

SENATE JOURNAL

EIGHTY-EIGHTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

THIRTY-EIGHTH DAY

(Wednesday, April 19, 2023)

The Senate met at 8:22 p.m. pursuant to adjournment and was called to order by Senator Birdwell.

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 Presiding Officer announced that a quorum of the Senate was present.

Senator Campbell offered the invocation as follows:

Gracious heavenly Father, we lay out bills in the Senate and in the Legislature. I'm laying out a request to You. You give us the government, but help us remember that it's not about Republican or Democrat principles. It's about Your principles, kingdom principles. Heavenly Father, help us remember this, that You give us all an equal opportunity to choose You as our Lord and savior. And I pray that we do that in Jesus' name. 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.

SENATE BILLS ON FIRST READING

The following bills were introduced, read first time, and referred to the committees indicated:

SB 2558 by Middleton

Relating to the election, terms, and resignation of the board of commissioners of the Brazoria Drainage District No. 4.

To Committee on Local Government.

SB 2609 by Hughes

Relating to the creation of the Fannin Farms Municipal Utility District of Fannin County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Local Government.

HOUSE BILLS ON FIRST READING

The following bills received from the House were read first time and referred to the committees indicated:

- HB 14** to Committee on Local Government.
- HB 54** to Committee on Health and Human Services.
- HB 149** to Committee on Local Government.
- HB 260** to Committee on Local Government.
- HB 266** to Committee on Jurisprudence.
- HB 349** to Committee on Local Government.
- HB 430** to Committee on Local Government.
- HB 465** to Committee on Health and Human Services.
- HB 473** to Committee on Education.
- HB 540** to Committee on Business and Commerce.
- HB 587** to Committee on Veteran Affairs.
- HB 697** to Committee on Business and Commerce.
- HB 785** to Committee on Jurisprudence.
- HB 879** to Committee on Local Government.
- HB 899** to Committee on Local Government.
- HB 916** to Committee on Health and Human Services.
- HB 1038** to Committee on Finance.
- HB 1248** to Committee on Local Government.
- HB 1287** to Committee on Health and Human Services.
- HB 1323** to Subcommittee on Higher Education.
- HB 1415** to Committee on Transportation.
- HB 1472** to Committee on Local Government.
- HB 1515** to Committee on Natural Resources and Economic Development.
- HB 1526** to Committee on Natural Resources and Economic Development.
- HB 1553** to Committee on Business and Commerce.
- HB 1760** to Committee on State Affairs.
- HB 1898** to Committee on Health and Human Services.
- HB 1912** to Committee on Education.
- HB 2354** to Committee on Local Government.
- HB 2371** to Committee on Local Government.
- HB 2384** to Committee on State Affairs.
- HB 2489** to Committee on Natural Resources and Economic Development.
- HB 2706** to Committee on Business and Commerce.
- HB 3805** to Committee on Transportation.
- HB 4065** to Committee on Health and Human Services.
- HB 4422** to Committee on Border Security.

CONCLUSION OF MORNING CALL

The Presiding Officer at 8:26 p.m. announced the conclusion of morning call.

**COMMITTEE SUBSTITUTE
SENATE BILL 1938 ON THIRD READING**

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **CSSB 1938** at this time on its third reading and final passage:

CSSB 1938, Relating to the failure of a voter registrar to comply with voter registration laws.

The motion prevailed by the following vote: Yeas 20, Nays 11.

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

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

The bill was read third time and was passed by the following vote: Yeas 20, Nays 11. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE JOINT RESOLUTION 29 ON THIRD READING**

Senator Paxton moved to suspend the regular order of business to take up for consideration at this time on **CSSJR 29** its third reading and final passage:

CSSJR 29, Proposing a constitutional amendment establishing a parent's right to direct a child's education.

The motion prevailed by the following vote: Yeas 21, Nays 10.

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, West, Whitmire, Zaffirini.

The resolution was read third time and was passed by the following vote: Yeas 21, Nays 10. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1807 ON THIRD READING**

Senator Springer moved to suspend the regular order of business to take up for consideration **CSSB 1807** at this time on its third reading and final passage:

CSSB 1807, Relating to the unlawful altering of election procedures; providing a civil penalty.

The motion prevailed by the following vote: Yeas 19, Nays 12.

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, West, Whitmire, Zaffirini.

The bill was read third time and was passed by the following vote: Yeas 19, Nays 12. (Same as previous roll call)

(President in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 220 ON THIRD READING**

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **CSSB 220** at this time on its third reading and final passage:

CSSB 220, Relating to the enforcement of laws relating to elections.

The motion prevailed by the following vote: Yeas 19, Nays 12.

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, West, Whitmire, Zaffirini.

The bill was read third time and was passed by the following vote: Yeas 19, Nays 12. (Same as previous roll call)

SENATE BILL 2275 ON THIRD READING

Senator Hughes moved to suspend the regular order of business to take up for consideration **SB 2275** at this time on its third reading and final passage:

SB 2275, Relating to the authority of the Supreme Court of Texas to adopt certain rules.

The motion prevailed by the following vote: Yeas 21, Nays 10.

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

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

The bill was read third time and was passed by the following vote: Yeas 21, Nays 10. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 17 ON THIRD READING**

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSSB 17** at this time on its third reading and final passage:

CSSB 17, Relating to the powers and duties of the governing boards of public institutions of higher education.

The motion prevailed by the following vote: Yeas 19, Nays 12.

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, West, Whitmire, Zaffirini.

The bill was read third time and was passed by the following vote: Yeas 19, Nays 12. (Same as previous roll call)

REMARKS ORDERED PRINTED

On motion of Senator West and by unanimous consent, the remarks regarding **CSSB 17** were ordered reduced to writing and printed in the *Senate Journal*.

The remarks are printed in an addendum to this day's Journal.

RESOLUTIONS SIGNED

The President announced the signing of the following enrolled resolutions in the presence of the Senate: **HCR 96, HCR 98**.

SENATE RULE 11.13 SUSPENDED (Consideration of Bills in Committees) (Motion In Writing)

Senator Hall submitted the following Motion In Writing:

Mr. President:

I move to suspend Senate Rule 11.13 to permit committees to meet during consideration of the Local and Uncontested Calendar.

HALL

The Motion In Writing was read and prevailed without objection.

SENATE RULES SUSPENDED (Posting Rules)

On motion of Senator Bettencourt and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Local Government might meet at 9:45 a.m. tomorrow in the Betty King Committee Room, 2E.20.

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 2142** at 9:00 a.m. tomorrow upon conclusion of the Local and Uncontested Calendar Session in the Senate Chamber.

RECESS AND MOTION TO RECESS

On motion of Senator Whitmire and by unanimous consent, the Senate at 10:02 p.m. agreed to recess until 9:00 a.m. tomorrow for the Local and Uncontested Calendar Session.

The Senate further agreed to recess, upon conclusion of the Local and Uncontested Calendar Session, until 11:00 a.m. tomorrow.