

SENATE JOURNAL

EIGHTY-EIGHTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTY-FIFTH DAY
(Tuesday, May 2, 2023)

The Senate met at 11:04 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 Gary Thornton, University Avenue Church of Christ, Austin, offered the invocation as follows:

Almighty God, king of all kings and governor of things, we ask that You grant Your wisdom and grace to each and every Member of these our decision-makers, whom we have carefully chosen to serve as the Texas Senate. In this age of constant squabbles and bickering, deliver them from such littleness and grant appreciation, humility, and the desire to serve the citizens of the great State of Texas. This is our prayer on this day of new beginnings. I pray in the name of the Father, the Son, and the Holy Spirit. 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

Tuesday, May 2, 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 71 Canales

Relating to the establishment of a program for the issuance of digital identification.

HB 400 Klick

Relating to innovation grant programs to support residency training programs in psychiatric specialty fields and recruitment, training, and retention programs in behavioral health fields.

HB 412 Thompson, Senfronia

Relating to requiring the corroboration of certain testimony in a criminal case involving a controlled substance.

HB 504 Wu

Relating to the issuance of a warrant authorizing the use of a no-knock entry by a peace officer.

HB 730 Frank

Relating to policies and procedures regarding certain suits affecting the parent-child relationship, investigations by the Department of Family and Protective Services, and parental child safety placements.

HB 1455 Anchia

Relating to health care benefits of persons wrongfully imprisoned.

HB 1715 Canales

Relating to the expunction of arrest records and files relating to certain nonviolent misdemeanor offenses.

HB 2926 Turner

Relating to certain claims for benefits or compensation by certain public safety employees and survivors of certain public safety employees.

HB 3390 Hunter

Relating to the provision of information regarding distributed generation and certain electrical loads.

HB 3447 Bonnen

Relating to the establishment and administration of the Texas Aerospace Research and Space Economy Consortium and the Texas Space Commission.

HB 3659 Hefner

Relating to civil asset forfeiture proceedings, to the seizure and forfeiture of certain property, and to the reporting and disposition of proceeds and property from civil asset forfeiture.

HB 3741 Canales

Relating to the operation of a program by the Texas Department of Transportation to allow a real property owner to plant or replace vegetation in a right-of-way.

HB 3772 Thompson, Senfronia

Relating to combating human trafficking by the Texas Department of Licensing and Regulation.

HB 4390 Button

Relating to the Texas Industry-Recognized Apprenticeship Programs Grant Program.

HB 4520 Harris, Cody

Relating to employment and retirement consequences for an educator convicted of or placed on deferred adjudication community supervision for the sale, distribution, or display of harmful material to a minor.

HJR 27 Craddick

Proposing a constitutional amendment providing for the creation of and use of money in the Grow Texas fund and allocating certain general revenues to that fund, the economic stabilization fund, and the state highway fund.

HJR 111 Landgraf

Proposing a constitutional amendment providing for the creation of the Texas severance tax revenue and oil and natural gas (Texas STRONG) defense fund, dedicating the money in that fund to benefit areas of the state significantly affected by oil and gas production, and providing for the transfer of certain general revenues to that fund, the economic stabilization fund, the state highway fund, the oil and gas regulation and cleanup account, the Texas emissions reduction plan fund, and the property tax relief fund.

Respectfully,

/s/Stephen Brown,

Chief Clerk

House of Representatives

PHYSICIAN OF THE DAY

Senator Johnson was recognized and presented Dr. Zaiba Jetpuri of Richardson as the Physician of the Day.

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

GUESTS PRESENTED

Senator Hinojosa was recognized and introduced to the Senate an American Electric Power, AEP of Texas, delegation.

The Senate welcomed its guests.

(Senator King in Chair)

MESSAGES FROM THE GOVERNOR

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

May 2, 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 a member of the Veterans' Land Board for a term to expire December 29, 2024:

James R. Rothfelder
New Braunfels, Texas
(replacing Grant A. Moody of San Antonio who resigned)

Respectfully submitted,

/s/Greg Abbott
Governor

May 2, 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 a member of the Prepaid Higher Education Tuition Board for a term to expire February 1, 2029:

Sarina Lora Davidson
Fort Worth, Texas
(replacing Javier Villalobos of McAllen whose term expired)

Respectfully submitted,

/s/Greg Abbott
Governor

May 2, 2023
Austin, Texas

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

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

To be members of the Texas Board of Chiropractic Examiners for terms to expire February 1, 2029:

Joshua "Josh" Hollub
La Porte, Texas
(Mr. Hollub is being reappointed)

Matthew M. Mix, D.C.
Bastrop, Texas
(replacing Debra L. White, D.C. of Nacogdoches whose term expired)

Mindy R. Neal, D.C.
Bovina, Texas
(*Dr. Neal is being reappointed*)

Respectfully submitted,

/s/Greg Abbott

Governor

BILLS SIGNED

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

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.

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 11:29 a.m. announced the conclusion of morning call.

COMMITTEE SUBSTITUTE SENATE BILL 2220 ON SECOND READING

Senator Menéndez moved to suspend the regular order of business to take up for consideration **CSSB 2220** at this time on its second reading:

CSSB 2220, Relating to the authority of certain municipalities and local government corporations to use certain tax revenue for certain qualified projects.

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

Yeas: Alvarado, 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: Bettencourt, Hall, Hughes, Kolkhorst, Middleton.

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

COMMITTEE SUBSTITUTE SENATE BILL 2220 ON THIRD READING

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2220** be placed on its third reading and final passage.

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

Yeas: Alvarado, 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: Bettencourt, Hall, Hughes, Kolkhorst, Middleton.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 5. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 150 ON SECOND READING**

Senator Springer moved to suspend the regular order of business to take up for consideration **CSSB 150** at this time on its second reading:

CSSB 150, Relating to the maximum amount of unemployment benefits payable to an individual during a benefit year under the state unemployment insurance program.

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)

**COMMITTEE SUBSTITUTE
SENATE BILL 1624 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 1624** at this time on its second reading:

CSSB 1624, Relating to guardianships, alternatives to guardianship, and supports and services for incapacitated persons.

The bill was read second time.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1624** (senate committee report) in SECTION 3 of the bill, in added Section 1054.006(c), Estates Code (page 2, line 10), between "proceeding" and the underlined comma, by inserting "or on the court's own motion".

The amendment to **CSSB 1624** 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 1624 as amended was passed to engrossment by a viva voce vote.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1624 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 1624** 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.

**SENATE BILL 2606 REREFERRED
(Motion In Writing)**

Senator Creighton submitted a Motion In Writing requesting that **SB 2606** be withdrawn from the Committee on Local Government and rereferred to the Committee on Natural Resources and Economic Development.

The Motion In Writing was read and prevailed without objection.

**SENATE BILL 1195 REREFERRED
(Motion In Writing)**

Senator Hughes submitted a Motion In Writing requesting that **SB 1195** be withdrawn from the Committee on State Affairs and rereferred to the Committee on Jurisprudence.

The Motion In Writing was read and prevailed without objection.

AT EASE

The Presiding Officer at 12:06 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

Senator King at 12:14 p.m. called the Senate to order as In Legislative Session.

