

SENATE JOURNAL

EIGHTY-EIGHTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

TWENTY-SIXTH DAY
(Tuesday, March 28, 2023)

The Senate met at 11:00 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, Whitmire, Zaffirini.

Absent-excused: West.

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

Daniel Cardinal DiNardo, Catholic Archdiocese of Galveston-Houston, offered the invocation as follows:

O God of justice and mercy, as we gather in service to our state, we give You thanks for the gift of life and for the opportunity to serve You and one another. We pray for all the members of the legislature, for judges, elected civil officials, and all others who are entrusted to guard our political welfare. May they be enabled by Your powerful protection to discharge their duties with honesty and ability. We pray for the humility to better listen to You and to one another, seeking to hear and not just to be heard, to act boldly in the pursuit of justice and integrity, and to promote and protect the fullness of human dignity. May we all be stirred to more generous and dedicated service towards the common good of our community. We pray to You, who are Lord and God, forever and ever. 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.

ACKNOWLEDGMENT

Senator Bettencourt, joined by the President, acknowledged the presence of His Eminence Daniel Cardinal DiNardo, Archdiocese of Galveston-Houston, and a delegation of Texas Catholics on their Advocacy Day.

The Senate welcomed its guest.

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.

GUESTS PRESENTED

Senator Campbell was recognized and introduced to the Senate Saint John Paul II High School students.

The Senate welcomed its guests.

SENATE RESOLUTION 352

Senator Birdwell offered the following resolution:

SR 352, Recognizing March 28, 2023, as Waco Day.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Birdwell was recognized and introduced to the Senate a City of Waco delegation including Mayor Dillon Meek, Councilmember Jim Holmes, McLennan County Judge Scott Felton, County Commissioners Ben Perry and Pat Miller, and Waco Independent School District school board member Rick Tullis.

The Senate welcomed its guests.

PHYSICIAN OF THE DAY

Senator Hall was recognized and presented Dr. Olubunmi Ojelade of Rowlett as the Physician of the Day.

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

(Senator Flores in Chair)

SENATE RESOLUTION 350

Senator Alvarado offered the following resolution:

SR 350, Recognizing September 23, 2023, as Fourth Trimester Care Day.

ALVARADO
LAMANTIA

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Alvarado was recognized and introduced to the Senate a Fourth Trimester Care Day delegation including Texas Physical Therapy Association representatives, Gail Zitterkopf, Craig Tounget, Kelly Aparicio, and Kristie Hammerle.

The Senate welcomed its guests.

GUEST PRESENTED

Senator Springer, joined by Senator Paxton, was recognized and introduced to the Senate Corbett Howard and congratulated him on his recent retirement.

The Senate welcomed its guest.

(President in Chair)**SENATE RESOLUTION 356**

Senator Eckhardt offered the following resolution:

SR 356, Recognizing Library Day.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Eckhardt was recognized and introduced to the Senate a Library Day delegation.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Kolkhorst was recognized and introduced to the Senate an Aransas County Day delegation.

The Senate welcomed its guests.

SENATE RESOLUTION 348

Senator Blanco offered the following resolution:

SR 348, Recognizing April 2, 2023, as Education and Sharing Day.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Blanco was recognized and introduced to the Senate an Education and Sharing Day delegation including Chabad-Lubavitch representatives and Rabbi Shimon Lazaroff.

The Senate welcomed its guests.

MESSAGES FROM THE GOVERNOR

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

March 28, 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 appointments:

To be members of the Governing Board of the Texas Civil Commitment Office for terms to expire February 1, 2029:

Roberto "Robert" Dominguez
Elsa, Texas

Elizabeth C. "Christy" Jack
Fort Worth, Texas

The individuals listed above are being reappointed.

