amendment to **HB 385** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Creighton.

Senator Hughes offered the following amendment to the bill:

Floor Amendment No. 2

Amend **HB 385** (senate committee report) in SECTION 8 of the bill, immediately following added Article 42A.655(f), Code of Criminal Procedure (page 4, between lines 53 and 54), by inserting the following appropriately lettered subsection and relettering subsequent subsections of Article 42A.655 and any cross-references to those subsections accordingly:

() In making a determination under Subsection (f), a court may waive completely or partially a payment required under Article 42A.652 only if, after waiving all other applicable payments included under Subsection (b), the court determines that the defendant does not have sufficient resources or income to make the payment.

The amendment to **HB 385** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 except as follows:

Absent-excused: Creighton.

HB 385 as amended was passed to third reading by a viva voce vote.

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

Nays: Hancock, Nichols.

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 3415 ON SECOND READING**

On motion of Senator Hancock and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 3415** at this time on its second reading:

CSHB 3415, Relating to the authority of a county to require photo identification to file certain documents with the county clerk.

The bill was read second time.

Senator Hancock offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 3415** (senate committee report) as follows:

(1) Strike SECTION 1 of the bill (page 1, lines 24-27) and renumber the SECTIONS of the bill accordingly.

(2) In SECTION 2 of the bill, in amended Section 191.010(b), Local Government Code (page 1, lines 30-31), strike "[~~in a county with a population of 3.3 million or more~~]" and substitute "in a county with a population of 800,000 [~~3.3 million~~] or more".

The amendment to **CSHB 3415** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Creighton.

CSHB 3415 as amended was passed to third reading by a viva voce vote.

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

Absent-excused: Creighton.

**COMMITTEE SUBSTITUTE
HOUSE BILL 3415 ON THIRD READING**

Senator Hancock moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 3415** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 2416 ON SECOND READING

On motion of Senator Powell and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2416** at this time on its second reading:

HB 2416, Relating to the recovery of attorney's fees as compensatory damages for certain claims.

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 2416 ON THIRD READING

Senator Powell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2416** be placed on its third reading and final passage.

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

Absent-excused: Creighton.

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

HOUSE BILL 385 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 **HB 385** be placed on its third reading and final passage:

HB 385, Relating to conditions of community supervision and procedures applicable to the reduction or termination of a defendant's period of community supervision.

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

Absent-excused: Creighton.

The bill was read third time.

Senator Hughes offered the following amendment to the bill:

Floor Amendment No. 1 on Third Reading

Amend **HB 385** (senate committee printing) on third reading in SECTION 2 of the bill, (page 2, lines 28-39), by striking the following:

" , provided that, notwithstanding Subsection (a) or any other law, a judge may only require a defendant to attend counseling sessions or participate in treatment if:

(A) the results of an evaluation that is designed to determine the appropriate type and level of treatment necessary to address the defendant's alcohol or drug dependency indicate that counseling or treatment is necessary to protect or restore the community or the victim and to rehabilitate the defendant; or

(B) the defendant's use, manufacture, possession, or delivery of a controlled substance or alcohol was an element of the offense for which the defendant was placed on community supervision"

The amendment to **HB 385** 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 on Third Reading except as follows:

Absent-excused: Creighton.

HB 385 as amended was finally passed by the following vote: Yeas 28, Nays 2.

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

Nays: Hancock, Nichols.

Absent-excused: Creighton.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 295**

Senator Perry submitted the following Conference Committee Report:

Austin, Texas
May 20, 2021

Honorable Dan Patrick
President of the Senate

Honorable Dade Phelan
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **SB 295** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

PERRY
KOLKHORST
NELSON
HUGHES
HUFFMAN

On the part of the Senate

MINJAREZ
GUILLEN
SHAW
COLE
RAYMOND

On the part of the House

A BILL TO BE ENTITLED
AN ACT

relating to the confidential and privileged communications and records of victims of certain sexual assault offenses.

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

SECTION 1. The heading to Subchapter D, Chapter 420, Government Code, is amended to read as follows:

SUBCHAPTER D. CONFIDENTIAL COMMUNICATIONS AND RECORDS

SECTION 2. The heading to Section 420.071, Government Code, is amended to read as follows:

Sec. 420.071. CONFIDENTIAL COMMUNICATIONS AND RECORDS; PRIVILEGE.

