

# SENATE JOURNAL

**EIGHTY-EIGHTH LEGISLATURE — REGULAR SESSION**

**AUSTIN, TEXAS**

**PROCEEDINGS**

**SEVENTEENTH DAY**

(Wednesday, March 8, 2023)

The Senate met at 11:05 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Creighton, Eckhardt, Flores, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, King, Kolkhorst, LaMantia, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, Whitmire, Zaffirini.

The President announced that a quorum of the Senate was present.

Pastor Jay Gross, West Conroe Baptist Church, Conroe, offered the invocation as follows:

Dear Father in heaven, we come before You today with grateful hearts full of praise for Your goodness and Your blessings that You have so richly poured out upon us, our families, our communities, and this great State of Texas. We acknowledge You as the giver of every good and perfect gift and of our very breath of life. I pray for Your protection for our military, our first responders who daily step into harm's way on our behalf, and as Your word teaches us that You, O Lord, directly ordained and established human government, and those who serve in that institution are servants in Your hand to provide freedom, justice, order, and peace in accordance with Your will for Your creation. Therefore, I ask for divine wisdom and direction for this Senate, the House of Representatives, our Governor, and all that work therein. This I humbly pray in the name above all names, Jesus Christ our Lord. 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.

**PHYSICIAN OF THE DAY**

Senator Nichols was recognized and presented Dr. Joshua Splinter of LaRue as the Physician of the Day.

The Senate welcomed Dr. Splinter, accompanied by Breanna Harris, and thanked him for his participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

**(Senator LaMantia in Chair)**

**SENATE RESOLUTION 292**

Senator Sparks offered the following resolution:

**SR 292**, Recognizing Texas Tech University Health Sciences Center for its achievements.

SPARKS  
PERRY

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Sparks, joined by Senators Perry and Kolkhorst, was recognized and introduced to the Senate a Texas Tech University Health Sciences Center delegation including Chancellor Tedd Mitchell, President Lori Rice-Spearman, and Chancellor Emeritus Kent Hance.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Kolkhorst was recognized and introduced to the Senate an Austin County delegation including County Judge Tim Lapham, Bobby Rinn, and Mable Meyers.

The Senate welcomed its guests.

Senator Kolkhorst also introduced to the Senate a Grimes County delegation including Navasota Mayor William A. "Bert" Miller III, City Manager Jason Weeks, Councilmember Pattie Pederson, Stu Musick, Phillip Cox, David Tullos, and Plantersville Mayor Karen Hale.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Parker was recognized and introduced to the Senate a Special Olympics Texas delegation including Jonathan Blackmon, Cheryl Blackmon, Christopher Dearing, Paul Holland, and Liz Holland.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Alvarado was recognized and introduced to the Senate members of the Aldine Independent School District Superintendent Student Ambassadors.

The Senate welcomed its guests.

**SENATE RESOLUTION 273**

Senator Flores offered the following resolution:

**SR 273**, Recognizing March 8, 2023, as Pleasanton Day.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Flores was recognized and introduced to the Senate a City of Pleasanton delegation including Mayor Clinton Powell; Councilmembers JR Gallegos, Jeanne Israel, and Jaime Trevino; City Manager Johnny Huizar; Chief of Police Ronald Sanchez; and Ernie Gonzalez Jr.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Kolkhorst was recognized and introduced to the Senate a delegation of Texas oncologists.

The Senate welcomed its guests.

**SENATE RESOLUTION 295**

Senator Campbell offered the following resolution:

**SR 295**, Recognizing March 8, 2023, as Ambulatory Surgery Center Awareness Day.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Campbell was recognized and introduced to the Senate a Texas Ambulatory Surgery Center Awareness Day delegation including Maggie Jeffries, Akshay Tavkar, and Sunshine Moore.

The Senate welcomed its guests.

**(President in Chair)**

**GUESTS PRESENTED**

Senator West was recognized and introduced to the Senate members of the Lancaster Youth Advisory Committee including Amari Jefferson, Pangrace Manga, James E. Mitchell III, Dwight Wheaton, Kyndel Richmond, and Holy Igwe, accompanied by Keturah Barnett.

The Senate welcomed its guests.

