

SENATE JOURNAL

EIGHTY-EIGHTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

THIRTY-NINTH DAY
(Thursday, April 20, 2023)

The Senate met at 4:15 p.m. pursuant to adjournment and was called to order by the President.

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

Absent-excused: Birdwell, Sparks.

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

Senator King offered the invocation as follows:

Father, we just come to You, almost close to wrapping up a week. We thank You for the good work we've gotten done this week. We thank You that we've all gotten to participate. We just ask that You would give us a good rest over this weekend with our families. Help us to get refreshed in our walk with You, refreshed and time with our family and just caught up on things and come back ready to do Your work. Help us to finish out this week strong in getting things accomplished for You. In Jesus' name. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of the previous day be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

LEAVES OF ABSENCE

On motion of Senator Whitmire, Senator Birdwell was granted leave of absence for today on account of business in the district.

On motion of Senator Whitmire, Senator Sparks was granted leave of absence for today on account of business in the district.

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

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

There was no objection.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Kolkhorst and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Health and Human Services might meet upon adjournment in the Press Room, 2E.9.

CONCLUSION OF MORNING CALL

The President at 4:16 p.m. announced the conclusion of morning call.

**COMMITTEE SUBSTITUTE
SENATE BILL 627 ON THIRD READING**

Senator Menéndez moved to suspend the regular order of business to take up for consideration **CSSB 627** at this time on its third reading and final passage:

CSSB 627, Relating to the entitlement of certain municipalities to certain tax revenue related to a hotel and convention center project.

The motion prevailed by the following vote: Yeas 22, Nays 7.

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

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

Absent-excused: Birdwell, Sparks.

The bill was read third time and was passed by the following vote: Yeas 22, Nays 7. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 924 ON THIRD READING**

Senator Springer moved to suspend the regular order of business to take up for consideration **CSSB 924** at this time on its third reading and final passage:

CSSB 924, Relating to the combination of certain election precincts.

The motion prevailed by the following vote: Yeas 17, Nays 12.

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

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

Absent-excused: Birdwell, Sparks.

The bill was read third time and was passed by the following vote: Yeas 17, Nays 12. (Same as previous roll call)

SENATE BILL 986 ON THIRD READING

Senator Creighton moved to suspend the regular order of business to take up for consideration **SB 986** at this time on its third reading and final passage:

SB 986, Relating to the authority of a local government to regulate evictions.

The motion prevailed by the following vote: Yeas 18, Nays 11.

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

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

Absent-excused: Birdwell, Sparks.

The bill was read third time and was passed by the following vote: Yeas 18, Nays 11. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1396 ON THIRD READING**

Senator Middleton moved to suspend the regular order of business to take up for consideration **CSSB 1396** at this time on its third reading and final passage:

CSSB 1396, Relating to a period of prayer and reading of the Bible or other religious text in public schools.

The motion prevailed by the following vote: Yeas 17, Nays 12.

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

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

Absent-excused: Birdwell, Sparks.

The bill was read third time and was passed by the following vote: Yeas 17, Nays 12. (Same as previous roll call)

SENATE BILL 990 ON THIRD READING

Senator Hall moved to suspend the regular order of business to take up for consideration **SB 990** at this time on its third reading and final passage:

SB 990, Relating to elimination of the countywide polling place program.

The motion prevailed by the following vote: Yeas 17, Nays 12.

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

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

Absent-excused: Birdwell, Sparks.

The bill was read third time and was passed by the following vote: Yeas 17, Nays 12. (Same as previous roll call)

SENATE BILL 1515 ON THIRD READING

Senator King moved to suspend the regular order of business to take up for consideration **SB 1515** at this time on its third reading and final passage:

SB 1515, Relating to the display of the Ten Commandments in public schools.

The motion prevailed by the following vote: Yeas 17, Nays 12.

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

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

Absent-excused: Birdwell, Sparks.

The bill was read third time and was passed by the following vote: Yeas 17, Nays 12. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 2071 ON THIRD READING

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **CSSB 2071** at this time on its third reading and final passage:

CSSB 2071, Relating to automatic recounts of certain elections.

The motion prevailed by the following vote: Yeas 19, Nays 10.