SECTION 3. Section 420.071, Government Code, is amended by amending Subsections (a), (b), and (c) and adding Subsection (c-1) to read as follows:

(a) Any [A] communication, including an oral or written communication, between an advocate and a survivor~~[, or a person claiming to be a survivor,]~~ that is made in the course of advising, counseling, or assisting ~~[providing sexual assault advocacy services to]~~ the survivor is confidential ~~[and may not be disclosed except as provided by this subchapter].~~

(b) Any [A] record created by, provided to, or maintained by an advocate is confidential if the record relates to the services provided to a survivor or contains ~~[of]~~ the identity, personal history, or background information of the ~~[a]~~ survivor or information concerning the victimization of the ~~[a]~~ survivor ~~[that is created by or provided to an advocate or maintained by a sexual assault program is confidential and may not be disclosed except as provided by this subchapter].~~

(c) In any civil, criminal, administrative, or legislative proceeding, subject to Section 420.072, a survivor has a privilege to refuse to disclose and to prevent another from disclosing, for any purpose, a communication or record that is confidential under this section.

(c-1) Except as provided by this subsection, the unauthorized disclosure of a portion of a confidential communication or record does not constitute a waiver of the privilege provided by Subsection (c). If a portion of a confidential communication or record is disclosed, a party to the relevant court or administrative proceeding may make a motion requesting that the privilege be waived with respect to the disclosed portion. The court or administrative hearing officer, as applicable, may determine that the privilege has been waived only if:

(1) the disclosed portion is relevant to a disputed matter at the proceeding;
and

(2) waiver is necessary for a witness to be able to respond to questioning concerning the disclosed portion. ~~[A person who receives information from a confidential communication or record as described by this subchapter may not disclose the information except to the extent that disclosure is consistent with the authorized purposes for which the information was obtained.]~~

SECTION 4. Section 420.072, Government Code, is amended to read as follows:

Sec. 420.072. DISCLOSURE OF CONFIDENTIAL COMMUNICATION OR RECORD [EXCEPTIONS]. (a) A communication or~~[, a]~~ record~~[, or evidence]~~ that is confidential under Section 420.071 ~~[this subchapter]~~ may only be disclosed ~~[in court or in an administrative proceeding]~~ if:

(1) the communication or record ~~[proceeding is brought by the survivor against an advocate or a sexual assault program or is a criminal proceeding or a certification revocation proceeding in which disclosure]~~ is relevant to the claims or defense of an ~~[the]~~ advocate or sexual assault program in a proceeding brought by the survivor against the advocate or program; ~~[or]~~

(2) the survivor has waived the privilege established under Section 420.071(c) with respect to the communication or record;

(3) the survivor or other appropriate person consents in writing to the disclosure as provided by Section 420.073;

(4) an [or 420.0735, as applicable.

[(b) A communication, a record, or evidence that is confidential under this subchapter may be disclosed only to:

[(1) medical or law enforcement personnel if the] advocate determines that, unless the disclosure is made, there is a probability of:

(A) imminent physical danger to any person; or

(B) [for whom the communication, record, or evidence is relevant or if there is a probability of] immediate mental or emotional injury to the survivor;

(5) [(2) a governmental agency if] the disclosure is necessary:

(A) to comply with:

(i) Chapter 261, Family Code; or

(ii) Chapter 48, Human Resources Code; or

(B) [required or authorized by law;

[(2) a qualified person to the extent necessary] for a management audit, a financial audit, a program evaluation, or research, except that a report of the [research,] audit, [or] evaluation, or research may not directly or indirectly identify a survivor;

(6) the disclosure is made to an employee or volunteer of the sexual assault program after [(4) a person authorized to receive the disclosure as a result of written consent obtained under Section 420.073 or 420.0735; or

[(5)] an advocate or a person under the supervision of a counseling supervisor who is participating in the evaluation or counseling of or the provision of services to [advocacy for] the survivor determines that the disclosure is necessary to facilitate the provision of services to the survivor; or

(7) the communication or record is in the possession, custody, or control of the state and a court, after conducting an in camera review of the communication or record, determines the communication or record is exculpatory, provided that the disclosure is limited to the specific portion of the communication or record that was determined to be exculpatory in relation to a defendant in a criminal case.

(b) Regardless of whether written consent has been given by a parent or legal guardian under Section 420.073(a), a person may not disclose a [(e) A] communication or [a] record[, or evidence] that is confidential under Section 420.071 [this subchapter may not be disclosed] to a parent or legal guardian of a survivor who is a minor or to a guardian appointed under Title 3, Estates Code, of an adult survivor, if applicable, if the person [an advocate or a sexual assault program] knows or has reason to believe that the parent or guardian of the survivor is a suspect or accomplice in the sexual assault of the survivor.