SENATE BILL 2453 ON SECOND READING

Senator Menéndez moved to suspend the regular order of business to take up for consideration **SB 2453** at this time on its second reading:

SB 2453, Relating to certain regulations adopted by governmental entities for the building products, materials, or methods used in the construction of residential or commercial buildings.

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

Yeas: Alvarado, Blanco, Campbell, Eckhardt, Flores, Gutierrez, Hinojosa, Hughes, Johnson, Kolkhorst, LaMantia, Menéndez, Miles, Nichols, Schwertner, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Creighton, Hall, Hancock, Huffman, King, Middleton, Parker, Paxton, Perry, Sparks, Springer.

The bill was read second time.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 2453** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____ . Section 388.003, Health and Safety Code, is amended by amending Subsections (a), (b), and (b-2) and adding Subsections (a-1) and (a-2) to read as follows:

(a) To achieve energy conservation in single-family residential construction, the energy efficiency chapter of the International Residential Code, as it existed on May 1, 2001, is adopted as the energy code in this state for single-family residential construction. On September 1, 2016, the energy efficiency chapter of the International Residential Code, as it existed on May 1, 2015, is adopted as the energy code in this state for single-family residential construction. On or after September 1, 2021, the State Energy Conservation Office may adopt and substitute for that energy code the latest published edition of the energy efficiency chapter of the International Residential Code, based on written findings on the stringency of the chapter submitted by the laboratory under Subsection (b-3). The office:

(1) may not amend or adopt an edition under this subsection more often than once every six years; ~~and~~

(2) by rule shall establish an effective date for an adopted edition that is not earlier than nine months after the date of adoption; and

(3) may amend an adopted edition.

(a-1) Before amending or adopting an edition of the energy efficiency chapter of the International Residential Code under Subsection (a), the State Energy Conservation Office shall conduct an analysis that:

(1) measures the impact of the amendment or adoption on housing attainability in this state; and

(2) quantifies the incremental construction cost and energy use cost savings associated with construction to evaluate the cost-effectiveness of the proposed amendment or adoption.

(a-2) The analysis under Subsection (a-1)(2) must calculate the payback period for any required products or minimum standards or requirements that are more stringent than the energy code in effect on the date immediately before the date the amendment or adoption would take effect.

(b) To achieve energy conservation in all other residential, commercial, and industrial construction, the International Energy Conservation Code as it existed on May 1, 2001, is adopted as the energy code for use in this state for all other residential, commercial, and industrial construction. The State Energy Conservation Office may adopt and substitute for that energy code the latest published edition of the International Energy Conservation Code, based on written findings on the stringency of the edition submitted by the laboratory under Subsection (b-3). The office:

(1) by rule shall establish an effective date for an adopted edition that is not earlier than nine months after the date of adoption; and

(2) may amend an adopted edition.

(b-2) The State Energy Conservation Office by rule shall establish a procedure for persons who have an interest in the amendment or adoption of energy codes under Subsection (a) or (b) to have an opportunity to comment on the codes under consideration. The office shall consider persons who have an interest in adoption of those codes to include:

- (1) commercial and residential builders, architects, and engineers;
- (2) municipal, county, and other local government authorities;
- (3) environmental groups; and
- (4) manufacturers of building materials and products.

The amendment to **SB 2453** 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 2453 as amended was passed to engrossment by the following vote: Yeas 17, Nays 14.

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

Nays: Bettencourt, Birdwell, Creighton, Hall, Hancock, Hughes, King, Kolkhorst, Middleton, Parker, Paxton, Perry, Sparks, Springer.

COMMITTEE SUBSTITUTE SENATE BILL 1474 ON THIRD READING

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

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 third time and was passed by the following vote: Yeas 18, Nays 13. (Same as previous roll call)

SENATE CONCURRENT RESOLUTION 4 ON SECOND READING

Senator Eckhardt moved to suspend the regular order of business to take up for consideration **SCR 4** at this time on its second reading:

SCR 4, Directing the Texas Facilities Commission to name the Capitol Complex Child Development Center "Emma's Garden" in honor of Emma Barrientos.

The motion prevailed.

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

The resolution was read second time and was adopted by the following vote: Yeas 26, Nays 5.

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

Nays: Bettencourt, Hall, King, Middleton, Springer.

**COMMITTEE SUBSTITUTE
SENATE BILL 2476 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 2476** at this time on its second reading:

CSSB 2476, Relating to consumer protections against certain medical and health care billing by emergency medical services providers.

The bill was read second time.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 2476** (senate committee printing) as follows:

(1) In SECTION 3 of the bill, in added Section 1271.159(b)(2), Insurance Code (page 2, lines 39-40), strike "or does not have set, controlled, or regulated rates".

(2) In SECTION 5 of the bill, in added Section 1275.054(b)(2), Insurance Code (page 4, lines 6-7), strike "or does not have set, controlled, or regulated rates".

(3) In SECTION 8 of the bill, in added Section 1301.166(b)(2), Insurance Code (page 5, lines 45-46), strike "or does not have set, controlled, or regulated rates".

(4) In SECTION 10 of the bill, in added Section 1551.231(b)(2), Insurance Code (page 7, lines 10-11), strike "or does not have set, controlled, or regulated rates".

(5) In SECTION 12 of the bill, in added Section 1575.174(b)(2), Insurance Code (page 8, lines 40-41), strike "or does not have set, controlled, or regulated rates".

(6) In SECTION 14 of the bill, in added Section 1579.112(b)(2), Insurance Code (page 10, lines 1-2), strike "or does not have set, controlled, or regulated rates".

The amendment to **CSSB 2476** 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 2476 as amended was passed to engrossment by a viva voce vote.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 2476 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 2476** be placed on its third reading and final passage.

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

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

(Senator Birdwell in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 1647 ON SECOND READING**

Senator Parker moved to suspend the regular order of business to take up for consideration **CSSB 1647** at this time on its second reading:

CSSB 1647, Relating to dropout recovery education programs.

The motion prevailed by the following vote: Yeas 22, Nays 9.

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

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

The bill was read second time.

Senator Parker offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1647** (senate committee report) in SECTION 1 of the bill, amending Section 29.081, Education Code, as follows:

(1) In Subsection (e-1), strike amended Subdivision (2) (page 1, lines 43 through 45), and substitute the following:

(2) employ as faculty and administrators persons with baccalaureate or advanced degrees;

(2) In Subsection (e-2), strike amended Subdivision (2) (page 1, lines 58 through 60), and substitute the following:

(2) employ as faculty and administrators persons with baccalaureate or advanced degrees;

The amendment to **CSSB 1647** 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 1647 as amended was passed to engrossment by the following vote: Yeas 22, Nays 9.

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

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

**COMMITTEE SUBSTITUTE
SENATE BILL 2107 ON SECOND READING**

Senator Nichols moved to suspend the regular order of business to take up for consideration **CSSB 2107** at this time on its second reading:

CSSB 2107, Relating to the ownership of the pore space underlying the surface of land.

The motion prevailed.

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

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

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

Nays: Hall, Middleton.