Respectfully submitted,

/s/Greg Abbott
Governor

March 28, 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 appointments:

To be members of the Texas State University System Board of Regents for terms to expire February 1, 2029:

Earl C. "Duke" Austin, Jr.
Houston, Texas
(Mr. Austin is being reappointed)

Russell D. Gordy
Houston, Texas
(replacing Veronica R. "Nicki" Harle of Baird whose term expired)

Thomas E. "Tom" Long
Frisco, Texas
(replacing Garry D. Crain of The Hills whose term expired)

Respectfully submitted,

/s/Greg Abbott
Governor

REPORT OF COMMITTEE ON NOMINATIONS

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

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

Adjutant General, Texas Military Department: Thomas Michael Suelzer, Tarrant County.

Presiding Officer, Alamo Regional Mobility Authority: Michael J. Lynd, Bexar County.

Members, Board of Directors, Angelina and Neches River Authority: Erin L. Holloway, Smith County; Dale Glenn Morton, Nacogdoches County; Francis Green Spruiell, Shelby County.

Members, Board of Pardons and Paroles: Elodia Gutierrez Brito, Randall County; Brian Andrew Long, Gregg County; Marsha Swaney Moberley, Brazoria County.

Presiding Officer, Cameron County Regional Mobility Authority: Frank Parker, Cameron County.

Presiding Officer, Camino Real Regional Mobility Authority: Joyce A. Wilson, El Paso County.

Commissioner, Canadian River Compact Commission: Roger Stephen Cox, Randall County.

Members, Commission on State Emergency Communications: Edwina L. Lane, Fannin County; Larry Layne VanSteenberg, Montgomery County; Von Cheyenne Washington, El Paso County.

Members, Council on Sex Offender Treatment: Elizabeth Lynn Cox, Bexar County; Andrea K. Milcah Ortiz, Dallas County.

Members, Board of Trustees, Employees Retirement System of Texas: Ira Craig Hester, Travis County; John Richard Rutherford, Harris County.

Members, Finance Commission of Texas: Robert Ivan Borochoff, Harris County; Glen Martin Green, Dallas County; Phillip Andrew Holt, Fannin County; Deborah Sue Scanlon, Fort Bend County.

Members, Board of Directors, Lower Neches Valley Authority: Lonnie Bee Grissom, Tyler County; Virginia Pate, Jefferson County; Juanita Jean Thomas Turk, Hardin County.

Members, Manufactured Housing Board: Ronald Maxie Richards, Galveston County; Keith C. Thompson, Lubbock County.

Members, Motor Vehicle Crime Prevention Authority: Charla Kay Scott Brotherton, Tarrant County; Rebecca Cantu-Serrano, Harris County; Miguel Angel Rodriguez, Webb County; Patrick D. Smith, Tarrant County.

Presiding Officer, North East Texas Regional Mobility Authority: Gary Norman Halbrooks, Smith County.

Presiding Officer, North Texas Tollway Authority Board of Directors: Frankie Gravley, Grayson County.

Commissioner, Pecos River Compact Commission: Frederic H. S. Tate, Presidio County.

Members, Product Development and Small Business Incubator Board: Edward J. Crawford, Dallas County; Manuel Salazar, Kleberg County.

Members, Board of Directors, Red River Authority of Texas: Jerry Bob Daniel, Knox County; Tonya Denise Detten, Potter County; Conrad James Masterson, Cottle County.

Commissioner, Red River Compact Commission: Robin Lynn Phillips, Grayson County.

Members, Board of Directors, Sabine River Authority of Texas: Elton Don Brock, Harrison County; Darrin Renard Rudolph, Gregg County; Jeanette Lynne Sterner, Wood County.

Member, Sabine River Compact Administration: Connie Wade Gipson, Gregg County.

Members, State Board for Educator Certification: Robert Brescia, Ector County; Cristina Isabel Galindo, Harris County; Bena Leanne Glasscock, Oldham County; Courtney Boswell MacDonald, Kerr County; Michael D. McFarland, Tarrant County; Scott Richard Muri, Ector County; Josue Raul Tamarez Torres, Kaufman County.

Members, State Board of Veterinary Medical Examiners: Sandra Criner, Fort Bend County; Steven Craig Golla, Comal County; Keith Alan Pardue, Travis County.