(c) Notwithstanding Subsections (a) and (b), the Texas Rules of Evidence govern the disclosure of a communication or record that is confidential under Section 420.071 in a criminal or civil proceeding by an expert witness who relies on facts or data from the communication or record to form the basis of the expert's opinion.

SECTION 5. Section 420.074, Government Code, is amended to read as follows:

Sec. 420.074. DISCLOSURE OF PRIVILEGED COMMUNICATIONS OR OTHER INFORMATION IN CRIMINAL PROCEEDING [SUBPOENA]. (a) Subject to the provisions [Notwithstanding any other provision] of this chapter, not later than the 30th day before the date of the trial, a defendant in a criminal proceeding may make a motion for disclosure of a communication or record that is privileged under this chapter. The motion must include a supporting affidavit showing reasonable grounds to believe the privileged communication or record contains exculpatory evidence.

(b) The defendant shall serve the motion on the attorney representing the state and the person who holds the privilege with regard to the communication or record at issue.

(c) The court shall order the privileged communication or record to be produced for the court under seal and shall examine the communication or record in camera if the court finds by a preponderance of the evidence that:

(1) there is a good-faith, specific, and reasonable basis for believing that the privileged communication or record is relevant, material, and exculpatory upon the issue of guilt for the offense charged; and

(2) the privileged communication or record would not be duplicative of other evidence or information available or already obtained by the defendant.

(d) The court [a person] shall disclose to the defendant and to the state only the evidence that the court finds to be exculpatory on the issue of guilt for the offense charged [a communication, a record, or evidence that is confidential under this chapter for use in a criminal investigation or proceeding in response to a subpoena issued in accordance with law].

SECTION 6. The change in law made by this Act applies to any communication or record described by Section 420.071, Government Code, as amended by this Act, regardless of the date the communication is made or the record is created.

SECTION 7. This Act takes effect September 1, 2021.

The Conference Committee Report on **SB 295** was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 13

Senator Birdwell submitted the following Conference Committee Report:

Austin, Texas
May 22, 2021

Honorable Dan Patrick
President of the Senate

Honorable Dade Phelan
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **SB 13** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

BIRDWELL

P. KING

HUGHES

DARBY

KOLKHORST

GUILLEN

LUCIO

HARLESS

SELIGER

LUCIO III

On the part of the Senate

On the part of the House

A BILL TO BE ENTITLED
AN ACT

relating to state contracts with and investments in certain companies that boycott energy companies.

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

SECTION 1. Subtitle A, Title 8, Government Code, is amended by adding Chapter 809 to read as follows:

CHAPTER 809. PROHIBITION ON INVESTMENT IN FINANCIAL COMPANIES

THAT BOYCOTT CERTAIN ENERGY COMPANIES

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 809.001. DEFINITIONS. In this chapter:

(1) "Boycott energy company" means, without an ordinary business purpose, refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations with a company because the company:

(A) engages in the exploration, production, utilization, transportation, sale, or manufacturing of fossil fuel-based energy and does not commit or pledge to meet environmental standards beyond applicable federal and state law; or

(B) does business with a company described by Paragraph (A).

(2) "Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations, that exists to make a profit.

(3) "Direct holdings" means, with respect to a financial company, all securities of that financial company held directly by a state governmental entity in an account or fund in which a state governmental entity owns all shares or interests.

(4) "Financial company" means a publicly traded financial services, banking, or investment company.

(5) "Indirect holdings" means, with respect to a financial company, all securities of that financial company held in an account or fund, such as a mutual fund, managed by one or more persons not employed by a state governmental entity, in

which the state governmental entity owns shares or interests together with other investors not subject to the provisions of this chapter. The term does not include money invested under a plan described by Section 401(k) or 457 of the Internal Revenue Code of 1986.

(6) "Listed financial company" means a financial company listed by the comptroller under Section 809.051.

(7) "State governmental entity" means:

(A) the Employees Retirement System of Texas, including a retirement system administered by that system;

(B) the Teacher Retirement System of Texas;

(C) the Texas Municipal Retirement System;

(D) the Texas County and District Retirement System;

(E) the Texas Emergency Services Retirement System; and

(F) the permanent school fund.

Sec. 809.002. OTHER LEGAL OBLIGATIONS. With respect to actions taken in compliance with this chapter, including all good faith determinations regarding financial companies as required by this chapter, a state governmental entity and the comptroller are exempt from any conflicting statutory or common law obligations, including any obligations with respect to making investments, divesting from any investment, preparing or maintaining any list of financial companies, or choosing asset managers, investment funds, or investments for the state governmental entity's securities portfolios.

