

# SENATE JOURNAL

EIGHTY-EIGHTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**FORTY-FOURTH DAY**

(Monday, May 1, 2023)

The Senate met at 11:10 a.m. pursuant to adjournment and was called to order by the President.

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

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

Pastor Charlie Mills Sr., Gonzales Church of Christ, offered the invocation as follows:

Hear a just cause, O Lord, give ear to our prayer. We come forward at this time in the act of great service and responsibility. Let the skill of patience be present; we ask that mercy, love, and forgiveness guide this room today. At this time, we ask that the spirit of this session proceed unified and dignified as these leaders continue to steer this great state forward. At this time, peace, pure conviction, and boldness are requested to cover those with great responsibility. We lift up these servant leaders and pray for their protection, compassion, wisdom, and vision. We lift up all Texans; we ask for safety, unity, and participation in their communities. In Your holy name, we pray. Amen.

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

The motion prevailed without objection.

## MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 1, 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 6** Goldman

Relating to the designation of poisoning with a controlled substance included in Penalty Group 1-B for purposes of the death certificate and to the criminal penalties for certain controlled substance offenses; creating criminal offenses; increasing a criminal penalty.

**HB 9** Ashby

Relating to the development and funding of broadband and telecommunications services; providing for transfers of money for funding.

**HB 11** Dutton

Relating to the rights and certification of public school educators, including financial and other assistance and waivers provided to public schools by the Texas Education Agency related to public school educators, methods of instruction provided in public schools, and certain allotments under the Foundation School Program.

**HB 17** Cook

Relating to official misconduct by and removal of prosecuting attorneys.

**HB 55** Johnson, Julie

Relating to the punishment for the criminal offense of indecent assault; increasing a criminal penalty.

**HB 100** King, Ken

Relating to the compensation of public school educators and to the operation of public schools and the public school finance system, including enrollment-based funding for certain allotments under the Foundation School Program.

**HB 134** Bernal

Relating to Medicaid and child health plan program coverage and reimbursement for childhood cranial remodeling orthosis.

**HB 173** Klick

Relating to the licensing and regulation of genetic counselors; requiring an occupational license; authorizing a fee.

**HB 213** Moody

Relating to jury instructions regarding parole eligibility and the release on parole of certain inmates convicted of an offense committed when younger than 18 years of age; changing parole eligibility.

**HB 218** Moody

Relating to the criminal and licensing consequences of certain offenses relating to the possession of marijuana, certain tetrahydrocannabinols, certain synthetic cannabinoids, and drug paraphernalia; imposing a fee.

**HB 238** Bernal

Relating to the regulation of migrant labor housing facilities; changing the amount of a civil penalty.

**HB 272** Johnson, Julie

Relating to the terminology used to refer to certain disabilities and to an individualized education team for purposes of determining a student's eligibility for special education services and providing those services in public schools.

**HB 276** Cortez

Relating to the regulation by a municipality or property owners' association of food production on single-family residential lots.

**HB 278** Cortez

Relating to hiring and licensing certain veterans as peace officers.

**HB 357** Bucy

Relating to the requirements to access the online tracker of an application for a ballot to be voted by mail.

**HB 371** Bucy

Relating to the date of runoff elections.

**HB 409** Collier

Relating to the governance and administration of the Texas Indigent Defense Commission and to certain disclosures made in relation to the provision of funding for indigent defense services.

**HB 468** Thierry

Relating to health benefit plan coverage of hearing aids and cochlear implants for certain individuals.

**HB 479** Hinojosa

Relating to the period for transporting a criminal defendant who is found incompetent to stand trial to a facility for competency restoration services and to the compensation to the county for the costs of confinement occurring after that period.

**HB 484** Meza

Relating to suicide prevention in municipal jails.

**HB 541** Longoria

Relating to donations to certain local charities or veterans county service offices ordered to be paid as a condition of community supervision.

**HB 562** Raymond

Relating to the confidentiality of certain information received or maintained by the Veterans' Land Board.

**HB 570** Raymond

Relating to a study by the Texas Division of Emergency Management of the potential effects of droughts and wildfires in this state.

**HB 616** Vasut

Relating to continuing education instruction for district clerks on impaneling petit and grand juries.

**HB 626** Spiller

Relating to the salaries of sheriffs and to state assistance payments to offset the cost of sheriff's salaries in certain counties.

**HB 627** Harris, Cody

Relating to the issuance of specialty license plates to the surviving spouse of a posthumous recipient of certain awards.

**HB 628** Harris, Cody

Relating to issuance of specialty license plates to honor fallen law enforcement officers.

**HB 653** Allison

Relating to guardianships of the person of wards with profound intellectual disabilities who are minors or were minors when their guardianship proceedings commenced.

**HB 660** Cook

Relating to the enforcement and administration of certain protective orders.

**HB 663** Thierry

Relating to the confidentiality and reporting of certain maternal mortality information to the Department of State Health Services and to a work group establishing a maternal mortality and morbidity data registry.

**HB 687** Cole

Relating to the enrollment period for newborns under certain employer health benefit plans.

**HB 906** Moody

Relating to the provision of information regarding mental health and suicide prevention services to entering students at public institutions of higher education.

**HB 927** Dutton

Relating to the creation of a commission to review certain laws of this state that restrict the rights or activities of persons convicted of a felony offense and to make certain recommendations regarding those laws.

**HB 1000** Darby

Relating to the composition of districts for the election of members of the Texas House of Representatives.

**HB 1008** Turner

Relating to suspending the employment of certain persons who provide care to individuals with an intellectual or developmental disability and who are alleged to have engaged in reportable conduct; providing an administrative penalty.

**HB 1158** Darby

Relating to advanced clean energy projects and certain other projects that reduce or eliminate emissions of carbon dioxide or other pollutants.

**HB 1182** Harless

Relating to judicial statistics and other pertinent information, including landlord and tenant dispute information, gathered by or reported to the Texas Judicial Council and certain populous counties.

**HB 1184** Rose

Relating to access to criminal history record information for use in certain research or statistical projects.

**HB 1236** Oliverson

Relating to the definition of and certain determinations regarding emergency care for purposes of certain health benefit plan coverage.

**HB 1238** VanDeaver

Relating to the school health and related services program, including parental consent for program services, the establishment of a school health and related services program advisory council, and the publication of the School Health and Related Services (SHARS) Handbook portion of the Texas Medicaid Provider Procedures Manual.

**HB 1300** Geren

Relating to the punishment for the criminal offense of tampering with or fabricating physical evidence.

**HB 1302** Geren

Relating to inspections and examinations by the Railroad Commission of Texas of certain sites and facilities conducted using unmanned aircraft.

**HB 1446** Cortez

Relating to procedures governing declared disasters for the Texas Department of Criminal Justice.

**HB 1554** Raymond

Relating to disclosure of a beneficiary to a funeral director under a life insurance policy.

**HB 1626** Allen

Relating to a public school student's transition from an alternative education program to a regular educational environment, including parental rights related to that transition, and the admission of certain students with a criminal or disciplinary history.

**HB 1673** Capriglione

Relating to training requirements for staff members of certain assisted living facilities that provide care to persons with Alzheimer's disease and related disorders.

**HB 1707** Klick

Relating to the applicability of certain laws to open-enrollment charter schools.

**HB 1709** Canales

Relating to a special bill of review to reform a final judgment of forfeiture of a bail bond.

**HB 1759** Bucy

Relating to ticket sales for charitable raffles conducted by the charitable foundations of certain professional sports teams.

**HB 1826** Turner

Relating to the establishment of an organized retail theft task force.

**HB 1905** Talarico

Relating to allowing school districts to make available certain school safety training courses to employees of certain private schools, child-care facilities, or organizations providing out-of-school-time care.

**HB 1950** King, Ken

Relating to the major events reimbursement program, including event funding eligibility, site selection organizations, and single event and single year classifications.

**HB 2012** Oliverson

Relating to the display of the national motto in public school and institution of higher education classrooms.

**HB 2014** Leach

Relating to reimbursement for jury service.

**HB 2066** Cook

Relating to the diversion of certain foster youth from the juvenile justice system, including through emergency behavior intervention by certain persons providing foster care services.

**HB 2195** Noble

Relating to wrong, fictitious, altered, or obscured license plates; increasing a criminal penalty.

**HB 2300** Allen

Relating to the eligibility of certain criminal defendants for an order of nondisclosure of criminal history record information.

**HB 2404** Johnson, Ann

Relating to Medicaid coverage and reimbursement for functional family therapy services.

**HB 2464** Price

Relating to optional annuity increases for certain retirees and beneficiaries of the Texas Municipal Retirement System.

**HB 2478** Klick

Relating to newborn and infant screening tests.

**HB 2481** Garcia

Relating to a counseling and crisis management program for relative or other designated caregivers and children in the managing conservatorship of the Department of Family and Protective Services.

**HB 2488** Geren

Relating to the burden of proof in certain ad valorem tax appeals.