**SENATE RESOLUTION 287**

Senator Miles offered the following resolution:

**SR 287**, Recognizing March 8, 2023, as University of Houston-Downtown Day.

MILES  
ALVARADO  
WHITMIRE

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Miles was recognized and introduced to the Senate a University of Houston-Downtown Day delegation including President Loren Blanchard, Jesus Nieto, and JB Bobbitt.

The Senate welcomed its guests.

**SENATE RESOLUTION 294**

Senator Johnson offered the following resolution:

**SR 294**, Recognizing Texas Women's Foundation for its contributions to women, girls, and their families.

JOHNSON  
ECKHARDT  
LAMANTIA  
WEST  
ZAFFIRINI

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Johnson, joined by Senators Zaffirini and Eckhardt, was recognized and introduced to the Senate a Texas Women's Foundation delegation.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Parker was recognized and introduced to the Senate BSA Troop No. 7.

The Senate welcomed its guests.

**INTRODUCTION OF  
BILLS AND RESOLUTIONS POSTPONED**

The President announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

There was no objection.

**CONCLUSION OF MORNING CALL**

The President at 11:52 a.m. announced the conclusion of morning call.

**COMMITTEE SUBSTITUTE  
SENATE BILL 728 ON SECOND READING**

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 728** at this time (submitted by Governor as an emergency matter):

**CSSB 728**, Relating to the reporting of mental health and intellectual disability information with respect to certain children for purposes of a federal firearm background check.

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

All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE  
SENATE BILL 728 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 **CSSB 728** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**(President Pro Tempore Hancock in Chair)**

**COMMITTEE SUBSTITUTE  
SENATE BILL 372 ON SECOND READING**

Senator Huffman moved that the Constitutional Rule, Senate Rule 7.07(a), and the regular order of business be suspended and that **CSSB 372** be taken up for consideration at this time:

**CSSB 372**, Relating to creating a criminal offense for the unauthorized disclosure of non-public judicial opinions and judicial work product.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE  
SENATE BILL 372 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 **CSSB 372** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**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 **SB 994** today.

**RESOLUTION SIGNED**

The President Pro Tempore announced the signing of the following enrolled resolution in the presence of the Senate: **HCR 72**.

### **RECESS AND MOTION TO ADJOURN**

On motion of Senator Whitmire and by unanimous consent, the Senate at 12:25 p.m. agreed to recess until 4:00 p.m. tomorrow for the introduction of bills and resolutions on first reading.

The Senate further agreed to adjourn, upon completion of the introduction of bills and resolutions on first reading, until 2:00 p.m. Monday, March 13, 2023.

### **CO-AUTHORS OF SENATE BILL 2**

On motion of Senator Hughes, Senators Flores and Parker will be shown as Co-authors of **SB 2**.

### **CO-AUTHOR OF SENATE BILL 105**

On motion of Senator Johnson, Senator LaMantia will be shown as Co-author of **SB 105**.

### **CO-AUTHOR OF SENATE BILL 118**

On motion of Senator Menéndez, Senator Zaffirini will be shown as Co-author of **SB 118**.

### **CO-AUTHOR OF SENATE BILL 175**

On motion of Senator Middleton, Senator Springer will be shown as Co-author of **SB 175**.

### **CO-AUTHORS OF SENATE BILL 224**

On motion of Senator Alvarado, Senators Hall, Huffman, Parker, West, and Zaffirini will be shown as Co-authors of **SB 224**.

### **CO-AUTHOR OF SENATE BILL 258**

On motion of Senator Eckhardt, Senator Menéndez will be shown as Co-author of **SB 258**.

### **CO-AUTHORS OF SENATE BILL 273**

On motion of Senator Blanco, Senators Campbell and Johnson will be shown as Co-authors of **SB 273**.

### **CO-AUTHOR OF SENATE BILL 315**

On motion of Senator Hall, Senator Kolkhorst will be shown as Co-author of **SB 315**.

### **CO-AUTHOR OF SENATE BILL 361**

On motion of Senator Eckhardt, Senator Springer will be shown as Co-author of **SB 361**.

### **CO-AUTHOR OF SENATE BILL 372**

On motion of Senator Huffman, Senator West will be shown as Co-author of **SB 372**.

**CO-AUTHOR OF SENATE BILL 435**

On motion of Senator Middleton, Senator Eckhardt will be shown as Co-author of **SB 435**.