Sec. 809.003. INDEMNIFICATION OF STATE GOVERNMENTAL ENTITIES, EMPLOYEES, AND OTHERS. In a cause of action based on an action, inaction, decision, divestment, investment, financial company communication, report, or other determination made or taken in connection with this chapter, the state shall, without regard to whether the person performed services for compensation, indemnify and hold harmless for actual damages, court costs, and attorney's fees adjudged against, and defend:

(1) an employee, a member of the governing body, or any other officer of a state governmental entity;

(2) a contractor of a state governmental entity;

(3) a former employee, a former member of the governing body, or any other former officer of a state governmental entity who was an employee, member of the governing body, or other officer when the act or omission on which the damages are based occurred;

(4) a former contractor of a state governmental entity who was a contractor when the act or omission on which the damages are based occurred; and

(5) a state governmental entity.

Sec. 809.004. NO PRIVATE CAUSE OF ACTION. (a) A person, including a member, retiree, or beneficiary of a retirement system to which this chapter applies, an association, a research firm, a financial company, or any other person may not sue or pursue a private cause of action against the state, a state governmental entity, a current or former employee, a member of the governing body, or any other officer of a state governmental entity, or a contractor of a state governmental entity, for any claim or cause of action, including breach of fiduciary duty, or for violation of any

constitutional, statutory, or regulatory requirement in connection with any action, inaction, decision, divestment, investment, financial company communication, report, or other determination made or taken in connection with this chapter.

(b) A person who files suit against the state, a state governmental entity, an employee, a member of the governing body, or any other officer of a state governmental entity, or a contractor of a state governmental entity, is liable for paying the costs and attorney's fees of a person sued in violation of this section.

Sec. 809.005. INAPPLICABILITY OF REQUIREMENTS INCONSISTENT WITH FIDUCIARY RESPONSIBILITIES AND RELATED DUTIES. A state governmental entity is not subject to a requirement of this chapter if the state governmental entity determines that the requirement would be inconsistent with its fiduciary responsibility with respect to the investment of entity assets or other duties imposed by law relating to the investment of entity assets, including the duty of care established under Section 67, Article XVI, Texas Constitution.

Sec. 809.006. RELIANCE ON FINANCIAL COMPANY RESPONSE. The comptroller and a state governmental entity may rely on a financial company's response to a notice or communication made under this chapter without conducting any further investigation, research, or inquiry.

SUBCHAPTER B. DUTIES REGARDING INVESTMENTS

Sec. 809.051. LISTED FINANCIAL COMPANIES. (a) The comptroller shall prepare and maintain, and provide to each state governmental entity, a list of all financial companies that boycott energy companies. In maintaining the list, the comptroller may:

(1) review and rely, as appropriate in the comptroller's judgment, on publicly available information regarding financial companies, including information provided by the state, nonprofit organizations, research firms, international organizations, and governmental entities; and

(2) request written verification from a financial company that it does not boycott energy companies and rely, as appropriate in the comptroller's judgment and without conducting further investigation, research, or inquiry, on a financial company's written response to the request.

(b) A financial company that fails to provide to the comptroller a written verification under Subsection (a)(2) before the 61st day after receiving the request from the comptroller is presumed to be boycotting energy companies.

(c) The comptroller shall update the list annually or more often as the comptroller considers necessary, but not more often than quarterly, based on information from, among other sources, those listed in Subsection (a).

(d) Not later than the 30th day after the date the list of financial companies that boycott energy companies is first provided or updated, the comptroller shall file the list with the presiding officer of each house of the legislature and the attorney general and post the list on a publicly available Internet website.

Sec. 809.052. IDENTIFICATION OF INVESTMENT IN LISTED FINANCIAL COMPANIES. Not later than the 30th day after the date a state governmental entity receives the list provided under Section 809.051, the state governmental entity shall notify the comptroller of the listed financial companies in which the state governmental entity owns direct holdings or indirect holdings.

Sec. 809.053. ACTIONS RELATING TO LISTED FINANCIAL COMPANY.

(a) For each listed financial company identified under Section 809.052, the state governmental entity shall send a written notice:

(1) informing the financial company of its status as a listed financial company;

(2) warning the financial company that it may become subject to divestment by state governmental entities after the expiration of the period described by Subsection (b); and

(3) offering the financial company the opportunity to clarify its activities related to companies described by Sections 809.001(1)(A) and (B).

(b) Not later than the 90th day after the date the financial company receives notice under Subsection (a), the financial company must cease boycotting energy companies in order to avoid qualifying for divestment by state governmental entities.