- HB 2518** Bell, Keith  
Relating to required lease terms for public property leased to a nongovernmental entity; creating a criminal offense.
- HB 2638** Johnson, Ann  
Relating to Medicaid coverage and reimbursement for multisystemic therapy services.
- HB 2727** Price  
Relating to the provision of home telemonitoring services under Medicaid.
- HB 2774** Thompson, Ed  
Relating to the treatment of income tax expenses in rate proceedings for water and sewer utilities.
- HB 2795** Canales  
Relating to the amendment of an existing comprehensive development agreement for a portion of State Highway 130.
- HB 2908** Murr  
Relating to the authority of an appraisal district to purchase, finance the purchase of, or lease real property or construct or finance the construction of improvements to real property.
- HB 2957** Bumgarner  
Relating to periodic occupational cancer screenings for firefighters.
- HB 2983** Oliverson  
Relating to a pilot project to provide medical nutrition assistance to certain Medicaid recipients in this state.
- HB 3156** Leach  
Relating to liability of engineers and certain business entities performing construction monitoring and inspection services for the Texas Department of Transportation.
- HB 3359** Bonnen  
Relating to network adequacy standards and other requirements for preferred provider benefit plans.
- HB 3461** Bonnen  
Relating to the creation and re-creation of funds and accounts, the dedication and rededication of revenue and allocation of accrued interest on dedicated revenue, and the exemption of unappropriated money from use for general governmental purposes.
- HB 3550** Rose  
Relating to standards for and services provided by prescribed pediatric extended care centers.
- HB 3574** Lambert  
Relating to the regulation of state banks.
- HB 3577** Thompson, Ed  
Relating to the issuance of title to a salvage pool operator for certain motor vehicles.
- HB 3651** Bailes  
Relating to motor fuel taxes.

- HB 3660** Vasut  
Relating to a defense to prosecution for the offense of cruelty to nonlivestock animals under certain circumstances.
- HB 3754** Talarico  
Relating to a suit for dissolution of a marriage and associated suit affecting the parent-child relationship when a party is pregnant.
- HB 3756** Flores  
Relating to civil liability for removing certain individuals or animals from a motor vehicle.
- HB 3803** Cunningham  
Relating to allowing parents and guardians to elect for a student to repeat or retake a course or grade.
- HB 4041** Bonnen  
Relating to directing payment, after approval, of certain miscellaneous claims and judgments against the state out of funds designated by this Act; making appropriations.
- HB 4166** Klick  
Relating to the packaging requirements for certain donated prescription drugs.
- HB 4256** Murr  
Relating to the establishment of a grant program to plug leaking water wells in certain counties; making an appropriation.
- HB 4333** Garcia  
Relating to the extension of a family violence pretrial diversion pilot program in Bexar County.
- HB 4451** Bhojani  
Relating to a report by the Texas Workforce Commission regarding apprenticeship opportunities in this state for emerging and high-demand industries.
- HB 4559** Darby  
Relating to the application of statutes that classify political subdivisions according to population.
- HB 4704** Morrison  
Relating to the taxing authority of Jackson County County-Wide Drainage District.
- HB 4777** Plesa  
Relating to the model training curriculum for school district peace officers and school resource officers.
- HB 4844** Herrero  
Relating to the use of a broker for the sale of real property by the Nueces County Hospital District.
- HB 4885** Landgraf  
Relating to programs established and funded under the Texas emissions reduction plan.



- HB 4943** Kitzman  
Relating to the election of directors in certain special utility districts.
- HB 4964** Burrows  
Relating to the sale, possession, or consumption of alcoholic beverages at the Texas State History Museum.
- HB 4993** Paul  
Relating to the authority of a development corporation created by the Gulf Coast Authority to finance certain projects.
- HB 5016** Kitzman  
Relating to the establishment and administration of the Water Technical Assistance Consortium by the Texas Water Development Board.
- HB 5052** Gerdes  
Relating to the criteria considered by groundwater conservation districts before granting or denying a permit.
- HB 5195** Thompson, Senfronia  
Relating to the services provided to certain children detained in a juvenile detention facility.
- HB 5291** Dutton  
Relating to an agreed divorce order in a suit for dissolution of marriage.
- HB 5302** Kacal  
Relating to the review of the duties of a groundwater conservation district by the Texas Commission on Environmental Quality.
- HCR 4** Rogers  
Designating Mineral Wells as the official Wellness Capital of Texas for a 10-year period beginning in 2023.
- HCR 12** Lopez, Ray  
Designating September 22 as Texas Veterans Suicide Prevention Day for a 10-year period ending in 2033.
- HCR 27** Stucky  
Redesignating Bridgeport as the official Stagecoach Capital of Texas for a 10-year period ending in 2033.
- HCR 30** Guerra  
Expressing support for geothermal energy production.
- HCR 37** Wu  
Designating May 31 as Texas Foster Youth Empowerment Day for a 10-year period ending in 2033.
- HCR 45** Cook  
Redesignating the City of Mansfield as the official Pickle Capital of Texas for a 10-year period ending in 2033.
- HCR 61** Manuel

Designating Port Arthur as the official Cajun Capital of Texas for a 10-year period ending in 2033.

**HCR 82** Murr

Designating Llano as the official Deer Capital of the Texas Hill Country for a 10-year period ending in 2033.

**HCR 83** Guillen

Designating Floresville as the official Peanut Capital of Texas.

**HCR 108** Craddick

Congratulating Dr. Stephanie Howard on her appointment as superintendent of Midland ISD.

**HCR 109** Hefner

Commemorating the 150th anniversary of the city of Hawkins.

**HJR 2** Bonnen

Proposing a constitutional amendment limiting the contribution rate of the members of the Teacher Retirement System of Texas, authorizing the legislature to provide cost-of-living adjustments or other benefit enhancements to eligible annuitants of the system, and providing a one-time transfer of funds for benefit enhancements and for contributions and actuarially determined payments to eliminate the unfunded actuarial liabilities of the system.

**HJR 20** Toth

Proposing a constitutional amendment authorizing the legislature to provide for exceptions to the requirement that a home equity loan be closed only at the office of the lender, an attorney at law, or a title company.

**HJR 138** Holland

Proposing a constitutional amendment providing for the creation of the Texas land and water conservation fund to assist in preserving critical natural resources in this state.

Respectfully,

/s/Stephen Brown,

Chief Clerk

House of Representatives

## MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 1, 2023 - 2

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 692** Rogers  
Relating to the authorization for certain land applications and disposal of dairy waste.
- HB 786** Meza  
Relating to a report by the Windham School District on dyslexia and illiteracy among certain students enrolled in the district.
- HB 804** Talarico  
Relating to the confidentiality of juvenile justice information.
- HB 841** Ordaz  
Relating to certain judicial statistics and related information gathered by the Texas Judicial Council.
- HB 907** Moody  
Relating to persons authorized to conduct a marriage ceremony.
- HB 915** Craddick  
Relating to a requirement that employers post notice of certain information regarding reporting instances of workplace violence or suspicious activity.
- HB 1002** Price  
Relating to the membership of a public school concussion oversight team and the removal of a public school student from an interscholastic athletic activity on the basis of a suspected concussion.
- HB 1034** Stucky  
Relating to authorizing certain counties to impose a hotel occupancy tax and the use of revenue from that tax.
- HB 1153** Vasut  
Relating to the authority of a Type A or Type B general-law municipality to change to a Type C general-law municipality.
- HB 1243** Hefner  
Relating to the penalty for the offense of illegal voting; increasing a criminal penalty.
- HB 1290** Campos  
Relating to the confiscation or misappropriation by a nursing facility of certain federal payments to a Medicaid recipient; increasing an administrative penalty.
- HB 1410** Rogers  
Relating to the authority of certain counties to impose a hotel occupancy tax.
- HB 1432** Meza  
Relating to required findings for the issuance of a protective order.
- HB 1434** Buckley  
Relating to the staggering of terms of aldermen of the governing body of a Type A general-law municipality.
- HB 1503** González, Mary

Relating to the establishment of a grant program to support the elimination of illegally disposed of scrap tires.

**HB 1527** Oliverson

Relating to the relationship between dentists and certain employee benefit plans and health insurers.

**HB 1540** Holland

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.

**HB 1547** Cook

Relating to claims for reimbursement between marital estates.

**HB 1563** Harless

Relating to the confinement in a county jail of a person pending a transfer to the Texas Department of Criminal Justice and to the compensation for certain costs of confinement.

**HB 1587** Oliverson

Relating to the use by insurance companies of separate accounts in connection with life insurance and annuities and certain other benefits.

**HB 1592** Oliverson

Relating to the application of balance billing prohibitions and out-of-network dispute resolution procedures to certain self-insured or self-funded employee welfare benefit plans.

**HB 1597** Murr

Relating to tariff filing requirements for certain telecommunications providers.

**HB 1661** Burns

Relating to the age limit for a beginning position in a police department under municipal civil service.

**HB 1677** Jetton

Relating to the issuance of a certified birth record, driver's license, or personal identification certificate to a homeless individual.

**HB 1911** Burrows

Relating to the confidentiality of certain home address information in ad valorem tax appraisal records.

**HB 1957** Geren

Relating to the availability of financial information of nonprofit corporations for public inspection.

**HB 2006** Harris, Cody

Relating to birth records of adopted persons; authorizing a fee.

**HB 2063** Talarico

Relating to required informed consent before a dog or cat may be boarded at a kennel and left unattended; providing a civil penalty.