**COMMITTEE SUBSTITUTE
SENATE BILL 2107 ON THIRD READING**

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2107** be placed on its third reading and final passage.

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

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

Nays: Hall, Middleton.

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 1647 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 1647** be placed on its third reading and final passage:

CSSB 1647, Relating to dropout recovery education programs.

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

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

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, LaMantia, Menéndez.

The bill was read third time and was passed by the following vote: Yeas 22, Nays 9.

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

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

SENATE BILL 2612 ON SECOND READING

Senator Flores moved to suspend the regular order of business to take up for consideration **SB 2612** at this time on its second reading:

SB 2612, Relating to the commissioning by the General Land Office of certain Alamo complex rangers as peace officers.

The motion prevailed.

Senator Eckhardt 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: Eckhardt.

SENATE BILL 2612 ON THIRD READING

Senator Flores moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2612** be placed on its third reading and final passage.

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

Nays: Eckhardt.

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 2016 ON SECOND READING

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **CSSB 2016** at this time on its second reading:

CSSB 2016, Relating to the licensing and regulation of dietitians.

The motion prevailed by the following vote: Yeas 23, Nays 8.

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

Nays: Hall, Hughes, King, Kolkhorst, Middleton, Parker, Sparks, Springer.

The bill was read second time and was passed to engrossment by the following vote: Yeas 23, Nays 8. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 2016 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 2016** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 4.

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

Nays: Hall, Hughes, King, Middleton.

The bill was read third time and was passed by the following vote: Yeas 23, Nays 8.

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

Nays: Hall, Hughes, King, Kolkhorst, Middleton, Parker, Sparks, Springer.

**COMMITTEE SUBSTITUTE
SENATE BILL 1712 ON SECOND READING**

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1712** at this time on its second reading:

CSSB 1712, Relating to the purchase, sale, or lease of real property on behalf of a limited partnership or a limited liability company.

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 1712 ON THIRD READING**

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1712** be placed on its third reading and final passage.

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

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

(Senator Flores in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 1166 ON SECOND READING**

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1166** at this time on its second reading:

CSSB 1166, Relating to the punishment for the offense of burglary of a vehicle involving theft of a firearm; increasing a criminal penalty.

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 1166 ON THIRD READING**

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1166** 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 1896 ON SECOND READING**

Senator Birdwell moved to suspend the regular order of business to take up for consideration **CSSB 1896** at this time on its second reading:

CSSB 1896, Relating to the investigation of the death of a prisoner in county jail.

The motion prevailed.

Senators Eckhardt, Johnson, 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: Eckhardt, Johnson, West.

**COMMITTEE SUBSTITUTE
SENATE BILL 1896 ON THIRD READING**

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1896** be placed on its third reading and final passage.

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

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

Nays: Eckhardt, Johnson, West.

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

COMMITTEE SUBSTITUTE SENATE BILL 1072 ON THIRD READING

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

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

STATEMENT OF LEGISLATIVE INTENT

Senator Hughes submitted the following statement of legislative intent for **CSSB 1072**:

SB 1072 by Senator Bryan Hughes Relating to School Health Advisory Councils Closing Remarks

Mr. President and Members, thank you for considering SB 1072 relating to school health advisory councils and human sexuality instruction.

The Senate and House passed legislation last session (HB 1525, Section 7) that reformed the way public schools review and adopt curriculum related to human sexuality instruction. The goal of this legislation was to ensure that parents are involved in the curriculum review process and that they can exercise their rights to guide a child's instruction in this area.

Public schools may disregard these parental rights over sex education curriculum by having events or commentary on human sexuality and calling such things "extracurricular." SB 1072 remedies such situations by requiring a public school to adopt a policy regarding school employee discussions of human sexuality with a

student outside of a class dedicated to human sexuality instruction. Also, the bill requires a public school to adopt a policy on when extracurricular events related to human sexuality may be held.

The bill also authorizes the Attorney General or county or district attorney to bring a cause of action against a public school that is violating the provisions of Section 28.004, Education Code, relating to local school health advisory councils and health education.

Finally, the bill includes language the Senate passed in SB 8 stating that a public school may not provide or allow a third party to provide any instruction or other programming related to sexual orientation or gender identity.

Examples of Issues the Bill Addresses

Let me give several examples of issues the bill would address. First, Fort Worth ISD apparently did not go through the legal process to review and purchase its sex education curriculum, HealthSmart. Under Section 28.004 of the Education Code, a sex education curriculum has to be reviewed and recommended by the School Health Advisory Council before it can be adopted by the school board. Public meetings and parental input are secured under the statute at each step along the way. This process was not followed in Fort Worth.

In addition, schools may use noncompliant curriculum for human sexuality instruction. Dallas ISD, for example, uses sex education curriculum from McGraw-Hill. This curriculum violates the requirements of state law by not presenting abstinence as the preferred choice of behavior for all unmarried persons of school age; devoting more attention to abstinence than to any other behavior; and emphasizing that abstinence is the only way to ensure avoidance of pregnancy and sexually transmitted diseases, among other things (Section 28.004(e) of the Education Code).

Also, as mentioned previously, schools may host extracurricular events related to human sexuality that are not subject to the parental notification procedures and curriculum review processes of state law. In March 2022, Austin ISD held a "Pride Week" in which the district provided a variety of instructional materials related to human sexuality. This came after the Legislature passed a law (HB 1525) clearly stating that parents must consent in writing before a school may provide human sexuality instruction to a student.

Students apparently were encouraged to keep information from parents. According to the *Austin American Statesman*, one of the rules for engaging in a "community circle" is to "Respect Privacy: What we say in this room stays in this room." (AAS, March 23, 2022) This was guidance provided to prekindergarten through second graders.

The district responded by trying to argue that the event was not curricular. The Attorney General sent a letter stating the event violated state law but had no recourse in his office. He only could point parents toward the school board, which already had violated parental rights, or a long and tortuous grievance process through TEA.

By authorizing the Attorney General or district or county attorney to bring a cause of action related to Section 28.004 of the Education Code, SB 1072 provides an enforcement mechanism to make sure that parental rights are respected and curriculum is subject to public review.

Prohibition on Sexual Orientation and Gender Identity

The prohibition on sexual orientation and gender identity instruction in SB 1072 is not about attacking any group. It is about protecting children from an aggressive agenda that has never been about sex education in the traditional sense but is about indoctrination and social change.

As I will recount in some detail, sexual orientation and gender identity are being pushed on children from their first days in school through their high school years. We are forcing on children who are learning their ABCs sexual concepts that cannot be explained by the adults who originated them, the so-called sexual experts. How do we expect a 7-year old or a 17-year old to comprehend a sexual world that has no boundaries, that approves of anything that can be consented to, that endorses identities that shift from day to day.

This is not education. This is not science. This is not giving a heart, mind, and soul firm anchors of knowledge and self-discipline to hold a life together. We are stealing ordering principles from children that they naturally understand before they are old enough to know they have been robbed.

State Board of Education did not include sexual orientation or gender identity in the Health TEKS

For these reasons, our own State Board of Education did not include sexual orientation and gender identity in the 2020 revision of the Texas Essential Knowledge and Skills for Health. The State Board was not trying to exclude anyone. All students, regardless of their sexual orientation or gender identity would be covered by the various strands of the Health TEKS: physical health and hygiene; mental health and wellness; healthy eating and physical activity; injury and violence prevention and safety; alcohol, tobacco, and other drugs; and reproductive and sexual health.

