

# SENATE JOURNAL

EIGHTY-EIGHTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**THIRTY-SEVENTH DAY**

(Continued)

(Wednesday, April 19, 2023)

**AFTER RECESS**

The Senate met at 11:09 a.m. and was called to order by President Pro Tempore Hancock.

Minister Jason Wilder, Elgin Church of Christ, offered the invocation as follows:

Dear God and creator of all things, we humbly come to You as our source of life, love, peace, and righteousness. Father, Your holy word teaches that You are the ultimate authority, king of all kings and lord of all lords, and that there is no authority except that which You have established. So, Father, I thank You for these men and women who serve in this body. We pray that You will bring peace into their lives, into their homes, into their families, and that You will give them wisdom so that they will act in ways that bring glory to You and peace to our land. Lord, we come to You confessing that we are not always the people You would have us to be. We have called good evil and evil good, and for that we beg Your forgiveness. Purify us, Lord, from all ways that are not of You and give us a new heart and renewed spirit. We pray that You will give us pure convictions and then give us boldness to pursue those convictions. We pray for love and not hate, mercy and not vengeance, and we pray for unity and not division. I ask all these things in the name of our savior, Jesus Christ. 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 Bettencourt was recognized and presented Dr. Marian Allen of Spring as the Physician of the Day.

The Senate welcomed Dr. Allen, accompanied by Luke Dotson, and thanked her for her participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

## **SENATE RESOLUTION 443**

Senator Birdwell offered the following resolution:

**SR 443**, Recognizing April 19, 2023, as Texas State Technical College Day.

BIRDWELL	HUGHES	PERRY
FLORES	KING	SCHWERTNER
HANCOCK	KOLKHORST	SPRINGER
HINOJOSA	LAMANTIA	WEST
HUFFMAN	MILES	WHITMIRE

The resolution was read and was adopted without objection.

### **GUESTS PRESENTED**

Senator Birdwell, joined by Senators Perry, Bettencourt, and Campbell, was recognized and introduced to the Senate a Texas State Technical College Day delegation including Chancellor Mike Reeser and Board of Regents members Tiffany Tremont, Ron Widup, and Lizzy de la Garza Putegnat.

The Senate welcomed its guests.

### **MESSAGE FROM THE GOVERNOR**

The following Message from the Governor was read and was referred to the Committee on Nominations:

April 19, 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 Industrialized Building Code Council for terms to expire February 1, 2025:

Devin D. Duvak  
Burleson, Texas

Otis W. Jones, Jr.  
Humble, Texas

Binoy J. Kurien  
Pearland, Texas

Edward E. "Eddie" Martin, Jr.  
Austin, Texas

Scott A. McDonald  
Keller, Texas

Stephen C. Shang  
Austin, Texas

The individuals listed above are being reappointed.

Respectfully submitted,  
/s/Greg Abbott  
Governor

### SENATE RESOLUTION 437

Senator Hughes offered the following resolution:

**SR 437**, Recognizing Breckenridge Village on the occasion of its 25th anniversary.

The resolution was read and was adopted without objection.

### GUESTS PRESENTED

Senator Hughes was recognized and introduced to the Senate a Breckenridge Village delegation including Executive Director Chelsea Owens, Director of Community Relations Cassi Velasco, Director of Facilities Brad Ezell, Deborah Tracy, Brian Freeman, Linda Jones, Laci Smith, and Clay Wallstein.

The Senate welcomed its guests.

### GUESTS PRESENTED

Senator Middleton was recognized and introduced to the Senate representatives of Harmony Public Schools.

The Senate welcomed its guests.

### SENATE RESOLUTION 444

Senator Kolkhorst offered the following resolution:

**SR 444**, In memory of former Speaker of the Texas House of Representatives Gus Franklin Mutscher.

The resolution was read.

On motion of Senator Kolkhorst, **SR 444** was adopted by a rising vote of the Senate.

In honor of the memory of Gus Franklin Mutscher, the text of the resolution will be printed in the *Senate Journal* upon adjournment of this legislative day.

Senator Kolkhorst, joined by Senator Whitmire, was recognized and introduced to the Senate family members of Gus Mutscher including Gus H. Mutscher, Lisa Mikus, and, her husband, James Mikus.

The Senate welcomed its guests and extended its sympathy.

### SENATE RESOLUTION 441

Senator Paxton offered the following resolution:

**SR 441**, In memory of Brian Clint Worley.

The resolution was read.

On motion of Senator Paxton, **SR 441** was adopted by a rising vote of the Senate.

In honor of the memory of Brian Clint Worley, the text of the resolution will be printed in the *Senate Journal* upon adjournment of this legislative day.

Senator Paxton was recognized and introduced to the Senate family members of Brian Clint Worley including his father, Fred Worley; his mother, Sue Worley; and his daughter, Emily Worley.

The Senate welcomed its guests and extended its sympathy.

### **SESSION TO CONSIDER EXECUTIVE APPOINTMENTS**

The Presiding Officer announced the time had arrived to consider executive appointments to agencies, boards, and commissions. Notice of submission of these names for consideration was given yesterday by Senator Sparks.

Senator Campbell moved confirmation of the nominees reported yesterday by the Committee on Nominations.

The Presiding Officer asked if there were requests to sever nominees.

There were no requests offered.

### **NOMINEES CONFIRMED**

The following nominees, as reported by the Committee on Nominations, were confirmed by the following vote: Yeas 31, Nays 0.

Chair, State Board of Education: Keven Mirk Anthony Ellis, Angelina County.

Members, Board, Department of Information Resources: Jeffrey William Allison, Harris County; Christopher Franke, Dallas County.

Member, Judicial Compensation Commission: Guy A. Fidelie, Wichita County.

Public Counsel, Office of Public Insurance Counsel: David Bolduc, Travis County.

Members, Board of Trustees, Teacher Retirement System of Texas: Brittny Groce Allred, Dallas County; John Webster Elliott, Travis County; Elvis Donnell Williams, Kendall County.

Members, Texas Board of Physical Therapy Examiners: Manuel Antonio Domenech, Travis County; Donovan Jay Hodge, Travis County; Omar Palomin, Hidalgo County.

Members, Board of Trustees, Texas Emergency Services Retirement System: Bradley Christopher Landi, Travis County; Pilar Rodriguez, Hidalgo County; Brian James Smith, Travis County.

Members, Texas Forensic Science Commission: Patrick Buzzini, Harris County; Michael Dale Coble, Tarrant County; Nancy Ruth Downing, Brazos County; Jasmine Millican Drake, Harris County.

Members, Texas Higher Education Coordinating Board: Syed Anwar, Midland County; Richard L. Clemmer, Travis County; Daniel O. Wong, Fort Bend County.

Members, Texas Medical Board: Michael E. Cokinos, Harris County; Kandace B. Farmer, Tarrant County; LuAnn Roberts Morgan, Dallas County; Jayaram B. Naidu, Midland County; Ebony Victoria Todd, Bell County; Sherif Zaafran, Harris County.

Member, Board of Directors, Texas Permanent School Fund Corporation: Bradfield Denman Wright, Harris County.

Members, Texas Racing Commission: Rebecca A. Contreras, Williamson County; Constance Couch McNabb, Montgomery County; Arvel Jackson Waight, Gillespie County.

Members, Board of Directors, Texas School Safety Center: Isaac William Avera, Cherokee County; Craig Robert Bessent, Taylor County; Kerri Washam Brady, Harris County; Melissa Dee Dunbar, Kerr County; Edwin Stuart Flores, Dallas County; Cary B. Hedrick, Deaf Smith County; James Michael Mosley, Hutchinson County; Teresa K. Oldham, Williamson County; Noe Eduardo Perez, Cameron County; Michael Lee Slaughter, Collin County; Jill Michelle Tate, Tarrant County; Alan S. Trevino, Burnet County.

### **SENATE BILL 1670 ON SECOND READING**

On motion of Senator LaMantia and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1670** at this time on its second reading:

**SB 1670**, Relating to required boating incident reports.

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.

### **SENATE BILL 1670 ON THIRD READING**

Senator LaMantia moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1670** 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 in Chair)**

### **SENATE BILL 1698 ON SECOND READING**

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

**SB 1698**, Relating to peace officers commissioned by the Health and Human Services Commission's office of inspector general.

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.

### SENATE BILL 1698 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 **SB 1698** 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.

(Senator Birdwell in Chair)

### SENATE BILL 1401 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 1401** at this time on its second reading:

**SB 1401**, Relating to the rights of victims of sexual assault and to certain procedures and reimbursements occurring with respect to a sexual assault or other sex offense.