- HB 2067** Cook  
Relating to the jurisdiction of a court in a suit to divide certain property not divided or awarded on the dissolution of a marriage.
- HB 2070** Cook  
Relating to the continuation of spousal maintenance ordered under certain circumstances.
- HB 2091** Manuel  
Relating to the confidentiality of certain information on a marriage license, an application for a marriage license, and a declaration of informal marriage.
- HB 2095** Manuel  
Relating to the restrictions that may be included in a protective order on a person found to have committed family violence.
- HB 2109** Harris, Caroline  
Relating to the construction, maintenance, rehabilitation, and removal of dams by the Lower Brushy Creek Water Control and Improvement District.
- HB 2153** Kuempel  
Relating to the amendment of restrictive covenants applicable to certain subdivisions.
- HB 2158** Ashby  
Relating to tuition and fee exemptions for firefighters enrolled in certain courses at public institutions of higher education.
- HB 2209** Lozano  
Relating to establishing the Rural Pathway Excellence Partnership (R-PEP) program and creating an allotment and outcomes bonus under the Foundation School Program to support the program.
- HB 2259** Cain  
Relating to the sale and purchase of retail fireworks permits.
- HB 2305** Sherman, Sr.  
Relating to a report on recidivism rates.
- HB 2337** Oliverson  
Relating to the provision of certain intensive outpatient services and partial hospitalization services under Medicaid.
- HB 2353** Kuempel  
Relating to the use of hotel occupancy tax revenue by certain municipalities.
- HB 2355** Cortez  
Relating to the acceptance of gifts, grants, and donations by the Texas Department of Insurance and the office of public insurance counsel for employee training or education.
- HB 2360** Thompson, Senfronia  
Relating to the confidentiality of certain personal information of an applicant for or a person protected by a protective order.
- HB 2361** Price

Relating to the qualifications for a person to provide services as a mental health and substance use resource for school districts.

**HB 2373** Harris, Cody

Relating to the authority of a water or sewer utility to consolidate more than one system under a single tariff.

**HB 2497** Morrison

Relating to the use of municipal hotel occupancy tax revenue by certain municipalities.

**HB 2545** Capriglione

Relating to the use of an individual's genetic data by certain genetic testing companies for commercial purposes; authorizing a civil penalty.

**HB 2555** Metcalf

Relating to transmission and distribution system resiliency planning by and cost recovery for electric utilities.

**HB 2669** Geren

Relating to the deadline for approving a certificate of public convenience and necessity for certain transmission projects.

**HB 2670** Howard

Relating to the composition of the Sexual Assault Survivors' Task Force and to compensation for task force members and certain other task force participants.

**HB 2696** Howard

Relating to the prosecution of the offense of sexual assault.

**HB 2708** Swanson

Relating to visitation policies for inmates and state jail felony defendants.

**HB 2755** Orr

Relating to the minimum instruction requirement for the boater education program and the disposition and use of money received by the Parks and Wildlife Department from the boater education program.

**HB 2920** Paul

Relating to the distribution or posting of, and the development by the Texas Higher Education Coordinating Board of electronic tools or platforms to provide, information regarding postsecondary education and career opportunities.

**HB 2958** Bumgarner

Relating to the issuance of the Gold Star mother, father, spouse, or family member specialty license plates.

**HB 3065** Bailes

Relating to the taking of wildlife by an employee of the Parks and Wildlife Department or by a person or agent of the person on the person's property.

**HB 3075** Kacal

Relating to the operation of an unmanned aircraft over a correctional facility or detention facility; creating a criminal offense.

- HB 3144** Lujan  
Relating to designating October as Fentanyl Poisoning Awareness Month.
- HB 3192** Lujan  
Relating to the designation of fentanyl poisoning for purposes of the death certificate.
- HB 3232** Rogers  
Relating to the suspension of an enforcement action against a regional water supply, sewer, or wastewater treatment service for a violation committed by a retail public utility being integrated into the regional service.
- HB 3278** Price  
Relating to the joint planning of desired future conditions in groundwater management areas.
- HB 3310** Lozano  
Relating to deadlines for the claims appraisal process of the Texas Windstorm Insurance Association.
- HB 3311** Lozano  
Relating to the process of selecting representatives of the insurance industry to serve on the board of directors of the Texas Windstorm Insurance Association.
- HB 3341** Johnson, Ann  
Relating to the eligibility of criminal defendants for an order of nondisclosure of criminal history record information for certain offenses committed when younger than 25 years of age.
- HB 3345** Bonnen  
Relating to the amount of the fee imposed on certain sexually oriented businesses that is allocated to the sexual assault program fund and the allocation of certain other revenue to that fund; increasing the amount of a fee.
- HB 3414** Oliverson  
Relating to data or information collected by the statewide all payor claims database and the composition of the stakeholder advisory group.
- HB 3431** Dutton  
Relating to certain void marriages.
- HB 3437** Holland  
Relating to the authority to approve change orders for certain contracts for the construction, repair, and renovation of water district facilities.
- HB 3466** Campos  
Relating to the administration of a grant program for the establishment and expansion of community collaboratives.
- HB 3507** Holland  
Relating to contracts for the construction, repair, and renovation of certain conservation and reclamation district facilities.
- HB 3522** González, Mary

Relating to the authority of the Texas Water Development Board to provide financial assistance from the economically distressed areas account that is not required to be repaid.

**HB 3523** González, Mary

Relating to limitations on the issuance of bonds by the Texas Water Development Board for the development of certain projects in economically distressed areas.

**HB 3526** Raymond

Relating to the application of a municipal building code to the construction of a solar pergola.

**HB 3673** Perez

Relating to an exemption for certain life insurance companies regarding the valuation of reserves.

**HB 3808** Wilson

Relating to the pediatric acute-onset neuropsychiatric syndrome advisory council.

**HB 3811** Jetton

Relating to meetings held by certain conservation and reclamation districts.

**HB 3837** Geren

Relating to the designation of advanced clean energy projects.

**HB 3893** Paul

Relating to meetings of the board of directors of the Gulf Coast Authority.

**HB 3956** Smith

Relating to the creation of DNA records for a person arrested for a felony offense and the expunction of DNA records in certain circumstances.

**HB 4058** Cortez

Relating to the use of opioid antagonists on the campuses of public and private schools and institutions of higher education and at or in transit to or from off-campus school events.

**HB 4131** Bailes

Relating to the use of funds awarded under the Jobs and Education for Texans (JET) Grant Program.

**HB 4183** Price

Relating to a waiver of the waiting period for a marriage ceremony.

**HB 4300** Guillen

Relating to expedited credentialing of certain physician assistants and advanced practice nurses by managed care plan issuers.

**HB 4331** Klick

Relating to the donors of certain unused prescription drugs.

**HB 4332** Klick

Relating to the redistribution of donated prepackaged prescription drugs.

**HB 4385** Guillen



Relating to the provision of sewer service without a certificate of public convenience and necessity.

**HB 4441** Meyer

Relating to reporting requirements for municipalities and counties that impose a hotel occupancy tax.

**HB 4443** Cunningham

Relating to the allocation of certain federal money provided under the Cranston-Gonzalez National Affordable Housing Act.

**HB 4528** Wilson

Relating to the requirement that a peace officer take possession of a person's driver's license following the person's failure to pass or refusal to consent to a test for intoxication.

**HB 4532** Kacal

Relating to the consideration of modeled sustained groundwater pumping in the adoption of desired future conditions in groundwater conservation districts.

**HB 4593** Vasut

Relating to inquests a justice of the peace conducts by videoconference in certain circumstances.

**HB 4700** Clardy

Relating to the creation and operations of a health care provider participation program by the Nacogdoches County Hospital District.

Respectfully,

/s/Stephen Brown,

Chief Clerk

House of Representatives

### SENATE RESOLUTION 493

Senator Zaffirini offered the following resolution:

WHEREAS, Philanthropists Joe R. Long and his late wife, Dr. Teresa Lozano Long, have greatly benefited Texans through their wide-ranging professional and civic contributions; and

WHEREAS, An army veteran and graduate of The University of Texas at Austin School of Law, Mr. Long initially distinguished himself in state government; he served as chief of the State Securities Board Enforcement Division and the Bond, Insurance, and Banking Division of the Office of the Attorney General before embarking on a noteworthy career in banking, savings and loan, and securities law; part of a group that organized two Austin banks, he ultimately became chair and principal owner; he expanded his holdings and served from 1989 to 1998 as chair and CEO of First State Bank, with nearly 50 branches across Texas; after it was sold to Norwest Corporation, now Wells Fargo Corporation, he consulted for the company until 2000, when he focused his attention on his private business interests and many philanthropic endeavors; and

WHEREAS, Mr. Long and Dr. Long shared a deep commitment to higher education and gave \$100 million or more to UT Austin, UT Health San Antonio, and UT Rio Grande Valley; they created a major endowment for the UT Austin Institute of Latin American Studies, now named after Dr. Long; the medical school and campus at UT Health San Antonio bear their names as well, acknowledging a transformational donation; benefiting UT Law, they founded the Long Career Launch program to help recent graduates and also endowed scholarships and a faculty chair in administrative law; Mr. Long is a trustee of the UT Law School Foundation and received the Law School's Honorary Order of the Coif Award, and he has further served as a member of the Chancellor's Council and the UT Development Board; in 2018, the Longs were recognized with the UT System Regents' highest honor, the Santa Rita Award; and Mr. Long and Dr. Long also received UT's Distinguished Alumnus Award and the Presidential Citation,; and

WHEREAS, In 1999, the Longs provided a lead gift of \$20 million for the Joe R. and Teresa Lozano Long Center for the Performing Arts in Austin; Mr. Long has given generously of his expertise as president of the Austin Symphony Orchestra Society and as a member of the Arts Center Stage board; in 2005, he and Dr. Long were awarded the Texas Medal of Arts; their many joint accolades also include the Ohtli Award from the Consulate General of Mexico in Austin; additionally, Mr. Long has served on the boards of the Headliners Club, the Seton Fund, and Caritas of Austin; and

WHEREAS, Joe and Terry Long have made a lasting, positive difference in the lives of many Texans through their support for education, the arts, and countless other worthy causes, and their sterling example of civic leadership is a source of inspiration to all;

WHEREAS, theirs is a lifelong love story that culminated in their sharing that love with the people and especially the children and future teachers, doctors, and other professionals and leaders of Texas; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby honor Joe R. and Dr. Teresa Lozano Long for their exceptional contributions and extend to him sincere best wishes for continued happiness; and, be it further

RESOLVED, That an official copy of this resolution be prepared for Mr. Long as an expression of high regard by the Texas Senate.