**CO-AUTHOR OF SENATE BILL 546**

On motion of Senator Blanco, Senator Eckhardt will be shown as Co-author of **SB 546**.

**CO-AUTHORS OF SENATE BILL 559**

On motion of Senator Hughes, Senators Bettencourt and Flores will be shown as Co-authors of **SB 559**.

**CO-AUTHOR OF SENATE BILL 578**

On motion of Senator Zaffirini, Senator Bettencourt will be shown as Co-author of **SB 578**.

**CO-AUTHOR OF SENATE BILL 599**

On motion of Senator Birdwell, Senator Bettencourt will be shown as Co-author of **SB 599**.

**CO-AUTHOR OF SENATE BILL 625**

On motion of Senator Campbell, Senator Parker will be shown as Co-author of **SB 625**.

**CO-AUTHORS OF SENATE BILL 728**

On motion of Senator Huffman, Senators Alvarado, Blanco, Eckhardt, Gutierrez, Hinojosa, and West will be shown as Co-authors of **SB 728**.

**CO-AUTHOR OF SENATE BILL 748**

On motion of Senator Flores, Senator Eckhardt will be shown as Co-author of **SB 748**.

**CO-AUTHOR OF SENATE BILL 749**

On motion of Senator Flores, Senator Johnson will be shown as Co-author of **SB 749**.

**CO-AUTHOR OF SENATE BILL 763**

On motion of Senator Middleton, Senator Hughes will be shown as Co-author of **SB 763**.

**CO-AUTHOR OF SENATE BILL 778**

On motion of Senator Kolkhorst, Senator Eckhardt will be shown as Co-author of **SB 778**.

**CO-AUTHOR OF SENATE BILL 781**

On motion of Senator Kolkhorst, Senator Huffman will be shown as Co-author of **SB 781**.

**CO-AUTHOR OF SENATE BILL 790**

On motion of Senator Kolkhorst, Senator Huffman will be shown as Co-author of **SB 790**.

**CO-AUTHOR OF SENATE BILL 936**

On motion of Senator Hancock, Senator Flores will be shown as Co-author of **SB 936**.

**CO-AUTHOR OF SENATE BILL 986**

On motion of Senator Creighton, Senator Campbell will be shown as Co-author of **SB 986**.

**CO-AUTHOR OF SENATE BILL 1149**

On motion of Senator Menéndez, Senator Campbell will be shown as Co-author of **SB 1149**.

**CO-AUTHOR OF SENATE BILL 1184**

On motion of Senator Eckhardt, Senator Hall will be shown as Co-author of **SB 1184**.

**CO-AUTHOR OF SENATE BILL 1288**

On motion of Senator Hancock, Senator Middleton will be shown as Co-author of **SB 1288**.

**CO-AUTHOR OF SENATE BILL 1313**

On motion of Senator Hall, Senator Eckhardt will be shown as Co-author of **SB 1313**.

**CO-AUTHORS OF SENATE BILL 1381**

On motion of Senator Eckhardt, Senators Hall, Parker, and Springer will be shown as Co-authors of **SB 1381**.

**CO-AUTHOR OF SENATE BILL 1444**

On motion of Senator Zaffirini, Senator Flores will be shown as Co-author of **SB 1444**.

**CO-AUTHOR OF SENATE BILL 1524**

On motion of Senator Blanco, Senator Menéndez will be shown as Co-author of **SB 1524**.

**CO-AUTHOR OF SENATE BILL 1550**

On motion of Senator Blanco, Senator West will be shown as Co-author of **SB 1550**.

**CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 17**

On motion of Senator Hughes, Senator Bettencourt will be shown as Co-author of **SCR 17**.



**RESOLUTION OF RECOGNITION**

The following resolution was adopted by the Senate:

**Official Designation Resolution**

**SR 296** by Sparks, Recognizing March 9, 2023, as Ward County Day.

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**APPENDIX**

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**SENT TO SECRETARY OF STATE**

March 8, 2023

**SCR 21**

**BILLS ENGROSSED**

March 8, 2023

**SB 372, SB 728**

**RESOLUTIONS ENROLLED**

March 8, 2023

**SR 273, SR 287, SR 292, SR 294, SR 295, SR 296**