The bill was read second time.

Senator Zaffirini offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **SB 1401** (senate committee report) as follows:

(1) In SECTION 2 of the bill, in amended Article 56A.051(a)(6)(B), Code of Criminal Procedure (page 2, lines 8-9), strike "and for any prescribed continuing medical care provided to the victim during the 30-day period following that examination".

(2) In SECTION 3 of the bill, strike amended Article 56A.052(a)(4), Code of Criminal Procedure (page 3, lines 33-47), and substitute the following:

(4) for the victim, the right to:

(A) testing for acquired immune deficiency syndrome (AIDS), human immunodeficiency virus (HIV) infection, antibodies to HIV, or infection with any other probable causative agent of AIDS; and

(B) a forensic medical examination as ~~[to the extent]~~ provided by Subchapter [Subchapters F and] G [if, within 120 hours of the offense:

~~[(i) the offense is reported to a law enforcement agency; or~~

~~[(ii) a forensic medical examination is otherwise conducted at a health care provider].~~

(3) In SECTION 6 of the bill, in amended Article 56A.304(a)(3), Code of Criminal Procedure (page 4, lines 42-47), strike "in accordance with Subchapters A and B, Chapter 323, Health and Safety Code, consisting of medical care provided during the forensic medical examination and any prescribed continuing medical care provided to the victim during the 30-day period following the examination, including

medication and medical testing" and substitute "during the forensic medical examination in accordance with Subchapters A and B, Chapter 323, Health and Safety Code".

(4) In SECTION 8 of the bill, in the heading to amended Article 56A.305, Code of Criminal Procedure (page 4, line 66), strike "TESTING AND".

(5) In SECTION 8 of the bill, in amended Article 56A.305(a), Code of Criminal Procedure (page 4, line 69 through page 5, line 2), strike "all testing and medical care that are provided to the victim as described by Articles 56A.304(a)(1), (2), and (3)" and substitute "medical care that is provided to the victim as described by Article 56A.304(a)".

(6) In SECTION 12 of the bill, in amended Article 56A.401(3)(B), Code of Criminal Procedure (page 6, lines 39-40), strike "and for any prescribed continuing medical care provided to the victim during the 30-day period following that examination".

(7) In SECTION 13 of the bill, in amended Article 56A.451(a)(5)(C)(ii), Code of Criminal Procedure (page 7, lines 12-13), strike "and for any prescribed continuing medical care provided to the victim during the 30-day period following that examination".

(8) In SECTION 15 of the bill, in amended Article 56B.453(d)(2), Code of Criminal Procedure (page 7, line 38), strike "testing and [medical]" and substitute "medical".

(9) In SECTION 16 of the bill, in amended Section 57.002(a)(6)(B), Family Code (page 8, lines 9-11), strike "and for any prescribed continuing medical care provided to the victim during the 30-day period following that examination".

(10) In SECTION 20 of the bill, in amended Section 323.005(a)(4), Health and Safety Code (page 9, line 63), strike "testing and".

The amendment to **SB 1401** 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.

**SB 1401** as amended was passed to engrossment by a viva voce vote.

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

### **SENATE BILL 1401 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 1401** 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.

### **COMMITTEE SUBSTITUTE SENATE BILL 267 ON SECOND READING**

Senator King moved to suspend the regular order of business to take up for consideration **CSSB 267** at this time on its second reading:

**CSSB 267**, Relating to law enforcement agency accreditation, including a grant program to assist agencies in becoming accredited.

The motion prevailed.

Senator Sparks 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: Sparks.

#### **COMMITTEE SUBSTITUTE SENATE BILL 267 ON THIRD READING**

Senator King moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 267** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Sparks.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

#### **SENATE BILL 1720 ON SECOND READING**

Senator Kolkhorst moved to suspend the regular order of business to take up for consideration **SB 1720** at this time on its second reading:

**SB 1720**, Relating to the confidentiality of the identity of a public school employee who reports a potential threat to the school's threat assessment and safe and supportive school team.

The motion prevailed.

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

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

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

Present-not voting: West.

#### **SENATE BILL 1720 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 **SB 1720** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0, Present-not voting 1.



Present-not voting: West.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0, Present-not voting 1. (Same as previous roll call)

### **SENATE BILL 1551 ON SECOND READING**

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1551** at this time on its second reading:

**SB 1551**, Relating to the prosecution of the criminal offense of failure to identify; 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:

Nays: Creighton.

### **SENATE BILL 1551 ON THIRD READING**

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1551** 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 30, Nays 1.

Nays: Creighton.

### **COMMITTEE SUBSTITUTE SENATE BILL 1710 ON SECOND READING**

Senator Perry moved to suspend the regular order of business to take up for consideration **CSSB 1710** at this time on its second reading:

**CSSB 1710**, Relating to the universal service fund.

The motion prevailed.

Senator Middleton 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 1710** (senate committee report) by striking SECTIONS 1 and 4 of the bill (page 1, lines 25 through 42 and page 4, lines 26 through 29) and renumbering subsequent SECTIONS of the bill accordingly.

The amendment to **CSSB 1710** 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.

**CSSB 1710** 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: Middleton.

### **COMMITTEE SUBSTITUTE SENATE BILL 1710 ON THIRD READING**

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1710** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Middleton.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

### **REMARKS ORDERED PRINTED**

On motion of Senator Perry and by unanimous consent, the remarks by Senators Perry and Nichols regarding **CSSB 1710** were ordered reduced to writing and printed in the *Senate Journal* as follows:

**Presiding Officer:** Senator Nichols, for what purpose?

**Senator Nichols:** To ask the author—

**Presiding Officer:** Do you yield, Senator Perry?

**Senator Perry:** I'm sorry. I do, but before I do that, I am going to want this recorded in the Journal, so if that's a help.

**Presiding Officer:** We'll take that motion after it's, after the conversation's completed.

**Senator Perry:** Alright.

**Presiding Officer:** For what purpose, Senator Nichols?

**Senator Nichols:** To ask the author a question.

**Presiding Officer:** Do you yield, Senator Perry?

**Senator Perry:** I yield.

**Presiding Officer:** You're recognized, Senator Nichols.

**Senator Nichols:** Thank you, Mr. President. Senator Perry, I understand this bill would address some of the long-standing concerns that some of the USF has related to some of these rural exchanges that have now, have grown into urban and suburban areas. Is that correct?

**Senator Perry:** That is correct. It is actually reimplementing a system of means testing that was done in 2013, the last time exchanges were subjected to a test to remove them from U.S. support. So, very much is to, meant to pull the larger exchanges, not companies but the exchanges within those companies that no longer should be receiving a USF support.

**Senator Nichols:** And this bill mandates a review by the PUC to determine if an exchange should continue to receive U.S. funding. Is that—

**Senator Perry:** It requires the PUC to act, and if they do not act, then it is by default automatically removed under 1710 once the means test is applied every, I believe it's every two or four years they look at those.

**Senator Nichols:** Okay, and if they do make that determination, it would actually reduce U.S. support and exchange it with competition over a four-year period of time?

**Senator Perry:** It gives them a glide path. It sure, it certainly does.

**Senator Nichols:** Alright. Thank you.

**Senator Perry:** Thank you. Mr. President, I ask that that is recorded in the Journal for intent.

#### **COMMITTEE SUBSTITUTE SENATE BILL 874 ON SECOND READING**

Senator West moved to suspend the regular order of business to take up for consideration **CSSB 874** at this time on its second reading:

**CSSB 874**, Relating to the eligibility of certain cricket events for funding under the major events reimbursement program.

The motion prevailed.

Senators Hall, Hughes, and Middleton 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: Hall, Hughes, Middleton, Paxton.

#### **COMMITTEE SUBSTITUTE SENATE BILL 874 ON THIRD READING**

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 874** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

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

Nays: Hall, Hughes, Middleton.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 4.

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

Nays: Hall, Hughes, Middleton, Paxton.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1711 ON SECOND READING**

Senator Perry moved to suspend the regular order of business to take up for consideration **CSSB 1711** at this time on its second reading:

**CSSB 1711**, Relating to the protection of expressive activities at public institutions of higher education.

The motion prevailed.

Senators Alvarado, Eckhardt, Gutierrez, Menéndez, Miles, West, and Whitmire 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: Alvarado, Eckhardt, Gutierrez, Menéndez, Miles, West, Whitmire.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1711 ON THIRD READING**

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1711** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 5.

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

Nays: Eckhardt, Gutierrez, Menéndez, Miles, West.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 7.