**SR 493** was read and was adopted by a rising vote of the Senate.

### **GUESTS PRESENTED**

Senator Zaffirini, joined by Senators Birdwell, Menéndez, Eckhardt, and Hinojosa, was recognized and introduced to the Senate Joe R. Long, accompanied by his nephew Mitch Long.

The Senate welcomed its guests.

**(Senator Birdwell in Chair)**

### **SENATE RESOLUTION 498**

Senator Hancock offered the following resolution:

**SR 498**, In memory of Bruce Jacobson.

The resolution was read.

On motion of Senator Hancock, **SR 498** was adopted by a rising vote of the Senate.

In honor of the memory of Bruce Jacobson, the text of the resolution is printed at the end of today's *Senate Journal*.

Senator Hancock was recognized and introduced to the Senate family and friends of Bruce Jacobson including Eric Jacobson, Kyla Jacobson, Michael Jacobson, Bruce Jacobson, Lynn McCrary, Julie Blum, Jan Jacobson, Glenn Wilcox, Jennifer Ward, Tom Ward, Linda Jacobson, Melissa Hester, and Melanie Burchfiel.

The Senate welcomed its guests and extended its sympathy.

#### **SENATE RESOLUTION 494**

Senator Whitmire offered the following resolution:

**SR 494**, Recognizing the Miller Outdoor Theatre on the occasion of its 100th anniversary.

WHITMIRE	HUFFMAN
ALVARADO	MILES
BETTENCOURT	WEST
CREIGHTON	

The resolution was read and was adopted without objection.

#### **GUESTS PRESENTED**

Senator Whitmire, joined by Senators Miles, Alvarado, and Bettencourt, was recognized and introduced to the Senate Miller Outdoor Theatre representatives including Managing Director Cissy Segall Davis, Facilities Director Shawn Hauptmann, Board Chair Tim Cisneros, Secretary Alison Greene, and Advisory Board members Aline Perez, Cathy Brock, David Anderson, and June Deadrick.

The Senate welcomed its guests.

#### **MESSAGES FROM THE GOVERNOR**

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

April 28, 2023

Austin, Texas

TO THE SENATE OF THE EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Brazos River Authority Board of Directors for terms to expire February 1, 2029:

Jennifer L. "Jen" Henderson

Round Rock, Texas

*(Ms. Henderson is being reappointed)*

Moid U. "Mike" Khan  
Sugar Land, Texas  
*(replacing Alan K. Sandersen of Sugar Land whose term expired)*

Judy A. Krohn, Ph.D.  
Georgetown, Texas  
*(Dr. Krohn is being reappointed)*

Traci G. LaChance  
Danbury, Texas  
*(Ms. LaChance is being reappointed)*

Catherine A. "Cat" Parks  
Hamilton, Texas  
*(replacing Royce Lesley of Comanche whose term expired)*

Jarrold D. Smith  
Danbury, Texas  
*(Mr. Smith is being reappointed)*

Roger "Wayne" Wilson, Jr.  
Bryan, Texas  
*(Mr. Wilson is being reappointed)*

Respectfully submitted,

/s/Greg Abbott  
Governor

May 1, 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 appointment:

To be District Attorney of the 118th Judicial District, Howard, Martin, and Glasscock Counties, for a term until December 31, 2024 or until his successor shall be duly elected and qualified:

Joshua A. Hamby  
Big Spring, Texas  
*(replacing Hardy L. Wilkerson of Big Spring who resigned)*

Respectfully submitted,

/s/Greg Abbott  
Governor

### **BILLS AND RESOLUTIONS SIGNED**

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

**HCR 99.**

**SB 349, SB 1008, SB 1055, SCR 28.****INTRODUCTION OF  
BILLS AND RESOLUTIONS POSTPONED**

The Presiding Officer 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.

**CONCLUSION OF MORNING CALL**

The Presiding Officer at 12:00 p.m. announced the conclusion of morning call.

**SENATE BILL 561 ON THIRD READING**

Senator Sparks moved to suspend the regular order of business to take up for consideration **SB 561** at this time on its third reading and final passage:

**SB 561**, Relating to the authority of a political subdivision to issue debt to purchase or lease tangible personal property.

The motion prevailed by the following vote: Yeas 20, Nays 10, Present-not voting 1.

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

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

Present-not voting: West.

The bill was read third time and was passed by the following vote: Yeas 20, Nays 10, Present-not voting 1. (Same as previous roll call)

**SENATE CONCURRENT RESOLUTION 26  
ON SECOND READING**

Senator Hughes moved to suspend the regular order of business to take up for consideration **SCR 26** at this time on its second reading:

**SCR 26**, Urging Congress to amend federal law to allow states to provide for the consolidation of federally funded workforce development services with federally funded social safety net services.

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

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

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

The resolution was read second time and was adopted by the following vote: Yeas 26, Nays 5. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 1581 ON THIRD READING**

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **CSSB 1581** at this time on its third reading and final passage:

**CSSB 1581**, Relating to the establishment of the Texas Health Insurance Mandate Advisory Collaborative; authorizing a fee.

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

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

Nays: Alvarado, Eckhardt, Gutierrez, Hughes, Johnson, LaMantia, Menéndez, Paxton, Schwertner, West, Whitmire, Zaffirini.

The bill was read third time and was passed by the following vote: Yeas 17, Nays 14.

Yeas: Bettencourt, Birdwell, Blanco, Campbell, Flores, Hancock, Hinojosa, Huffman, King, Kolkhorst, Middleton, Miles, Nichols, Parker, Perry, Sparks, Springer.

Nays: Alvarado, Creighton, Eckhardt, Gutierrez, Hall, Hughes, Johnson, LaMantia, Menéndez, Paxton, Schwertner, West, Whitmire, Zaffirini.

**SENATE BILL 2580 ON SECOND READING**

Senator Nichols moved to suspend the regular order of business to take up for consideration **SB 2580** at this time on its second reading:

**SB 2580**, Relating to the creation of the Liberty County Municipal Utility District No. 12; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

The motion prevailed.

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

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

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

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

Nays: Hall, Hughes, Middleton.

Present-not voting: Kolkhorst.

**SENATE BILL 2580 ON THIRD READING**

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2580** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 3, Present-not voting 1.

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

Nays: Hall, Hughes, Middleton.

Present-not voting: Kolkhorst.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 3, Present-not voting 1. (Same as previous roll call)

**SENATE BILL 2594 ON SECOND READING**

Senator Nichols moved to suspend the regular order of business to take up for consideration **SB 2594** at this time on its second reading:

**SB 2594**, Relating to the creation of the Liberty County Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

The motion prevailed.

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

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

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

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

Nays: Hall, Hughes, Middleton.

Present-not voting: Kolkhorst.

**SENATE BILL 2594 ON THIRD READING**

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2594** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 3, Present-not voting 1.

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

Nays: Hall, Hughes, Middleton.

Present-not voting: Kolkhorst.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 3, Present-not voting 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 1780 ON SECOND READING**

On motion of Senator Parker and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1780** at this time on its second reading:

**CSSB 1780**, Relating to online notarizations.

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

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 1780 ON THIRD READING**

Senator Parker moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1780** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1145 ON SECOND READING**

Senator West moved to suspend the regular order of business to take up for consideration **CSSB 1145** at this time on its second reading:

**CSSB 1145**, Relating to a local option exemption from ad valorem taxation by a county or municipality of all or part of the appraised value of real property used to operate a child-care facility.

The motion prevailed by the following vote: Yeas 25, Nays 6.

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

Nays: Hall, Hughes, King, Middleton, Parker, Schwertner.

The bill was read second time and was passed to engrossment by the following vote: Yeas 25, Nays 6. (Same as previous roll call)



**COMMITTEE SUBSTITUTE  
SENATE BILL 1145 ON THIRD READING**

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1145** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 6.

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

Nays: Hall, Hughes, King, Middleton, Parker, Schwertner.

The bill was read third time and was passed by the following vote: Yeas 25, Nays 6. (Same as previous roll call)

**(Senator Flores in Chair)**

**(Senator Birdwell in Chair)**

**(President in Chair)**

**(Senator Birdwell in Chair)**

**COMMITTEE SUBSTITUTE  
SENATE BILL 1993 ON SECOND READING**

Senator Middleton moved to suspend the regular order of business to take up for consideration **CSSB 1993** at this time on its second reading:

**CSSB 1993**, Relating to the authority of the secretary of state to order a new election in certain counties.

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

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

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

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

**SENATE BILL 1341 ON SECOND READING**

Senator West moved to suspend the regular order of business to take up for consideration **SB 1341** at this time on its second reading:

**SB 1341**, Relating to the application review process for certain delayed birth certificates.

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.

