

SENATE JOURNAL

EIGHTY-EIGHTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

TWENTY-FIFTH DAY

(Monday, March 27, 2023)

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

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 Pro Tempore announced that a quorum of the Senate was present.

Pastor Weylin Lee, Vox Veniae, Austin, offered the invocation as follows:

God, our creator and divine mystery, we are gathered as public servants to discern what it means to serve each person in this State of Texas. Invite us toward a posture of humility that reminds us of our shared humanity and needs. Imprint on our minds and hearts the invitation to protect and care for the most vulnerable and marginalized. May the conversations and decisions that take place in this room not be driven by fear, shame, or othering. But may the words and actions on this floor be guided by empathy, compassion, and mutuality. May we learn to sit in the discomfort of silence long enough to truly listen, to be less reactive, and to grow in our understanding of every fellow Texan. We ask all this through God our creator, God our healer, and God our breath of life. 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.

MESSAGES FROM THE GOVERNOR

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

March 27, 2023

Austin, Texas

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

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be a member of the Executive Council of Physical Therapy and Occupational Therapy Examiners for a term to expire February 1, 2025:

Manoranjan "Mano" Mahadeva
Frisco, Texas

(Mr. Mahadeva is being reappointed)

Respectfully submitted,

/s/Greg Abbott
Governor

March 27, 2023
Austin, Texas

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

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be a member of the Texas Higher Education Coordinating Board for a term to expire August 31, 2027:

Syed "Javaid" Anwar
Midland, Texas

(Mr. Anwar is being reappointed)

Respectfully submitted,

/s/Greg Abbott
Governor

CONCLUSION OF MORNING CALL

The President Pro Tempore at 2:07 p.m. announced the conclusion of morning call.

SENATE BILL 240 ON SECOND READING

On motion of Senator Campbell and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 240** at this time on its second reading:

SB 240, Relating to workplace violence prevention in certain health facilities.

The bill was read second time and was passed to engrossment without objection.

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

SENATE BILL 240 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 **SB 240** 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.

LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator West was granted leave of absence for today on account of a death in the family.

(President in Chair)**COMMITTEE SUBSTITUTE
SENATE BILL 24 ON SECOND READING**

Senator Kolkhorst moved to suspend the regular order of business to take up for consideration **CSSB 24** at this time on its second reading:

CSSB 24, Relating to the powers and duties of the Health and Human Services Commission and the transfer to the commission of certain powers and duties from the Department of Family and Protective Services.

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

Yeas: Bettencourt, Birdwell, Blanco, Campbell, Creighton, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, King, Kolkhorst, Menéndez, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, Zaffirini.

Nays: Alvarado, Eckhardt, Gutierrez, Johnson, LaMantia, Miles, Whitmire.

Absent-excused: West.

The bill was read second time.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 24** (senate committee report) as follows:

(1) In SECTION 1 of the bill, in added Section 137.051(1), Human Resources Code (page 4, lines 68 and 69), strike "infant mortality prevention education programs" and substitute "child fatality prevention education programs and other activities directed at the general public to stop child abuse and neglect".

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

SECTION ____ . Subchapter D, Chapter 264, Family Code, is transferred to Chapter 137, Human Resources Code, as redesignated by this Act, redesignated as Subchapter E, Chapter 137, Human Resources Code, and amended to read as follows:

SUBCHAPTER E ~~[D]~~. SERVICES FOR ~~[FO]~~ AT-RISK YOUTH

Sec. 137.201 ~~[264.301]~~. SERVICES FOR AT-RISK YOUTH. (a) The commission ~~[department]~~ shall operate a program to provide family support services for children in at-risk situations and for the families of those children.

(b) The services under this section may include:

- (1) crisis family intervention;
- (2) emergency short-term residential care;
- (3) family counseling;
- (4) parenting skills training;
- (5) youth coping skills training;
- (6) mentoring; and
- (7) advocacy training.