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

Nays: Alvarado, Eckhardt, Gutierrez, Menéndez, Miles, West, Whitmire.

**COMMITTEE SUBSTITUTE**  
**SENATE JOINT RESOLUTION 70 ON SECOND READING**

Senator Hughes moved to suspend the regular order of business to take up for consideration **CSSJR 70** at this time on its second reading:

**CSSJR 70**, Proposing a constitutional amendment protecting the right of parents to raise their children.

The motion prevailed.

Senators Eckhardt, Menéndez, and West 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, Menéndez, West.

**COMMITTEE SUBSTITUTE**  
**SENATE JOINT RESOLUTION 70 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 **CSSJR 70** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

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

Nays: Eckhardt, Menéndez, West.

The resolution was read third time and was passed by the following vote: Yeas 28, Nays 3. (Same as previous roll call)

**COMMITTEE SUBSTITUTE**  
**SENATE BILL 2451 ON SECOND READING**

On motion of Senator Menéndez and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2451** at this time on its second reading:

**CSSB 2451**, Relating to personal information entered on the carrier envelope of a ballot to be voted by mail.

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 2451 ON THIRD READING**

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2451** 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.

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

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

**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 second time and was passed to engrossment by the following vote: Yeas 21, Nays 10. (Same as previous roll call)

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

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

**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 second time and was passed to engrossment by the following vote: Yeas 20, Nays 11. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 515 ON SECOND READING**

On motion of Senator Hall and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 515** at this time on its second reading:

**CSSB 515**, Relating to investigations of child abuse and neglect and the procedures for adding names to or removing names from the central registry of child abuse and neglect.

The bill was read second time.

Senator Hall offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 515** (senate committee report) as follows:

(1) In SECTION 1 of the bill, in amended Section 261.002(b), Family Code (page 2, line 14), strike "relations [affairs]" and substitute "affairs".

(2) In SECTION 1 of the bill, in amended Section 261.002(b), Family Code (page 2, line 18), strike "the expungement" and substitute "an expungement".

(3) In SECTION 3 of the bill, in added Section 261.3081(h), Family Code (page 3, lines 39 and 40), strike "child-care facility or family home as defined by Section 42.002" and substitute "facility or family home regulated under Chapter 42".

(4) In SECTION 5 of the bill, in added Section 261.602, Family Code (page 3, lines 65 and 66), strike "child-care facility or family home as defined by Section 42.002" and substitute "facility or family home regulated under Chapter 42".

(5) In SECTION 5 of the bill, strike added Section 261.603, Family Code (page 3, line 68 through page 4, line 22), and substitute the following:

Sec. 261.603. EXPUNGEMENT REVIEW PANEL; MEMBERS. (a) The department shall establish expungement review panels to review requests to have a person's name removed from the central registry.

(b) An expungement review panel is composed of department employees and a representative of the public appointed by the commissioner from the list under Subsection (c).

(c) The department shall create and maintain a list of volunteers from which to select a public member for an expungement review panel.

(d) The name of a person who volunteers to serve on an expungement review panel:

(1) may be placed on the list under Subsection (c) for a period of two years;

(2) may not be placed on the list under Subsection (c) for more than three two-year periods; and

(3) may not be placed on the list under Subsection (c) if the person:

(A) has been convicted of or indicted for an offense involving child abuse or neglect;

(B) has been determined by the department to have engaged in child abuse or neglect; or

(C) is under investigation by the department for child abuse or neglect.

(e) A person who serves as a public member of an expungement review panel is a department volunteer for the purposes of Section 411.114, Government Code.

(f) The members of an expungement review panel are immune from civil or criminal liability for any act or omission that relates to their duty or responsibility as a member of the review panel if they acted in good faith and within the scope of their responsibility, as provided in Section 40.061, Human Resources Code.

(g) Information and documents considered by an expungement review panel are confidential, and a member of the panel may not disclose any information or documents considered by the panel.

(6) In SECTION 5 of the bill, in added Section 261.604(d), Family Code (page 4, line 41), after the underlined period insert the following:

A person may not make a request under this section for more than three hearings on a single finding of child abuse or neglect within a 10-year period.

(7) In SECTION 5 of the bill, in added Section 261.605(a), Family Code (page 4, line 58), strike "notify the expungement review panel" and substitute "establish an expungement review panel under Section 261.603 and notify the panel".

(8) In SECTION 5 of the bill, in added Section 261.605, Family Code (page 4, between lines 65 and 66), insert the following:

(c) An expungement review panel may conduct a hearing by telephone conference call, videoconference, or another similar telecommunications method if the panel determines that the method of appearance will facilitate the hearing.

The amendment to **CSSB 515** 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.

**CSSB 515** as amended 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 515 ON THIRD READING**

Senator Hall moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 515** 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.

### **COMMITTEE SUBSTITUTE SENATE BILL 1809 ON SECOND READING**

Senator Sparks moved to suspend the regular order of business to take up for consideration **CSSB 1809** at this time on its second reading:

**CSSB 1809**, Relating to the authority of certain counties to impose a hotel occupancy tax and the applicability and rates of that tax in certain counties.

The motion prevailed by the following vote: Yeas 25, Nays 5, Present-not voting 1.



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

Nays: Hall, Hughes, Kolkhorst, Middleton, Springer.

Present-not voting: Hancock.

The bill was read second time and was passed to engrossment by the following vote: Yeas 25, Nays 5, Present-not voting 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 1809 ON THIRD READING**

Senator Sparks moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1809** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 5, Present-not voting 1.

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

Nays: Hall, Hughes, Kolkhorst, Middleton, Springer.

Present-not voting: Hancock.

The bill was read third time and was passed by the following vote: Yeas 25, Nays 5, Present-not voting 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 1124 ON SECOND READING**

Senator King moved to suspend the regular order of business to take up for consideration **CSSB 1124** at this time on its second reading:

**CSSB 1124**, Relating to qualifications of a sheriff or a candidate for sheriff.

The motion prevailed.

Senators Creighton, Hall, and Hughes asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Bettencourt offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 1124** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in amended Section 85.0011, Local Government Code (page 1, line 26), between "(a)" and "A person", insert the following:

In this section:

(1) "Active duty" means current full-time military service in the armed forces of the United States.

(2) "Armed forces of the United States" means the army, navy, air force, space force, coast guard, or marine corps of the United States or a reserve unit of one of those branches of the armed forces.

(3) "Federal special investigator" means a person described by Article 2.122, Code of Criminal Procedure.

(4) "Military veteran" means a person who has served on active duty and who was discharged or released from active duty.

(b)

(2) In SECTION 1 of the bill, strike amended Section 85.0011(a)(2), Local Government Code (page 1, lines 30-32), and substitute the following:

(2) either:

(A) holds an active permanent peace officer license under Chapter 1701, Occupations Code; or

(B) is eligible to be licensed under Sections 1701.309 and 1701.312, Occupations Code, and:

(i) has a minimum of five years of experience as a federal special investigator; or

(ii) is a military veteran with a minimum of 10 years of combined active duty or national guard service experience.

(3) In SECTION 1 of the bill, in added Section 85.0011(b), Local Government Code (page 1, line 33), strike "(b)" and substitute "(c)".

(4) In SECTION 1 of the bill, in added Section 85.0011(b), Local Government Code (page 1, line 35), between "Code" and the underscored period, insert ", or is a person described by Subsection (b)(2)(B)(i) or (ii) and obtains a license within the time provided by Section 1701.302(a), Occupations Code".

(5) In SECTION 2 of the bill, in amended Section 1701.302(a), Occupations Code (page 1, line 39), strike "[~~including a sheriff,~~]" and substitute ", including a sheriff,".

The amendment to **CSSB 1124** 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.

**CSSB 1124** 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: Creighton, Hall, Hughes.

### COMMITTEE SUBSTITUTE SENATE BILL 1124 ON THIRD READING

Senator King moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1124** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

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

Nays: Creighton, Hall, Hughes.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 3. (Same as previous roll call)

### **SENATE BILL 1244 ON SECOND READING**

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1244** at this time on its second reading:

**SB 1244**, Relating to the amount of the fee imposed on certain sexually oriented businesses that is allocated to the sexual assault program fund and the allocation of certain other revenue to that fund; authorizing an increase in the amount of a fee.

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

#### **Floor Amendment No. 1**

Amend **SB 1244** (senate committee printing) by striking SECTION 1 of the bill amending Section 102.052(a), Business & Commerce Code (page 1, lines 32 through 37), and renumbering the subsequent SECTIONS of the bill accordingly.

The amendment to **SB 1244** 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.