This is about protecting kids

This is not a debate about the rightness or wrongness of sexual orientation or gender identity. This is about protecting children from a radically aggressive agenda that they are not mature enough to resist.

If that theme sounds familiar, it is. This body has been confronting this agenda on a variety of fronts this session. We have passed SB 12 to protect them from sexually-explicit performances. We have passed SB 13 to protect them from obscene material in school libraries. We have passed SB 14 to protect them from life-altering surgeries. We have passed SB 15 to require college athletes to compete on the basis of biological sex.

Sexual orientation and gender identity are an ideology

A healthy democratic society is based on free speech that exposes error and points people toward the truth. Ideology defies rational analysis.

A strong scientific community is one that uses rigorous, ethical research to protect and affirm the dignity of the human being. Ideology intimidates and coopts those who should be the purveyors of knowledge.

Sexual orientation and gender identity is not sex education. It is ideology. It masks an extreme intolerance in the language of diversity. It defies rational criticism and subjugates science. It is our responsibility as legislators for our state to give

children the space to be children. To not be ambushed by an ideological movement that would steal their innocence and push them off the path of what we have known for centuries to be normal development.

National Sex Education Standards and Austin ISD

National Sex Education Standards

The National Sex Education Standards, or NSES, is a good place to begin our review of the sexual orientation and gender identity movement. The name "National Sex Education Standards" sounds official, like it might be something issued by the government. That's not the case, however. These standards were drafted by a group of organizations united in using sex education as a means for radical social change: Advocates for Youth; SIECUS (Sexuality Information and Education Council of the United States); Human Rights Campaign, and Gender Spectrum, among others. You will not find any diversity of opinion here among this group of organizations that talk about diversity so much.

Their report states that 41 percent of school districts in the country have adopted NSES guidelines. Austin ISD, a district we will spend some more time on, looks to the National Sex Education Standards for guidance.

Here is a sample of some of the introductory guidance:

NSES: "As detailed below, the updated NSES have been written with a trauma-informed lens; have been infused with principles of reproductive justice, racial justice, social justice, and equity; address social determinants of health and how these can lead to inequitable health outcomes; and take an intersectional approach" (8).

NSES: "Sex education should avoid cisnormative, heteronormative approaches, aim to strengthen young people's capacity to challenge harmful stereotypes, and be inclusive of a wide range of viewpoints and populations without stigmatizing any group" (11).

What about the heteronormative group? They don't seem to be welcome.

NSES: "All adolescents have a right to comprehensive, developmentally and culturally appropriate, confidential support and sexual health services. And, if pregnant, young people have the right to comprehensive pregnancy options, counseling, and all related services. The updated NSES have thoughtfully taken into consideration that young people—including young people who are pregnant or parenting—should have decision-making power in their reproductive health and their decision to determine if, when, and under what circumstances they do or do not want to parent. Within this, the updated NSES seek to educate users on the institutional and structural barriers that hinder or complicate sexual and reproductive health decisions" (11).

There is no mention of marriage here. I wonder if that is one of the "institutional barriers" they are talking about. No mention of parents either.

Prominent critical race theorist Kimberle Crenshaw is referenced.

NSES: "Intersectionality. In addition, the NSES takes an intersectional approach, reflecting the theory conceptualized by Kimberlé Crenshaw, JD, LL.M. Intersectionality describes the way overlapping or intersecting social identities—and particularly minority identities—relate to systems and structures of discrimination" (11).

NSES: "Language Inclusivity. Language is constantly evolving; new terms are introduced, while others fade from use or change their meaning over time. This remains true for the terms and definitions included in the NSES. Similarly, gender identity, gender expression, sexual orientation, and sexual identity are often evolving and changing during adolescence. The developmental process for young people often involves experimenting with many different identities, forms of expression, and behaviors, and sexual identity is not exempt from this type of exploration. As sexual development continues to progress, most youth will eventually identify themselves with a gender identity and a sexual orientation, though some may not" (11).

NSES: "No one else is qualified to label or judge another person's sexual identity, including their sexual orientation or gender identity, and it is important that the language and terms young people use to identify themselves is respected by the adults in their lives. Adults, including educators and administrators, should respect and use the pronouns each student uses for themselves" (11).

The Actual Standards

As for the standards themselves:

NSES: "By the end of second grade, students should be able to define gender, gender identity, and gender-role stereotypes. They should be able to discuss the range of ways people express their gender and how gender-role stereotypes may limit behavior" (19).

NSES: "By the end of fifth grade, students should be able to describe "the potential role of hormone blockers on young people who identify as transgender." "Distinguish between sex assigned at birth and gender identity and explain how they may or may not differ." "Define and explain differences between cisgender, transgender, gender nonbinary, gender expansive, and gender identity." "Explain that gender expression and gender identity exist along a spectrum." "Described gender role stereotypes and their potential impact on self and others" (21).

NSES: "Define sexual orientation." "Differentiate between sexual orientation and gender identity" (22).

NSES: "Explain the relationship between sexual intercourse and human reproduction" (22).

Here is something that sounds like traditional sex education.

NSES: "By the end of the eighth grade, students should be able to: Analyze how peers, family, and a person's intersecting identities can influence attitudes, beliefs, and expectations about gender, gender identity, gender roles, and gender expression" (25).

NSES: "Access medically accurate sources of information about gender, gender identity, and gender expression" (25).

NSES: "Define sexual identity and explain a range of identities related to sexual orientation (e.g., heterosexual, bisexual, lesbian, gay, queer, two-spirit, asexual, pansexual)" (26).

NSES: "List at least four methods of contraception that are available without a prescription" (26).

Why without a prescription?

NSES: "Describe pregnancy testing, the signs of pregnancy, and pregnancy options, including parenting, abortion, and adoption" (27).

Summary of National Sex Education Standards

This movement has become so aggressive that its core message has been introduced by the 8th grade. You might assume that more mature themes would wait until high school, but you would be mistaken. The standards for high school in the NSES are essentially an elaboration on what children have been exposed to by junior high.

Let's see how this applies to one of our major school districts: Austin ISD.

Austin ISD Sex Education Curriculum

Kindergarten and First Grade

In the kindergarten curriculum, the teacher is instructed to take on the mantle of parental approval. The teacher tells the students, "Today we are beginning a new unit called Human Sexuality and the Body. . .your parents trust us to keep you safe! Your parents trust me to teach you about your body and to answer your questions."

Transgender messaging begins right away.

"Most of the time, girls are born with [a particular anatomy]. . .On the other hand, boys are mostly born with [a particular anatomy]." (Kindergarten)

"The part of the body that a baby human grows in is called a uterus. . .Bodies that have uteruses are usually girls." (First Grade)

Second Grade

The teacher uses similar language related to parental endorsement: "Your parents trust me to teach you about your body and to answer your questions."

Transgender and sexual orientation messaging continues:

The teacher reads or shows a video of the book *What Makes A Baby: A Book For Every Kind Of Family And Every Kind Of Kid*.

