

SENATE JOURNAL

EIGHTY-EIGHTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTIETH DAY

(Monday, April 24, 2023)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by President Pro Tempore Hancock.

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

Absent-excused: Gutierrez.

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

Pastor Chris Gilkey, City Reach Church, Austin, offered the invocation as follows:

Heavenly Father, I thank You for the men and women in this room who serve our great state. I pray that You would bless them in all they do to serve the incredible people of Texas. Give them strength, protection, peace, provision, wisdom, and understanding as they serve to put the people's needs above any and all other interests. In Your name I ask You to bless each one who serves this state, bless all Texans with Your protection and prosperity, bless our land, produce, commerce, first responders, educational institutions, and God bless the great State of Texas.

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.

LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Gutierrez was granted leave of absence for today on account of illness.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, April 24, 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 12 Rose

Relating to the duration of services provided under Medicaid to women following a pregnancy.

HB 26 Ordaz

Relating to the permitting of medical waste facilities by the Texas Commission on Environmental Quality.

HB 109 Johnson, Julie

Relating to health benefit coverage for hearing aids for children and adults.

HB 188 Moody

Relating to certain sentencing procedures in a capital case.

HB 195 González, Mary

Relating to provisions and plans by public schools to ensure the safety of individuals with disabilities or impairments during a mandatory school drill or a disaster or emergency situation.

HB 207 Murr

Relating to the exclusion of certain conveyances from classification as sham or pretended sales.

HB 251 Murr

Relating to the payment of certain costs associated with certain assignments of a statutory probate court judge.

HB 282 Swanson

Relating to the issuance of specialty license plates for recipients of certain Texas military awards.

HB 291 Murr

Relating to occupational driver's licenses and to the renewal of driver's licenses.

HB 444 Thompson, Senfronia

Relating to certain civil penalties collected for violations of laws regulating massage therapy.

HB 467 Craddick

Relating to the limitations period for certain criminal offenses based on assaultive conduct.

HB 474 Hull

Relating to certain requirements regarding court-appointed volunteer advocate programs.

- HB 517** Johnson, Julie
Relating to the persons who may provide information to a parole panel considering the release of an inmate on parole or to mandatory supervision.
- HB 555** Vasut
Relating to the duration of a special open hunting season for game animals and certain game birds taken by persons under 17 years of age.
- HB 586** Thompson, Ed
Relating to municipal annexation of certain rights-of-way.
- HB 836** Raymond
Relating to retired members of the Texas State Guard.
- HB 837** Raymond
Relating to the use of appropriated money by the Texas State Guard for recruiting and retention purposes.
- HB 890** Bell, Keith
Relating to a process adopted by a school district regarding complaints and hearings on complaints.
- HB 900** Patterson
Relating to the regulation of library materials sold to or included in public school libraries.
- HB 965** Allen
Relating to post-release housing for inmates released on parole or to mandatory supervision.
- HB 995** Muñoz, Jr.
Relating to sheriff's department disability leave in certain counties.
- HB 999** Price
Relating to the effect of certain reductions in a health benefit plan enrollee's out-of-pocket expenses for certain prescription drugs on enrollee cost-sharing requirements.
- HB 1114** Kacal
Relating to the service area of the Blinn Junior College District.
- HB 1171** Cole
Relating to applicability of civil service status to emergency medical services personnel in certain municipalities.
- HB 1195** Holland
Relating to the authority of certain county and district clerks to obtain and retain information that identifies a person filing a document or requesting services.
- HB 1212** Jetton
Relating to verification of excused absences from public school for the purpose of observing religious holy days.
- HB 1227** Metcalf

Relating to changing the eligibility for community supervision of a person convicted of possession or promotion of child pornography.

HB 1277 Cain

Relating to pedestrian use of a sidewalk.

HB 1285 Shine

Relating to the training and duties of a taxpayer liaison officer for an appraisal district.

HB 1297 Dutton

Relating to vision screenings for students in public or private school.

HB 1416 Bell, Keith

Relating to accelerated instruction provided to public school students who fail to achieve satisfactory performance on certain assessment instruments.

HB 1442 Johnson, Ann

Relating to the prosecution of certain criminal conduct involving a reckless driving exhibition or racing on a highway and to the forfeiture of contraband as a result of a reckless driving exhibition.

HB 1518 Darby

Relating to the examination of appraisal services for an appraisal management company.

HB 1558 Johnson, Ann

Relating to the extension or amendment of deed restrictions in certain older subdivisions.

HB 1604 González, Mary

Relating to a report by the Texas Higher Education Coordinating Board regarding enrollment and success in higher education for students with disabilities.

HB 1631 Paul

Relating to hours of service by an election watcher.

HB 1647 Harris, Cody

Relating to health benefit plan coverage of clinician-administered drugs.

HB 1666 Capriglione

Relating to the commingling of funds by digital asset service providers; providing for an administrative penalty; creating a criminal offense.

HB 1712 Canales

Relating to the inclusion of a magistrate's name on certain signed orders.

HB 1736 Leach

Relating to the extent of a defendant's criminal responsibility for the conduct of a coconspirator in a capital murder case and the review of certain convictions by the Board of Pardons and Paroles.

HB 1743 Leach

Relating to a memorandum of understanding between the Health and Human Services Commission and the Texas Department of Criminal Justice to assess the eligibility of certain inmates for supplemental nutrition assistance program benefits on discharge or release from confinement.

HB 1772 Ashby

Relating to the documentation required for the purchase of certain timber products; creating a criminal offense.

HB 1841 Walle

Relating to landlord and tenant dispute information reported by courts to the Texas Judicial Council and made accessible to the public.

HB 1888 Lopez, Janie

Relating to the route designation for the issuance of a permit for the movement of oversize and overweight vehicles in certain counties.

HB 1900 Smithee

Relating to notice of nonrenewal of a property and casualty insurance policy.

HB 1949 Smith

Relating to the continuation of the Red River Boundary Commission.

HB 1959 Noble

Relating to the transfer of certain public school students who are children of peace officers.

HB 1993 Harris, Cody

Relating to the authority of a peace officer commissioned by the comptroller to apply for an order authorizing the installation and use of a mobile tracking device.

HB 2007 Martinez

Relating to a certificate of merit in certain actions against certain licensed or registered professionals.

HB 2024 Leach

Relating to statutes of limitation and repose for certain claims arising out of residential construction.

HB 2100 Price

Relating to eligibility requirements for student loan repayment assistance for certain mental health professionals.

HB 2132 Harris, Caroline

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

HB 2157 Metcalf

Relating to the salary of certain employees who transfer within a state agency.

HB 2196 Smithee

Relating to trusts.

HB 2217 Button

Relating to the regulation of the practice of public accountancy.

- HB 2224** Hernandez
Relating to the authority of a municipality to alter speed limits.
- HB 2251** Raymond
Relating to computerized fee records in criminal cases.
- HB 2268** Dutton
Relating to matters referred to an associate judge under the Family Code.
- HB 2304** Kuempel
Relating to the authority of the Nixon Hospital District of Gonzales and Wilson Counties, Texas, to borrow money.
- HB 2306** Hefner
Relating to the prosecution of the criminal offense of voyeurism.
- HB 2341** Guillen
Relating to procedures governing a regional mobility authority in relation to certain federal public transportation funding.
- HB 2411** Talarico
Relating to the maintenance, administration, and disposal of opioid antagonists on public and private school campuses and to the permissible uses of money appropriated to a state agency from the opioid abatement account.
- HB 2454** Guillen
Relating to the unlawful acquisition of certain weapons; creating a criminal offense.
- HB 2469** Geren
Relating to the administration of certain functions relating to state employee leave.
- HB 2559** Vasut
Relating to the persons authorized to administer an oath in this state.
- HB 2575** Button
Relating to the workforce diploma pilot program.
- HB 2620** Geren
Relating to the confinement in a county jail of a person pending a transfer to the Texas Department of Criminal Justice and to compensation to a county for certain costs of confinement.
- HB 2636** Murr
Relating to liability of a recreational vehicle park or campground entity for injuries arising from certain activities.
- HB 2674** Kitzman
Relating to the application submitted to the comptroller for designation as a state depository.
- HB 2691** Button
Relating to the authority of the comptroller of public accounts to issue certain payments to persons who are indebted or delinquent in taxes owed to the state and to state agency reporting requirements regarding such persons.
- HB 2719** Ashby

Relating to the powers of the Texas Historical Commission over historic sites in this state.

HB 2738 Thompson, Ed

Relating to certain indefinite quantity contracts entered into by the General Land Office in the event of a natural disaster.

HB 2741 Smith

Relating to the duties and composition of the Specialty Courts Advisory Council.

HB 2777 Holland

Relating to the contracting authority of the Parks and Wildlife Department.

HB 2877 King, Tracy O.

Relating to crime victims' compensation.

HB 2892 Buckley

Relating to the transfer of certain public school students who are children of certain military servicemembers.