Members, State Employee Charitable Campaign Policy Committee: Daniel Eugene Bivens, Travis County; Brent Daniel Connett, Travis County; Vanessa Lee Cortez Tanner, Travis County.

Chief Administrative Law Judge, State Office of Administrative Hearings: Kristofer S. Monson, Hays County.

Presiding Officer, Sulphur River Regional Mobility Authority: Jay Wiley Hodge, Lamar County.

Member, Texas Alcoholic Beverage Commission: Kevin J. Lilly, Harris County.

Members, Texas Crime Stoppers Council: Charles P. Gilmore, Potter County; Carlo G. Hernandez, Cameron County.

Members, Texas Military Preparedness Commission: Michael Lynn Boyd, Tom Green County; Thomas Carl Duncavage, Galveston County; Todd Michael Fox, Bell County; Benjamin Miranda, El Paso County; Annette Louise Sobel, Lubbock County; Michael Bob Starr, Taylor County; Timothy Watson Strawther, Gillespie County.

Member, Board of Trustees, Texas Municipal Retirement System: David A. Landis, Ochiltree County.

Members, Texas State Board of Examiners of Psychologists: John Kolbe Bielamowicz, Ellis County; Mark Edward Cartwright, Dallas County; Roxana Isabel Lambdin, Kerr County.

Members, Texas State Board of Plumbing Examiners: Darren Keith Black, Taylor County; Milton Rodolfo Gutierrez, Williamson County; Thomas O. Rice, Harris County; Norma Alicia Yado, Hidalgo County.

Members, Texas State Library and Archives Commission: David Ryan Herring Iglesias, Smith County; Nancy Painter Paup, Tarrant County; Martha Doyle Jee Wong, Harris County.

Presiding Officer, Webb County-City of Laredo Regional Mobility Authority: Jed Alton Brown, Webb County.

NOTICE OF CONSIDERATION OF NOMINATIONS

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

CONCLUSION OF MORNING CALL

The President at 11:41 a.m. announced the conclusion of morning call.

**COMMITTEE SUBSTITUTE
SENATE BILL 22 ON SECOND READING**

On motion of Senator Springer and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 22** at this time on its second reading:

CSSB 22, Relating to the establishment of grant programs to provide financial assistance to qualified sheriff's offices and prosecutor's offices in rural counties.

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.

**COMMITTEE SUBSTITUTE
SENATE BILL 22 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 **CSSB 22** 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)

**(Senator Hughes in Chair)
SENATE BILL 1089 ON SECOND READING**

Senator Parker moved to suspend the regular order of business to take up for consideration **SB 1089** at this time on its second reading:

SB 1089, Relating to repealing the ability to declare certain unopposed candidates for office as elected.

The motion prevailed.

Senator 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 engrossment by a viva voce vote.

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

Nays: Gutierrez.

Absent-excused: West.

SENATE BILL 1089 ON THIRD READING

Senator Parker moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1089** be placed on its third reading and final passage.

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

Nays: Gutierrez.

Absent-excused: West.

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

COMMITTEE SUBSTITUTE SENATE BILL 1151 ON SECOND READING

Senator Whitmire moved to suspend the regular order of business to take up for consideration **CSSB 1151** at this time on its second reading:

CSSB 1151, Relating to the authority of corporations to act as sureties on bail bonds.

The motion prevailed.

Senators Eckhardt, LaMantia, and Menéndez 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 engrossment by a viva voce vote.

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

Nays: Eckhardt, LaMantia, Menéndez.

Absent-excused: West.

COMMITTEE SUBSTITUTE SENATE BILL 1151 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 1151** 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, Campbell, Creighton, Flores, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, King, Kolkhorst, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, Whitmire, Zaffirini.

Nays: Eckhardt, LaMantia, Menéndez.

Absent-excused: West.