(c) If, during the time provided by Subsection (b), the financial company ceases boycotting energy companies, the comptroller shall remove the financial company from the list maintained under Section 809.051 and this chapter will no longer apply to the financial company unless it resumes boycotting energy companies.

(d) If, after the time provided by Subsection (b) expires, the financial company continues to boycott energy companies, the state governmental entity shall sell, redeem, divest, or withdraw all publicly traded securities of the financial company, except securities described by Section 809.055, according to the schedule provided by Section 809.054.

Sec. 809.054. DIVESTMENT OF ASSETS. (a) A state governmental entity required to sell, redeem, divest, or withdraw all publicly traded securities of a listed financial company shall comply with the following schedule:

(1) at least 50 percent of those assets must be removed from the state governmental entity's assets under management not later than the 180th day after the date the financial company receives notice under Section 809.053 or Subsection (b) unless the state governmental entity determines, based on a good faith exercise of its fiduciary discretion and subject to Subdivision (2), that a later date is more prudent; and

(2) 100 percent of those assets must be removed from the state governmental entity's assets under management not later than the 360th day after the date the financial company receives notice under Section 809.053 or Subsection (b).

(b) If a financial company that ceased boycotting energy companies after receiving notice under Section 809.053 resumes its boycott, the state governmental entity shall send a written notice to the financial company informing it that the state governmental entity will sell, redeem, divest, or withdraw all publicly traded securities of the financial company according to the schedule in Subsection (a).

(c) Except as provided by Subsection (a), a state governmental entity may delay the schedule for divestment under that subsection only to the extent that the state governmental entity determines, in the state governmental entity's good faith judgment, and consistent with the entity's fiduciary duty, that divestment from listed financial companies will likely result in a loss in value or a benchmark deviation described by Section 809.056(a). If a state governmental entity delays the schedule for divestment, the state governmental entity shall submit a report to the presiding officer

of each house of the legislature and the attorney general stating the reasons and justification for the state governmental entity's delay in divestment from listed financial companies. The report must include documentation supporting its determination that the divestment would result in a loss in value or a benchmark deviation described by Section 809.056(a), including objective numerical estimates. The state governmental entity shall update the report every six months.

Sec. 809.055. INVESTMENTS EXEMPTED FROM DIVESTMENT. A state governmental entity is not required to divest from any indirect holdings in actively or passively managed investment funds or private equity funds. The state governmental entity shall submit letters to the managers of each investment fund containing listed financial companies requesting that they remove those financial companies from the fund or create a similar actively or passively managed fund with indirect holdings devoid of listed financial companies. If a manager creates a similar fund with substantially the same management fees and same level of investment risk and anticipated return, the state governmental entity may replace all applicable investments with investments in the similar fund in a time frame consistent with prudent fiduciary standards but not later than the 450th day after the date the fund is created.

Sec. 809.056. AUTHORIZED INVESTMENT IN LISTED FINANCIAL COMPANIES. (a) A state governmental entity may cease divesting from one or more listed financial companies only if clear and convincing evidence shows that:

(1) the state governmental entity has suffered or will suffer a loss in the hypothetical value of all assets under management by the state governmental entity as a result of having to divest from listed financial companies under this chapter; or

(2) an individual portfolio that uses a benchmark-aware strategy would be subject to an aggregate expected deviation from its benchmark as a result of having to divest from listed financial companies under this chapter.

(b) A state governmental entity may cease divesting from a listed financial company as provided by this section only to the extent necessary to ensure that the state governmental entity does not suffer a loss in value or deviate from its benchmark as described by Subsection (a).

(c) Before a state governmental entity may cease divesting from a listed financial company under this section, the state governmental entity must provide a written report to the comptroller, the presiding officer of each house of the legislature, and the attorney general setting forth the reason and justification, supported by clear and convincing evidence, for deciding to cease divestment or to remain invested in a listed financial company.

(d) The state governmental entity shall update the report required by Subsection (c) semiannually, as applicable.

(e) This section does not apply to reinvestment in a financial company that is no longer a listed financial company.

Sec. 809.057. PROHIBITED INVESTMENTS. Except as provided by Section 809.056, a state governmental entity may not acquire securities of a listed financial company.

SUBCHAPTER C. REPORT; ENFORCEMENT

Sec. 809.101. REPORT. Not later than January 5 of each year, each state governmental entity shall file a publicly available report with the presiding officer of each house of the legislature and the attorney general that:

(1) identifies all securities sold, redeemed, divested, or withdrawn in compliance with Section 809.054;

(2) identifies all prohibited investments under Section 809.057; and

(3) summarizes any changes made under Section 809.055.