HB 2899 Plesa

Relating to the impoundment of a vehicle used in the commission of the offense of racing on a highway.

HB 2901 Harris, Cody

Relating to the enforcement of commercial motor vehicle safety standards in certain municipalities.

HB 3007 Goldman

Relating to the authority of the Benbrook Water Authority to issue bonds.

HB 3099 Stucky

Relating to the designation of a portion of U.S. Highway 380 in Wise and Jack Counties as the Lost Battalion Memorial Highway.

HB 3273 Thierry

Relating to public notice of the availability on the Internet of property-tax-related information.

HB 3287 Anderson

Relating to the locations of the campuses of the Texas State Technical College System.

HB 3290 Guillen

Relating to the next generation 9-1-1 service fund.

HB 3331 Thimesch

Relating to a convicted felon serving as executor of a decedent's estate in certain circumstances.

HB 3514 Burns

Relating to the authority of a municipality to annex property in certain water districts.

HB 3641 Guillen

Relating to residency requirements for driver's licenses and personal identification certificates.

HB 3643 Guillen

Relating to the issuance of a temporary license by the Department of Public Safety.

HB 3647 Guillen

Relating to the imposition by the Department of Public Safety of administrative and civil consequences for certain criminal convictions.

HB 3698 Landgraf

Relating to expanding access to the protective order registry and the inclusion of certain information regarding a person who is the subject of a protective order in that registry.

HB 3731 Murr

Relating to the Bandera County River Authority and Groundwater District.

HB 3937 Johnson, Julie

Relating to a criminal justice system sentencing database established by the Office of Court Administration of the Texas Judicial System.

HB 3989 Raney

Relating to the adoption of a policy on the preclusion of private design professionals from contracting with the Texas Department of Transportation.

HB 4615 Bumgarner

Relating to the confidentiality of certain information concerning service members of the state military forces.

HB 4757 Orr

Relating to the regulatory authority over certain water bodies.

HB 4797 Romero, Jr.

Relating to training on the treatment of toll project roadways during inclement weather.

HB 4997 Kuempel

Relating to a campus of the Texas State Technical College System located in Comal County and Guadalupe County.

HJR 144 Canales

Proposing a constitutional amendment authorizing the use of money in the state highway fund for roadways for seaports, airports, spaceports, land ports of entry, and international bridges.

HCR 87 Jetton

Commemorating the 70th anniversary of the alliance between the Republic of Korea and the United States.

HCR 106 Craddick

In memory of H. Philip "Flip" Whitworth of Austin.

SB 159 Perry

Sponsor: Button

Relating to eligibility requirements for a certified public accountant certificate and to take the uniform CPA examination.

(Committee Substitute)

SB 497

Zaffirini

Sponsor: Lozano

Relating to the processing and sale of kratom and kratom products; providing civil penalties; creating a criminal offense.

SB 500

West

Sponsor: Thompson,
Senfronia

Relating to the value of a residential dwelling offered or awarded as a prize at a charitable raffle.

(Amended)

Respectfully,

/s/Stephen Brown,
Chief Clerk

House of Representatives

MESSAGE FROM THE GOVERNOR

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

April 24, 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 Nueces River Authority Board of Directors for terms to expire as indicated:

To Expire February 1, 2025:

John K. "Keith" Crow

Barksdale, Texas

(replacing Lana P. Guthrie of Rocksprings who resigned)

To Expire February 1, 2027:

Fohn W. Bendele

Hondo, Texas

(replacing Tomas "Tommy" Ramirez, III of Moore whose term expired)

Respectfully submitted,

/s/Greg Abbott

Governor

SENATE RESOLUTION 448

Senator Parker offered the following resolution:

SR 448, In memory of Landun Wayne Charles.

The resolution was read.

On motion of Senator Parker, **SR 448** was adopted by a rising vote of the Senate.

In honor of the memory of Landun Wayne Charles, the text of the resolution is printed at the end of today's *Senate Journal*.

Senator Parker was recognized and introduced to the Senate family and friends of Landun Wayne Charles including his wife, Lauren Charles; his son, Luke Charles; and members of the Lewisville Fire Department.

The Senate welcomed its guests and extended its sympathy.

PHYSICIAN OF THE DAY

Senator Blanco was recognized and presented Dr. Rebecca Campos of El Paso as the Physician of the Day.

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

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

The President Pro Tempore 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 RESOLUTION 451

Senator Zaffirini offered the following resolution:

WHEREAS, The observance of Texas Women Judges' Day at the State Capitol on April 24, 2023, provides a welcome opportunity to recognize women judges for their invaluable work to advance the administration of justice and the rule of law in our state; and

WHEREAS, Women judges in Texas have a storied history dating back to 1925, when Hortense Sparks Ward, the first woman to pass the Texas bar exam, along with Hattie Leah Henenberg and Ruth Virginia Brazzil formed the first all-women high court in the United States; the three women were appointed by Governor Pat Neff to serve as special justices on a Texas Supreme Court case from which all of the existing judges on the court had recused themselves; and

WHEREAS, In 1935, Sarah Tilghman Hughes became the first woman to hold a permanent position on a Texas bench; she went on to make history again in 1961 as the first woman appointed to a federal district judgeship in Texas, and she remains the only woman ever to administer the oath of office to an American president, having sworn in Lyndon Baines Johnson aboard Air Force One on November 22, 1963; and

WHEREAS, Among other notable trailblazers who have contributed to the diversity of the Texas judiciary are Harriet Mitchell Murphy, the first African American woman appointed to a regular judgeship in Texas, Elma Salinas Ender, the first Latina state district judge in Texas, and Wendy Duong, the first Vietnamese American woman to serve as a judge in the state; in 2005, the Texas Fourth District

Court of Appeals in San Antonio became the first appellate court in the U.S. composed entirely of women, and in 2021, the court again had the distinction of being the only all-women and now majority-Latina appellate court in the country; and

WHEREAS, Today, the Texas Supreme Court includes three female justices, Jane Bland, Rebecca Aizpuru Huddle, and Debra Lehrmann, while the Texas Court of Criminal Appeals includes four women, Presiding Judge Sharon Keller and Judges Barbara Hervey, Mary Lou Keel, and Michelle Slaughter; women currently represent 34 percent of judges in all courts throughout Texas, as well as 43 percent of all state and district judges; and

WHEREAS, Women judges have brought inspiring dedication, wisdom, and integrity to the bench, helping to make our judicial system fairer and more just for all Texans, and it is indeed fitting that a special day be set aside to honor their immeasurable contributions; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby recognize April 24, 2023, as Texas Women Judges' Day at the State Capitol and commend the women judges of the State of Texas for their service and commitment to equal justice under the law.

ZAFFIRINI	HINOJOSA	MIDDLETON
ALVARADO	HUFFMAN	PARKER
BIRDWELL	HUGHES	PAXTON
CAMPBELL	JOHNSON	WEST
CREIGHTON	KOLKHORST	WHITMIRE
ECKHARDT	LAMANTIA	
GUTIERREZ	MENÉNDEZ	

SR 451 was read and was adopted without objection.

GUESTS PRESENTED

Senator Zaffirini, joined by Senators West, Kolkhorst, Miles, Menéndez, Hinojosa, Paxton, Eckhardt, Birdwell, Flores, Campbell, Whitmire, Nichols, Blanco, Hall, and Huffman, was recognized and introduced to the Senate a Texas Women Judges' Day delegation including Chief Justice Nathan L. Hecht, Justice Rebecca Huddle, Presiding Judge Sharon Keller, Presiding Judge Karen Sage, Chief Justice Rebeca Martinez, Judge Sarah Bruchmiller, Judge Bonnie Townsend, Judge Sharon Diaz, Justice of the Peace Lucy Rubio, Judge Cheryl Williams, Presiding Judge Toni Wallace, Judge Audrey Moorehead, Justice Erin Nowell, Presiding Judge Rhonda Knight, Judge Maria J. Torres, Judge Jan Soifer, Justice of the Peace Ashley Evans, Judge Jennifer Edgeworth, Judge Christine Nowak, Judge Staci Williams, Judge Dianne Jones, Judge Angela Graves-Harrington, Justice of the Peace Sonia Guerrero Perez, Judge Martha Alicia Gomez Ponce, Judge Tamara Tinney, Justice Rosa Lopez Theofanis, Judge Maria Salas Mendoza, Judge Betsy F. Lambeth, Chief Justice Dori Contreras, Judge Cari L. Starritt-Burnett, Judge Beckie Palomo, Judge Tahira Khan Merritt, Judge Qiana Manns, Judge Marisa Flores, Judge Juli A. Mathew, Judge Jeralynn Manor, Judge Lauren Reeder, Judge Bobbie Gray Edmonds, Justice of the Peace Olga Bruni, Judge Fredericka Phillips, Judge Latosha Lewis Payne, Justice Gina Benavides, Justice of the Peace Debra Trotter, Judge Marie D. Cordova, Judge Cheryl Elliott Thornton, Justice Gisela Triana, Judge Erika Ramirez, Judge Rosie