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

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

Absent-excused: Birdwell, Sparks.

The bill was read third time and was passed by the following vote: Yeas 19, Nays 10. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 2381 ON THIRD READING

Senator Paxton moved to suspend the regular order of business to take up for consideration **CSSB 2381** at this time on its third reading and final passage:

CSSB 2381, Relating to the development of a webpage and mobile application for the provision of pregnancy-related resources and information.

The motion prevailed by the following vote: Yeas 20, Nays 9.

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

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

Absent-excused: Birdwell, Sparks.

The bill was read third time and was passed by the following vote: Yeas 20, Nays 9. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 2433 ON THIRD READING

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **CSSB 2433** at this time on its third reading and final passage:

CSSB 2433, Relating to certain election practices and procedures; increasing a criminal penalty; providing an administrative penalty.

The motion prevailed by the following vote: Yeas 17, Nays 12.

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

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

Absent-excused: Birdwell, Sparks.

The bill was read third time and was passed by the following vote: Yeas 17, Nays 12. (Same as previous roll call)

SENATE BILL 18 ON THIRD READING

Senator Creighton moved to suspend the regular order of business to take up for consideration **SB 18** at this time on its third reading and final passage:

SB 18, Relating to tenure and employment status at public institutions of higher education in this state.

The motion prevailed by the following vote: Yeas 18, Nays 11.

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

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

Absent-excused: Birdwell, Sparks.

The bill was read third time and was passed by the following vote: Yeas 18, Nays 11. (Same as previous roll call)

SENATE RESOLUTION 445

Senator Middleton offered the following resolution:

SR 445, Commemorating San Jacinto Day.

The resolution was read.

On motion of Senator Middleton and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Middleton, the resolution was adopted by a rising vote of the Senate.

**SENATE RULE 7.07(b) SUSPENDED
(Permission to Introduce)
(Motion In Writing)**

Senator Whitmire submitted the following Motion In Writing:

Mr. President:

I move suspension of Senate Rule 7.07(b) to permit the introduction of the following bill:

SCR 45 by Nichols, Designating Palestine as the official Dogwood Trails Capital of Texas for a 10-year period ending in 2033.

WHITMIRE

The Motion In Writing was read and prevailed without objection.

SENATE RESOLUTION ON FIRST READING

The following resolution was introduced, read first time, and referred to the committee indicated:

SCR 45 by Nichols

Designating Palestine as the official Dogwood Trails Capital of Texas for a 10-year period ending in 2033.

To Committee on Administration.

HOUSE BILLS AND RESOLUTIONS ON FIRST READING

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

HB 92 to Committee on Local Government.

HB 252 to Committee on Criminal Justice.

HB 1106 to Committee on Health and Human Services.

HB 1286 to Committee on Business and Commerce.

HB 1381 to Committee on Local Government.

HB 1429 to Committee on Criminal Justice.

HB 1500 to Committee on Business and Commerce.

HB 1565 to Committee on Water, Agriculture, and Rural Affairs.

HB 1595 to Committee on Finance.

HB 1646 to Committee on Water, Agriculture, and Rural Affairs.

HB 1704 to Committee on Local Government.

HB 1750 to Committee on Water, Agriculture, and Rural Affairs.

HB 1773 to Committee on Veteran Affairs.

HB 1922 to Committee on Local Government.

HB 1925 to Committee on Local Government.

HB 2016 to Committee on Business and Commerce.

HB 2127 to Committee on Business and Commerce.

HB 2183 to Committee on Criminal Justice.

HB 2243 to Committee on Health and Human Services.

HB 2308 to Committee on Water, Agriculture, and Rural Affairs.

HB 2556 to Committee on Health and Human Services.

HB 2802 to Committee on Health and Human Services.

HB 3059 to Committee on Water, Agriculture, and Rural Affairs.

HB 3115 to Committee on State Affairs.

HB 3211 to Subcommittee on Higher Education.

HJR 3 to Committee on Finance.

HJR 126 to Committee on Water, Agriculture, and Rural Affairs.

ADJOURNMENT

On motion of Senator Zaffirini, the Senate at 5:03 p.m. adjourned until 11:00 a.m. Monday, April 24, 2023.