Sec. 137.202 ~~[264.302]~~. EARLY YOUTH INTERVENTION SERVICES. (a) This section applies to a child who:

- (1) is seven years of age or older and under 17 years of age; and
- (2) has not had the disabilities of minority for general purposes removed under Chapter 31, Family Code.

(b) The commission ~~[department]~~ shall operate a program under this section to provide family support services for children in at-risk situations and for the families of those children.

(c) The commission ~~[department]~~ may not provide services under this section to a child who has:

- (1) at any time been referred to juvenile court for engaging in conduct that violates a penal law of this state of the grade of felony other than a state jail felony; or
- (2) been found to have engaged in delinquent conduct under Title 3, Family Code.

(d) The commission ~~[department]~~ may provide services under this section to a child who engages in conduct for which the child may be found by a court to be an at-risk child, without regard to whether the conduct violates a penal law of this state of the grade of felony other than a state jail felony, if the child was younger than 10 years of age at the time the child engaged in the conduct.

(e) The commission ~~[department]~~ shall provide services for a child and the child's family if a contract to provide services under this section is available in the county and the child is referred to the commission ~~[department]~~ as an at-risk child by:

- (1) a juvenile court or probation department as part of a progressive sanctions program under Chapter 59, Family Code;
- (2) a law enforcement officer or agency under Section 52.03, Family Code;

or

(3) a justice or municipal court under Article 45.057, Code of Criminal Procedure.

(f) The services under this section may include:

- (1) crisis family intervention;
- (2) emergency short-term residential care for children 10 years of age or older;
- (3) family counseling;
- (4) parenting skills training;

- (5) youth coping skills training;
- (6) advocacy training; and
- (7) mentoring.

SECTION _____. Chapter 53, Human Resources Code, is transferred to Chapter 137, Human Resources Code, as redesignated by this Act, redesignated as Subchapter F, Chapter 137, Human Resources Code, and amended to read as follows:

SUBCHAPTER F [~~CHAPTER 53~~]. PREVENTIVE SERVICES FOR VETERANS AND MILITARY FAMILIES

Sec. 137.251 [~~53.001~~]. DEFINITIONS. In this subchapter, "veteran" [~~chapter:~~ ~~(1) "Department" means the Department of Family and Protective Services.~~

~~(2) "Veteran"~~ means a person who has served in:

(1) [~~(A)~~] the army, navy, air force, coast guard, or marine corps of the United States;

(2) [~~(B)~~] the state military forces as defined by Section 431.001, Government Code; or

(3) [~~(C)~~] an auxiliary service of one of those branches of the armed forces.

Sec. 137.252 [~~53.002~~]. VETERANS AND MILITARY FAMILIES PREVENTIVE SERVICES PROGRAM. (a) The commission [~~department~~] shall develop and implement a preventive services program to serve veterans and military families who have committed or experienced or who are at a high risk of:

- (1) family violence; or
- (2) abuse or neglect.

(b) The program must:

(1) be designed to coordinate with community-based organizations to provide prevention services;

(2) include a prevention component and an early intervention component;

(3) include collaboration with services for child welfare, services for early childhood education, and other child and family services programs; and

(4) coordinate with the community collaboration initiative developed under Subchapter I, Chapter 434, Government Code, and committees formed by local communities as part of that initiative.

~~[(c) The program must be established initially as a pilot program in areas of the state in which the department considers the implementation practicable. The department shall evaluate the outcomes of the pilot program and ensure that the program is producing positive results before implementing the program throughout the state.~~

~~[(d) The department shall evaluate the program and prepare an annual report on the outcomes of the program. The department shall publish the report on the department's Internet website.]~~

SECTION _____. Article 45.057(b), Code of Criminal Procedure, is amended to read as follows:

(b) On a finding by a justice or municipal court that a child committed an offense that the court has jurisdiction of under Article 4.11 or 4.14, the court has jurisdiction to enter an order:

(1) referring the child or the child's parent for services under Section 137.202, Human Resources Code [~~264.302, Family Code~~];

(2) requiring that the child attend a special program that the court determines to be in the best interest of the child and, if the program involves the expenditure of municipal or county funds, that is approved by the governing body of the municipality or county commissioners court, as applicable, including a rehabilitation, counseling, self-esteem and leadership, work and job skills training, job interviewing and work preparation, self-improvement, parenting, manners, violence avoidance, tutoring, sensitivity training, parental responsibility, community service, restitution, advocacy, or mentoring program; or

(3) requiring that the child's parent do any act or refrain from doing any act that the court determines will increase the likelihood that the child will comply with the orders of the court and that is reasonable and necessary for the welfare of the child, including:

(A) attend a parenting class or parental responsibility program; and

(B) attend the child's school classes or functions.