Senator West offered the following amendment to the bill:

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

Amend **SB 1341** (senate committee report) as follows:

(1) In the recital to SECTION 1 of the bill (page 1, line 23), strike "Subsection (f)" and substitute "Subsections (f) and (g)".

(2) In SECTION 1 of the bill, immediately following added Subsection 192.025(f), Health and Safety Code (page 1, between lines 37 and 38), insert the following:

(g) Notwithstanding any other law, if a delayed birth certificate of a person who was born before January 1, 1959, is otherwise acceptable for registration and the identity of one parent of the person is established by information not contradictory to information available to the state registrar, the state registrar shall register the certificate with only the established parent's name entered on the certificate.

The amendment to **SB 1341** was read and was adopted by a viva voce vote.

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

**SB 1341** 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: Schwertner.

### **SENATE BILL 1341 ON THIRD READING**

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1341** be placed on its third reading and final passage.

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

Nays: Schwertner.

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

### **COMMITTEE SUBSTITUTE SENATE BILL 1399 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 1399** at this time on its second reading:

**CSSB 1399**, Relating to the renewal and review of standard permits for certain concrete plants.

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

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 1399 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 1399** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1192 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 1192** at this time on its second reading:

**CSSB 1192**, Relating to access to criminal history record information for certain employees, volunteers, and contractors, and for applicants for those positions, by the Health and Human Services Commission.

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

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 1192 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 1192** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1474 ON SECOND READING**

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **CSSB 1474** at this time on its second reading:

**CSSB 1474**, Relating to special education in public schools, including the special education allotment under the Foundation School Program, an education savings account program for certain children with disabilities, and a grant program to reimburse public schools for the cost of certain employer contributions for retirees of the Teacher Retirement System of Texas employed to teach or provide services related to special education.

The motion prevailed by the following vote: Yeas 18, Nays 13.

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

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

The bill was read second time.

Senator Bettencourt offered the following amendment to the bill:

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

Amend **CSSB 1474** (senate committee report) as follows:

(1) Strike SECTION 47 of the bill, amending Section 825.4092(f), Government Code (page 25, lines 43 through 53).

(2) Strike SECTION 48 of the bill, repealing certain provisions (page 25, lines 54 through 59), and substitute the following appropriately numbered SECTION:

SECTION \_\_\_\_\_. The following provisions are repealed:

(1) Section 29.002, Education Code;

(2) Sections 29.026(n) and (o), Education Code;

(3) Section 29.027(i), Education Code;

(4) Section 29.050, Education Code; and

(5) Section 825.4092(f), Government Code, as added by Chapter 546 (S.B. 202), Acts of the 87th Legislature, Regular Session, 2021.

(3) In SECTION 49 of the bill, providing transition language (page 25, line 61), between "Act," and "Chapter 29", insert "and".

(4) In SECTION 49 of the bill, providing transition language (page 25, lines 62 and 63), strike "and Section 825.4092(f), Government Code, as amended by this Act,".

(5) Add the following appropriately numbered SECTION to the bill:

SECTION \_\_\_\_\_. The repeal by this Act of Section 825.4092(f), Government Code, as added by Chapter 546 (S.B. 202), Acts of the 87th Legislature, Regular Session, 2021, applies beginning with the 2023-2024 school year.

(6) Renumber the SECTIONS of the bill accordingly.

The amendment to **CSSB 1474** was read and was adopted by a viva voce vote.

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

**CSSB 1474** as amended was passed to engrossment by the following vote: Yeas 18, Nays 13.

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

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

**SENATE BILL 1987 ON SECOND READING**

Senator Sparks moved to suspend the regular order of business to take up for consideration **SB 1987** at this time on its second reading:

**SB 1987**, Relating to the accreditation of certain postsecondary educational institutions in this state or of certain programs offered by those institutions.

The motion prevailed.

Senators Blanco and 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: Blanco, West.

**SENATE BILL 1987 ON THIRD READING**

Senator Sparks moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1987** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

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

Nays: Blanco, West.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 1072 ON SECOND READING**

Senator Hughes moved to suspend the regular order of business to take up for consideration **CSSB 1072** at this time on its second reading:

**CSSB 1072**, Relating to local school health advisory councils and instruction regarding human sexuality, sexual orientation, and gender identity provided by public schools.

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

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

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

The bill was read second time.

Senator Hughes offered the following amendment to the bill:

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

Amend **CSSB 1072** (senate committee printing) in SECTION 2 of the bill, in amended Section 28.004, Education Code, by striking page 3, line 39, through page 4, line 3, and substituting the following:

(9) the communication policy described by Subsection (r) for approval by the board of trustees of the school district.

(r) Subject to the restriction imposed by Section 28.0043 and using the procedure described by Subsection (e-1), the board of trustees shall adopt a written policy regarding communication outside of a course dedicated to human sexuality instruction between a school employee and a student enrolled in the district concerning topics included in the reproductive and sexual health curriculum. The policy must:

(1) direct school employees to refer students to discuss topics included in the reproductive and sexual health curriculum with the student's parent, a school counselor, or, if applicable, the student's teacher responsible for teaching materials related to human sexuality instruction;

(2) inform school employees regarding appropriate boundaries related to communicating with students; and

(3) include provisions designed to prevent improper communication between school employees and students.

(s) A school district shall make the policy adopted under Subsection (r) available in the same manner as curriculum materials under Subsection (j)(1).

(t) A school district may not host an extracurricular activity related to human sexuality unless the board of trustees has adopted a written policy, subject to the restriction imposed by Section 28.0043 and using the procedure described by Subsection (e-1), specifying the circumstances in which the district may host an extracurricular activity related to human sexuality.

(u) For purposes of adopting a communication policy under this section, "communication" includes any verbal or written communication conducted in person or facilitated through the use of an electronic device, including communication conducted through a telephone, including a cellular telephone, a computer, a computer network, personal data assistance, a pager, e-mail, text message, instant message, a social media application, or an Internet website.

The amendment to **CSSB 1072** was read and was adopted by a viva voce vote.

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

Senator Hughes offered the following amendment to the bill:

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

Amend **CSSB 1072** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 12A.004(a), Education Code, is amended to read as follows:

(a) A local innovation plan may not provide for the exemption of a district designated as a district of innovation from the following provisions of this title:

(1) a state or federal requirement applicable to an open-enrollment charter school operating under Subchapter D, Chapter 12;

(2) Subchapters A, C, D, and E, Chapter 11, except that a district may be exempt from Sections 11.1511(b)(5) and (14) and Section 11.162;

(3) state curriculum and graduation requirements adopted under Chapter 28; [and]

(4) Section 28.004; and

(5) academic and financial accountability and sanctions under Chapters 39 and 39A.

SECTION \_\_\_\_ . Section 12A.004(a), Education Code, as amended by this Act, applies to a local innovation plan adopted or renewed before, on, or after the effective date of this Act.

The amendment to **CSSB 1072** 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.

**CSSB 1072** as amended was passed to engrossment by the following vote: Yeas 19, Nays 12.

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

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

### SENATE BILL 159 WITH HOUSE AMENDMENT

Senator Perry called **SB 159** from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the House amendment before the Senate.

#### Amendment

Amend **SB 159** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED

AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 901.252, Occupations Code, is amended to read as follows:

Sec. 901.252. ELIGIBILITY REQUIREMENTS. To be eligible to receive a certificate, a person must:

(1) satisfy the requirements of Section 901.253;

(2) complete at least 150 semester hours or quarter-hour equivalents in board-recognized courses, including an accounting concentration or equivalent courses that meet the education requirements established under Section 901.254 or 901.255, as determined by board rule;

(3) pass the uniform CPA examination;

(4) meet the work experience requirements established under Section 901.256; and

(5) pass an examination on the rules of professional conduct as determined by board rule.

SECTION 2. Section 901.254, Occupations Code, is amended to read as follows:

Sec. 901.254. EDUCATION REQUIREMENTS. To be eligible to take the uniform CPA examination, an applicant must:

(1) hold a baccalaureate or graduate degree, or its equivalent as determined by board rule, conferred by a board-recognized institution of higher education; and

(2) complete at least 120 [~~150~~] semester hours or quarter-hour equivalents in board-recognized courses, including at least 24 semester hours of ~~an~~ accounting [~~concentration~~] or equivalent courses as determined by board rule.

SECTION 3. Section 901.256(a), Occupations Code, is amended to read as follows:

(a) To be eligible to receive a certificate, a person must complete[=

~~[(1) at least two years of work experience under the supervision of a certified public accountant; or~~

~~[(2)]~~ at least one year of work experience acceptable to the board, including experience providing a service or advice involving accounting, attest services, management or financial advisory or consulting services, tax services, or other services the board considers appropriate for an accountant, if the person:

(1) [~~(A)~~] has completed at least 150 semester hours of college credits; or

(2) [~~(B)~~] holds a graduate degree.

SECTION 4. Sections 901.252 and 901.256(a), Occupations Code, as amended by this Act, apply only to an application for a public accountant certificate submitted on or after the effective date of this Act. An application for a public accountant certificate submitted before the effective date of this Act is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

SECTION 5. Section 901.254, Occupations Code, as amended by this Act, applies only to an application to take an examination submitted on or after the effective date of this Act. An application to take an examination submitted before the effective date of this Act is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

SECTION 6. This Act takes effect September 1, 2023.