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

SENATE JOINT RESOLUTION 58 ON SECOND READING

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **SJR 58** at this time on its second reading:

SJR 58, Proposing a constitutional amendment regarding the powers of the governor, the legislature, and the supreme court following certain disaster or emergency declarations.

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:

Absent-excused: West.

SENATE JOINT RESOLUTION 58 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 58** be placed on its third reading and final passage.

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

Absent-excused: West.

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

SENATE BILL 1104 ON SECOND READING

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1104** at this time on its second reading:

SB 1104, Relating to the authority of the legislature, governor, and certain political subdivisions with respect to disasters and emergencies.

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 1104 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 **SB 1104** 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)

SENATE BILL 65 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 65** at this time on its second reading:

SB 65, Relating to excluding the furnishing of an academic transcript from the definition of "information service" for purposes of sales and use taxes.

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 65 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 **SB 65** 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)

(President in Chair)

SENATE BILL 921 ON THIRD READING

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

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 third time and was passed by the following vote: Yeas 21, Nays 9. (Same as previous roll call)

STATEMENT REGARDING SENATE BILL 921

Senator Eckhardt submitted the following statement regarding **SB 921**:

SB 921 by Hughes is unnecessary political grandstanding. Ranked Choice Voting is not currently permitted in Texas even without this bill.

But what if we did have Ranked Choice Voting in Texas? We would have no need for costly runoffs. Selection of the winner would be guaranteed in one election with a larger turnout than selected in a runoff sparsely attended by only those with the most strident of political views. The lead up to that one election would have improved and more positive discourse as candidates sought to maximize their selection as voters' first ranked and second ranked candidate. Candidate discourse would pull toward the center-left and center-right rather than sticking to the extremes of either party, better addressing the priorities of a larger bipartisan majority.

So what are we afraid of? Don't we want more voter participation and more bipartisanship? Look at what happened with Ranked Choice Voting in the US House race in Alaska. Voter turnout was higher than the last 3 primaries in Alaska. The moderate Democrat Mary Peltola prevailed over a field of four candidates that included far-right Republican Sarah Palin. In her acceptance speech, Ms. Peltola said, "I think it shows that Alaskans wholeheartedly embrace nonpartisanship and embrace working together and tackling issues that Alaskans face."

Texans also want us to work together to tackle the issues we face. In contrast to how SB 921 was presented, Ranked Choice Voting would improve the quality of political discourse, be more cost-effective, and more inclusive for all Texans.

ECKHARDT

(Senator Flores in Chair)

SENATE BILL 493 ON SECOND READING

Senator Hughes moved to suspend the regular order of business to take up for consideration **SB 493** at this time on its second reading:

SB 493, Relating to qualifications for certain individuals for veterans benefits.

The motion prevailed.

Senators Eckhardt and Hinojosa 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 engrossment by a viva voce vote.

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

Nays: Eckhardt, Hinojosa.

Absent-excused: West.

SENATE BILL 493 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 **SB 493** 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, Campbell, Creighton, Flores, Gutierrez, Hall, Hancock, Huffman, Hughes, Johnson, King, Kolkhorst, LaMantia, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, Whitmire, Zaffirini.

Nays: Eckhardt, Hinojosa.

Absent-excused: West.

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

COMMITTEE SUBSTITUTE SENATE BILL 221 ON SECOND READING

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **CSSB 221** at this time on its second reading:

CSSB 221, Relating to requirements for certain petitions requesting an election and ballot propositions.

The motion prevailed by the following vote: Yeas 22, Nays 8.

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

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, LaMantia, Miles, Whitmire, Zaffirini.

Absent-excused: West.

The bill was read second time.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 221** (senate committee report) as follows:

(1) In SECTION 4 of the bill, in added Section 273.101, Chapter 273, Election Code (page 2, line 12), add "(e) The proposition shall be reviewed by the secretary of state within seven days after receiving the proposition for review."

The amendment to **CSSB 221** 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.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 221** (senate committee report) as follows:

(1) In SECTION 9 of the bill, in added Section 277.032, Chapter 277, Election Code (page 3, line 19), add "The provisions of this subchapter shall not interfere with the Military and Overseas Voter Empowerment Act."