Speedlin Gonzalez, Judge Yolanda Huff, Judge Dedra Davis, Judge Rabeea Sultan Collier, Judge Shannon B. Baldwin, Judge Angela Lancelin, Judge Kelli Johnson, Presiding Judge Kirsten Legore, Presiding Judge Heather Hines Wright, Judge Linda M. Dunson, Justice of the Peace Lucia Bates, Judge Ruth Reyes, Judge LaTosha McGill Clayton, Judge Kali Morgan, Judge Stephanie Bascon, Judge Tonya Jones, Judge Sonya Heath, Justice of the Peace Angela Williams, Judge Kristen Tice, Judge Donna Mathis, Justice of the Peace KaTina Whitfield, Judge Lindsey Wynne, Judge Jessica R. Crawford, Judge Jill Willis, Presiding Judge Susan Brown, Judge Toria J. Finch, Judge Cheryl Pounds, Justice of the Peace Sara Martinez, Judge Tamika Craft-Demming, Judge Catherine Torres-Stahl, Judge Norma Gonzales, Judge Laura Salinas, Justice Julie Countiss, Justice of the Peace Sandra Bryant, Judge Tamecia Glover, Judge Deborah Wigington, Justice of the Peace Kaylah Rosas, Justice of the Peace Debbie Bindseil, Justice of the Peace Madison Elliott, Judge Elaine H. Palmer, Judge Stacey Mathews, Judge Julia Maldonado, Chief Justice Darlene Byrne, Presiding Judge LaShawn A. Williams, Justice of the Peace Lisa Whitehead, Judge Kirsten Cohoon, Judge Annabell Perez, Justice of the Peace Dolores Ann Lozano, Judge Angela King, Judge Roselee Bailey, Judge Kristin M. Guiney, Judge Wanda Adams, Judge Natalia Cornelio, Judge Hilary Unger, Judge Kimberly Williams, Judge Julie Kocurek, Judge Maria Cantú Hexsel, Judge Elisabeth Earle, Justice April Farris, Judge Josefina M. Rendón, Judge Catherine A. Mauzy, Judge Colleen Gaido, Judge Raquel de los Santos, Judge Veretta Frazier, Judge Karin Crump, Chief Justice Carolyn Wright (Ret.), Judge Kathleen Person, and Judge Jaqueline Herr Valdés.

The Senate welcomed its guests.

SENATE RESOLUTION 454

Senator Hughes offered the following resolution:

SR 454, In memory of Harold Wayne Stone.

HUGHES
FLORES

The resolution was read.

On motion of Senator Hughes, **SR 454** was adopted by a rising vote of the Senate.

In honor of the memory of Harold Wayne Stone, the text of the resolution is printed at the end of today's *Senate Journal*.

Senator Hughes was recognized and introduced to the Senate the family of Harold Wayne Stone Sr.: Mrs. Wanda M. "Susie" Stone, Harold W. "Bubba" Stone, Dara B. Stone, Jason M. Stone, Tyler B. Stone, Tanner B. Stone, and Talon M. Stone.

The Senate welcomed its guests and extended its sympathy.

CONCLUSION OF MORNING CALL

The President Pro Tempore at 12:16 p.m. announced the conclusion of morning call.

**COMMITTEE SUBSTITUTE
SENATE BILL 876 ON SECOND READING**

Senator Flores moved to suspend the regular order of business to take up for consideration **CSSB 876** at this time on its second reading:

CSSB 876, Relating to the licensing and regulation of dog and cat breeders; expanding the applicability of an occupational license.

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

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

Nays: Birdwell, Creighton, Hall, Hancock, Hughes, Middleton, Paxton, Springer.

Absent-excused: Gutierrez.

The bill was read second time.

Senator Flores offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 876** (senate committee report), in SECTION 2 of the bill, in amended Section 802.005(b), Occupations Code (page 1, line 41), by striking the underlined comma and substituting "and".

The amendment to **CSSB 876** was read and was adopted by a viva voce vote.

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

Absent-excused: Gutierrez.

CSSB 876 as amended was passed to engrossment by the following vote: Yeas 22, Nays 8.

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

Nays: Birdwell, Creighton, Hall, Hancock, Hughes, Middleton, Paxton, Springer.

Absent-excused: Gutierrez.

**COMMITTEE SUBSTITUTE
SENATE BILL 876 ON THIRD READING**

Senator Flores moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 876** be placed on its third reading and final passage.

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

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

Nays: Birdwell, Hall, Hughes, Middleton, Paxton, Springer.

Absent-excused: Gutierrez.

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

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

Nays: Birdwell, Creighton, Hall, Hancock, Hughes, Middleton, Paxton, Springer.

Absent-excused: Gutierrez.

SENATE BILL 2269 ON SECOND READING

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 2269** at this time on its second reading:

SB 2269, Relating to discontinuing group self-insurance coverage and dissolving the Texas self-insurance group guaranty fund and trust fund under the Texas Workers' Compensation Act.

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

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

Absent-excused: Gutierrez.

SENATE BILL 2269 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 **SB 2269** be placed on its third reading and final passage.

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

Absent-excused: Gutierrez.

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

SENATE JOINT RESOLUTION 81 ON SECOND READING

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **SJR 81** at this time on its second reading:

SJR 81, Proposing a constitutional amendment providing for the creation of the technical institution infrastructure fund and the available workforce education fund to support the capital needs of career and technical education programs offered by the Texas State Technical College System.

The resolution was read second time.

Senator Birdwell offered the following amendment to the resolution:

Floor Amendment No. 1

Amend **SJR 81** (senate committee report) as follows:

(1) Strike SECTION 1 of the resolution, adding Section 23, Article VII, Texas Constitution (page 1, line 29, through page 3, line 40), and substitute the following:

SECTION 1. Article VII, Texas Constitution, is amended by adding Section 23 to read as follows:

Sec. 23. (a) In this section:

(1) "Available fund" means the available workforce education fund.

(2) "Board of regents" means the board of regents of the Texas State Technical College System.

(3) "Permanent fund" means the permanent technical institution infrastructure fund.

(b) The permanent technical institution infrastructure fund and the available workforce education fund are established as special funds in the state treasury outside the general revenue fund to be administered as provided by this section without further appropriation for the purpose of providing a dedicated source of funding for capital projects and equipment purchases related to career and technical education programs offered by the Texas State Technical College System.

(c) The permanent fund consists of:

(1) money appropriated, credited, transferred, or deposited to the credit of the fund by this section or as authorized by other law;

(2) any interest or other earnings attributable to the investment of money in the fund; and

(3) gifts, grants, and donations made to the fund.

(d) The available fund consists of:

(1) money distributed to the fund from the permanent fund as provided by this section;

(2) money appropriated, credited, transferred, or deposited to the credit of the fund by this section or as authorized by other law;

(3) any interest or other earnings attributable to the investment of money in the fund; and

(4) gifts, grants, and donations made to the fund.

(e) The comptroller of public accounts or the board of regents may establish accounts in the available fund as necessary to administer the fund or pay for projects authorized under this section.

(f) The comptroller of public accounts shall hold, manage, and invest the permanent fund. In managing the assets of the fund, the comptroller may acquire, exchange, sell, supervise, manage, or retain any kind of investment that a prudent investor, exercising reasonable care, skill, and caution, would acquire or retain in light

of the purposes, terms, distribution needs, and other circumstances of the fund, taking into consideration the investment of all the assets of the fund rather than a single investment. The expenses of managing the investments of the fund shall be paid from the fund.

(g) The legislature may not appropriate or transfer money from the permanent fund for any purpose.

(h) The comptroller of public accounts shall determine the amount available for distribution from the permanent fund to the available fund for each fiscal year. The amount available for distribution:

(1) must be determined in a manner intended to:

(A) provide the available fund with a stable and predictable stream of annual distributions; and

(B) preserve the purchasing power of the assets of the permanent fund over a full economic cycle; and

(2) may not exceed 5.5 percent of the fair market value of the investment assets of the permanent fund, as determined by the comptroller.

(i) For each state fiscal year, on request of the board of regents, the comptroller of public accounts shall distribute an amount that does not exceed the amount determined under Subsection (h) of this section from the permanent fund to the available fund for purposes of this section.

(j) The total amount of the distribution from the permanent fund to the available fund under Subsection (i) of this section is appropriated to the board of regents for:

(1) acquiring land, either with or without permanent improvements;

(2) constructing and equipping buildings or other permanent improvements;

(3) major repair and rehabilitation of buildings and other permanent improvements;

(4) acquiring capital equipment, including instructional equipment, virtual reality or augmented reality equipment, heavy industrial equipment, and vehicles;

(5) acquiring library books and materials, including digital or electronic library books and materials;

(6) payment of the principal and interest due on the bonds and notes issued by the board of regents to finance permanent improvements as authorized by other law; and

(7) any other purpose authorized by general law.