SECTION _____. Section 52.03(c), Family Code, is amended to read as follows:

(c) A disposition authorized by this section may involve:

(1) referral of the child to an agency other than the juvenile court;

(2) a brief conference with the child and his parent, guardian, or custodian;

or

(3) referral of the child and the child's parent, guardian, or custodian for services under Section 137.202, Human Resources Code [~~264.302~~].

SECTION _____. Section 59.004(a), Family Code, is amended to read as follows:

(a) For a child at sanction level one, the juvenile court or probation department may:

(1) require counseling for the child regarding the child's conduct;

(2) inform the child of the progressive sanctions that may be imposed on the child if the child continues to engage in delinquent conduct or conduct indicating a need for supervision;

(3) inform the child's parents or guardians of the parents' or guardians' responsibility to impose reasonable restrictions on the child to prevent the conduct from recurring;

(4) provide information or other assistance to the child or the child's parents or guardians in securing needed social services;

(5) require the child or the child's parents or guardians to participate in a program for services under Section 137.202, Human Resources Code [~~264.302~~], if a program under Section 137.202 [~~264.302~~] is available to the child or the child's parents or guardians;

(6) refer the child to a community-based citizen intervention program approved by the juvenile court;

(7) release the child to the child's parents or guardians; and

(8) require the child to attend and successfully complete an educational program described by Section 37.218, Education Code, or another equivalent educational program.

SECTION _____. Section 59.005(a), Family Code, is amended to read as follows:

(a) For a child at sanction level two, the juvenile court, the prosecuting attorney, or the probation department may, as provided by Section 53.03:

(1) place the child on deferred prosecution for not less than three months or more than six months;

(2) require the child to make restitution to the victim of the child's conduct or perform community service restitution appropriate to the nature and degree of harm caused and according to the child's ability;

(3) require the child's parents or guardians to identify restrictions the parents or guardians will impose on the child's activities and requirements the parents or guardians will set for the child's behavior;

(4) provide the information required under Sections 59.004(a)(2) and (4);

(5) require the child or the child's parents or guardians to participate in a program for services under Section 137.202, Human Resources Code ~~[264.302]~~, if a program under Section 137.202 ~~[264.302]~~ is available to the child or the child's parents or guardians;

(6) refer the child to a community-based citizen intervention program approved by the juvenile court; and

(7) if appropriate, impose additional conditions of probation.

The amendment to **CSSB 24** 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: West.

CSSB 24 as amended was passed to engrossment by the following vote: Yeas 23, Nays 7.

Yeas: Bettencourt, Birdwell, Blanco, Campbell, Creighton, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, King, Kolkhorst, Menéndez, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, Zaffirini.

Nays: Alvarado, Eckhardt, Gutierrez, Johnson, LaMantia, Miles, Whitmire.

Absent-excused: West.

COMMITTEE SUBSTITUTE SENATE BILL 24 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 **CSSB 24** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 5.

Yeas: Bettencourt, Birdwell, Blanco, Campbell, Creighton, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, King, Kolkhorst, LaMantia, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, Zaffirini.

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

Absent-excused: West.

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

Yeas: Bettencourt, Birdwell, Blanco, Campbell, Creighton, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, King, Kolkhorst, Menéndez, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, Zaffirini.

Nays: Alvarado, Eckhardt, Gutierrez, Johnson, LaMantia, Miles, Whitmire.

Absent-excused: West.