**SB 1244** as amended was passed to engrossment by a viva voce vote.

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

### **SENATE BILL 1244 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 **SB 1244** 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.

**(Senator Flores in Chair)**

### **COMMITTEE SUBSTITUTE SENATE BILL 785 ON SECOND READING**

Senator Birdwell moved to suspend the regular order of business to take up for consideration **CSSB 785** at this time on its second reading:

**CSSB 785**, Relating to the ownership of the geothermal energy and associated resources below the surface of land.

The motion prevailed.

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

The bill was read second time.

Senator Sparks offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 785** (senate committee report) in SECTION 2 of the bill, in added Section 141.004, Natural Resources Code (page 1, lines 50 and 51) by striking Subsection (c) and substituting the following:

(c) This section does not:

(1) apply to minerals dissolved or otherwise contained in groundwater, including in hot brines;

(2) change existing law regarding oil, gas, or mineral extraction regardless of its heat or energy potential; or

(3) change existing law regarding the rights of the dominant and servient estates.

The amendment to **CSSB 785** 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.

**CSSB 785** 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: Middleton.

**COMMITTEE SUBSTITUTE  
SENATE BILL 785 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 **CSSB 785** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Middleton.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 11 ON SECOND READING**

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 11** at this time on its second reading:

**CSSB 11**, Relating to measures for ensuring safety and security in public schools, including measures related to certain student records and truant conduct and active shooter training for certain peace officers.

The bill was read second time.

Senator Nichols offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 11** (senate committee report) as follows:

(1) In SECTION 8 of the bill, in the recital to amended Section 37.108, Education Code (page 3, line 56), strike "Subsections (a) and (b)" and substitute "Subsections (a), (b), and (f)".

(2) In SECTION 8 of the bill, in amended Section 37.108, Education Code, immediately following amended Subsection (b) (page 4, between lines 27 and 28), insert the following:

(f) A school district shall include in its multihazard emergency operations plan:

(1) a chain of command that designates the individual responsible for making final decisions during a disaster or emergency situation and identifies other individuals responsible for making those decisions if the designated person is unavailable;

(2) provisions that address physical and psychological safety for responding to a natural disaster, active shooter, and any other dangerous scenario identified for purposes of this section by the agency or the Texas School Safety Center;

(3) provisions for ensuring the safety of students in portable buildings;

(4) provisions for ensuring that students and district personnel with disabilities are provided equal access to safety during a disaster or emergency situation;

(5) provisions for providing immediate notification to parents, guardians, and other persons standing in parental relation in circumstances involving a significant threat to the health or safety of students, including identification of the individual with responsibility for overseeing the notification;

(6) provisions for supporting the psychological safety of students, district personnel, and the community during the response and recovery phase following a disaster or emergency situation that:

(A) are aligned with best practice-based programs and research-based practices recommended under Section 38.351;

(B) include strategies for ensuring any required professional development training for suicide prevention and grief-informed and trauma-informed care is provided to appropriate school personnel;

(C) include training on integrating psychological safety and suicide prevention strategies into the district's plan, such as psychological first aid for schools training, from an approved list of recommended training established by the commissioner and Texas School Safety Center for:

(i) members of the district's school safety and security committee under Section 37.109;

(ii) district school counselors and mental health professionals; and

(iii) educators and other district personnel as determined by the district;

(D) include strategies and procedures for integrating and supporting physical and psychological safety that align with the provisions described by Subdivision (2); and

(E) implement trauma-informed policies;

(7) a policy for providing a substitute teacher access to school campus buildings and materials necessary for the substitute teacher to carry out the duties of a district employee during an emergency or a mandatory emergency drill; ~~and~~

(8) the name of each individual on the district's school safety and security committee established under Section 37.109 and the date of each committee meeting during the preceding year; and

(9) certification that the district is in compliance with Section 37.116, requiring the district to provide local law enforcement agencies and emergency first responders with an accurate map for all district campuses and school buildings.

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

SECTION \_\_\_\_\_. Subchapter D, Chapter 37, Education Code, is amended by adding Section 37.116 to read as follows:

Sec. 37.116. EMERGENCY RESPONSE MAP. Each school district and open-enrollment charter school shall provide to all appropriate local law enforcement agencies and emergency first responders an accurate map of each district campus and school building.

The amendment to **CSSB 11** was read.

Senator Hughes offered the following amendment to Floor Amendment No. 1:

### **Floor Amendment No. 2**

Amend Amendment No. 1 by Nichols to **CSSB 11** (23.109.252 ANG) as follows:

(1) In Item 2 of the amendment, in the SECTION amendment Section 37.108(f), Education Code (page 3, lines 14 and 15), strike "local law enforcement agencies and emergency first responders" and substitute "the Department of Public Safety, local law enforcement agencies, and emergency first responders".

(2) In Item 3 of the amendment, in the SECTION adding Section 37.116, Education Code (page 3, lines 22 and 23), strike "provide to all appropriate" and substituting "provide to the Department of Public Safety and all appropriate".

The amendment to Floor Amendment No. 1 to **CSSB 11** 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.

Question recurring on the adoption of Floor Amendment No. 1 to **CSSB 11**, the amendment as amended was adopted by a viva voce vote.

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

Senator Hughes offered the following amendment to the bill:

**Floor Amendment No. 3**

Amend **CSSB 11** (senate committee report) as follows:

(1) In SECTION 2 of the bill, in added Section 8.064(a), Education Code (page 1, line 55), between "Center" and the underlined comma, insert "and local law enforcement agencies".

(2) In SECTION 8 of the bill, in amended Section 37.108(a), Education Code (page 4, line 19), between "agency" and the period, insert "and local law enforcement agencies".

(3) In SECTION 10 of the bill, in added Section 37.1083(c), Education Code (page 4, line 65), between "Center" and the underlined comma, insert "and local law enforcement agencies".

The amendment to **CSSB 11** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 3.

Senator Gutierrez offered the following amendment to the bill:

**Floor Amendment No. 4**

Amend **CSSB 11** (senate committee report) in SECTION 8 of the bill as follows:

(1) In the recital to amended Section 37.108, Education Code (page 3, line 56), strike "Subsections (a) and (b)" and substitute "Subsections (a), (b), and (c-2)".

(2) In amended Section 37.108(a)(6), Education Code (page 4, line 17), strike "and".

(3) In amended Section 37.108(a), Education Code (page 4, between lines 17 and 18), insert the following subdivision:

(7) measures that ensure district employees are trained and supported in implementing evidence-based strategies to create a positive and safe school environment and build relationships between students, staff, and families and that:

(A) are age-appropriate;

(B) are evidence-based;

(C) include training and professional development opportunities on the implemented strategies to increase the likelihood of proper implementation and account for employee turnover;

(D) include district-wide training focused on:

(i) multitiered systems of support for student academic and behavioral success;

(ii) robust family engagement programs that strengthen the school community;

(iii) trauma-informed practices, as described by Section 38.036;

(iv) recognizing and responding to the underlying causes of chronic absenteeism, including through social support services, as necessary; and

(v) recognizing and responding to student and employee needs that may impact the student's or employee's ability to thrive academically or engage in the school community, as applicable, including making referrals to social support services or other school- or community-based services, as necessary; and

(E) provide an opportunity for student, parent, educator, and community feedback on the implementation of the measures required under this section; and

(4) In amended Section 37.108(a), Education Code (page 4, line 18), strike "(7)" and substitute "(8)".

(5) In amended Section 37.108, Education Code, immediately following amended Subsection (b) (page 4, between lines 27 and 28), insert the following:

(c-2) A document relating to a school district's or public junior college district's multihazard emergency operations plan is subject to disclosure if the document enables a person to:

(1) verify that the district has established a plan and determine the agencies involved in the development of the plan and the agencies coordinating with the district to respond to an emergency, including the Department of State Health Services, local emergency services agencies, law enforcement agencies, health departments, and fire departments;

(2) verify that the district's plan was reviewed within the last 12 months and determine the specific review dates;

(3) verify that the plan addresses the five phases of emergency management under Subsection (a);

(4) verify that district employees have been trained to respond to an emergency and determine the types of training, the number of employees trained, and the person conducting the training;

(5) verify that each campus in the district has conducted mandatory emergency drills and exercises in accordance with the plan and determine the frequency of the drills;

(6) if the district is a school district, verify that the district has established a plan for responding to a train derailment if required under Subsection (d);

(7) verify that the district has completed a safety and security audit under Subsection (b) and determine the date the audit was conducted, the person conducting the audit, and the date the district presented the results of the audit to the district's board of trustees;

(8) verify that the district has addressed any recommendations by the district's board of trustees for improvement of the plan and determine the district's progress within the last 12 months; ~~and~~

(9) if the district is a school district, verify that the district has established a visitor policy and identify the provisions governing access to a district building or other district property; and

(10) verify information regarding preventive measures implemented by the district under Subsection (a)(7).