(k) Notwithstanding any other provision of this section, money appropriated from the available fund under this section may not be used for the purpose of constructing, equipping, repairing, or rehabilitating buildings or other permanent improvements that are to be used for intercollegiate athletics or auxiliary enterprises.

(l) An institution that is entitled to participate in dedicated funding provided by Section 17 or 18 of this article may not be entitled to participate in the funding provided by this section.

(m) This section does not impair any obligation created by the issuance of bonds or notes in accordance with prior law, including bonds or notes issued under Section 17 of this article before January 1, 2024, and all outstanding bonds and notes shall be paid in full, both principal and interest, in accordance with their terms. If this section conflicts with any other provision of this constitution, this section prevails.

(m-1) On January 1, 2024, the amount of \$750 million is appropriated from the general revenue fund to the comptroller of public accounts for the purpose of immediate deposit to the credit of the permanent fund. This subsection expires December 31, 2024.

(n) For purposes of Section 22, Article VIII, of this constitution:

(1) money in the permanent fund is dedicated by this constitution; and

(2) an appropriation of state tax revenues for the purpose of depositing money to the credit of the permanent fund is treated as if it were an appropriation of revenues dedicated by this constitution.

(2) In SECTION 6 of the resolution, in the ballot language (page 4, line 61), between "of the" and "technical", insert "permanent".

The amendment to **SJR 81** was read and was adopted by a viva voce vote.

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

Absent-excused: Gutierrez.

SJR 81 as amended was passed to engrossment by a viva voce vote.

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

Absent-excused: Gutierrez.

SENATE JOINT RESOLUTION 81 ON THIRD READING

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SJR 81** be placed on its third reading and final passage.

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

Absent-excused: Gutierrez.

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

SENATE BILL 2586 ON SECOND READING

On motion of Senator Paxton and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 2586** at this time on its second reading:

SB 2586, Relating to the San Jacinto River Authority, following recommendations of the Sunset Advisory Commission; specifying grounds for the removal of a member of the board of directors.

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

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

Absent-excused: Gutierrez.

SENATE BILL 2586 ON THIRD READING

Senator Paxton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2586** be placed on its third reading and final passage.

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

Absent-excused: Gutierrez.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 543 ON SECOND READING**

Senator Blanco moved to suspend the regular order of business to take up for consideration **CSSB 543** at this time on its second reading:

CSSB 543, Relating to the conveyance of property by a municipality for the public purpose of economic development.

The motion prevailed.

Senators Hall, Hancock, and Hughes 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, Hancock, Hughes.

Absent-excused: Gutierrez.

**COMMITTEE SUBSTITUTE
SENATE BILL 543 ON THIRD READING**

Senator Blanco moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 543** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 3.

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

Nays: Hall, Hancock, Hughes.

Absent-excused: Gutierrez.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 2592 ON SECOND READING**

On motion of Senator Paxton and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2592** at this time on its second reading:

CSSB 2592, Relating to the Lavaca-Navidad River Authority, following the recommendations of the Sunset Advisory Commission; altering terms of the board of directors; specifying grounds for the removal of a member of the board of directors.

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

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

Absent-excused: Gutierrez.

**COMMITTEE SUBSTITUTE
SENATE BILL 2592 ON THIRD READING**

Senator Paxton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2592** be placed on its third reading and final passage.

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

Absent-excused: Gutierrez.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 893 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 893** at this time on its second reading:

CSSB 893, Relating to the correction of a certificate of public convenience and necessity for providing water or sewer utility service.

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

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

Absent-excused: Gutierrez.

**COMMITTEE SUBSTITUTE
SENATE BILL 893 ON THIRD READING**

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 893** be placed on its third reading and final passage.

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

Absent-excused: Gutierrez.

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

SENATE BILL 1516 ON SECOND READING

On motion of Senator King and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1516** at this time on its second reading:

SB 1516, Relating to the procedures for an application for a writ of habeas corpus and the issuance of the writ.

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

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

Absent-excused: Gutierrez.

SENATE BILL 1516 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 **SB 1516** be placed on its third reading and final passage.

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

Absent-excused: Gutierrez.

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

SENATE BILL 1923 ON SECOND READING

Senator Springer moved to suspend the regular order of business to take up for consideration **SB 1923** at this time on its second reading:

SB 1923, Relating to the right of the chief appraiser of an appraisal district, the appraisal district, or the appraisal review board of the appraisal district to bring certain claims in an appeal of an order of the appraisal review board.

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

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

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

Absent-excused: Gutierrez.

The bill was read second time and was passed to engrossment by the following vote: Yeas 22, Nays 8. (Same as previous roll call)

(Senator Birdwell in Chair)
COMMITTEE SUBSTITUTE
SENATE BILL 1467 ON SECOND READING

On motion of Senator Hancock and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1467** at this time on its second reading:

CSSB 1467, Relating to the disclosure of certain medical information by electronic means.

The bill was read second time.

Senator Hancock offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1467** (senate committee report) as follows:

(1) Strike SECTION 1 of the bill, adding Chapter 183, Health and Safety Code (page 1, lines 24-57).

(2) In SECTION 2 of the bill, in added Section 159.006(d)(2), Occupations Code (page 2, lines 5 and 6), strike "Section 183.002, Health and Safety Code" and substitute "Section 159.0065(b)".

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

SECTION _____. Chapter 159, Occupations Code, is amended by adding Section 159.0065 to read as follows:

Sec. 159.0065. SENSITIVE TEST RESULTS DISCLOSED BY ELECTRONIC MEANS. (a) In this section:

(1) "Electronic health record" has the meaning assigned by Section 531.901, Government Code.

(2) "Electronic means" means publishing information on a secure electronic network or Internet website, including a secure online patient portal or health software application:

(A) that is accessible by an electronic device, including a computer, mobile device, or tablet; and

(B) through which the patient or patient representative has consented to receive the patient's billing or medical records.

(3) "Patient representative" means a person described by Sections 159.005(a)(2)-(4).

(4) "Sensitive test result" means a:

(A) pathology report or radiology report that has a reasonable likelihood of showing a finding of malignancy; or

(B) test result that may reveal a genetic marker.

(b) Sensitive test results may not be disclosed to a patient or patient representative by electronic means before the third day after the date the sensitive test results are finalized.

(c) A person who administers or controls the electronic health record of a patient is responsible for implementing Subsection (b).

(d) A person is not subject to civil, criminal, or administrative liability or professional disciplinary action for failure to comply with Section 159.006(d)(2) or this section.

(4) In SECTION 3 of the bill, in the transition language (page 2, line 7), strike "Chapter 183, Health and Safety Code," and substitute "Section 159.0065, Occupations Code,".

The amendment to **CSSB 1467** was read and was adopted by a viva voce vote.

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

Absent-excused: Gutierrez.

CSSB 1467 as amended was passed to engrossment by a viva voce vote.

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

Absent-excused: Gutierrez.

COMMITTEE SUBSTITUTE SENATE BILL 1467 ON THIRD READING

Senator Hancock moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1467** be placed on its third reading and final passage.

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

Absent-excused: Gutierrez.

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

SENATE BILL 2407 ON SECOND READING

On motion of Senator Hancock and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 2407** at this time on its second reading:

SB 2407, Relating to licensure and training requirements for school marshals.

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

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

Absent-excused: Gutierrez.

SENATE BILL 2407 ON THIRD READING

Senator Hancock moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2407** be placed on its third reading and final passage.

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

Absent-excused: Gutierrez.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 763 ON SECOND READING**

Senator Middleton moved to suspend the regular order of business to take up for consideration **CSSB 763** at this time on its second reading:

CSSB 763, Relating to allowing public schools to employ or accept as volunteers chaplains to perform the duties of school counselors.

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

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

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

Absent-excused: Gutierrez.

The bill was read second time.

Senator Middleton offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 763** (senate committee report) by striking all below the enacting clause and substituting the following:

SECTION 2. Subtitle D, Title 2, Education Code, is amended by adding Chapter 23 to read as follows:

CHAPTER 23. SCHOOL CHAPLAINS

Sec. 23.001. SCHOOL CHAPLAINS. A school district or an open-enrollment charter school may employ or accept as a volunteer a chaplain to provide support, services, and programs for students as assigned by the board of trustees of the district or the governing body of the school. A chaplain employed or volunteering under this chapter is not required to be certified by the State Board for Educator Certification.