The amendment was read.

Senator Perry moved to concur in the House amendment to **SB 159**.

The motion prevailed by the following vote: Yeas 31, Nays 0.



**(Senator Flores in Chair)****SENATE BILL 1017 WITH HOUSE AMENDMENT**

Senator Birdwell called **SB 1017** from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the House amendment before the Senate.

**Amendment**

Amend **SB 1017** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED  
AN ACT

relating to the authority of a political subdivision to regulate an energy source or engine.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 7, Local Government Code, is amended by adding Chapter 247 to read as follows:

CHAPTER 247. REGULATION OF ENERGY SOURCES AND ENGINES

Sec. 247.001. DEFINITIONS. In this chapter:

(1) "Energy source" means any fuel or power source used to power an engine.

(2) "Engine" means a machine for converting an energy source into mechanical force and motion, including a generator or an internal combustion engine.

(3) "Political subdivision" includes a county, municipality, special district, school district, junior college district, or housing authority.

(4) "Retail service station" has the meaning assigned by Section 753.001, Health and Safety Code.

Sec. 247.002. RESTRICTION ON REGULATION OF ENERGY SOURCES.

(a) A political subdivision may not adopt or enforce an ordinance, order, regulation, or similar measure that limits access to or use of an energy source or that results in the effective prohibition of infrastructure that is necessary to provide access to a specific energy source, including a wholesaler, retailer, energy producer, or related infrastructure, including a retail service station.

(b) This section does not limit the authority of a political subdivision to adopt or enforce an ordinance, order, regulation, or similar measure relating to an energy source, or infrastructure that is necessary to provide access to a specific energy source, that:

(1) provides siting requirements, including siting requirements involving certain geographic areas;

(2) does not effectively prohibit the operation of an energy source or infrastructure that is necessary to provide access to a specific energy source; and

(3) is not preempted by state or federal law.

Sec. 247.003. RESTRICTION ON REGULATION OF ENGINES. (a) A political subdivision may not adopt or enforce an ordinance, order, regulation, or similar measure that directly prohibits or restricts the use, sale, or lease of an engine based on its fuel source.

(b) This section does not limit the authority of a political subdivision to adopt or enforce an ordinance, order, regulation, or similar measure not preempted by state or federal law that:

(1) does not effectively prohibit or restrict the use, sale, or lease of the engine;

(2) implements an agreement between the political subdivision and the Texas Commission on Environmental Quality to regulate motor vehicle idling under Section 382.019, Health and Safety Code; or

(3) only affects an engine owned or operated by the political subdivision and is included in the state implementation plan or otherwise necessary for compliance with the federal Clean Air Act (42 U.S.C. Section 7401 et seq.).

(c) This section does not limit the authority of a political subdivision to adopt an ordinance, order, regulation, resolution, policy, or other similar measure to encourage, promote, or provide rebates for engines and fuel sources from alternative sources such as electricity, hydrogen, gas, or biofuels and that does not directly or effectively ban, restrict, or prohibit the use, sale, or lease of an engine based on the engine's fuel source.

(d) Section 81.0523, Natural Resources Code, prevails to the extent of a conflict with this section.

SECTION 2. This Act takes effect September 1, 2023.

The amendment was read.

Senator Birdwell moved to concur in the House amendment to **SB 1017**.

The motion prevailed by the following vote: Yeas 29, Nays 2.

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

Nays: Eckhardt, Zaffirini.

**(Senator Birdwell in Chair)**

## **SENATE BILL 222 WITH HOUSE AMENDMENTS**

Senator Nichols called **SB 222** from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and the House amendments before the Senate.

### **Amendment**

Amend **SB 222** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED  
AN ACT

relating to paid leave by certain state employees for the birth or adoption of a child.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 661.912, Government Code, is amended to read as follows:

Sec. 661.912. FAMILY AND MEDICAL LEAVE ACT. (a) Except as provided by Section 661.9125, to [Fø] the extent required by federal law, a state employee who has a total of at least 12 months of state service and who has worked at least 1,250 hours during the 12-month period preceding the beginning of leave under this section is entitled to leave under the federal Family and Medical Leave Act of 1993 (29 U.S.C. Section 2601 et seq.).

(b) The employee must first use all available and applicable paid vacation and sick leave while taking leave under this section, except that an employee who is receiving temporary disability benefits or workers' compensation benefits or is taking paid leave under Section 661.9125 is not required to first use applicable paid vacation or sick leave while receiving those benefits or taking paid leave under Section 661.9125.

SECTION 2. Subchapter Z, Chapter 661, Government Code, is amended by adding Section 661.9125 to read as follows:

Sec. 661.9125. PAID PARENTAL LEAVE FOR CERTAIN EMPLOYEES. (a) This section applies only to a state employee who:

- (1) is a member of the Employees Retirement System of Texas; and
- (2) takes leave under Section 661.912 for the:
  - (A) birth of a child;
  - (B) birth of a child by the employee's spouse;
  - (C) birth of a child by a gestational surrogate; or
  - (D) adoption of a child.

(b) A state employee who takes leave under Section 661.912 for the purpose of Subsection (a)(2) is entitled to 60 days of paid leave during leave taken under that section.

(c) This section does not entitle an employee to any leave in addition to leave taken under Section 661.912.

(d) A state employee is not required to use all available paid vacation and sick leave before the employee is entitled to take paid leave under this section.

SECTION 3. This Act takes effect September 1, 2023.

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

Amend **CSSB 222** (house committee printing) on page 2, line 2, between "Texas" and the underlined semicolon, by inserting "or is employed by a board, commission, department, or other agency in the executive branch of state government created by the constitution or a statute of this state, except for an institution of higher education as defined by Section 61.003, Education Code".

### **Floor Amendment No. 1 on Third Reading**

Amend **SB 222** on third reading in SECTION 2 of the bill as follows:

(1) In added Section 661.9125(b), Government Code, strike "60 days" and substitute "480 hours".

(2) Immediately following added Section 661.9125(d), Government Code, add the following:

(e) Nothing in this section may be construed as:

- (1) creating a new employment right;
- (2) conferring protected status; or

(3) creating a new cause of action against this state.

The amendments were read.

Senator Nichols moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed without objection.

The Presiding Officer asked if there were any motions to instruct the conference committee on **SB 222** before appointment.

There were no motions offered.

The Presiding Officer announced the appointment of the following conferees on the part of the Senate: Senators Nichols, Chair; Zaffirini, Hancock, West, and Paxton.

**SENATE BILL 483 WITH HOUSE AMENDMENT**

Senator Johnson called **SB 483** from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the House amendment before the Senate.

**Floor Amendment No. 1**

Amend **SB 483** (house committee printing) as follows:

- (1) On page 1, line 18, between "Section" and "43.03", insert "43.021".
- (2) On page 3, line 2, between "Section" and "43.03", insert "43.021".

The amendment was read.

Senator Johnson moved to concur in the House amendment to **SB 483**.

The motion prevailed by the following vote: Yeas 31, Nays 0.

**SENATE BILL 1003 WITH HOUSE AMENDMENT**

Senator Johnson called **SB 1003** from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the House amendment before the Senate.

**Floor Amendment No. 1**

Amend **SB 1003** (house committee report) on page 1, line 23, between "anesthetists," and "pathologists", by inserting "anesthesiologist assistants".

The amendment was read.

Senator Johnson moved to concur in the House amendment to **SB 1003**.

The motion prevailed by the following vote: Yeas 31, Nays 0.

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

Senator Schwertner offered the following 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:

**SJR 93** by Schwertner, Proposing a constitutional amendment providing for the creation of the Texas energy fund and the authorization of other funding mechanisms to support the construction, maintenance, and modernization of electric generating facilities.

**SB 2627** by Schwertner, Relating to funding mechanisms to support the construction, maintenance, and modernization of dispatchable electric generating facilities.

The Motion In Writing was read and prevailed without objection.

### **SENATE BILLS AND RESOLUTIONS ON FIRST READING**

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

**SB 2621** by Hughes

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

To Committee on Local Government.

**SB 2622** by Springer

Relating to the creation of the Elm Fork Municipal Utility District No. 1 of Cooke County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Local Government.

**SB 2623** by Springer

Relating to the creation of the Denton County Municipal Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes; granting a limited power of eminent domain.

To Committee on Local Government.

**SB 2624** by Springer

Relating to the Mustang Ridge Municipal Utility District, the Wildwood Municipal Utility District, the Creedmoor Municipal Utility District, and the Williamson County Municipal Utility District No. 40; granting limited powers of eminent domain.

To Committee on Local Government.

**SB 2625** by Springer

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

To Committee on Local Government.

**SB 2626** by Hughes

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

To Committee on Local Government.

**SB 2627** by Schwertner

Relating to funding mechanisms to support the construction, maintenance, and modernization of dispatchable electric generating facilities.

To Committee on Business and Commerce.

**SJR 92** by Schwertner

Proposing a constitutional amendment providing for the creation of the Texas energy fund and the authorization of other funding mechanisms to support the construction, maintenance, and modernization of electric generating facilities.

To Committee on Business and Commerce.

**SJR 93** by Schwertner

Proposing a constitutional amendment providing for the creation of the Texas energy fund and the authorization of other funding mechanisms to support the construction, maintenance, and modernization of electric generating facilities.