STATEMENT REGARDING COMMITTEE SUBSTITUTE SENATE BILL 24

Senator Blanco submitted the following statement regarding **CSSB 24**:

While I'm voting Aye on Senate Bill (SB) 24, which moves the Texas Family Support Services program from the Department of State Health Services (DSHS) to the Health and Human Services Commission (HHSC) and promotes alternatives to abortion services currently offered in El Paso, I wholeheartedly believe women in Texas would be better served by comprehensive, evidence-based reproductive healthcare services, including access to abortions and family planning services, which is especially needed to reduce maternal health disparities in Texas.

BLANCO

SENATE JOINT RESOLUTION 35 ON SECOND READING

Senator Birdwell moved to suspend the regular order of business to take up for consideration **SJR 35** at this time on its second reading:

SJR 35, Proposing a constitutional amendment clarifying that a voter must be a United States citizen.

The motion prevailed.

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

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

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

Nays: Eckhardt.

Absent-excused: West.

SENATE JOINT RESOLUTION 35 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 **SJR 35** be placed on its third reading and final passage.

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

Nays: Eckhardt.

Absent-excused: West.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 736 ON SECOND READING**

On motion of Senator Whitmire and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 736** at this time on its second reading:

CSSB 736, Relating to mandatory arbitration for certain municipal fire departments and employee bargaining agents.

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

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

Absent: Miles.

Absent-excused: West.

**COMMITTEE SUBSTITUTE
SENATE BILL 736 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 **CSSB 736** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Miles.

Absent-excused: West.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

PHYSICIAN OF THE DAY

Senator LaMantia was recognized and presented Dr. Martha Cano of Harlingen as the Physician of the Day.

The Senate welcomed Dr. Cano and thanked her for her participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

**COMMITTEE SUBSTITUTE
SENATE BILL 796 ON SECOND READING**

On motion of Senator Paxton, on behalf of Senator Middleton, and by unanimous consent, the regular order of business and Senate Rule 5.14(a) were suspended to take up for consideration **CSSB 796** at this time on its second reading:

CSSB 796, Relating to arbitration provisions in surplus lines insurance contracts.

The bill was read second time.

Senator Springer moved to postpone further consideration of the bill to a time certain of 11:00 a.m. Wednesday, March 29, 2023.

The motion prevailed.

Question: Shall **CSSB 796** be passed to engrossment?

SENATE BILL 921 ON SECOND READING

Senator Hughes moved to suspend the regular order of business to take up for consideration **SB 921** at this time on its second reading:

SB 921, Relating to the determination of a majority vote in certain elections.

The motion prevailed by the following vote: Yeas 21, Nays 9.

Yeas: Bettencourt, Birdwell, Blanco, Campbell, Creighton, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, King, Kolkhorst, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer.

Nays: Alvarado, Eckhardt, Gutierrez, Johnson, LaMantia, Menéndez, Miles, Whitmire, Zaffirini.

Absent-excused: West.

The bill was read second time.

Senator Hughes offered the following amendment to the bill:

Floor Amendment No. 1

Amend. **SB 921** (senate committee report) in SECTION 1 of the bill as follows:

(1) In added Section 2.0215(b), Election Code (page 1, line 32), immediately following "public", insert "or political party".

(2) In added Section 2.0215(b), Election Code (page 1, line 32), immediately following "office", insert "or to receive a political party's nomination".

The amendment to **SB 921** 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: West.

SB 921 as amended was passed to engrossment by the following vote: Yeas 21, Nays 9.

Yeas: Bettencourt, Birdwell, Blanco, Campbell, Creighton, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, King, Kolkhorst, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer.

Nays: Alvarado, Eckhardt, Gutierrez, Johnson, LaMantia, Menéndez, Miles, Whitmire, Zaffirini.

Absent-excused: West.

COMMITTEE SUBSTITUTE
SENATE BILL 384 ON SECOND READING

Senator Kolkhorst moved to suspend the regular order of business to take up for consideration **CSSB 384** at this time on its second reading:

CSSB 384, Relating to the sale, design, and manufacture of clear aligners.