The amendment to **CSSB 221** 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: West.

CSSB 221 as amended was passed to engrossment by the following vote: Yeas 22, Nays 8.

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

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, LaMantia, Middleton, Whitmire, Zaffirini.

Absent-excused: West.

(President in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 221 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 **CSSB 221** be placed on its third reading and final passage.

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

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

Nays: Alvarado, Eckhardt, Gutierrez, Miles, Whitmire, Zaffirini.

Absent-excused: West.

The bill was read third time and was passed by the following vote: Yeas 22, Nays 8.

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

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, LaMantia, Miles, Whitmire, Zaffirini.

Absent-excused: West.

(Senator King in Chair)

SENATE BILL 1308 ON SECOND READING

On motion of Senator Hancock and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1308** at this time on its second reading:

SB 1308, Relating to the operation of an unmanned aircraft over an airport or military installation; creating a criminal offense.

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 1308 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 **SB 1308** 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)

SENATE BILL 63 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 63** at this time on its second reading:

SB 63, Relating to an instruction guide for family members and caregivers of veterans who have mental health disorders.

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 63 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 **SB 63** 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)

(President in Chair)

ACKNOWLEDGMENT

The President acknowledged the presence of former United States Secretary of Housing and Urban Development Ben Carson.

The Senate welcomed its guest.

(Senator King in Chair)

SENATE BILL 467 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 467** at this time on its second reading:

SB 467, Relating to increasing the criminal penalty for the offense of criminal mischief involving impairment of a motor fuel pump.

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 467 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 467** 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)

(President in Chair)

COMMITTEE SUBSTITUTE

SENATE BILL 1080 ON SECOND READING

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1080** at this time on its second reading:

CSSB 1080, Relating to a mitigation program and fees for the Lost Pines Groundwater Conservation District.

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1080** (senate committee printing) in SECTION 1 of the bill, in added Section 8849.107(a), Special District Local Laws Code (page 1, line 28), between "rule" and "may", by inserting "adopted in accordance with Section 36.101, Water Code,".

The amendment to **CSSB 1080** 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 1080 as amended was passed to engrossment by a viva voce vote.

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

Absent-excused: West.

COMMITTEE SUBSTITUTE SENATE BILL 1080 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 1080** 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)

COMMITTEE SUBSTITUTE SENATE BILL 15 ON SECOND READING

Senator Middleton moved to suspend the regular order of business to take up for consideration **CSSB 15** at this time on its second reading:

CSSB 15, Relating to requiring public institution of higher education students who compete in intercollegiate athletic competitions to compete based on biological sex.

The motion prevailed by the following vote: Yeas 19, Nays 8, Present-not voting 3.

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

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, LaMantia, Miles, Whitmire, Zaffirini.

Present-not voting: Hinojosa, Johnson, Menéndez.

Absent-excused: West.

The bill was read second time and was passed to engrossment by the following vote: Yeas 19, Nays 8, Present-not voting 3. (Same as previous roll call)

SENATE BILL 162 ON SECOND READING

Senator Perry moved to suspend the regular order of business to take up for consideration **SB 162** at this time on its second reading:

SB 162, Relating to the required inclusion of a person's sex on a birth certificate and prohibited change of sex on the birth certificate of certain minors.

The motion prevailed by the following vote: Yeas 19, Nays 11.

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

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

Absent-excused: West.

The bill was read second time and was passed to engrossment by the following vote: Yeas 19, Nays 11. (Same as previous roll call)

**SENATE BILL 1469 REREFERRED
(Motion In Writing)**

Senator Bettencourt submitted a Motion In Writing requesting that **SB 1469** be withdrawn from the Committee on Education and rereferred to the Committee on Health and Human Services.

The Motion In Writing was read and prevailed without objection.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Kolkhorst and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Health and Human Services might meet and consider **SB 1469** at 8:30 a.m. tomorrow in the Senate Chamber.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Creighton 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 upon adjournment in the Press Room, 2E.9.