What strikes you as the book begins is the use of androgynous figures and language. The book reads, "Not all bodies have sperm in them. Some do, and some do not." The book continues, "When grown ups want to make a baby, they need to get one egg from one body and sperm from another body. Just like eggs and just like sperm, some bodies have a uterus and some bodies do not."

There is one point of certainly in the book: "Everybody that has a uterus has it in the same place, just below the belly button, in the squishy middle part."

Then we finally get to a page with discernible male and female figures. The figures are discernible because the author wants to show same-sex couples with a child or expecting a child. Then the book goes back to androgynous figures.

After reading the book, the lesson plan gives the following guidance to the teacher: "It is ok if you want to share if your body has a uterus and eggs or makes sperm, or if it used to but doesn't any longer [emphasis added], or something else that is brief. . .It might also be helpful to explain to students that most girls are born in a body that has eggs and a uterus, but not all girls, and that most boys are born in a body that will make sperm when they get older, but not all boys."

Fifth Grade

By fifth grade, children are learning about hormone blockers for "young people who identify as transgender."

"Some people are attracted to people of the opposite gender, some people are attracted to people of the same gender, some people are attracted to all genders. All feelings are personal and unique and deserve respect."

7th and 8th Grade

A lesson for junior high age kids gives the following note to teachers:

"Understandings of gender are evolving rapidly, and today's youth are part of a generation that view the complexity of gender as a fact of life. This lesson on anatomy and puberty will use gender-inclusive language and you are encouraged to do the same. Gender-inclusive anatomy and puberty education benefits all youth because it recognizes and affirms all students. What this looks like: When discussing puberty processes, use terms such as "can", "may", or "might" to avoid excluding certain students such as those who are intersex, transgender, or gender non-conforming. . . It can be helpful to explain to students that being a boy, a girl, or in-between is mostly about how someone feels, not their body parts [emphasis added]. When talking about sexual feelings, it's important to not be specific about the gender that people might be attracted to. This lets you include anyone who could be or become attracted to boys, girls, non-binary genders, or more than one of these. Again, it's good to use "can", "may" or "might" when you talk about people developing romantic and/or sexual feelings."

"People are assigned a sex at birth based on their reproductive anatomy. Sex assigned at birth is independent of gender identity. Gender identity is a person's internal sense of identity as female, male, both or neither, regardless of their biological sex assigned at birth."

High school

A sex education lesson for high schoolers includes this guidance for teachers:

"An important note about language: Language is complex, evolving and powerful. In this lesson, inclusive language is used to be inclusive of all students, including those with diverse gender identities, gender expressions and sexual orientations. This includes the use of 'they' as a singular gender-neutral pronoun. A person's sex can be male, female or intersex (not clearly defined as either male or female). Sex is independent of gender identity. Gender identity is a person's internal sense of identity as female, male, both or neither, regardless of their sex assigned at birth. For many people, their gender matches the sex they were assigned at birth (cisgender). For others, their gender identity does not match the sex they were assigned at birth. They may use terms like transgender, trans, non-binary, gender fluid, gender queer, agender or others, to describe their gender identity. The umbrella term 'trans' is primarily used here, to describe people whose gender identity and sex assigned at birth differ. While this umbrella term does not fit everyone, the intention is to be inclusive as possible. In this lesson, you will notice that body parts and processes are not labelled as male or female. While it is ok to use the terms boy/girl/male/female, it is important not to assume that all boys or girls have certain anatomy. This approach is more inclusive of intersex and gender diverse people. (teachingsexualhealth.ca)"

"Explain that sex can mean many different things to many different people. There's not one universal definition of sex but a variety of perspectives. Sex has a history of being defined somewhat narrowly, centering on traditional cultural and religious norms, heterosexual practices, and 'what makes a baby'. This means it has been focused on [heterosexual] intercourse. . . A more inclusive definition could describe lots of different activities performed by people with a diversity of gender identities and sexual orientations."

Additional Resources Recommended by Austin ISD

Beginning with the second grade sex education lesson, Austin ISD refers parents to several other resources, including Sex Positive Families and Amaze. Both websites have animated characters that appeal to children. Amaze.org is particularly enticing. The entire homepage is comprised of cartoon-like characters and videos featuring children. The topics, however, are "What is asexuality;" "Sextortion: online coercion and blackmail;" and "How do birth control pills work?"; among others.

Sex Positive Families provides pamphlets on sexual behaviors of children. For children birth to four years of age, recommended resources include the book *Love Makes a Family*, featuring same sex couples throughout. Another book for this age range is entitled *These are My Eyes, This is My Nose, This is My [female anatomy], These are My Toes*. For ages five to eight, *What Makes a Baby Cry* (discussed above) is recommended, along with *It Feels Good to Be Yourself: A Book About Gender Identity*. The book *Trans+: Love, Sex, Romance, and Being You* is recommended for teens.

Melissa Carnagey is the Founder of this organization. In an article published by Jezebel, she bemoans the fact that sex education is being treated as nonessential during COVID. She states, "As schools adjust to online learning, sex education is frequently being considered separately from core essentials like reading, math, and history."

One of Carnagey's fellow sex educators, Lincoln Mondy of Advocates for Youth, laments inconsistent sex education laws across the country and says "a lot of kids are getting really harmful abstinence-only education or nothing at all."

Carnagey wasn't worried about kids being exposed to pornography with all their extra screen time during the pandemic. "Porn is out there," she said. "Porn is not really the enemy. What is problematic is parents not talking to kids about porn." The article goes on to encourage "parents to 'initiate the conversation about porn with your child'" and continues, "Being curious about sex and looking at pictures or films of naked bodies, or people engaging in sexual behaviors, is perfectly normal, but you have to remember that porn contains some misleading images."

So pornography is OK if you talk to your parents about it. Looking at pornography is "perfectly normal", it's just that porn contains some "misleading images."

When I read these excerpts from the Austin ISD sex education curriculum and recommended resources, one word comes to mind: chaos. Instead of guiding our children into adulthood, we are leading them into a darkness that most of them would naturally avoid. The problem here is not the kids. The problem is us, the adults. We should be arming children with the virtues that strengthen the soul and give ordered meaning to life. Instead, we are enslaving them to a pernicious materialism that so completely reduces them to the desire of the moment that they use the pronoun "they" not to describe a group of people but to describe themselves, the multiple individual selves that contend for their mind and divide their hearts.

Conclusion

Mr. President and Members, this legislation supports a health curriculum in our state that focuses on our areas of agreement—on providing health instruction that is age-appropriate, maintaining parental control over sex education, and protecting children from concepts and themes that are beyond the comprehension of their young minds and hearts.

There are strong academic, psychological, familial, and civic reasons to keep sexual orientation and gender identity sex education out of public schools. Sexual orientation and gender identity sex education is not sound academics but its antonym. It rejects every form of restraint and discipline that accompanies established academic disciplines that have proven their durability through critique, testing, and evaluation.

The psychological arguments against this agenda are just as potent. Children are not equipped to handle concepts that go beyond life-altering to life-threatening. It robs a child of basic reference points that the child himself would retain if not hindered by the adult that should be protecting rather than harming.