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

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Creighton, Eckhardt, Flores, Gutierrez, Hinojosa, Huffman, Johnson, King, Kolkhorst, LaMantia, Menéndez, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Whitmire, Zaffirini.

Nays: Campbell, Hall, Hancock, Hughes, Middleton, Sparks, Springer.

Absent-excused: West.

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 384** (senate committee printing) in SECTION 1 of the bill, immediately following added Section 431.024(e), Health and Safety Code (page 2, between lines 32 and 33), by inserting the following:

(f) A dentist may not require a patient to agree to use a particular type of clear aligner as a condition of performing the examination or review described by Subsections (c)(1) and (2).

(g) A dentist described by Subsection (c)(3)(A) shall provide any records collected under Subsections (c)(1) and (2) to another dentist in accordance with Section 258.109, Occupations Code, if:

(1) disclosure of a dental record is authorized under Subchapter C, Chapter 258, Occupations Code; and

(2) the other dentist requests the records.

The amendment to **CSSB 384** 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: West.

CSSB 384 as amended was passed to engrossment by the following vote: Yeas 23, Nays 7.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Creighton, Eckhardt, Flores, Gutierrez, Hinojosa, Huffman, Johnson, King, Kolkhorst, LaMantia, Menéndez, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Whitmire, Zaffirini.

Nays: Campbell, Hall, Hancock, Hughes, Middleton, Sparks, Springer.

Absent-excused: West.

COMMITTEE SUBSTITUTE
SENATE BILL 384 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 **CSSB 384** be placed on its third reading and final passage.

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

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Creighton, Eckhardt, Flores, Gutierrez, Hinojosa, Huffman, Johnson, King, Kolkhorst, LaMantia, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Whitmire, Zaffirini.

Nays: Campbell, Hall, Hancock, Hughes, Sparks, Springer.

Absent-excused: West.

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

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Creighton, Eckhardt, Flores, Gutierrez, Hinojosa, Huffman, Johnson, King, Kolkhorst, LaMantia, Menéndez, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Whitmire, Zaffirini.

Nays: Campbell, Hall, Hancock, Hughes, Middleton, Sparks, Springer.

Absent-excused: West.

SENATE BILL 825 ON SECOND READING

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 825** at this time on its second reading:

SB 825, Relating to the deadline for submitting certain recount petitions.

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

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

Absent-excused: West.

SENATE BILL 825 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 **SB 825** be placed on its third reading and final passage.

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

Absent-excused: West.

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

**MOTION TO PLACE
SENATE BILL 747 ON SECOND READING**

Senator Hughes moved to suspend the regular order of business to take up for consideration **SB 747** at this time on its second reading:

SB 747, Relating to the withdrawal of a candidate in a runoff primary election.

Senator Hughes withdrew the motion to suspend the regular order of business.

(Senator Flores in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 380 ON SECOND READING**

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **CSSB 380** at this time on its second reading:

CSSB 380, Relating to payment of certain court costs associated with interpreters.

The motion prevailed.

Senators Kolkhorst, Middleton, Sparks, and Springer asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Perry offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 380** (senate committee printing) as follows:

(1) In the recital to SECTION 2 of the bill, amending Section 57.002, Government Code (page 1, line 31), strike "Subsection (g)" and substitute "Subsections (g), (h), and (i)".

(2) In SECTION 2 of the bill, immediately following added Section 57.002(g), Government Code (page 1, between lines 43 and 44), insert the following:

(h) Each county auditor, or other individual designated by the commissioners court of a county, in consultation with the district and county clerks shall submit to the Office of Court Administration of the Texas Judicial System, in the manner prescribed by the office, information on the money the county spent during the preceding fiscal year to provide court-ordered interpretation services in civil and criminal proceedings. The information must include:

(1) the number of interpreters appointed;

(2) the number of interpreters appointed for parties or witnesses who are indigent;

(3) the amount of money the county spent to provide court-ordered interpretation services; and

(4) for civil proceedings, whether a party to the proceeding filed a statement of inability to afford payment of court costs under Rule 145, Texas Rules of Civil Procedure, applicable to the appointment of an interpreter.