Sec. 809.102. ENFORCEMENT. The attorney general may bring any action necessary to enforce this chapter.

SECTION 2. Subtitle F, Title 10, Government Code, is amended by adding Chapter 2274 to read as follows:

CHAPTER 2274. PROHIBITION ON CONTRACTS WITH COMPANIESBOYCOTTING CERTAIN ENERGY COMPANIES

Sec. 2274.001. DEFINITIONS. In this chapter:

(1) "Boycott energy company" has the meaning assigned by Section 809.001.

(2) "Company" has the meaning assigned by Section 809.001, except that the term does not include a sole proprietorship.

(3) "Governmental entity" has the meaning assigned by Section 2251.001.

Sec. 2274.002. PROVISION REQUIRED IN CONTRACT. (a) This section applies only to a contract that:

(1) is between a governmental entity and a company with 10 or more full-time employees; and

(2) has a value of \$100,000 or more that is to be paid wholly or partly from public funds of the governmental entity.

(b) Except as provided by Subsection (c), a governmental entity may not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it:

(1) does not boycott energy companies; and

(2) will not boycott energy companies during the term of the contract.

(c) Subsection (b) does not apply to a governmental entity that determines the requirements of Subsection (b) are inconsistent with the governmental entity's constitutional or statutory duties related to the issuance, incurrence, or management of debt obligations or the deposit, custody, management, borrowing, or investment of funds.

SECTION 3. Chapter 2274, Government Code, as added by this Act, applies only to a contract entered into on or after the effective date of this Act. A contract entered into before that date is governed by the law in effect on the date the contract was entered into, and the former law is continued in effect for that purpose.

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

The Conference Committee Report on **SB 13** was filed with the Secretary of the Senate.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was filed with the Secretary of the Senate:

STATE OF TEXAS
OFFICE OF THE GOVERNOR

MESSAGE

TO THE MEMBERS OF THE SENATE AND HOUSE OF REPRESENTATIVES
OF THE EIGHTY-SEVENTH TEXAS LEGISLATURE, REGULAR SESSION:

Pursuant to Article IV, Section 14 of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove and veto Senate Bill No. 813 of the 87th Texas Legislature, Regular Session, due to the following objections:

I am vetoing Senate Bill 813 at the request of the author and sponsor based on the Legislature's passage of House Bill 3777, which would amend the Texas Tax Code to narrow the applicability of the Texas Historic Preservation Tax Credit Program. That program issues franchise tax or insurance premium tax credits worth up to 25 percent of the eligible expenses of rehabilitating a certified historic structure. Senate Bill 813 would have duplicated the authorizing statute for the program in the Texas Insurance Code, but would have created parameters for certified historic structures that differ from House Bill 3777 and thus could cause confusion with respect to the qualification of a project for insurance or franchise tax credits.

Since you remain gathered in regular session and continue to conduct formal business, I am delivering this disapproval message directly to you along with the unsigned official enrolled copy of the bill.

Respectfully submitted,
/s/Greg Abbott
Governor of Texas

Austin, Texas
May 24, 2021

CO-AUTHOR OF SENATE BILL 1877

On motion of Senator Johnson, Senator Eckhardt will be shown as Co-author of **SB 1877**.

CO-SPONSORS OF HOUSE BILL 4

On motion of Senator Buckingham, Senators Blanco and Hancock will be shown as Co-sponsors of **HB 4**.

CO-SPONSOR OF HOUSE BILL 133

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

CO-SPONSOR OF HOUSE BILL 385

On motion of Senator Hughes, Senator Bettencourt will be shown as Co-sponsor of **HB 385**.

CO-SPONSOR OF HOUSE BILL 492

On motion of Senator West, Senator Eckhardt will be shown as Co-sponsor of **HB 492**.

CO-SPONSOR OF HOUSE BILL 525

On motion of Senator Hall, Senator Creighton will be shown as Co-sponsor of **HB 525**.

CO-SPONSOR OF HOUSE BILL 619

On motion of Senator Alvarado, Senator Hinojosa will be shown as Co-sponsor of **HB 619**.

CO-SPONSOR OF HOUSE BILL 686

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

CO-SPONSORS OF HOUSE BILL 929

On motion of Senator West, Senators Eckhardt and Miles will be shown as Co-sponsors of **HB 929**.

CO-SPONSOR OF HOUSE BILL 1252

On motion of Senator Hall, Senator Creighton will be shown as Co-sponsor of **HB 1252**.