To Committee on Business and Commerce.

**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 4** to Committee on State Affairs.

**HB 8** to Subcommittee on Higher Education.

**HB 11** to Committee on Education.

**HB 55** to Committee on Criminal Justice.

**HB 134** to Committee on Health and Human Services.

**HB 159** to Committee on Local Government.

**HB 173** to Committee on Business and Commerce.

**HB 238** to Committee on Water, Agriculture, and Rural Affairs.

**HB 272** to Committee on Education.

**HB 276** to Committee on Local Government.

**HB 278** to Committee on State Affairs.

**HB 371** to Committee on State Affairs.

**HB 468** to Committee on Health and Human Services.

**HB 484** to Committee on Criminal Justice.

**HB 527** to Committee on State Affairs.

**HB 541** to Committee on Criminal Justice.

**HB 562** to Committee on Veteran Affairs.

**HB 570** to Committee on Water, Agriculture, and Rural Affairs.

**HB 616** to Committee on Jurisprudence.

**HB 663** to Committee on Health and Human Services.

**HB 687** to Committee on Health and Human Services.

**HB 786** to Committee on Education.

**HB 804** to Committee on Criminal Justice.

**HB 841** to Committee on Jurisprudence.

**HB 906** to Subcommittee on Higher Education.

**HB 907** to Committee on State Affairs.

**HB 915** to Committee on Natural Resources and Economic Development.

**HB 1000** to Committee on Redistricting.  
**HB 1008** to Committee on Health and Human Services.  
**HB 1034** to Committee on Natural Resources and Economic Development.  
**HB 1153** to Committee on Local Government.  
**HB 1158** to Committee on Natural Resources and Economic Development.  
**HB 1182** to Committee on Jurisprudence.  
**HB 1184** to Committee on Criminal Justice.  
**HB 1236** to Committee on Health and Human Services.  
**HB 1243** to Committee on State Affairs.  
**HB 1290** to Committee on Health and Human Services.  
**HB 1302** to Committee on Natural Resources and Economic Development.  
**HB 1393** to Committee on Finance.  
**HB 1410** to Committee on Natural Resources and Economic Development.  
**HB 1416** to Committee on Education.  
**HB 1432** to Committee on Criminal Justice.  
**HB 1434** to Committee on Local Government.  
**HB 1503** to Committee on Natural Resources and Economic Development.  
**HB 1527** to Committee on Health and Human Services.  
**HB 1535** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 1554** to Committee on Business and Commerce.  
**HB 1555** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 1563** to Committee on Finance.  
**HB 1587** to Committee on Business and Commerce.  
**HB 1589** to Committee on Criminal Justice.  
**HB 1592** to Committee on Health and Human Services.  
**HB 1626** to Committee on Education.  
**HB 1647** to Committee on Health and Human Services.  
**HB 1673** to Committee on Health and Human Services.  
**HB 1677** to Committee on State Affairs.  
**HB 1689** to Committee on Natural Resources and Economic Development.  
**HB 1708** to Committee on Finance.  
**HB 1755** to Committee on Natural Resources and Economic Development.  
**HB 1759** to Committee on State Affairs.  
**HB 1905** to Committee on Education.  
**HB 1911** to Committee on Business and Commerce.  
**HB 2091** to Committee on Jurisprudence.  
**HB 2109** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 2209** to Committee on Education.  
**HB 2259** to Committee on Business and Commerce.  
**HB 2305** to Committee on Criminal Justice.  
**HB 2337** to Committee on Health and Human Services.  
**HB 2353** to Committee on Natural Resources and Economic Development.  
**HB 2355** to Committee on Business and Commerce.  
**HB 2404** to Committee on Health and Human Services.  
**HB 2473** to Committee on Health and Human Services.  
**HB 2478** to Committee on Health and Human Services.

**HB 2481** to Committee on Health and Human Services.  
**HB 2488** to Committee on Local Government.  
**HB 2497** to Committee on Natural Resources and Economic Development.  
**HB 2545** to Committee on Business and Commerce.  
**HB 2555** to Committee on Business and Commerce.  
**HB 2638** to Committee on Health and Human Services.  
**HB 2670** to Committee on Criminal Justice.  
**HB 2708** to Committee on Criminal Justice.  
**HB 2777** to Committee on Water, Agriculture, and Rural Affairs.  
**HB 2795** to Committee on Transportation.  
**HB 2908** to Committee on Local Government.  
**HB 2920** to Committee on Education.  
**HB 2957** to Committee on Local Government.  
**HB 2958** to Committee on Transportation.  
**HB 2983** to Committee on Health and Human Services.  
**HB 3156** to Committee on Transportation.  
**HB 3310** to Committee on Business and Commerce.  
**HB 3311** to Committee on Business and Commerce.  
**HB 3359** to Committee on Health and Human Services.  
**HB 3414** to Committee on Health and Human Services.  
**HB 3431** to Committee on Jurisprudence.  
**HB 3461** to Committee on Finance.  
**HB 3466** to Committee on Health and Human Services.  
**HB 3526** to Committee on Local Government.  
**HB 3550** to Committee on Health and Human Services.  
**HB 3673** to Committee on Business and Commerce.  
**HB 3754** to Committee on Jurisprudence.  
**HB 3756** to Committee on State Affairs.  
**HB 3803** to Committee on Education.  
**HB 3808** to Committee on Health and Human Services.  
**HB 4041** to Committee on Finance.  
**HB 4058** to Committee on Education.  
**HB 4441** to Committee on Natural Resources and Economic Development.  
**HB 4443** to Committee on Local Government.  
**HB 4559** to Committee on Redistricting.  
**HB 4777** to Committee on Education.  
**HB 4797** to Committee on Transportation.  
**HB 4844** to Committee on Local Government.  
**HB 4964** to Committee on Natural Resources and Economic Development.  
**HB 4993** to Committee on Local Government.  
**HCR 12** to Committee on Administration.  
**HCR 83** to Committee on Administration.



**(President in Chair)****MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Monday, May 1, 2023 - 3

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:

**SB 10** Huffman Sponsor: Bonnen  
Relating to contributions to, benefits from, and the administration of systems and programs administered by the Teacher Retirement System of Texas.  
(Committee Substitute/Amended)

**SB 59** Zaffirini Sponsor: King, Tracy O.  
Relating to notice of water and wastewater requirements for the foreclosure sale of residential properties by certain political subdivisions.

**SB 60** Zaffirini Sponsor: King, Ken  
Relating to operating agreements between holders of a distiller's and rectifier's permit and certain alcoholic beverage permit holders.

**SB 464** Parker Sponsor: Lopez, Janie  
Relating to designating October 17 as Entrepreneurs with Disabilities Day.

**SB 505** Nichols Sponsor: Canales  
Relating to imposing an additional fee for the registration of an electric vehicle.

**SB 861** Hughes Sponsor: Buckley  
Relating to coordination of vision and eye care benefits under certain health benefit plans and vision benefit plans.

**SB 926** Parker Sponsor: Thimesch  
Relating to certain temporary sales by a mixed beverage permit holder.

**SB 938** Blanco Sponsor: Moody  
Relating to the issuance by certain conservation and reclamation districts of bonds for the development and maintenance of recreational facilities.

**SB 1047** Perry Sponsor: Tepper  
Relating to funding and activities of the Texas Produced Water Consortium.

**SB 1052** Springer Sponsor: González, Jessica  
Relating to the compensation of an election judge or clerk.

**SB 1226** Hughes Sponsor: Hefner  
Relating to the term of office for a director of the Northeast Texas Municipal Water District.

- SB 1305** Nichols Sponsor: Clardy  
Relating to the transfer of the ownership rights of the City of Nacogdoches in the Central Heights Water System to the Angelina and Neches River Authority.
- SB 1325** Alvarado Sponsor: Goodwin  
Relating to the notice given to certain victims of family violence, stalking, harassment, or terroristic threat.
- SB 1333** Huffman Sponsor: Bonnen  
Relating to the creation of the Texas state buildings preservation endowment fund, including the transfer to the fund of the unencumbered balances of certain other funds.
- SB 1375** Parker Sponsor: King, Ken  
Relating to the sampling or tasting of distilled spirits by the manufacturer to a consumer at a temporary event.
- SB 1509** Huffman Sponsor: Bonnen  
Relating to the service retirement eligibility and benefits of certain members of the Employees Retirement System of Texas.  
(Committee Substitute/Amended)
- SB 1514** Schwertner Sponsor: Longoria  
Relating to business entities and nonprofit entities.
- SB 1523** Blanco Sponsor: Anderson  
Relating to the dismissal of a baseless or unfounded complaint filed with the State Board of Veterinary Medical Examiners.  
(Amended)
- SB 1965** Alvarado Sponsor: Thompson, Senfronia  
Relating to requirements for the purchase or acquisition of certain water and sewer systems.
- SB 2144** Parker Sponsor: Cook  
Relating to advanced air mobility technology.

Respectfully,  
/s/Stephen Brown,  
Chief Clerk  
House of Representatives

### **BILLS SIGNED**

The President announced the signing of the following enrolled bills in the presence of the Senate after the captions had been read: **HB 109**, **HB 450**.

### **SENATE RULES SUSPENDED (Posting Rules)**

On motion of Senator Schwertner and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Business and Commerce might meet and consider the following bill and resolution at 8:30 a.m. tomorrow in Room E1.012: **SB 2627**, **SJR 93**.