The amendment to **CSSB 11** was read.

On motion of Senator Nichols, Floor Amendment No. 4 was tabled 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.

Senator Gutierrez offered the following amendment to the bill:

### **Floor Amendment No. 5**

Amend **CSSB 11** (senate committee report) as follows:

(1) In SECTION 3 of the bill, in amended Section 12.104(b), Education Code (page 3, line 1), between "and 37.2071" and the semicolon, by inserting "and Subchapter J, Chapter 37".

(2) In SECTION 8 of the bill, in the recital to amended Section 37.108, Education Code (page 3, line 56), strike "Subsections (a) and (b) and adding Subsection (h)" and substitute "Subsections (a), (b), and (b-1) and adding Subsections (b-2), (b-3), and (h)".

(3) In SECTION 8 of the bill, in amended Section 37.108, Education Code, immediately following amended Subsection (b) (page 4, between lines 27 and 28), insert the following:

(b-1) In a school district's safety and security audit required under Subsection (b), the district must certify that:

(1) the district used the funds provided to the district through the school safety allotment under Section 48.115 only for the purposes provided by that section; and

(2) the district is in compliance with Subchapter J.

(b-2) A school district may provisionally certify compliance under Subsection (b-1)(2) if the district has taken the necessary steps to initiate an upgrade of the district's facilities to ensure compliance with Subchapter J.

(b-3) Notwithstanding Subsection (b-2), for the 2023-2024 school year, a school district may provisionally certify compliance under Subsection (b-1)(2) only if the district meets the requirements of Subsection (b-2) and the contractor or supplier has been procured and has provided a time frame for completion of any upgrade necessary to bring the district into compliance with Subchapter J. This subsection expires August 31, 2024.

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

SECTION \_\_\_\_ . Chapter 37, Education Code, is amended by adding Subchapter J to read as follows:

#### SUBCHAPTER J. INSTRUCTIONAL FACILITY SAFETY REQUIREMENTS

Sec. 37.351. DEFINITION. (a) In this subchapter, "instructional facility" has the meaning assigned by Section 46.001.

Sec. 37.352. INSTRUCTIONAL FACILITY ACCESS POINTS. A school district shall ensure that all instructional facilities have access points that are:

(1) secured by design;

(2) maintained to operate as intended; and

(3) appropriately monitored.

Sec. 37.353. NUMBERING OF DOORS. (a) Notwithstanding Subsection (b), a school district shall ensure that each instructional facility, including portable buildings, includes a graphically represented alpha-numerical character on both the interior and exterior of each exterior door location.

(b) The main entrance to an instructional facility that is closest to or directly connected to the reception area or the equivalent of a reception area if the facility does not have a reception area must be the first in the alpha-numerical sequence but is not required to display a graphically represented alpha-numerical number.

Sec. 37.354. SAFETY STANDARDS FOR PRIMARY ENTRANCE. (a) In this section, "primary entrance" means:

(1) the main entrance to an instructional facility that is closest to or directly connected to the reception area or the equivalent of a reception area if the facility does not have a reception area; or

(2) any exterior door of the facility through which a visitor may enter during school hours.

(b) A school district shall ensure that each primary entrance:

(1) meets all safety standards for exterior doors established under Section 37.355;

(2) allows a person located within the facility building to visually identify a visitor seeking to enter the primary entrance when the entrance is closed and locked;

(3) has a physical barrier that prevents unassisted access to the facility by a visitor; and

(4) has a location for a visitor to check in and check out.

Sec. 37.355. SAFETY STANDARDS FOR EXTERIOR DOORS AND WINDOWS. (a) In this section, "exterior secured area" means an area fully enclosed by a fence or wall that:

(1) is at least six feet high with design features that prevent the fence or wall from being easily scaled; or

(2) is at least eight feet high.

(b) A school district shall ensure that each exterior door of an instructional facility:

(1) is designed by default to be closed, latched, and locked;

(2) is constructed of materials and in a manner to make the door and door frame resistant to entry by intruders;

(3) includes a mechanism that:

(A) fully closes and engages locking mechanisms automatically after entry or egress; and

(B) allows the door to be opened from the inside when locked to allow for emergency egress; and

(4) if keyed, allows the door to be unlocked with a single or small set of master keys for re-entry.

(c) Notwithstanding Subsection (b), an exterior door may be unlocked if the door is:

(1) actively monitored by an adult who can visually identify a visitor before the visitor enters the facility and who can take immediate action to close or lock the door;

(2) located within an exterior secured area; or

(3) designated in the school district's multihazard emergency operations plan under Section 37.108 to remain open for a specified period of time for ventilation.

(d) Unless the door is located within an exterior secured area, each classroom with an exterior entry door must allow a person located within the classroom to visually identify an individual seeking to enter the classroom when the classroom door is locked.

(e) Unless the window is located within an exterior secured area, each ground-level window or window that is near an exterior entrance that is of a size that may allow an individual to gain access to the building must be constructed or modified in a manner in which the glass may not be easily broken.

(f) If a ground-level window is designed to be opened, the window must have a functional locking mechanism to allow for the window to be locked from the inside. If the window is of a size that may allow an individual to gain access to the building, the window must be closed and locked when staff are not present.

(g) A door that allows roof access to an instructional facility must be designed:

(1) by default to be in a locked, latched, and closed position when not actively in use; and

(2) to be locked from the interior.

Sec. 37.356. MASTER KEY BOX. A school district shall ensure that each instructional facility has, in a location designated by local authorities, an exterior master key box designed to permit emergency access to the facility by law enforcement and emergency responders.

Sec. 37.357. COMMUNICATIONS INFRASTRUCTURE. A school district shall establish communications infrastructure that:

(1) ensures necessary equipment is installed to permit radios used by law enforcement and emergency responders to function in most locations in the building;

(2) includes a panic alert button or equivalent alarm system that:

(A) has the capacity to be triggered manually by facility staff;

(B) is triggered automatically if a district employee calls 9-1-1;

(C) includes the location of where the alert originated;

(D) notifies designated school administrators to provide confirmation that a law enforcement and emergency responder response is needed; and

(E) automatically triggers any remote-locking mechanisms for applicable doors and windows and includes an alert for facility staff regarding any doors or windows for which the locking mechanism did not engage.

Sec. 37.358. ACCESS INSPECTION POLICY. (a) The board of trustees of a school district shall adopt a policy requiring weekly inspections during school hours of all exterior doors to ensure each exterior door meets the requirements of Sections 37.354 and 37.355.

(b) The board of trustees of a school district shall report the findings of each weekly inspection to:

(1) the applicable school safety and security committee established under Section 37.109; and

(2) the principal of the campus on which the instructional facility is located.

(c) The policy adopted under Subsection (a) must include a provision stating that nothing in the school system's access control procedures may be interpreted to discourage parents from visiting an instructional facility if the parent is properly verified by an appropriate administrator of the campus on which the facility is located.

Sec. 37.359. SITE LAYOUT AND EXTERIOR DOOR DESIGNATION DOCUMENT. (a) A school district shall develop and maintain an accurate site layout and exterior door designation document for each instructional facility that:

(1) identifies and depicts each exterior door on the floor plan with an alpha-numerical designation as required by Section 37.353; and

(2) is available in the applicable instructional facility's main office.

(b) The school district shall provide to the local 9-1-1 call center a copy of the site layout and exterior door designation document developed under Subsection (a).

Sec. 37.360. MAINTENANCE CHECKS. (a) A school district shall perform biannual maintenance checks to ensure that each instructional facility in the district is in compliance with this subchapter. The maintenance check must evaluate whether:

(1) exterior doors and windows function properly;

(2) perimeter barriers or gates function properly;

(3) all panic alert or emergency notification systems located in an instructional facility function properly;

(4) each instructional facility phone reports the caller's accurate location to the 9-1-1 call center;

(5) the master key box functions properly; and

(6) any two-way radios used by law enforcement and emergency responders operate effectively within the instructional facility.

(b) The school district shall promptly remedy any problem discovered during a maintenance check performed under Subsection (a).

Sec. 37.361. STAFF REPORTING POLICY. (a) The board of trustees of a school district shall establish a policy requiring a staff member who becomes aware of a problem relating to the safety requirements established under this subchapter to immediately report the problem to a designated district administrator.