Also, sensitive topics such as this are best left to parents. Parents entrust their kids to public schools and find the school has thrown the child into confusion by introducing themes the child is not ready to comprehend.

Finally, there is a civic argument for keeping sexual orientation and gender identity out of public schools. These are public schools, funded with your tax dollars and mine. Sexual orientation and gender identity sex education is more a statement of faith than sound science. It is customary to exclude religion from public schools, but ideologies like this are welcomed.

Let's focus on the areas where we can agree in education. We all can agree on the importance of Math and English and Social Studies. We can agree on a coherent reproductive and sexual health strand as adopted by the State Board of Education.

This is not a debate about the rightness or wrongness of sexual orientation or gender identity. This is about protecting children from a radically aggressive agenda that they are not mature enough to resist.

There is one academic referenced in the "Guiding Principles and Values Section" of the National Sex Education Standards. Is it a renowned biologist? Is it a leading developmental psychologist? No, it is the prominent critical race theorist, Dr. Kimberle Crenshaw. That the one academic referenced in this section is a critical race theorist speaks volumes about the purpose of the National Sex Education Standards.

Crenshaw is highlighted because the National Sex Education Standards is an ideological rather than a public health document. Moreover, Crenshaw is mentioned because critical race theory and the National Sex Education Standards are both branches of the same ideological tree. They are both derived from a Marxist materialism that reduces human beings to some aspect of their material existence.

For critical race theory, that feature is of course race. Race is the defining feature of life, and if that is not apparent enough, critical race theory provides a framework to promote racial division. Teach your children that one race is inherently superior to another. Teach your children that an individual is inherently racist because of their race. Teach your children that an individual should be discriminated against because of the individual's race. These principles are why we passed legislation to keep

critical race theory out of Texas public schools. People said critical race theory is not in our public schools, but it is there in a variety of ways, one of which is the National Sex Education Standards, which is informing curriculum for many school districts in our state.

The defining feature of existence is race for the critical race theorist, and it is sexual identity for the National Sex Education Standards. These standards seek to expose children to adult information about sexual activity. Even more damaging is the sexual orientation and gender identity component that has a corrosive effect on a child's nascent ability to understand themselves in relation to the world. We are exposing them to activity that harms their soul and body and removing from them their earliest frames of reference that they would naturally acquire if left to themselves.

Consider Austin ISD's Pride Week as an example of this emphasis on sexual identity. First of all, does Austin ISD celebrate anything else for a whole week? Does it celebrate academic success? Athletic victories? If you look at the posts for Pride Week, you see that schools are wholly taken over by this occasion. The structure of the school day, decorations in the hall, and activities of the students are all organized around this emphasis on sexual orientation and gender identity. What kind of impression do you think this makes on a 7-year old? That child is answering all the questions we just asked and coming away from that occasion thinking this is the most important thing in the school year.

Other schools in Texas are taking up Pride Week such as Yes Prep Northline in Houston that sets aside a gender fluid day for students, encouraging them to come to school dressed as the opposite gender.

As human beings, we are made in God's image and are of infinite worth. We are defined by the many different features of our existence. Education pertains to understanding those features in conjunction with each other rather than the extreme isolation of one characteristic. It also pertains to the proper sequence and time to discuss various academic topics.

On both scores—the proper integration of various features of human life and the proper time to introduce those topics—the sexual orientation and gender identity agenda fails. It is not education but the advancement of an ideology bent on social change.

First assumptions matter. We are not a nation founded on Marxist materialism but on natural rights endowed by God: life, liberty and the pursuit of happiness. The Marxist begins with a grievance that must be nursed. The American begins with gratitude for freedoms that are naturally endowed. For the Marxist, freedom comes from control of some aspect of material existence. For the American, freedom comes from God. The First Amendment of the Marxist Constitution begins with the material world. The First Amendment of the American Constitution begins with the freedom of the conscience and the soul.

Throughout our Texas Essential Knowledge and Skills, we have made a commitment to teach our children the fundamental principles of American democracy. To do that, we must keep our health education limited to principles that build them up rather than tear them down. SB 1072 takes an important step in that direction, and I ask for your favorable consideration.

HUGHES

**COMMITTEE SUBSTITUTE
SENATE BILL 2527 ON SECOND READING**

On motion of Senator Campbell and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2527** at this time on its second reading:

CSSB 2527, Relating to the regulation of telemedicine medical services, teledentistry services, and telehealth services; providing a civil penalty.

The bill was read second time.

Senator Campbell offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 2527** (senate committee printing) in SECTION 2 of the bill as follows:

(1) Strike the recital (page 1, lines 33-34) and substitute the following:

SECTION 2. Section 111.002, Occupations Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(2) Strike added Section 111.002(a)(2)(A), Occupations Code (page 1, lines 48-49), substitute the following, and reletter subsequent paragraphs of the subdivision accordingly:

(A) subject to Paragraph (B), is given notice of and the opportunity to attend the initial appointment or meeting with the minor patient;

(B) if the treatment includes the prescription of a controlled substance, is present at the initial appointment or meeting with the minor patient; and

(3) Immediately following amended Section 111.002(a), Occupations Code (page 1, between lines 51 and 52), insert the following:

(a-1) Subsection (a)(2) does not apply with respect to the provision of treatment or counseling to a patient who is a child in accordance with Section 32.003 or 32.004, Family Code, as applicable.

The amendment to **CSSB 2527** 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 Campbell offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 2527** (senate committee printing) as follows:

(1) In SECTION 4 of the bill, strike amended Section 111.005(a)(3)(C), Occupations Code (page 2, lines 35-41), and substitute the following:

(C) another form of audiovisual telecommunication technology that allows the practitioner to comply with the standard of care described in Section 111.007.

(2) Strike the recital to SECTION 5 of the bill (page 2, lines 55-56) and substitute the following:

SECTION 5. Chapter 111, Occupations Code, is amended by adding Sections 111.0052 and 111.0055 to read as follows:

Sec. 111.0052. RECORDS OF CERTAIN TELEMEDICINE MEDICAL SERVICES AND TELEHEALTH SERVICES. (a) A health professional who provides telemedicine medical services or telehealth services to a patient as described by Section 111.005(a)(3) shall:

(1) maintain a record of each telemedicine medical service or telehealth service provided to a patient by the health professional until the seventh anniversary of the date the service is provided; and

(2) produce a record described by Subdivision (1) on request of the state licensing agency with regulatory authority over the health professional that is conducting a regulatory investigation or disciplinary action.

(b) A health professional may designate as custodian of records described by Subsection (a)(1) a designated agent in this state for any business entity through which the professional provided telemedicine medical services or telehealth services to the patient. A health professional who designates a custodian under this subsection may maintain a complete copy of the records of each of the patients to whom the professional provides telemedicine medical services or telehealth services as described by Section 111.005(a)(3).

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

SECTION ____ . Chapter 111, Occupations Code, is amended by adding Section 111.0025 to read as follows:

Sec. 111.0025. SCOPE OF PRACTICE NOT EXPANDED. (a) A health professional who provides telemedicine medical services or telehealth services to a patient as described by Section 111.005(a)(3) may provide only services within the health professional's scope of practice.