SECTION 3. Section 48.115(b), Education Code, is amended to read as follows:

(b) Funds allocated under this section must be used to improve school safety and security, including costs associated with:

(1) securing school facilities, including:

- (A) improvements to school infrastructure;
- (B) the use or installation of physical barriers; and
- (C) the purchase and maintenance of:

(i) security cameras or other security equipment; and

(ii) technology, including communications systems or devices, that facilitates communication and information sharing between students, school personnel, and first responders in an emergency;

(2) providing security for the district, including:

(A) employing school district peace officers, private security officers, and school marshals; and

(B) collaborating with local law enforcement agencies, such as entering into a memorandum of understanding for the assignment of school resource officers to schools in the district;

(3) school safety and security training and planning, including:

(A) active shooter and emergency response training;

(B) prevention and treatment programs relating to addressing adverse childhood experiences; and

(C) the prevention, identification, and management of emergencies and threats, using evidence-based, effective prevention practices and including:

(i) providing licensed counselors, social workers, chaplains, and individuals trained in restorative discipline and restorative justice practices;

(ii) providing mental health personnel and support, including chaplains;

(iii) providing behavioral health services, including services provided by chaplains;

(iv) establishing threat reporting systems; and

(v) developing and implementing programs focused on restorative justice practices, culturally relevant instruction, and providing mental health support, including support provided by chaplains; and

(4) providing programs related to suicide prevention, intervention, and postvention, including programs provided by chaplains.

SECTION 4. Each board of trustees of a school district and each governing body of an open-enrollment charter school shall take a record vote not later than six months after the effective date of this Act on whether to adopt a policy authorizing a campus of the district or school to employ or accept as a volunteer a chaplain under Chapter 23, Education Code, as added by this Act.

SECTION 5. This Act applies beginning with the 2023-2024 school year.

SECTION 6. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

The amendment to **CSSB 763** was read and was adopted by a viva voce vote.

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

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

Absent-excused: Gutierrez.

CSSB 763 as amended was passed to engrossment by the following vote: Yeas 19, Nays 11.

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

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

Absent-excused: Gutierrez.

SENATE BILL 1923 ON THIRD READING

Senator Springer moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1923** be placed on its third reading and final passage.

SB 1923, Relating to the right of the chief appraiser of an appraisal district, the appraisal district, or the appraisal review board of the appraisal district to bring certain claims in an appeal of an order of the appraisal review board.

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

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

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

Absent-excused: Gutierrez.

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

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

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

Absent-excused: Gutierrez.

SENATE BILL 1322 ON SECOND READING

Senator Menéndez moved to suspend the regular order of business to take up for consideration **SB 1322** at this time on its second reading:

SB 1322, Relating to the purchase and sale of vintage distilled spirits by the holder of a package store permit or local distributor's permit.

The motion prevailed.

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

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

The bill was read second time.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1322** (senate committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. Section 1.04, Alcoholic Beverage Code, is amended by adding Subdivisions (30) and (31) to read as follows:

(30) "Vintage distilled spirits" means distilled spirits that:

(A) are in the original manufacturer's sealed container, including a bottle or case of bottles;

(B) are not owned by the holder of a distiller's and rectifier's permit or the holder of a nonresident seller's permit;

(C) are not otherwise available for purchase from the holder of a wholesaler's permit;

(D) have not been offered for sale by the holder of a wholesaler's permit within the preceding five years; and

(E) are possessed by a person in this state.

(31) "Vintage distilled spirits seller" means a person who:

(A) is at least 21 years of age;

(B) does not hold a license or permit under this code; and

(C) is:

(i) an administrator, executor, receiver, or other fiduciary who receives and sells vintage distilled spirits in execution of the person's fiduciary capacity;

(ii) a creditor who receives or takes possession of vintage distilled spirits as security for, or in payment of, debt, in whole or in part;

(iii) a public officer or court official who levies on vintage distilled spirits under order or process of any court or magistrate to sell the vintage distilled spirits in satisfaction of the order or process; or

(iv) any other person who does not hold or have an interest in a permit or a license or in the business of a permit or license holder under this code and is not engaged in the business of selling alcoholic beverages.

SECTION 2. Section 22.01, Alcoholic Beverage Code, is amended to read as follows:

Sec. 22.01. AUTHORIZED ACTIVITIES. The holder of a package store permit may:

(1) purchase liquor in this state from the holder of a winery, wholesaler's, or class B wholesaler's permit;

(2) purchase malt beverages in this state from the holder of a general or branch distributor's license;

(3) sell liquor and malt beverages in unbroken original containers on or from the holder's licensed premises at retail to consumers for off-premises consumption only and not for the purpose of resale, except that if the permittee is a hotel, the permittee may deliver unbroken packages of liquor and malt beverages to bona fide guests of the hotel in their rooms for consumption in their rooms;

(4) sell vinous liquors in original containers of not less than six ounces; ~~and~~

(5) sell liquor to holders of passenger transportation permits as provided in Section 48.03; and

(6) purchase and sell vintage distilled spirits as provided in Section 22.19.

SECTION 3. Chapter 22, Alcoholic Beverage Code, is amended by adding Section 22.19 to read as follows:

Sec. 22.19. PURCHASE AND SALE OF VINTAGE DISTILLED SPIRITS. (a) The holder of a package store permit may purchase vintage distilled spirits from a vintage distilled spirits seller.

(b) A vintage distilled spirits seller may sell to the holder of a package store permit, for each permitted premises, not more than 24 containers of vintage distilled spirits during any 12-month period.

(c) The holder of a package store permit shall maintain a record of each purchase of vintage distilled spirits until the second anniversary of the date the vintage distilled spirits are purchased and provide the record to the commission on request. The record must include the following information:

(1) the permit holder's name, address, permit number, and phone number;
(2) the vintage distilled spirits seller's name, address, and phone number;
(3) the brand name and quantity of each vintage distilled spirits container purchased;

(4) the date of the purchase; and

(5) the number of containers of vintage distilled spirits the permit holder has previously purchased from the vintage distilled spirits seller and the dates of those purchases.

(d) A package store permit holder may sell vintage distilled spirits to consumers for off-premises consumption only and to holders of passenger transportation permits as provided in Section 48.03.

(e) Any holder of a package store permit who is injured in the permittee's business or property by a vintage distilled spirits seller by the sale of forged, adulterated, or counterfeit vintage distilled spirits to the permittee may institute suit in any district court in the county in which the violation is alleged to have occurred to require enforcement by injunctive procedures and to recover triple damages plus costs of suit including reasonable attorney's fees.

SECTION 4. Section 23.01(a), Alcoholic Beverage Code, is amended to read as follows:

(a) The holder of a local distributor's permit may:

(1) purchase alcoholic beverages, including malt beverages, from wholesalers and distributors authorized to sell them for resale, but may purchase only those brands available for general distribution to all local distributor's permittees;

(2) sell and distribute the alcoholic beverages, including malt beverages, to mixed beverage and private club registration permittees;

(3) sell and distribute distilled spirits to the holder of a nonprofit entity temporary event permit; ~~and~~

(4) rent or sell to mixed beverage and private club registration permittees any equipment, fixtures, or supplies used in the selling or dispensing of distilled spirits; and

(5) purchase and sell vintage distilled spirits as provided by Section 23.07.

SECTION 5. Chapter 23, Alcoholic Beverage Code, is amended by adding Section 23.07 to read as follows:

Sec. 23.07. PURCHASE AND SALE OF VINTAGE DISTILLED SPIRITS. (a) The holder of a local distributor's permit may purchase vintage distilled spirits from a vintage distilled spirits seller.

(b) A vintage distilled spirits seller may sell to the holder of a local distributor's permit, for each permitted premises, not more than 24 containers of vintage distilled spirits during any 12-month period.

(c) The holder of a local distributor's permit shall maintain a record of each purchase of vintage distilled spirits until the second anniversary of the date the vintage distilled spirits are purchased and provide the record to the commission on request. The record must include the following information:

(1) the permit holder's name, address, permit number, and phone number;
(2) the vintage distilled spirits seller's name, address, and phone number;
(3) the brand name and quantity of each vintage distilled spirits container purchased;

(4) the date of the purchase; and
(5) the number of containers of vintage distilled spirits the permit holder has previously purchased from the vintage distilled spirits seller and the dates of those purchases.

(d) A local distributor's permit holder may sell to the holder of a mixed beverage permit not more than six containers of vintage distilled spirits during any 12-month period.

(e) Any holder of a local distributor's permit who is injured in the permittee's business or property by a vintage distilled spirits seller by the sale of forged, adulterated, or counterfeit vintage distilled spirits to the permittee may institute suit in any district court in the county in which the violation is alleged to have occurred to require enforcement by injunctive procedures and to recover triple damages plus costs of suit including reasonable attorney's fees.

SECTION 6. Section 28.07(a), Alcoholic Beverage Code, is amended to read as follows:

(a) All distilled spirits and vintage distilled spirits sold by a holder of a mixed beverage permit must be purchased from a holder of a local distributor's permit in the county in which the premises of a mixed beverage permittee is located.

SECTION 7. Section 103.10, Alcoholic Beverage Code, is amended to read as follows:

Sec. 103.10. EXERCISE OF DISCRETION IN CASE OF MISTAKE. (a) The preceding sections of this subchapter shall not be construed as preventing the commission from exercising its discretion if illicit alcoholic beverages are seized as the result of an accidental shipment or other reasonable mistake. Under those circumstances, the commission may issue orders and make disposition of the alcoholic beverages as it finds just and reasonable.