CO-SPONSORS OF HOUSE BILL 1280

On motion of Senator Paxton, Senators Creighton, Kolkhorst, and Perry will be shown as Co-sponsors of **HB 1280**.

CO-SPONSOR OF HOUSE BILL 1301

On motion of Senator Zaffirini, Senator Hinojosa will be shown as Co-sponsor of **HB 1301**.

CO-SPONSOR OF HOUSE BILL 1500

On motion of Senator Creighton, Senator Paxton will be shown as Co-sponsor of **HB 1500**.

CO-SPONSOR OF HOUSE BILL 1525

On motion of Senator Taylor, Senator Bettencourt will be shown as Co-sponsor of **HB 1525**.

CO-SPONSORS OF HOUSE BILL 1535

On motion of Senator Schwertner, Senators Bettencourt, Lucio, and Perry will be shown as Co-sponsors of **HB 1535**.

CO-SPONSOR OF HOUSE BILL 1578

On motion of Senator Hughes, Senator Johnson will be shown as Co-sponsor of **HB 1578**.

CO-SPONSOR OF HOUSE BILL 1681

On motion of Senator Alvarado, Senator Kolkhorst will be shown as Co-sponsor of **HB 1681**.

CO-SPONSOR OF HOUSE BILL 1694

On motion of Senator Schwertner, Senator Eckhardt will be shown as Co-sponsor of **HB 1694**.

CO-SPONSOR OF HOUSE BILL 1900

On motion of Senator Huffman, Senator Bettencourt will be shown as Co-sponsor of **HB 1900**.

CO-SPONSOR OF HOUSE BILL 1919

On motion of Senator Schwertner, Senator Hinojosa will be shown as Co-sponsor of **HB 1919**.

CO-SPONSOR OF HOUSE BILL 1935

On motion of Senator Miles, Senator Hinojosa will be shown as Co-sponsor of **HB 1935**.

CO-SPONSOR OF HOUSE BILL 2030

On motion of Senator West, Senator Hinojosa will be shown as Co-sponsor of **HB 2030**.

CO-SPONSOR OF HOUSE BILL 2056

On motion of Senator Perry, Senator Hinojosa will be shown as Co-sponsor of **HB 2056**.

CO-SPONSOR OF HOUSE BILL 2073

On motion of Senator Springer, Senator Hinojosa will be shown as Co-sponsor of **HB 2073**.

CO-SPONSOR OF HOUSE BILL 2116

On motion of Senator Powell, Senator West will be shown as Co-sponsor of **HB 2116**.

CO-SPONSOR OF HOUSE BILL 2283

On motion of Senator Creighton, Senator Bettencourt will be shown as Co-sponsor of **HB 2283**.

CO-SPONSOR OF HOUSE BILL 2366

On motion of Senator Hughes, Senator Hall will be shown as Co-sponsor of **HB 2366**.

CO-SPONSOR OF HOUSE BILL 2555

On motion of Senator Paxton, Senator Blanco will be shown as Co-sponsor of **HB 2555**.

CO-SPONSOR OF HOUSE BILL 2622

On motion of Senator Hall, Senator Bettencourt will be shown as Co-sponsor of **HB 2622**.

CO-SPONSOR OF HOUSE BILL 2667

On motion of Senator Perry, Senator Seliger will be shown as Co-sponsor of **HB 2667**.

CO-SPONSOR OF HOUSE BILL 2781

On motion of Senator Whitmire, Senator Blanco will be shown as Co-sponsor of **HB 2781**.

CO-SPONSOR OF HOUSE BILL 3046

On motion of Senator Creighton, Senator Hall will be shown as Co-sponsor of **HB 3046**.

CO-SPONSORS OF HOUSE BILL 3271

On motion of Senator Blanco, Senators Alvarado, Eckhardt, Johnson, and Miles will be shown as Co-sponsors of **HB 3271**.

CO-SPONSORS OF HOUSE BILL 3287

On motion of Senator Hughes, Senators Alvarado and Zaffirini will be shown as Co-sponsors of **HB 3287**.

CO-SPONSOR OF HOUSE BILL 3298

On motion of Senator Paxton, Senator West will be shown as Co-sponsor of **HB 3298**.

CO-SPONSOR OF HOUSE BILL 3379

On motion of Senator Kolkhorst, Senator Creighton will be shown as Co-sponsor of **HB 3379**.

CO-SPONSOR OF HOUSE BILL 3456

On motion of Senator Eckhardt, Senator West will be shown as Co-sponsor of **HB 3456**.