(b) This chapter does not change the scope of practice of any profession.

The amendment to **CSSB 2527** 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.

Senator Campbell offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 2527** (senate committee printing) in SECTION 9 of the bill as follows:

(1) Strike Section 111.011(c), Occupations Code (page 4, lines 15-22), and substitute the following:

(c) Any person may bring a civil action against a person who violates Subsection (a). If a claimant prevails in an action under this subsection, the court shall award injunctive relief sufficient to prevent the defendant from violating Subsection (a).

(2) Immediately following Section 111.012(b), Occupations Code (page 4, between lines 45 and 46), insert the following appropriately lettered subsection and reletter subsequent subsections of the section and cross-references to those subsections accordingly:

() A health professional may provide to a patient as a telemedicine medical service or telehealth service a refill prescription for a prescription that was initially prescribed under Subsection (b) only if the health professional has conducted an in-person examination of the patient at least once in the 12-month period preceding the date of the refill prescription.

The amendment to **CSSB 2527** was read and was adopted by a viva voce vote.

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

CSSB 2527 as amended was passed to engrossment by a viva voce vote.

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

COMMITTEE SUBSTITUTE SENATE BILL 2527 ON THIRD READING

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2527** 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 2064 ON SECOND READING

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **CSSB 2064** at this time on its second reading:

CSSB 2064, Relating to the dissemination of patient information through a telemedicine, telehealth, or teledentistry service.

The motion prevailed.

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

The bill was read second time.

Senator Bettencourt offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 2064** (senate committee report) in SECTION 1 of the bill as follows:

(1) In added Section 111.010(a), Occupations Code (page 1, line 27), strike "section, "social"" and substitute the following:
section:

(1) "Patient information" means any information relating to:

(A) the past, present, or future physical or mental health condition of an individual;

(B) the provision of health care to an individual; or

(C) the past, present, or future payment for the provision of health care to an individual.

(2) "Social

(2) In added Section 111.010(b), Occupations Code (page 1, line 33), strike "or otherwise shares" and substitute "the patient information of a patient of the physician, health professional, or dentist to or otherwise shares the".

(3) In added Section 111.010(c), Occupations Code (page 1, line 37), strike "entity," and substitute the following:

entity, unless the physician, health professional, or dentist had received written assurances from the entity providing telecommunications or information technology that the entity appropriately safeguards patient information of the physician's, health professional's, or dentist's patients.

(d) An entity that provides telecommunications or information technology to enable a telemedicine medical service, telehealth service, or teledentistry service may not sell or otherwise share patient information with a social media platform. A violation of this subsection may be enforced in the same manner as a violation of Chapter 181, Health and Safety Code, is enforced under Subchapter E of that chapter.

(e)

The amendment to **CSSB 2064** 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 2064 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: Gutierrez, Hall.

COMMITTEE SUBSTITUTE SENATE BILL 2064 ON THIRD READING

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2064** be placed on its third reading and final passage.

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

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

Nays: Gutierrez, Hall.

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

(President in Chair)

SENATE BILL 2200 ON SECOND READING

Senator Hancock moved to suspend the regular order of business to take up for consideration **SB 2200** at this time on its second reading:

SB 2200, Relating to public acknowledgment of donations made to the Texas Department of Transportation.

The motion prevailed.

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

The bill was read second time 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: Middleton.

SENATE BILL 2200 ON THIRD READING

Senator Hancock moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2200** be placed on its third reading and final passage.

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

Nays: Middleton.

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

SENATE BILL 1966 ON SECOND READING

Senator Alvarado moved to suspend the regular order of business to take up for consideration **SB 1966** at this time on its second reading:

SB 1966, Relating to a grant program for school-based health care initiatives established to serve certain underserved students.

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

Yeas: Alvarado, Blanco, Campbell, Eckhardt, Flores, Gutierrez, Hall, Hinojosa, Huffman, Johnson, Kolkhorst, LaMantia, Menéndez, Miles, Nichols, Perry, Springer, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Creighton, Hancock, Hughes, King, Middleton, Parker, Paxton, Schwertner, Sparks.

The bill was read second time.

Senator Alvarado offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1966** (senate committee report) in SECTION 1 of the bill, immediately following added Section 531.0606(e), Government Code (page 1, between lines 54 and 55), by inserting the following:

(f) This section expires on the second anniversary of the date that all money appropriated for the program established under this section has been expended.

The amendment to **SB 1966** 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 Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 2

Amend **SB 1966** (senate committee report) in SECTION 1 of the bill as follows:

(1) In added Section 531.0606(b), Government Code (page 1, lines 31 and 32), strike "primary, and behavioral" and substitute "and primary".

(2) Immediately following added Section 531.0606(d), Government Code (page 1, between lines 47 and 48), insert the following appropriately lettered subsection and reletter subsequent subsections and correct cross-references to those subsections accordingly:

() A grant recipient may provide preventative and primary health care services under the program to a student younger than 18 years of age only if the grant recipient obtains the consent of the parent or legal guardian of the student.

The amendment to **SB 1966** 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.

SB 1966 as amended was passed to engrossment by the following vote: Yeas 20, Nays 11.

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

Nays: Birdwell, Creighton, Hall, Hancock, Hughes, King, Middleton, Parker, Paxton, Schwertner, Sparks.

SENATE BILL 1966 ON THIRD READING

Senator Alvarado moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1966** be placed on its third reading and final passage.

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

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

Nays: Birdwell, Creighton, Hancock, Hughes, Middleton, Sparks.

The bill was read third time and was passed by the following vote: Yeas 20, Nays 11.

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

Nays: Birdwell, Creighton, Hall, Hancock, Hughes, King, Middleton, Parker, Paxton, Schwertner, Sparks.

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

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

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

**COMMITTEE SUBSTITUTE
SENATE BILL 258 ON SECOND READING**

Senator Eckhardt moved to suspend the regular order of business to take up for consideration **CSSB 258** at this time on its second reading:

CSSB 258, Relating to energy efficiency goals for electric utilities.

The motion prevailed by the following vote: Yeas 23, Nays 8.

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

Nays: Campbell, Creighton, Hall, Hancock, Huffman, King, Middleton, Paxton.

The bill was read second time and was passed to engrossment by the following vote: Yeas 18, Nays 13.

Yeas: Alvarado, Birdwell, Blanco, Eckhardt, Gutierrez, Hinojosa, Johnson, Kolkhorst, LaMantia, Menéndez, Miles, Nichols, Parker, Perry, Schwertner, West, Whitmire, Zaffirini.

Nays: Bettencourt, Campbell, Creighton, Flores, Hall, Hancock, Huffman, Hughes, King, Middleton, Paxton, Sparks, Springer.

SENATE BILL 500 WITH HOUSE AMENDMENT

Senator West called **SB 500** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Floor Amendment No. 1

Amend **SB 500** (senate engrossment) in SECTION 1 of the bill, amending Section 2002.056(b-1), Occupations Code, as follows:

- (1) Strike "The" and substitute "Subsection (b) does not apply to the [The]".
- (2) Strike "may not exceed \$500,000 [~~\$250,000~~]" and substitute "[~~may not exceed \$250,000~~]".