(b) The school district shall promptly remedy any problem reported by a staff member under Subsection (a).

The amendment to **CSSB 11** was read.

On motion of Senator Nichols, Floor Amendment No. 5 was tabled 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.

**CSSB 11** as amended 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 11 ON THIRD READING**

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 11** 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.

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Wednesday, April 19, 2023 - 1

The Honorable President of the Senate

Senate Chamber

Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

**HB 105** Noble

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

**HB 219** Noble

Relating to the release of a deed of trust or other contract lien securing a home loan after payoff by mortgagor.

**HB 252** Johnson, Ann

Relating to the eligibility for an order of nondisclosure of criminal history record information of a criminal defendant who has successfully completed a specialty court program.

**HB 579** Burns

Relating to procedures for the alternative assessment or exemption from assessment of certain public school students who receive special education services and alternative accountability plans for certain campuses serving students who receive special education services.

**HB 821** King, Ken

Relating to the placement of electric vehicle charging equipment on state property.

**HB 1106** Goodwin

Relating to the training of and the provision of acupuncture services by an acudetox specialist.

**HB 1142** Thierry

Relating to measures to assist students enrolled at public institutions of higher education who are homeless or who are or were in foster care.

**HB 1255** Smithee

Relating to limitations periods in arbitration proceedings.

**HB 1381** Hernandez

Relating to the public hearing requirement for a preliminary zoning report made by a zoning commission.

**HB 1429** Campos

Relating to the definitions of family violence and household member for purposes of crime victims' compensation.

**HB 1500** Holland

Relating to the continuation and functions of the Public Utility Commission of Texas and the Office of Public Utility Counsel, and the functions of the independent organization certified for the ERCOT power region.

**HB 1565** Canales

Relating to the functions of the Texas Water Development Board and continuation and functions of the State Water Implementation Fund for Texas Advisory Committee.

**HB 1589** Cook

Relating to increasing the criminal penalty for certain family violence assaults.

**HB 1646** King, Tracy O.

Relating to the use of water withdrawn from the Edwards Aquifer.

**HB 1662** Burns

Relating to certain requirements and procedures regarding the posting of a school district's employment policy.

**HB 1704** Walle

Relating to the establishment of the workforce housing capital investment fund program to fund the development of workforce housing in this state; authorizing a fee.

**HB 1737** Leach

Relating to automatic orders of nondisclosure of criminal history record information for certain misdemeanor defendants following successful completion of a period of deferred adjudication community supervision.

**HB 1922** Dutton

Relating to periodic reauthorization of municipal building permit fees.

**HB 1925** Harless

Relating to the continuation of a health care provider participation program by the Harris County Hospital District.

**HB 2016** Hernandez

Relating to the eligibility requirements for a license as a massage establishment, massage school, massage therapist, or massage therapy instructor.

**HB 2127** Burrows

Relating to state preemption of and the effect of certain state or federal law on certain municipal and county regulation.

**HB 2183** Stucky

Relating to the temporary appointment of county jailers.

**HB 2556** Oliverson

Relating to the licensing and regulation of physician graduates and the authority of an insured to select a physician graduate under the insured's health insurance policy; requiring an occupational license; authorizing fees.

**HB 2802** Rose

Relating to the Medicaid application form and communication with Medicaid recipients.

**HB 3115** Morales, Eddie

Relating to the eligibility of certain retired or former district court judges for assignment as a visiting judge.

**HB 3211** Stucky

Relating to a campus of the Texas State Technical College System located in Denton County.

**HB 3478** King, Tracy O.

Relating to mediation of certain fee disputes between towing companies and motor carriers.

**HB 4015** Thompson, Ed

Relating to the disposition of certain fees collected for the rail safety program.

**HCR 85** Kacal

In memory of Gus Franklin Mutscher, former Speaker of the Texas House of Representatives.

Respectfully,

/s/Stephen Brown,

Chief Clerk

House of Representatives

**SENATE RULE 5.14(a) SUSPENDED  
(Intent Calendar)  
(Motion In Writing)**

Senator Hughes submitted the following Motion In Writing:

Mr. President:

I move suspension of Senate Rule 5.14, the Intent Calendar rule, in order to move the Intent Calendar deadline to 5 p.m. today.

HUGHES

The Motion In Writing was read and prevailed without objection.

**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 Jurisprudence might meet upon recess in the Press Room, 2E.9.

**RECESS**

On motion of Senator Whitmire, the Senate at 3:18 p.m. recessed until 3:45 p.m. today.

**AFTER RECESS**

The Senate met at 4:09 p.m. and was called to order by the President.

**(Senator Birdwell in Chair)**

**(President in Chair)**

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

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

**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 second time.

Senator Creighton offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 17** (senate committee report) in SECTION 2 of the bill, adding Section 51.3525, Education Code, as follows:

- (1) In Subsection (b) (page 2, line 23), strike "academic or administrative".
- (2) In Subsection (b)(1)(E) (page 2, line 39), between "require" and "any", insert "as a condition of enrolling at the institution or performing any institution function".
- (3) After Subsection (b) (page 2, between lines 52 and 53), insert the following appropriately lettered subsection and reletter subsequent subsections and references to those subsections accordingly:

( ) Subsection (b)(1) may not be construed to apply to:

- (1) academic course instruction;
- (2) scholarly research or a creative work by an institution of higher education's students, faculty, or other research personnel or the dissemination of that research or work;



(3) an activity of a student organization registered with or recognized by an institution of higher education;

(4) guest speakers or performers on short-term engagements;

(5) a policy, practice, procedure, program, or activity to enhance student academic achievement or postgraduate outcomes that is designed and implemented without regard to race, color, ethnicity or sex;

(6) data collection; or

(7) student admissions.

The amendment to **CSSB 17** 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.

Senator Creighton offered the following amendment to the bill:

### **Floor Amendment No. 2**

Amend **CSSB 17** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

The amendment to **CSSB 17** was read and was adopted 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.

Senator Creighton offered the following amendment to the bill:

### **Floor Amendment No. 3**

Amend **CSSB 17** (senate committee report) in SECTION 2 of the bill, adding Section 51.3525, Education Code, as follows:

(1) In Subsection (c-1) (page 2, lines 64 and 65), strike "This subsection expires September 1, 2027.".

The amendment to **CSSB 17** was read and was adopted 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.

Senator West offered the following amendment to the bill:

**Floor Amendment No. 4**

Amend **CSSB 17** (senate committee report) in SECTION 2 of the bill, adding Section 51.3525, Education Code, as follows:

(1) Strike Subsection (a)(4) (page 2, lines 15 through 21) and substitute the following appropriately numbered subdivision:

( ) conducting mandatory trainings designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings approved in writing by the institution's general counsel for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

(2) In Subsection (b)(1)(E)(i) (page 2, lines 41 and 42), strike ", program, or activity".

(3) Strike Subsection (b)(1)(E)(ii) (page 2, lines 44 through 48) and substitute the following appropriately numbered subparagraph:

( ) does not include a training approved in writing by the institution's general counsel for the sole purpose of ensuring compliance with any applicable court order or state or federal law; and

The amendment to **CSSB 17** was read.

Senator West withdrew Floor Amendment No. 4.

Senator Miles offered the following amendment to the bill:

**Floor Amendment No. 5**

Amend **CSSB 17** (Senate committee report) as follows:

In SECTION 2 of the bill, in amended Section 51.3525, RESPONSIBILITY OF GOVERNING BOARDS REGARDING DIVERSITY, EQUITY, AND INCLUSION INITIATIVES. (page 2, line 25), add the following language after "does not, except as required by federal law":

Or any rules or regulations promulgated by any nationwide non-profit organization that regulates college athletics:

The amendment to **CSSB 17** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

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

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

Senator Menéndez offered the following amendment to the bill:

**Floor Amendment No. 6**

Amend **CSSB 17** (senate committee report) in SECTION 2 of the bill, in added Section 51.3525, Education Code (page 3, between lines 11 and 12), by inserting the following appropriately lettered subsection and relettering subsequent subsections accordingly:

( ) Notwithstanding any other provision of this section, the governing board of an institution of higher education is not required to comply with this section, and the state auditor or a court may not enforce any provision of this section in regard to any institution of higher education, if the governing board of an institution certifies to the Texas Higher Education Coordinating Board that the institution applied for and was denied grant funding as a result of the institution's compliance with Subsections (b)(1)(A) and (B). The Texas Higher Education Coordinating Board shall publish a certification made under this subsection in the Texas Register.