(i) Not later than December 1 of each year, the Office of Court Administration of the Texas Judicial System shall:

- (1) submit to the legislature a report that aggregates by county the information submitted under Subsection (h) for the preceding fiscal year; and
(2) publish the report on the office's Internet website.

The amendment to **CSSB 380** 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: West.

CSSB 380 as amended was passed to engrossment by a viva voce vote.

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

Nays: Kolkhorst, Middleton, Sparks, Springer.

Absent-excused: West.

COMMITTEE SUBSTITUTE SENATE BILL 380 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 **CSSB 380** be placed on its third reading and final passage.

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

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Creighton, Eckhardt, Flores, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, King, LaMantia, Menéndez, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Whitmire, Zaffirini.

Nays: Kolkhorst, Middleton, Sparks, Springer.

Absent-excused: West.

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

RESOLUTION SIGNED

The Presiding Officer announced the signing of the following enrolled resolution in the presence of the Senate: **HCR 70**.

(President in Chair)

MOMENT OF SILENCE OBSERVED

At the request of the President, the Senate observed a moment of silence for the families who lost loved ones in the Tennessee school shooting today.

CO-AUTHOR WITHDRAWN

The following letter was received by the Secretary of the Senate:

THE TEXAS SENATE

Bryan Hughes

March 24, 2023

The Honorable Patsy Spaw
Secretary of the Texas Senate
Room 2E.22
Austin, Texas 78701

Re: Removal of Coauthorship

Dear Mrs. Spaw:

I request to be removed as coauthor on the following bills at your earliest convenience:

SB 715 by Kolkhorst

SJR 39 by Kolkhorst

Sincerely,

/s/Bryan Hughes

CO-AUTHOR OF SENATE BILL 14

On motion of Senator Campbell, Senator Sparks will be shown as Co-author of **SB 14**.

CO-AUTHORS OF SENATE BILL 22

On motion of Senator Springer, Senators Birdwell, Nichols, Parker, and Sparks will be shown as Co-authors of **SB 22**.

CO-AUTHORS OF SENATE BILL 24

On motion of Senator Kolkhorst, Senators Bettencourt and Huffman will be shown as Co-authors of **SB 24**.

CO-AUTHOR OF SENATE BILL 28

On motion of Senator Perry, Senator Hinojosa will be shown as Co-author of **SB 28**.

CO-AUTHOR OF SENATE BILL 52

On motion of Senator Zaffirini, Senator Hall will be shown as Co-author of **SB 52**.

CO-AUTHORS OF SENATE BILL 129

On motion of Senator Springer, Senators Bettencourt and Huffman will be shown as Co-authors of **SB 129**.

CO-AUTHOR OF SENATE BILL 162

On motion of Senator Perry, Senator Hall will be shown as Co-author of **SB 162**.

CO-AUTHOR OF SENATE BILL 384

On motion of Senator Kolkhorst, Senator West will be shown as Co-author of **SB 384**.

CO-AUTHOR OF SENATE BILL 403

On motion of Senator Springer, Senator Hall will be shown as Co-author of **SB 403**.

CO-AUTHOR OF SENATE BILL 426

On motion of Senator Paxton, Senator Hall will be shown as Co-author of **SB 426**.

CO-AUTHOR OF SENATE BILL 467

On motion of Senator Bettencourt, Senator Parker will be shown as Co-author of **SB 467**.

CO-AUTHOR OF SENATE BILL 493

On motion of Senator Hughes, Senator Hall will be shown as Co-author of **SB 493**.

CO-AUTHOR OF SENATE BILL 736

On motion of Senator Whitmire, Senator Alvarado will be shown as Co-author of **SB 736**.

CO-AUTHOR OF SENATE BILL 796

On motion of Senator Middleton, Senator Menéndez will be shown as Co-author of **SB 796**.

CO-AUTHOR OF SENATE BILL 921

On motion of Senator Hughes, Senator Hall will be shown as Co-author of **SB 921**.