**SENATE RULES SUSPENDED**  
**(Posting Rules)**

On motion of Senator Birdwell and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Natural Resources and Economic Development might meet upon adjournment today in the Press Room, 2E.9.

**SENATE RULES SUSPENDED**  
**(Posting Rules)**

On motion of Senator Perry and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Water, Agriculture, and Rural Affairs might meet upon adjournment today at the brass rail.

**SENATE RULES SUSPENDED**  
**(Posting Rules)**

On motion of Senator Bettencourt and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Local Government might meet and consider the following bills at 3:45 p.m. today in Room E1.028: **SB 2361, HB 586, HB 1922, HB 2071.**

**SENATE RULES SUSPENDED**  
**(Posting Rules)**

On motion of Senator Nichols and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Transportation might meet upon adjournment today at the brass rail.

**CO-AUTHOR OF SENATE BILL 150**

On motion of Senator Springer, Senator Creighton will be shown as Co-author of **SB 150.**

**CO-AUTHOR OF SENATE BILL 232**

On motion of Senator Hinojosa, Senator Middleton will be shown as Co-author of **SB 232.**

**CO-AUTHORS OF SENATE BILL 258**

On motion of Senator Eckhardt, Senators Hinojosa, West, and Whitmire will be shown as Co-authors of **SB 258.**

**CO-AUTHOR OF SENATE BILL 436**

On motion of Senator Middleton, Senator Kolkhorst will be shown as Co-author of **SB 436.**

**CO-AUTHOR OF SENATE BILL 1017**

On motion of Senator Birdwell, Senator Hughes will be shown as Co-author of **SB 1017.**

**CO-AUTHOR OF SENATE BILL 1146**

On motion of Senator West, Senator Miles will be shown as Co-author of **SB 1146**.

**CO-AUTHORS OF SENATE BILL 1266**

On motion of Senator Parker, Senators Creighton and Zaffirini will be shown as Co-authors of **SB 1266**.

**CO-AUTHORS OF SENATE BILL 1267**

On motion of Senator Parker, Senators Creighton and Zaffirini will be shown as Co-authors of **SB 1267**.

**CO-AUTHOR OF SENATE BILL 1348**

On motion of Senator Miles, Senator Flores will be shown as Co-author of **SB 1348**.

**CO-AUTHORS OF SENATE BILL 1399**

On motion of Senator Schwertner, Senators Eckhardt, Miles, and Whitmire will be shown as Co-authors of **SB 1399**.

**CO-AUTHOR OF SENATE BILL 1402**

On motion of Senator Zaffirini, Senator LaMantia will be shown as Co-author of **SB 1402**.

**CO-AUTHOR OF SENATE BILL 1474**

On motion of Senator Bettencourt, Senator Creighton will be shown as Co-author of **SB 1474**.

**CO-AUTHORS OF SENATE BILL 1979**

On motion of Senator Hughes, Senators Kolkhorst and Middleton will be shown as Co-authors of **SB 1979**.

**CO-AUTHOR OF SENATE BILL 2105**

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

**CO-AUTHOR OF SENATE BILL 2141**

On motion of Senator Parker, Senator Middleton will be shown as Co-author of **SB 2141**.

**CO-AUTHOR OF SENATE BILL 2397**

On motion of Senator Zaffirini, Senator Blanco will be shown as Co-author of **SB 2397**.

**CO-AUTHOR OF SENATE BILL 2530**

On motion of Senator Hughes, Senator Kolkhorst will be shown as Co-author of **SB 2530**.

**CO-AUTHOR OF SENATE BILL 2612**

On motion of Senator Flores, Senator Creighton will be shown as Co-author of **SB 2612**.

**CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 25**

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

**CO-AUTHOR OF SENATE JOINT RESOLUTION 64**

On motion of Senator West, Senator Blanco will be shown as Co-author of **SJR 64**.

**CO-SPONSOR OF HOUSE BILL 852**

On motion of Senator Kolkhorst, Senator Blanco will be shown as Co-sponsor of **HB 852**.

**CO-SPONSOR OF HOUSE BILL 1900**

On motion of Senator Kolkhorst, Senator Middleton will be shown as Co-sponsor of **HB 1900**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolution**

**HCR 106** (King), In memory of H. Philip "Flip" Whitworth of Austin.

**Congratulatory Resolutions**

**SR 495** by Blanco, Recognizing Carlos Leon on the occasion of his retirement.

**SR 496** by LaMantia, Recognizing Sylvia Hernandez Kauffman for her accomplishments as Texas Health and Human Services Inspector General.

**SR 497** by LaMantia, Recognizing the City of South Padre Island on the occasion of its 50th anniversary.

**SR 499** by Schwertner, Recognizing the Brazos County Health District for its contributions to public health.

**SR 500** by Middleton, Recognizing *I Am Texas* for holding a Guinness World Record as the largest published book.

**ADJOURNMENT**

On motion of Senator Whitmire, the Senate at 3:10 p.m. adjourned, in memory of Bruce Jacobson, until 11:00 a.m. tomorrow.

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**APPENDIX**

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**COMMITTEE REPORTS**

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

May 1, 2023

EDUCATION — **CSSB 2497, CSSB 2428, CSSB 629, CSSB 418**

BUSINESS AND COMMERCE — **HB 998, CSSB 1872, CSSB 1217, CSSB 2460**

WATER, AGRICULTURE, AND RURAL AFFAIRS — **HB 1845**

TRANSPORTATION — **CSHB 1315**

HEALTH AND HUMAN SERVICES — **CSSB 1677, CSSB 1781**

ADMINISTRATION — **HB 2664, SCR 42, CSSCR 46**

CRIMINAL JUSTICE — **CSSB 1146**

**BILLS ENGROSSED**

May 1, 2023

**SB 561, SB 1145, SB 1192, SB 1341, SB 1399, SB 1581, SB 1780, SB 1987, SB 2580, SB 2594**

**BILLS AND RESOLUTIONS ENROLLED**

May 1, 2023

**SB 59, SB 60, SB 159, SB 464, SB 483, SB 505, SB 861, SB 926, SB 938, SB 1003, SB 1017, SB 1047, SB 1052, SB 1226, SB 1305, SB 1325, SB 1333, SB 1375, SB 1514, SB 1965, SB 2144, SR 493, SR 494, SR 495, SR 496, SR 497, SR 498, SR 499, SR 500**

**SENT TO GOVERNOR**

May 1, 2023

**SB 349, SB 1008, SB 1055, SCR 28**

**In Memory  
of  
Bruce Jacobson  
Senate Resolution 498**

WHEREAS, The Senate of the State of Texas honors and commemorates the life of Dr. Bruce Jacobson, who died on January 13, 2023, at the age of 96; and

WHEREAS, Bruce Jacobson was born on August 30, 1926, in Saint Paul, Minnesota; he served the nation with distinction in World War II as a member of the United States Navy before moving to Texas to attend Texas Christian University and Baylor Medical School; and

WHEREAS, Dr. Jacobson completed his residency at John Peter Smith Hospital in Fort Worth under the mentorship of Dr. May Owen; with two other doctors, Dr. Jacobson opened a private practice in North Richland Hills in the late 1950s, where he served families and residents of Northeast Tarrant County; with six others, he also founded Glenview Hospital, now known as Medical City North Hills; he later left private practice to run the family medicine program at Southwestern Medical School, where he trained and mentored hundreds of doctors; and

WHEREAS, A highly recognized and accomplished physician, Dr. Jacobson was appointed to the President's Commission on Biomedical Ethics by President Ronald Reagan in 1982; he served on the United States Advisory Committee on Child Abuse and Neglect and led the members of the Tarrant County Medical Society and the staff of John Peter Smith Hospital for many years as president; among many honors he received throughout his military and professional careers, he was appointed as an admiral in the Texas Navy by Governor Rick Perry in recognition of his military service and his outstanding dedication to serving the citizens of the Lone Star State; and

WHEREAS, Dr. Jacobson was an active member of his community, and he served on the Birdville Independent School District board of trustees and on the Bank of North Texas board of directors; he served as the team doctor for the Richland High School football team in the 1970s, and he received the top award from the Haltom Richland Chamber of Commerce; a man of deep faith, Dr. Jacobson was instrumental in the development of Peace Lutheran Church in Hurst, and after retiring from medical practice, he moved to Hillcrest Ranch, where he enjoyed spending his days raising horses and golfing; and

WHEREAS, Bruce shared more than five decades of marriage with his beloved late wife, Patricia Sue Jacobson, and they were blessed with seven children; during their marriage, Bruce and Pat were active in politics and worked hard during the 1960s through the 1980s to reshape Texas politics; a leader in the conservative movement of the Reagan era, Bruce's political involvement led him to develop many strong relationships over the years, including his friendships with three United States presidents; and

WHEREAS, After Pat's passing in 2004, Bruce was blessed to again find love, and he shared more than 15 joyful years with his second wife, Linda Jacobson; he treasured time spent together with her and with her two daughters, his children, and his more than 50 grandchildren and great-grandchildren; and

WHEREAS, A man of courage, strength, and compassion, he gave generously to others, and his wisdom, warmth, and valued counsel will not be forgotten; he was a devoted husband, father, and grandfather, and he leaves behind memories that will be cherished forever by his many loved ones; now, therefore, be it

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

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

HANCOCK