The amendment to **CSSB 17** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

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

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

Senator Miles offered the following amendment to the bill:

#### **Floor Amendment No. 7**

Amend **CSSB 17** (Senate committee report) as follows:

In SECTION 2 of the bill, in amended Section 51.3525, RESPONSIBILITY OF GOVERNING BOARDS REGARDING DIVERSITY, EQUITY, AND INCLUSION INITIATIVES. (page 3, line 16), add the following language after subsection (f):

"(g) Institutions of higher education shall annually report to the Texas Higher Education Coordinating Board and publish prominently to their website the following:

- a. The number of reported violations of this Act at the public institution of higher education.
  - i. The number of reported violations that were found to be supported by evidence.
  - ii. The number of reported violations that were found to be unsupported by evidence.
- b. The status of the individual(s) who reported violations of this Act at the time the report was made, including whether they were an employee or student of the institution, or a parent or guardian of a student, or neither an employee, student, or student's parent of the institution.
- c. The number of actions brought against the public institution of higher education pursuant to this Act.
  - i. The cost of litigating the actions brought against the public institution pursuant to this Act.
- d. The number of faculty and employees disciplined, and the discipline imposed pursuant to this Act that is disaggregated by race, color, ethnicity, sex (including pregnancy, sexual orientation, and gender identity), class, disability, nationality, immigration status, religion, or geographic region.

(h) The Texas Higher Education Coordinating Board shall create a complaint form, and prominently post on their website, for which faculty and employees of public institutions of higher education may submit claims of unreasonable enforcement of this Act.

The Texas Higher Education Coordinating Board shall annually publish and make accessible on its website a report on the number and outcome of claims made pursuant to this Act disaggregated by race, color, ethnicity, sex (including pregnancy, sexual orientation, and gender identity), class, disability, nationality, immigration status, religion, or geographic region."

The amendment to **CSSB 17** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

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

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

Senator Middleton offered the following amendment to the bill:

#### **Floor Amendment No. 8**

Amend **CSSB 17** (senate committee report) in SECTION 2 of the bill, after added Section 51.3525(b), Education Code (page 2, between lines 52 and 53), by inserting the following appropriately lettered subsection and relettering subsequent subsections and references to those subsections accordingly:

( ) An accrediting agency may not take or threaten to take adverse action against an institution of higher education based on the institution's compliance with this section. If an accrediting agency takes or threatens to take adverse action against an institution of higher education in violation of this subsection, the attorney general, the institution, or an employee of the institution may bring an action for declaratory or injunctive relief against the agency.

MIDDLETON

CREIGHTON

The amendment to **CSSB 17** was read and was adopted 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.

**CSSB 17** as amended was passed to engrossment by the following vote: Yeas 19, Nays 12. (Same as previous roll call)

#### **CO-AUTHORS OF SENATE BILL 11**

On motion of Senator Nichols, Senators Blanco, Creighton, Eckhardt, Hinojosa, Schwertner, and Zaffirini will be shown as Co-authors of **SB 11**.

**CO-AUTHORS OF SENATE BILL 17**

On motion of Senator Creighton, Senators Bettencourt, Huffman, and Perry will be shown as Co-authors of **SB 17**.

**CO-AUTHOR OF SENATE BILL 60**

On motion of Senator Zaffirini, Senator LaMantia will be shown as Co-author of **SB 60**.

**CO-AUTHOR OF SENATE BILL 68**

On motion of Senator Zaffirini, Senator LaMantia will be shown as Co-author of **SB 68**.

**CO-AUTHOR OF SENATE BILL 129**

On motion of Senator Springer, Senator Kolkhorst will be shown as Co-author of **SB 129**.

**CO-AUTHOR OF SENATE BILL 163**

On motion of Senator Campbell, Senator Kolkhorst will be shown as Co-author of **SB 163**.

**CO-AUTHOR OF SENATE BILL 164**

On motion of Senator Campbell, Senator Creighton will be shown as Co-author of **SB 164**.

**CO-AUTHOR OF SENATE BILL 220**

On motion of Senator Bettencourt, Senator Creighton will be shown as Co-author of **SB 220**.

**CO-AUTHOR OF SENATE BILL 338**

On motion of Senator Hinojosa, Senator Miles will be shown as Co-author of **SB 338**.

**CO-AUTHOR OF SENATE BILL 361**

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

**CO-AUTHOR OF SENATE BILL 417**

On motion of Senator Paxton, Senator Hall will be shown as Co-author of **SB 417**.

**CO-AUTHOR OF SENATE BILL 515**

On motion of Senator Hall, Senator Birdwell will be shown as Co-author of **SB 515**.

**CO-AUTHOR OF SENATE BILL 544**

On motion of Senator Blanco, Senator LaMantia will be shown as Co-author of **SB 544**.

**CO-AUTHOR OF SENATE BILL 664**

On motion of Senator Perry, Senator Kolkhorst will be shown as Co-author of **SB 664**.

**CO-AUTHOR OF SENATE BILL 861**

On motion of Senator Hughes, Senator LaMantia will be shown as Co-author of **SB 861**.

**CO-AUTHOR OF SENATE BILL 874**

On motion of Senator West, Senator LaMantia will be shown as Co-author of **SB 874**.

**CO-AUTHOR OF SENATE BILL 998**

On motion of Senator West, Senator LaMantia will be shown as Co-author of **SB 998**.

**CO-AUTHOR OF SENATE BILL 1000**

On motion of Senator West, Senator Miles will be shown as Co-author of **SB 1000**.

**CO-AUTHOR OF SENATE BILL 1024**

On motion of Senator Kolkhorst, Senator Middleton will be shown as Co-author of **SB 1024**.

**CO-AUTHOR OF SENATE BILL 1124**

On motion of Senator King, Senator Bettencourt will be shown as Co-author of **SB 1124**.

**CO-AUTHOR OF SENATE BILL 1244**

On motion of Senator Huffman, Senator West will be shown as Co-author of **SB 1244**.

**CO-AUTHOR OF SENATE BILL 1252**

On motion of Senator Bettencourt, Senator Campbell will be shown as Co-author of **SB 1252**.

**CO-AUTHOR OF SENATE BILL 1344**

On motion of Senator Nichols, Senator Middleton will be shown as Co-author of **SB 1344**.

**CO-AUTHOR OF SENATE BILL 1401**

On motion of Senator Zaffirini, Senator Parker will be shown as Co-author of **SB 1401**.

**CO-AUTHOR OF SENATE BILL 1512**

On motion of Senator Schwertner, Senator Kolkhorst will be shown as Co-author of **SB 1512**.

**CO-AUTHOR OF SENATE BILL 1513**

On motion of Senator Schwertner, Senator Kolkhorst will be shown as Co-author of **SB 1513**.

**CO-AUTHOR OF SENATE BILL 1556**

On motion of Senator Parker, Senator Paxton will be shown as Co-author of **SB 1556**.

**CO-AUTHORS OF SENATE BILL 1648**

On motion of Senator Parker, Senators Eckhardt and Kolkhorst will be shown as Co-authors of **SB 1648**.

**CO-AUTHOR OF SENATE BILL 1653**

On motion of Senator Huffman, Senator Parker will be shown as Co-author of **SB 1653**.

**CO-AUTHOR OF SENATE BILL 1670**

On motion of Senator LaMantia, Senator West will be shown as Co-author of **SB 1670**.

**CO-AUTHOR OF SENATE BILL 1710**

On motion of Senator Perry, Senator Kolkhorst will be shown as Co-author of **SB 1710**.

**CO-AUTHOR OF SENATE BILL 1846**

On motion of Senator Creighton, Senator Kolkhorst will be shown as Co-author of **SB 1846**.

**CO-AUTHOR OF SENATE BILL 1938**

On motion of Senator Bettencourt, Senator Creighton will be shown as Co-author of **SB 1938**.

**CO-AUTHOR OF SENATE BILL 1960**

On motion of Senator Perry, Senator Creighton will be shown as Co-author of **SB 1960**.

**CO-AUTHOR OF SENATE BILL 2080**

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

**CO-AUTHORS OF SENATE BILL 2085**

On motion of Senator Whitmire, Senators Eckhardt and West will be shown as Co-authors of **SB 2085**.

**CO-AUTHOR OF SENATE BILL 2105**

On motion of Senator Johnson, Senator Menéndez will be shown as Co-author of **SB 2105**.

**CO-AUTHORS OF SENATE BILL 2119**

On motion of Senator Schwertner, Senators Eckhardt and West will be shown as Co-authors of **SB 2119**.

**CO-AUTHORS OF SENATE BILL 2196**

On motion of Senator Hancock, Senators Eckhardt and Schwertner will be shown as Co-authors of **SB 2196**.