CO-AUTHOR OF SENATE BILL 1104

On motion of Senator Birdwell, Senator Johnson will be shown as Co-author of **SB 1104**.

CO-AUTHORS OF SENATE BILL 1464

On motion of Senator West, Senators Kolkhorst and Middleton will be shown as Co-authors of **SB 1464**.

CO-AUTHOR OF SENATE BILL 2010

On motion of Senator Schwertner, Senator Kolkhorst will be shown as Co-author of **SB 2010**.

CO-AUTHOR OF SENATE BILL 2011

On motion of Senator Schwertner, Senator Kolkhorst will be shown as Co-author of **SB 2011**.

CO-AUTHOR OF SENATE BILL 2013

On motion of Senator Schwertner, Senator Kolkhorst will be shown as Co-author of **SB 2013**.

CO-AUTHOR OF SENATE BILL 2014

On motion of Senator King, Senator Kolkhorst will be shown as Co-author of **SB 2014**.

CO-AUTHOR OF SENATE BILL 2015

On motion of Senator King, Senator Kolkhorst will be shown as Co-author of **SB 2015**.

CO-AUTHOR OF SENATE BILL 2354

On motion of Senator Bettencourt, Senator Middleton will be shown as Co-author of **SB 2354**.

CO-AUTHOR OF SENATE BILL 2483

On motion of Senator Paxton, Senator Middleton will be shown as Co-author of **SB 2483**.

CO-AUTHOR OF SENATE BILL 2528

On motion of Senator West, Senator Miles will be shown as Co-author of **SB 2528**.

CO-AUTHOR OF SENATE BILL 2539

On motion of Senator Creighton, Senator Gutierrez will be shown as Co-author of **SB 2539**.

CO-AUTHORS OF SENATE JOINT RESOLUTION 35

On motion of Senator Birdwell, Senators Hall and Menéndez will be shown as Co-authors of **SJR 35**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 58

On motion of Senator Birdwell, Senator Johnson will be shown as Co-author of **SJR 58**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 75

On motion of Senator Perry, Senator Hinojosa will be shown as Co-author of **SJR 75**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Congratulatory Resolutions

SR 351 by Birdwell, Recognizing Lee Clay on the occasion of his 77th birthday.

SR 353 by King, Recognizing the Weatherford Chamber of Commerce for receiving six Pinnacle Awards from the International Festivals and Events Association.

SR 355 by Springer, Recognizing Corbett Howard on the occasion of his retirement.

SR 357 by Schwertner, Recognizing Vanessa Novo for her acceptance into the Global Leadership Opportunities Beyond Education program.

SCR 32 by Hinojosa, Recognizing Lone Star National Bank on the occasion of its 40th anniversary.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 3:56 p.m. adjourned until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Secretary of the Senate in the order listed:

March 27, 2023

HEALTH AND HUMAN SERVICES — **SB 25**

CRIMINAL JUSTICE — **CSSB 1173**

FINANCE — **CSSB 987**

BUSINESS AND COMMERCE — **CSSB 895, SB 936, SB 768, SB 498, CSSB 1016, CSSB 1015, CSSB 1001, CSSB 541, CSSB 130**

CRIMINAL JUSTICE — **CSSB 1318**

FINANCE — **CSSB 10**

JURISPRUDENCE — **SB 48, SB 869, SB 1603**

CRIMINAL JUSTICE — **CSSB 224**

HEALTH AND HUMAN SERVICES — **CSSB 944**

JURISPRUDENCE — **SB 1259**

TRANSPORTATION — **CSSB 478**

HEALTH AND HUMAN SERVICES — **CSSB 182**

BILLS AND RESOLUTION ENGROSSED

March 27, 2023

SB 24, SB 240, SB 380, SB 384, SB 736, SB 825, SJR 35

RESOLUTIONS ENROLLED

March 27, 2023

SR 351, SR 353, SR 355, SR 357

SIGNED BY GOVERNOR

March 27, 2023

SCR 19