(b) It is a defense to prosecution or to the imposition of a civil or administrative penalty for a violation under this chapter that:

(1) the holder of a package store permit or the holder of a local distributor's permit:

(A) purchased an illicit beverage from a vintage distilled spirits seller under Section 22.19 or 23.07 in good faith;

(B) reasonably believed the illicit beverage was vintage distilled spirits at all times the beverage was in the permit holder's possession; and

(C) sold the illicit beverage to an authorized purchaser in good faith;
and

(2) an authorized purchaser, to whom the holder of a package store permit or local distributor's permit sold an illicit beverage, reasonably believed the beverage was vintage distilled spirits and not an illicit beverage.

SECTION 8. Section 201.08(a), Alcoholic Beverage Code, is amended to read as follows:

(a) No tax may be collected on liquor:

(1) shipped out of state for consumption outside the state; ~~or~~

(2) sold aboard a ship for ship's supplies; or

(3) sold as vintage distilled spirits.

SECTION 9. This Act takes effect September 1, 2023.

The amendment to **SB 1322** was read and was adopted by a viva voce vote.

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

Absent-excused: Gutierrez.

SB 1322 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: Perry.

Present-not voting: LaMantia.

Absent-excused: Gutierrez.

SENATE BILL 1322 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 **SB 1322** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1, Present-not voting 1.

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

Nays: Perry.

Present-not voting: LaMantia.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 1, Present-not voting 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 2040 ON SECOND READING**

On motion of Senator Springer and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2040** at this time on its second reading:

CSSB 2040, Relating to the continuation and transfer of the regulation of willed body programs to the Texas Funeral Service Commission, the regulation of willed body programs, non-transplant anatomical donation organizations, and anatomical facilities, and the creation of the State Anatomical Advisory Committee; requiring registration; authorizing fees; authorizing an administrative penalty.

The bill was read second time.

Senator Springer offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 2040** (senate committee printing) in SECTION 1.08 of the bill as follows:

(1) In amended Section 691.022(a), Health and Safety Code (page 3, line 23), immediately after the period, insert the following:

This subsection does not apply to a body or specimen donated to a registered non-transplant anatomical donation organization.

(2) Strike added Section 691.022(d), Health and Safety Code (page 3, lines 39-41).

The amendment to **CSSB 2040** was read and was adopted by a viva voce vote.

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

Absent-excused: Gutierrez.

Senator Springer offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 2040** (senate committee printing) in SECTION 1.14 of the bill as follows:

(1) Strike the recital for amended Section 691.028, Health and Safety Code (page 4, lines 24 and 25), and substitute the following:

SECTION 1.14. Section 691.028, Health and Safety Code, is amended by amending Subsections (a) and (b) and adding Subsection (b-1) to read as follows:

(2) Immediately following amended Section 691.028(b), Health and Safety Code (page 4, between lines 46 and 47), insert the following:

(b-1) For purposes of Subsection (b), the donor must be informed in writing about the information described by Subsection (b)(2) in a clear manner on a single piece of paper that is 8-1/2 by 11 inches with 14-point type. The commission by rule shall design and adopt a form that complies with this subsection that willed body programs and non-transplant anatomical donation organizations must use.

The amendment to **CSSB 2040** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 except as follows:

Absent-excused: Gutierrez.

CSSB 2040 as amended was passed to engrossment by a viva voce vote.

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

Absent-excused: Gutierrez.

**COMMITTEE SUBSTITUTE
SENATE BILL 2040 ON THIRD READING**

Senator Springer moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2040** be placed on its third reading and final passage.

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

Absent-excused: Gutierrez.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 624 ON SECOND READING**

Senator Kolkhorst moved to suspend the regular order of business to take up for consideration **CSSB 624** at this time on its second reading:

CSSB 624, Relating to the permitting of renewable energy generation facilities by the Public Utility Commission of Texas; authorizing fees.

The motion prevailed by the following vote: Yeas 20, Nays 10.

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

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

Absent-excused: Gutierrez.

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 624** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 35.202, Utilities Code (page 1, lines 47 through 50), strike "It is also declared that the protection of the wildlife, water, and land of this state against the impacts of renewable energy generation facilities is in the public interest." and substitute "It is also declared that balancing

private property rights, the need to increase electric generation, and the need to mitigate unreasonable impacts of renewable energy generation facilities on wildlife, water, and land in this state is in the public interest."

(2) In SECTION 2 of the bill, strike added Sections 12.0012(2)(A) and (B), Parks and Wildlife Code (page 4, lines 64 through 68), and substitute the following:

(A) the facility's prioritization of natural resource conservation, wildlife conservation management, and agricultural use of land;

(B) use of the land on which the facility is located for agricultural purposes;

The amendment to **CSSB 624** was read and was adopted by a viva voce vote.

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

Absent-excused: Gutierrez.

Senator Miles offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 624** (senate committee printing) in SECTION 1 of the bill, in added Section 35.201, Utilities Code (page 1, between lines 44 and 45), by inserting the following:

(c) This subchapter does not apply to a solar power facility located in the corporate boundaries of a home-rule municipality.

The amendment to **CSSB 624** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 except as follows:

Absent-excused: Gutierrez.

Senator Springer offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 624** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 35.206(c)(1), Utilities Code (page 3, line 30), between "(1)" and "ensure", insert "for a solar power facility.".

(2) In SECTION 1 of the bill, in added Section 35.206(c), Utilities Code (page 3, between lines 38 and 39), insert the following:

(2) for a wind power facility, ensure that all permitted facility equipment is located at least 3,000 feet from the property line of each property that borders the property on which the permitted facility is located, unless the permit holder has obtained a written waiver from each owner of property located less than 3,000 feet from the permitted facility;

(3) In SECTION 1 of the bill, in added Section 35.206(c), Utilities Code (page 3, line 39), strike "(2)" and substitute "(3)".

(4) In SECTION 1 of the bill, in added Section 35.206(c), Utilities Code (page 3, line 49), strike "(3)" and substitute "(4)".

(5) In SECTION 1 of the bill, in added Section 35.206, Utilities Code (page 3, between lines 51 and 52), insert the following:

(d) The distance from the property line required by Subsection (c)(2) must be measured as a straight line from the vertical centerline of the wind turbine to the nearest point on the property line.

The amendment to **CSSB 624** 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 except as follows:

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

Absent-excused: Gutierrez.

CSSB 624 as amended was passed to engrossment by the following vote: Yeas 21, Nays 9.

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

Nays: Alvarado, Blanco, Eckhardt, Flores, Johnson, Menéndez, Perry, Whitmire, Zaffirini.

Absent-excused: Gutierrez.

SENATE BILL 2509 ON SECOND READING

Senator King moved to suspend the regular order of business to take up for consideration **SB 2509** at this time on its second reading:

SB 2509, Relating to enforcement of the regulation of social media platforms.

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

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

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

Absent-excused: Gutierrez.

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

COMMITTEE SUBSTITUTE SENATE BILL 2032 ON SECOND READING

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2032** at this time on its second reading:

CSSB 2032, Relating to adult high school charter school programs.

The bill was read second time.

Senator Creighton offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 2032** (senate committee report) in SECTION 3 of the bill, in amended Section 12.256(1)(D), Education Code (page 2, lines 11 and 12), by striking "or public junior college" and substituting ", public junior college, or public technical institute".

The amendment to **CSSB 2032** was read and was adopted by a viva voce vote.

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

Absent-excused: Gutierrez.

CSSB 2032 as amended was passed to engrossment by a viva voce vote.

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

Absent-excused: Gutierrez.

**COMMITTEE SUBSTITUTE
SENATE BILL 2032 ON THIRD READING**

Senator Creighton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2032** be placed on its third reading and final passage.

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

Absent-excused: Gutierrez.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 2294 ON SECOND READING**

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2294** at this time on its second reading:

CSSB 2294, Relating to the Texas First Early High School Completion Program and the Texas First Scholarship Program.

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

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

Absent-excused: Gutierrez.

**COMMITTEE SUBSTITUTE
SENATE BILL 2294 ON THIRD READING**

Senator Creighton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2294** be placed on its third reading and final passage.

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

Absent-excused: Gutierrez.

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

SENATE BILL 2315 ON SECOND READING

Senator Hughes moved to suspend the regular order of business to take up for consideration **SB 2315** at this time on its second reading:

SB 2315, Relating to the creation of a task force to develop a plan for the consolidation of the functions of workforce development programs administered by the Texas Workforce Commission and social services programs administered by the Health and Human Services Commission.

The motion prevailed.

Senator West 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: West.

Absent-excused: Gutierrez.

SENATE BILL 2315 ON THIRD READING

Senator Hughes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2315** be placed on its third reading and final passage.