**CO-AUTHOR OF SENATE BILL 2333**

On motion of Senator Hughes, Senator LaMantia will be shown as Co-author of **SB 2333**.

**CO-AUTHORS OF SENATE JOINT RESOLUTION 29**

On motion of Senator Paxton, Senators Bettencourt and Creighton will be shown as Co-authors of **SJR 29**.

**CO-AUTHOR OF SENATE JOINT RESOLUTION 70**

On motion of Senator Hughes, Senator Creighton will be shown as Co-author of **SJR 70**.

**CO-AUTHOR OF SENATE JOINT RESOLUTION 74**

On motion of Senator Parker, Senator Eckhardt will be shown as Co-author of **SJR 74**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolution**

**HCR 85** (Kolkhorst), In memory of Gus Franklin Mutscher, former Speaker of the Texas House of Representatives.

**Congratulatory Resolution**

**SR 440** by Eckhardt, Congratulating The University of Texas at Austin speech team for winning a national championship.

**ADJOURNMENT**

On motion of Senator Whitmire, the Senate at 8:18 p.m. adjourned, in memory of former Speaker Gus Franklin Mutscher and Brian Clint Worley, until 8:22 p.m. today.

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**APPENDIX**

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**COMMITTEE REPORTS**

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



April 19, 2023

STATE AFFAIRS — **SB 2146**

HEALTH AND HUMAN SERVICES — **CSSB 1051**

CRIMINAL JUSTICE — **SB 2589, SB 2593, SB 1969, SB 726, SB 760, SB 1516, SB 840**

ADMINISTRATION — **SB 485, SCR 36, SB 2333, HB 450**

BUSINESS AND COMMERCE — **CSSB 330, CSSB 2040**

LOCAL GOVERNMENT — **SB 2350, SB 2035, SB 1999, SB 561, SB 369**

WATER, AGRICULTURE, AND RURAL AFFAIRS — **CSSB 471**

BUSINESS AND COMMERCE — **SB 1615, SB 943, SB 1371, SB 2214, SB 246**

HEALTH AND HUMAN SERVICES — **CSSB 773**

STATE AFFAIRS — **CSSB 1606, CSSB 2120, CSSB 397**

HEALTH AND HUMAN SERVICES — **CSSB 403**

**BILLS AND RESOLUTIONS ENGROSSED**

April 19, 2023

**SB 11, SB 17, SB 220, SB 267, SB 515, SB 785, SB 874, SB 1124, SB 1244, SB 1401, SB 1551, SB 1670, SB 1698, SB 1710, SB 1711, SB 1720, SB 1807, SB 1809, SB 1938, SB 2275, SB 2451, SJR 29, SJR 70**

**RESOLUTIONS ENROLLED**

April 19, 2023

**SR 437, SR 440, SR 441, SR 443, SR 444**

**In Memory**  
**of**  
**Gus Franklin Mutscher**  
**Senate Resolution 444**

WHEREAS, The Senate of the State of Texas honors and commemorates the life of Gus Franklin Mutscher, a celebrated Texan and esteemed former Speaker of the Texas House of Representatives, who died February 26, 2023, at the age of 90; and

WHEREAS, Born in the community of William Penn in Washington County on September 19, 1932, Gus was a native and lifelong Texan and an influential figure in state politics; his illustrious career of public service and his outstanding leadership in the Texas House of Representatives helped create elevated standards in Texas higher education, services in mental health and intellectual disabilities, environmental regulation, and state infrastructure; and

WHEREAS, Gus attended Blinn College, where he participated on the championship debate team and was elected class president; he earned a degree in business administration from The University of Texas, where he served as president of Gamma Delta, a Lutheran Church-Missouri Synod student organization, and as a member of the Reserve Officers' Training Corps; he went on to serve with distinction as a commissioned reserve officer in the United States Army; and

WHEREAS, After a career with the Borden Company in Houston, Gus was elected in 1960 to the Texas House of Representatives, where he served as a legislator for six terms; he represented Washington, Waller, and Austin Counties, and his many roles included serving as vice chair of the House Appropriations Committee, chair of the Committee on Claims and Accounts, chair of the Legislative Redistricting Committee, and member of the Legislative Budget Board and the Texas Legislative Council; Representative Mutscher was unanimously elected 67th Speaker of the Texas House of Representatives in 1969, and he presided over the House chamber during the 61st and 62nd Texas Legislatures; and

WHEREAS, Speaker Mutscher was instrumental in passing legislation that bolstered the Texas higher education and health care systems by incorporating Baylor Medical School into the state education network; he helped to increase environmental protections by supporting legislation to keep Galveston County's beaches clean and to improve air and water quality; a proud Texan, Speaker Mutscher was passionate about preserving Texas history, and he played a significant role in the construction of the Texas Ranger Hall of Fame and Museum in Waco and the Star of the Republic Museum in Washington; he was a highly respected and admired Speaker of

the House and representative of the public good, and he received recognition for his service from Presidents Lyndon B. Johnson and George H. W. Bush; and

WHEREAS, After his retirement from the state legislature, Gus returned to public office to serve as Washington County Judge for 12 years; he worked in the cattle industry and the real estate market and gave generously of his time and resources to his community; he enjoyed tending to his cattle, cheering for the Texas Longhorns and Dallas Cowboys, and spending time with his beloved children and his grandsons; a man of deep and abiding faith, Gus was a lifelong member of Grace Lutheran Church in Brenham and a steadfast leader of the Brenham community; and

WHEREAS, Gus Mutscher was a man of strength, wisdom, and fierce determination; he will forever be remembered for his bold leadership and his enduring commitment to building a better future for every resident of the Lone Star State, and he leaves behind an inspiring legacy for all Texans; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 88th Legislature, hereby extend sincere condolences to the bereaved family of Gus Franklin Mutscher; and, be it further

RESOLVED, That a copy of this Resolution be prepared for his family as an expression of deepest sympathy from the Texas Senate and that when the Senate adjourns this day, it do so in memory of Gus Franklin Mutscher.

KOLKHORST

**In Memory**  
**of**  
**Brian Clint Worley**  
**Senate Resolution 441**

WHEREAS, A life made rich through meaningful service drew to a close with the passing of retired Texas Department of Public Safety Trooper Brian Clint Worley on December 26, 2022, at the age of 54; and

WHEREAS, Brian Worley was born in Denton on March 11, 1968, to Fred and Sue Worley, and he grew up with four siblings, Hapi, Shane, Tyson, and Misty; he graduated in 1987 from Rains High School, where he was a star basketball, baseball, track, and football athlete and the recipient of All-District honors; and

WHEREAS, Following his completion of the Kilgore College Police Academy in 1991, Mr. Worley began his law enforcement career with the Mount Pleasant Police Department; he was honored with multiple commendations during his tenure, and he received a Life Saving Award, as well as the District Commander's Award; he also initiated the Selective Traffic Enforcement Program, and he was involved with the Juvenile Gang Intervention Task Unit; and

WHEREAS, Mr. Worley subsequently graduated from the Texas Department of Public Safety Trooper Training Academy, and he was first stationed in Cooper in 1996 and then in Sulphur Springs; highly respected, he was named Trooper of the Year in 1998, and he garnered the DPS Chief's Award for his actions that resulted in criminal arrests and drug seizures; additionally, he was commended by the FBI for his assistance in the apprehension of counterfeit currency; he retired from DPS in 2009; and

WHEREAS, Above all else, Mr. Worley was a loving and devoted father to his two treasured children, Emily and Caden; he also adored his dogs, Buster, Buddy, and Puppy, as well as his horses, Legacy and Jasper; he was a man of great faith, and he endeared himself to others with his warm and caring nature; and

WHEREAS, Although Brian Worley is deeply missed, memories of his kindness, his strength, and his dedication to his family and his fellow citizens remain to comfort and inspire those he leaves behind; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the memory of Brian Clint Worley and extend heartfelt condolences to the members of his family: to his daughter, Emily Diane Worley; to his son, Caden Matthew Worley; to the mother of his children, Kelly Worley; to his parents, Fred and Sue Worley; to his brothers, Shane Worley and Tyson Worley; to his sister, Misty Mattson; to his brother-in-law, Jay Mattson; to his sister-in-law, Jennifer Worley; to his nieces and nephews, Jacob Singleman,

Trenton Worley, Ty Mattson, Kennedy Worley, Brooks Worley, and Cannon Worley; to his special friend, Keith Kenemore; and to all others who mourn his passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of Brian Worley.

PAXTON