CO-AUTHOR OF SENATE BILL 22

On motion of Senator Springer, Senator Alvarado will be shown as Co-author of **SB 22**.

CO-AUTHOR OF SENATE BILL 25

On motion of Senator Kolkhorst, Senator Flores will be shown as Co-author of **SB 25**.

CO-AUTHOR OF SENATE BILL 26

On motion of Senator Kolkhorst, Senator Schwertner will be shown as Co-author of **SB 26**.

CO-AUTHORS OF SENATE BILL 63

On motion of Senator Zaffirini, Senators Blanco and Hinojosa will be shown as Co-authors of **SB 63**.

CO-AUTHOR OF SENATE BILL 65

On motion of Senator Zaffirini, Senator Creighton will be shown as Co-author of **SB 65**.

CO-AUTHOR OF SENATE BILL 130

On motion of Senator Campbell, Senator Creighton will be shown as Co-author of **SB 130**.

CO-AUTHORS OF SENATE BILL 224

On motion of Senator Alvarado, Senators Bettencourt, King, Kolkhorst, Middleton, Paxton, Perry, Schwertner, and Springer will be shown as Co-authors of **SB 224**.

CO-AUTHOR OF SENATE BILL 467

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

CO-AUTHOR OF SENATE BILL 591

On motion of Senator Perry, Senator Hancock will be shown as Co-author of **SB 591**.

CO-AUTHOR OF SENATE BILL 597

On motion of Senator Eckhardt, Senator Menéndez will be shown as Co-author of **SB 597**.

CO-AUTHOR OF SENATE BILL 921

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

CO-AUTHORS OF SENATE BILL 936

On motion of Senator Hancock, Senators Creighton and Springer will be shown as Co-authors of **SB 936**.

CO-AUTHORS OF SENATE BILL 1089

On motion of Senator Parker, Senators Schwertner and Zaffirini will be shown as Co-authors of **SB 1089**.

CO-AUTHOR OF SENATE BILL 1104

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

CO-AUTHOR OF SENATE BILL 1151

On motion of Senator Whitmire, Senator Creighton will be shown as Co-author of **SB 1151**.

CO-AUTHOR OF SENATE BILL 1308

On motion of Senator Hancock, Senator Blanco will be shown as Co-author of **SB 1308**.

CO-AUTHOR OF SENATE BILL 1398

On motion of Senator Schwertner, Senator Alvarado will be shown as Co-author of **SB 1398**.

CO-AUTHOR OF SENATE BILL 1399

On motion of Senator Schwertner, Senator Alvarado will be shown as Co-author of **SB 1399**.

CO-AUTHOR OF SENATE BILL 2080

On motion of Senator Menéndez, Senator Miles will be shown as Co-author of **SB 2080**.

CO-AUTHOR OF SENATE BILL 2424

On motion of Senator Birdwell, Senator Kolkhorst will be shown as Co-author of **SB 2424**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 58

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

CO-AUTHOR OF SENATE JOINT RESOLUTION 81

On motion of Senator Birdwell, Senator Miles will be shown as Co-author of **SJR 81**.

CO-AUTHOR OF SENATE RESOLUTION 350

On motion of Senator Alvarado, Senator Zaffirini will be shown as Co-author of **SR 350**.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 2:01 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 28, 2023

WATER, AGRICULTURE, AND RURAL AFFAIRS — SB 1523, CSSB 1764, CSSB 1236, CSSB 1421

JURISPRUDENCE — CSSB 1045, CSSB 870, CSSB 658

BILLS AND RESOLUTION ENGROSSED

March 28, 2023

SB 22, SB 63, SB 65, SB 221, SB 467, SB 493, SB 921, SB 1080, SB 1089, SB 1104, SB 1151, SB 1308, SJR 58

RESOLUTIONS ENROLLED

March 28, 2023

SR 348, SR 350, SR 352, SR 356