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

Nays: West.

Absent-excused: Gutierrez.

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

COMMITTEE SUBSTITUTE

SENATE BILL 624 ON THIRD READING

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 624** be placed on its third reading and final passage.

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

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

Nays: Blanco, Eckhardt, Flores, Johnson, Menéndez, Whitmire.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 21, Nays 9.

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

Nays: Alvarado, Blanco, Eckhardt, Flores, Johnson, Menéndez, Perry, Whitmire, Zaffirini.

Absent-excused: Gutierrez.

SENATE BILL 2589 ON SECOND READING

Senator Schwertner moved to suspend the regular order of business to take up for consideration **SB 2589** at this time on its second reading:

SB 2589, Relating to the prosecution and punishment of juveniles who commit certain felony offenses while committed to the custody of the Texas Juvenile Justice Department and the waiver of jurisdiction and discretionary transfer of a child from a juvenile court to a criminal court; changing eligibility for community supervision.

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

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

Nays: Blanco, Eckhardt, LaMantia, Menéndez, Miles, West.

Absent-excused: Gutierrez.

The bill was read second time and was passed to engrossment by the following vote: Yeas 24, Nays 6. (Same as previous roll call)

SENATE BILL 2589 ON THIRD READING

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2589** be placed on its third reading and final passage.

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

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

Nays: Blanco, Eckhardt, LaMantia, Menéndez, Miles, West.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 6. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1051 ON SECOND READING**

On motion of Senator Hughes and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1051** at this time on its second reading:

CSSB 1051, Relating to a uniform coordination of benefits questionnaire for health benefit plans.

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

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

Absent-excused: Gutierrez.

**COMMITTEE SUBSTITUTE
SENATE BILL 1051 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 **CSSB 1051** be placed on its third reading and final passage.

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

Absent-excused: Gutierrez.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1094 ON SECOND READING**

On motion of Senator Schwertner and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1094** at this time on its second reading:

CSSB 1094, Relating to purchased power costs incurred by electric utilities.

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

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

Absent-excused: Gutierrez.

**COMMITTEE SUBSTITUTE
SENATE BILL 1094 ON THIRD READING**

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1094** be placed on its third reading and final passage.

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

Absent-excused: Gutierrez.

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

BILL AND RESOLUTIONS SIGNED

The Presiding Officer announced the signing of the following enrolled bill and resolutions in the presence of the Senate after the captions had been read:

HCR 85.

SB 1016, SCR 40, SCR 41, SCR 43.

SENATE RULE 7.07(b) SUSPENDED

(Permission to Introduce)

(Motion In Writing)

Mr. President:

The following member hereby requests to suspend Senate Rule 7.07(b) to permit the introduction of bills and resolutions as follows:

On motion of Senator Flores, Senate Rule 7.07(b) was suspended for **SCR 46**.

On motion of Senator Flores, Senate Rule 7.07(b) was suspended for **SB 2612**.

The Motions In Writing were read and prevailed without objection.

SENATE BILLS AND RESOLUTION ON FIRST READING

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

SB 2611 by Miles

Relating to the creation of the Northeast Houston Redevelopment District; providing authority to issue bonds; providing authority to impose assessments or fees.

To Committee on Local Government.

SB 2612 by Flores, Campbell, Gutierrez, Menéndez, Zaffirini

Relating to the commissioning by the General Land Office of certain Alamo complex rangers as peace officers.

To Committee on Criminal Justice.

SB 2614 by Blanco

Relating to the creation of the Presidio International Port Authority District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Transportation.

SB 2615 by Menéndez

Relating to the creation of the Jones Avenue Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Local Government.

SB 2616 by Zaffirini

Relating to the creation of the Travis County Municipal Utility District No. 27; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Local Government.

SCR 46 by Flores

Authorizing the State Preservation Board to approve the placement of the Texas Game Warden Memorial at the State Capitol Complex.

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 26 to Committee on Natural Resources and Economic Development.

HB 105 to Committee on Finance.

HB 207 to Committee on Business and Commerce.

HB 219 to Committee on Business and Commerce.

HB 282 to Committee on Transportation.

HB 458 to Committee on Criminal Justice.

HB 467 to Committee on Criminal Justice.

HB 555 to Committee on Water, Agriculture, and Rural Affairs.

HB 586 to Committee on Local Government.

HB 784 to Committee on Local Government.

HB 821 to Committee on Business and Commerce.

HB 836 to Committee on Veteran Affairs.

HB 995 to Committee on Local Government.

HB 1142 to Subcommittee on Higher Education.

HB 1171 to Committee on Local Government.

HB 1195 to Committee on Local Government.

HB 1212 to Committee on Education.

HB 1255 to Committee on State Affairs.

HB 1277 to Committee on Transportation.

HB 1285 to Committee on Local Government.

HB 1297 to Committee on Education.

HB 1442 to Committee on Criminal Justice.

HB 1604 to Subcommittee on Higher Education.

HB 1631 to Committee on State Affairs.

HB 1666 to Committee on Business and Commerce.

HB 1712 to Committee on State Affairs.

HB 1900 to Committee on Business and Commerce.

HB 1949 to Committee on Natural Resources and Economic Development.

HB 1959 to Committee on Education.

HB 2007 to Committee on State Affairs.

HB 2024 to Committee on Business and Commerce.

HB 2060 to Committee on Business and Commerce.

HB 2132 to Subcommittee on Higher Education.

HB 2157 to Committee on Business and Commerce.
HB 2217 to Committee on Business and Commerce.
HB 2251 to Committee on Criminal Justice.
HB 2268 to Committee on State Affairs.
HB 2304 to Committee on Local Government.
HB 2306 to Committee on Criminal Justice.
HB 2341 to Committee on Transportation.
HB 2411 to Committee on Education.
HB 2416 to Committee on Natural Resources and Economic Development.
HB 2454 to Committee on State Affairs.
HB 2469 to Committee on Business and Commerce.
HB 2559 to Committee on Jurisprudence.
HB 2575 to Committee on Natural Resources and Economic Development.
HB 2674 to Committee on Finance.
HB 2691 to Committee on Finance.
HB 2877 to Committee on Criminal Justice.
HB 2899 to Committee on Criminal Justice.
HB 3007 to Committee on Water, Agriculture, and Rural Affairs.
HB 3099 to Committee on Transportation.
HB 3273 to Committee on Local Government.
HB 3287 to Subcommittee on Higher Education.
HB 3514 to Committee on Local Government.
HB 4615 to Committee on Veteran Affairs.
HCR 36 to Committee on State Affairs.
HJR 144 to Committee on Transportation.

SENATE BILL 2171 ON SECOND READING

Senator Alvarado moved to suspend the regular order of business to take up for consideration **SB 2171** at this time on its second reading:

SB 2171, Relating to the qualifications of experts in certain health care liability claims.

The motion prevailed.

Senator Schwertner 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: Schwertner.

Absent-excused: Gutierrez.

SENATE BILL 2171 ON THIRD READING

Senator Alvarado moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2171** be placed on its third reading and final passage.

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

Nays: Schwertner.

Absent-excused: Gutierrez.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1024 ON SECOND READING**

Senator Kolkhorst moved to suspend the regular order of business to take up for consideration **CSSB 1024** at this time on its second reading:

CSSB 1024, Relating to preventative health care and public health, including prohibited immunization and face-covering requirements and private business or school closures.

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

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

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

Absent-excused: Gutierrez.

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

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Whitmire and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Criminal Justice might meet and consider **SB 2612** at 8:30 a.m. tomorrow in Room E1.016.

CO-AUTHOR OF SENATE BILL 155

On motion of Senator Huffman, Senator West will be shown as Co-author of **SB 155**.

CO-AUTHOR OF SENATE BILL 385

On motion of Senator Hall, Senator LaMantia will be shown as Co-author of **SB 385**.

CO-AUTHORS OF SENATE BILL 418

On motion of Senator Paxton, Senators Campbell and Menéndez will be shown as Co-authors of **SB 418**.

CO-AUTHOR OF SENATE BILL 490

On motion of Senator Hughes, Senator Hancock will be shown as Co-author of **SB 490**.

CO-AUTHOR OF SENATE BILL 629

On motion of Senator Menéndez, Senator Paxton will be shown as Co-author of **SB 629**.

CO-AUTHOR OF SENATE BILL 763

On motion of Senator Middleton, Senator Bettencourt will be shown as Co-author of **SB 763**.

CO-AUTHOR OF SENATE BILL 813

On motion of Senator Miles, Senator Alvarado will be shown as Co-author of **SB 813**.

CO-AUTHOR OF SENATE BILL 839

On motion of Senator West, Senator LaMantia will be shown as Co-author of **SB 839**.

CO-AUTHOR OF SENATE BILL 876

On motion of Senator Flores, Senator Menéndez will be shown as Co-author of **SB 876**.