CO-SPONSOR OF HOUSE BILL 3712

On motion of Senator West, Senator Eckhardt will be shown as Co-sponsor of **HB 3712**.

CO-SPONSOR OF HOUSE BILL 3720

On motion of Senator Kolkhorst, Senator Lucio will be shown as Co-sponsor of **HB 3720**.

CO-SPONSOR OF HOUSE BILL 3767

On motion of Senator Bettencourt, Senator Hinojosa will be shown as Co-sponsor of **HB 3767**.

CO-SPONSOR OF HOUSE BILL 3821

On motion of Senator Menéndez, Senator Hinojosa will be shown as Co-sponsor of **HB 3821**.

CO-SPONSORS OF HOUSE BILL 3959

On motion of Senator Perry, Senators Blanco and Seliger will be shown as Co-sponsors of **HB 3959**.

CO-SPONSOR OF HOUSE BILL 4293

On motion of Senator Zaffirini, Senator Eckhardt will be shown as Co-sponsor of **HB 4293**.

CO-SPONSOR OF HOUSE BILL 4544

On motion of Senator Whitmire, Senator Eckhardt will be shown as Co-sponsor of **HB 4544**.

CO-SPONSORS OF HOUSE CONCURRENT RESOLUTION 1

On motion of Senator Kolkhorst, Senators Campbell, Creighton, and Hall will be shown as Co-sponsors of **HCR 1**.

CO-SPONSORS OF HOUSE CONCURRENT RESOLUTION 5

On motion of Senator West, Senators Eckhardt and Hall will be shown as Co-sponsors of **HCR 5**.

RESOLUTION OF RECOGNITION

The following resolution was adopted by the Senate:

Congratulatory Resolution

SR 466 by Hughes, Recognizing Kevin Lake on the occasion of his retirement.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 12:33 a.m. Tuesday, May 25, 2021, adjourned, in memory of David Christian Nelson, until 10:00 a.m. today.

APPENDIX

COMMITTEE REPORTS

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

May 24, 2021

HEALTH AND HUMAN SERVICES — **CSHB 2211, CSHB 1315**

STATE AFFAIRS — **CSHB 2168, CSHB 3**

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **CSHB 3938**

STATE AFFAIRS — **CSHB 1493, HB 1987, CSHB 4555**

JURISPRUDENCE — **CSHB 2025, CSHB 492**

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **CSHB 4472, CSHB 4103, CSHB 4305**

CRIMINAL JUSTICE — **CSHB 2352, CSHB 721**

LOCAL GOVERNMENT — **CSHB 1931, CSHB 1154, CSHB 4584, CSHB 4583**

EDUCATION — **CSHB 4465**

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **CSHB 2607**

EDUCATION — **CSHB 1468, CSHB 2391, CSHB 3597, CSHB 3819, CSHB 1068, CSHB 4509, HB 4545, HB 4525, HB 4124, HB 3864, HB 3400, HB 2756, HB 2554, HB 2497, HB 2287, HB 2256, HB 2022, HB 1504, HB 1252**

LOCAL GOVERNMENT — **HB 1929**

EDUCATION — **CSHB 999, CSHB 1754, CSHB 129**

HEALTH AND HUMAN SERVICES — **CSHB 1164**

EDUCATION — **CSHB 572, CSHB 2681, CSHB 3880**

JURISPRUDENCE — **CSHB 4344**

STATE AFFAIRS — **CSHB 1535**

EDUCATION — **HB 3456, HB 3298, HB 3207, HB 1032, HB 332**

BUSINESS AND COMMERCE — **HB 4492**

SENT TO GOVERNOR

May 24, 2021

SB 89, SB 186, SB 231, SB 237, SB 244, SB 271, SB 296, SB 338, SB 387, SB 481, SB 516, SB 672, SB 742, SB 764, SB 782, SB 818, SB 851, SB 874, SB 903, SB 918, SB 1129, SB 1136, SB 1165, SB 1168, SB 1177, SB 1202, SB 1245, SB 1269, SB 1359, SB 1449, SB 1525, SB 1585, SB 1655, SB 1801, SB 1814, SB 1815, SB 1942, SB 2008, SB 2062, SB 2099, SB 2183, SCR 3, SCR 12, SCR 51

SIGNED BY GOVERNOR

May 24, 2021

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

FILED WITHOUT SIGNATURE OF GOVERNOR

May 24, 2021

SB 1216, SB 1339, SB 2217

VETOED BY GOVERNOR

May 24, 2021

SB 813