CO-AUTHOR OF SENATE BILL 1451

On motion of Senator Zaffirini, Senator Kolkhorst will be shown as Co-author of **SB 1451**.

CO-AUTHORS OF SENATE BILL 1565

On motion of Senator Hughes, Senators Bettencourt and Paxton will be shown as Co-authors of **SB 1565**.

CO-AUTHOR OF SENATE BILL 1884

On motion of Senator Flores, Senator Hall will be shown as Co-author of **SB 1884**.

CO-AUTHOR OF SENATE BILL 2072

On motion of Senator Bettencourt, Senator West will be shown as Co-author of **SB 2072**.

CO-AUTHOR OF SENATE BILL 2117

On motion of Senator Creighton, Senator Flores will be shown as Co-author of **SB 2117**.

CO-AUTHOR OF SENATE BILL 2205

On motion of Senator Parker, Senator Flores will be shown as Co-author of **SB 2205**.

CO-AUTHOR OF SENATE BILL 2240

On motion of Senator LaMantia, Senator West will be shown as Co-author of **SB 2240**.

CO-AUTHORS OF SENATE BILL 2294

On motion of Senator Creighton, Senators Zaffirini and Paxton will be shown as Co-authors of **SB 2294**.

CO-AUTHOR OF SENATE BILL 2509

On motion of Senator King, Senator Hughes will be shown as Co-author of **SB 2509**.

CO-AUTHOR OF SENATE BILL 2568

On motion of Senator LaMantia, Senator Hinojosa will be shown as Co-author of **SB 2568**.

CO-AUTHORS OF SENATE BILL 2591

On motion of Senator West, Senators Miles and Paxton will be shown as Co-authors of **SB 2591**.

CO-SPONSOR OF HOUSE BILL 1845

On motion of Senator Creighton, Senator Blanco will be shown as Co-sponsor of **HB 1845**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 456 by West, In memory of Ruth Laverne Wells Wyrick.

SR 459 by Menéndez, In memory of Joseph Gerard Banales.

Congratulatory Resolutions

SR 452 by Birdwell, Recognizing Phi Kappa Chi on the occasion of its 35th anniversary.

SR 453 by Birdwell, Recognizing Bikers Against Child Abuse, Incorporated, for its support of survivors of child abuse.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 2:43 p.m. adjourned, in memory of Landun Wayne Charles, Harold Wayne Stone, and Joseph Gerard Banales, until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

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

April 24, 2023

EDUCATION — SB 1987, SB 2368, SB 1887, SB 1087, SB 696, SB 427, SB 2538, CSSB 1565, CSSB 2136, SB 2069, SB 2059, CSSB 2335, CSSB 1517, CSSB 410, CSSB 1144

LOCAL GOVERNMENT — CSSB 849, CSSB 1449, SB 2603, SB 2594, CSSB 1412, CSSB 2209, SB 2583, SB 2580, SB 2576, SB 2571, SB 2005, SB 1794, SB 719, SB 699, SB 1214, SB 1334, SB 2038

EDUCATION — CSSB 472, CSSB 588, CSSB 789

LOCAL GOVERNMENT — CSSB 1056

JURISPRUDENCE — SB 2106, SB 2292, SB 2277

STATE AFFAIRS — SCR 44

LOCAL GOVERNMENT — CSSB 2192

JURISPRUDENCE — SB 2248

LOCAL GOVERNMENT — CSSB 1155

HEALTH AND HUMAN SERVICES — SB 1534, SB 2591, SB 2474, SB 1341, SB 1242, SB 490

JURISPRUDENCE — CSSB 1668

EDUCATION — CSSB 2124, CSSB 1072, CSSB 1647, CSSB 1261, CSSB 1474

LOCAL GOVERNMENT — CSSB 1145, SB 2608

HEALTH AND HUMAN SERVICES — CSSB 2064, CSSB 1592, CSSB 1098, CSSB 577, CSSB 2256, CSSB 1327, CSSB 389

EDUCATION — CSSB 518

HEALTH AND HUMAN SERVICES — SB 2017, SB 1864

BILLS AND RESOLUTION ENGROSSED

April 24, 2023

SB 543, SB 624, SB 876, SB 893, SB 1051, SB 1094, SB 1322, SB 1467, SB 1516, SB 1923, SB 2032, SB 2040, SB 2171, SB 2269, SB 2294, SB 2315, SB 2407, SB 2586, SB 2589, SB 2592, SJR 81

BILL AND RESOLUTIONS ENROLLED

April 24, 2023

SB 497, SR 448, SR 451, SR 452, SR 453, SR 454, SR 456, SR 459

SENT TO GOVERNOR

April 24, 2023

SB 1016, SCR 40, SCR 41, SCR 43

**In Memory
of
Landun Wayne Charles
Senate Resolution 448**

WHEREAS, Words cannot fully express the sorrow felt at the loss of Lewisville firefighter and paramedic Landun Wayne Charles, who died in the line of duty on December 31, 2021, at the age of 31; and

WHEREAS, Born in Dallas on November 23, 1990, to Mike and Lynda Charles, Mr. Charles grew up in Scurry, and he was a member of the Class of 2009 at Scurry-Rosser High School; and

WHEREAS, Mr. Charles embarked on his career as a firefighter and paramedic in College Station, and he served as a field training officer for the city's fire department; he was also a paramedic with the College Station Medical Center, a paramedic instructor for the Texas A&M Engineering Extension Service, and the lead paramedic for Texas A&M University Emergency Medical Services; and

WHEREAS, In September 2019, Mr. Charles joined the Lewisville Fire Department, and at the time of his death, he was serving as a firefighter, paramedic, field training officer, and mentor; a dedicated public servant who went above and beyond in behalf of his fellow citizens, he also worked as a CareFlite paramedic, and he was a member of the Lewisville Professional Firefighters Association Local No. 3606 of the International Association of Fire Fighters; in his leisure time, he enjoyed such activities as playing golf, hunting, and going to the shooting range; and

WHEREAS, Mr. Charles shared a rewarding marriage with his wife, the former Lauren Castleberry, and his legacy lives on with their cherished son, Luke, who was born shortly after his father's death; and

WHEREAS, Those fortunate enough to have known Landun Charles will remember the way he touched their lives with his kindness, humor, and compassion, and he will forever hold a treasured place in their hearts; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the memory of Landun Wayne Charles and extend deepest sympathy to the members of his family: to his wife, Lauren Charles; to his son, Luke Wayne Charles; to his parents, Mike and Lynda Charles; to his brothers, Johnathan Charles and his wife, Angela, and Marcus Charles, and his wife, Emily; to his grandmother, Darlene Archer; and to all 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 Landun Charles.

PARKER

**In Memory
of
Harold Wayne Stone
Senate Resolution 454**

WHEREAS, Harold Wayne Stone, a valued member of the Longview community and a friend to many, passed away on September 10, 2022, at the age of 88; and

WHEREAS, The son of E. E. "Elmer" Stone and Blanche Iola Mattox Stone, Harold Wayne Stone was born in Judson on April 24, 1934, and grew up with five older siblings, Gerald, Eugene, Robert, Nellie, and Elizabeth; he graduated from Judson Grove High School and proudly served his country in the United States Army, 3rd Infantry Division, at Fort Benning, Georgia; returning to civilian life, he embarked on a distinguished 38-year career with Southwestern Bell Telephone Company, which recognized him for an impressive 34 years of perfect attendance; and

WHEREAS, Mr. Stone took great pleasure in farming, and he could often be found out in the pasture on his tractor, feeding cattle, baling hay, or mending fences; a champion of agriculture, he was a charter member of the Gregg County Farm Bureau and eventually became the longest-serving member of its board; he received the 2020 Pioneer Award from the Texas Farm Bureau; in addition, he served as president of the Oil Belt Farm and Ranch Club, and he was a lifetime member of the Upshur-Gregg Soil and Water Conservation Board; he traveled numerous times to Austin and Washington, D.C., to speak to officials regarding agricultural issues; and

WHEREAS, Devoted to his family, Mr. Stone shared a fulfilling marriage of more than 64 years with the love of his life, Susie; he took great pride in their two sons, Bubba and Jason, and three treasured grandsons; sustained by a strong faith, Mr. Stone was an ordained deacon and valued member of First Baptist Church Longview; he was a history buff and enjoyed collecting and antiquing; and

WHEREAS, Harold Wayne Stone lived a rich and purposeful life centered around his family, his faith, and the farming community, and he will long be remembered with deep affection by all who knew him; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the memory of Harold Wayne Stone and extend sincere sympathy to the members of his family: to his wife, Wanda "Susie" Marie Bryant Stone; to his sons, Harold Wayne "Bubba" Stone Jr. and his wife, Dara, and Jason Mattox Stone; to his grandsons, Tyler Brinkman Stone, Tanner Bryant Stone, and Talan Mattox Stone; to his faithful companion, Scooter; 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 Harold Wayne Stone.

HUGHES
FLORES