The amendment was read.

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

The motion prevailed without objection.

The President asked if there were any motions to instruct the conference committee on **SB 500** before appointment.

There were no motions offered.

The President announced the appointment of the following conferees on the part of the Senate: Senators West, Chair; Parker, Blanco, Hughes, and Paxton.

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

Senator Campbell submitted the following Motion In Writing:

Mr. President:

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

SB 2628 by Campbell, Relating to requiring medical clearance before admission to an inpatient mental health facility.

The Motion In Writing was read and prevailed without objection.

SENATE BILL ON FIRST READING

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

SB 2628 by Campbell

Relating to requiring medical clearance before admission to an inpatient mental health facility.

To Committee on Health and Human Services.

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 2** to Committee on Local Government.
- HB 3** to Committee on Education.
- HB 6** to Committee on Criminal Justice.
- HB 9** to Committee on Finance.
- HB 12** to Committee on Health and Human Services.
- HB 13** to Committee on Education.
- HB 17** to Committee on State Affairs.
- HB 25** to Committee on Health and Human Services.
- HB 64** to Committee on Criminal Justice.
- HB 87** to Committee on State Affairs.
- HB 100** to Committee on Education.
- HB 114** to Committee on Education.
- HB 162** to Committee on Water, Agriculture, and Rural Affairs.
- HB 178** to Committee on Criminal Justice.
- HB 249** to Committee on Education.
- HB 299** to Committee on Health and Human Services.
- HB 357** to Committee on State Affairs.
- HB 422** to Committee on Criminal Justice.
- HB 579** to Committee on Education.
- HB 617** to Committee on Health and Human Services.
- HB 626** to Committee on Finance.
- HB 627** to Committee on Transportation.
- HB 628** to Committee on Transportation.
- HB 637** to Committee on Health and Human Services.
- HB 653** to Committee on Jurisprudence.
- HB 659** to Committee on Transportation.
- HB 681** to Committee on Education.
- HB 692** to Committee on Water, Agriculture, and Rural Affairs.
- HB 750** to Subcommittee on Higher Education.
- HB 890** to Committee on Education.
- HB 900** to Committee on Education.
- HB 999** to Committee on Health and Human Services.
- HB 1002** to Committee on Education.
- HB 1067** to Committee on Education.
- HB 1333** to Committee on Water, Agriculture, and Rural Affairs.
- HB 1547** to Committee on Jurisprudence.
- HB 1597** to Committee on Business and Commerce.
- HB 1661** to Committee on Criminal Justice.
- HB 1662** to Committee on Education.
- HB 1707** to Committee on Education.
- HB 1771** to Committee on Health and Human Services.
- HB 1772** to Committee on Water, Agriculture, and Rural Affairs.
- HB 1789** to Committee on Education.

HB 1826 to Committee on Criminal Justice.
HB 1846 to Committee on Transportation.
HB 1950 to Committee on Natural Resources and Economic Development.
HB 1957 to Committee on Business and Commerce.
HB 1993 to Committee on Criminal Justice.
HB 2012 to Committee on Education.
HB 2059 to Committee on Health and Human Services.
HB 2063 to Committee on Water, Agriculture, and Rural Affairs.
HB 2067 to Committee on Jurisprudence.
HB 2070 to Committee on Jurisprudence.
HB 2083 to Committee on Transportation.
HB 2100 to Committee on Education.
HB 2138 to Committee on State Affairs.
HB 2153 to Committee on Local Government.
HB 2158 to Subcommittee on Higher Education.
HB 2195 to Committee on Transportation.
HB 2196 to Committee on State Affairs.
HB 2361 to Committee on Education.
HB 2373 to Committee on Water, Agriculture, and Rural Affairs.
HB 2388 to Committee on Water, Agriculture, and Rural Affairs.
HB 2464 to Committee on Finance.
HB 2518 to Committee on Business and Commerce.
HB 2629 to Committee on State Affairs.
HB 2727 to Committee on Health and Human Services.
HB 2755 to Committee on Water, Agriculture, and Rural Affairs.
HB 2774 to Committee on Water, Agriculture, and Rural Affairs.
HB 2804 to Subcommittee on Higher Education.
HB 2892 to Committee on Education.
HB 2901 to Committee on Transportation.
HB 3013 to Committee on Business and Commerce.
HB 3060 to Committee on Natural Resources and Economic Development.
HB 3065 to Committee on Water, Agriculture, and Rural Affairs.
HB 3075 to Committee on Criminal Justice.
HB 3144 to Committee on Health and Human Services.
HB 3192 to Committee on Criminal Justice.
HB 3232 to Committee on Water, Agriculture, and Rural Affairs.
HB 3278 to Committee on Water, Agriculture, and Rural Affairs.
HB 3345 to Committee on Finance.
HB 3437 to Committee on Water, Agriculture, and Rural Affairs.
HB 3507 to Committee on Water, Agriculture, and Rural Affairs.
HB 3577 to Committee on Transportation.
HB 3582 to Committee on Water, Agriculture, and Rural Affairs.
HB 3651 to Committee on Finance.
HB 3660 to Committee on Criminal Justice.
HB 3731 to Committee on Water, Agriculture, and Rural Affairs.
HB 3837 to Committee on Natural Resources and Economic Development.

HB 3989 to Committee on Transportation.
HB 4005 to Committee on Education.
HB 4015 to Committee on Finance.
HB 4018 to Committee on Water, Agriculture, and Rural Affairs.
HB 4101 to Committee on Local Government.
HB 4131 to Subcommittee on Higher Education.
HB 4166 to Committee on Health and Human Services.
HB 4183 to Committee on Jurisprudence.
HB 4256 to Committee on Finance.
HB 4300 to Committee on Health and Human Services.
HB 4331 to Committee on Health and Human Services.
HB 4332 to Committee on Health and Human Services.
HB 4385 to Committee on Water, Agriculture, and Rural Affairs.
HB 4532 to Committee on Water, Agriculture, and Rural Affairs.
HB 4593 to Committee on Criminal Justice.
HB 4704 to Committee on Local Government.
HB 4943 to Committee on Local Government.
HB 4997 to Subcommittee on Higher Education.
HB 5052 to Committee on Water, Agriculture, and Rural Affairs.
HB 5195 to Committee on Criminal Justice.
HB 5302 to Committee on Water, Agriculture, and Rural Affairs.
HCR 4 to Committee on Administration.
HCR 27 to Committee on Administration.
HCR 30 to Committee on Natural Resources and Economic Development.
HCR 37 to Committee on Administration.
HCR 45 to Committee on Administration.
HCR 61 to Committee on Administration.
HCR 82 to Committee on Administration.
HCR 86 to Committee on State Affairs.
HJR 1 to Committee on Local Government.
HJR 2 to Committee on Finance.
HJR 47 to Committee on Local Government.
HJR 107 to Committee on Jurisprudence.
HJR 125 to Committee on Business and Commerce.
HJR 150 to Committee on Local Government.
HJR 170 to Committee on Education.

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

Senator Hall submitted the following Motion In Writing:

Mr. President:

I move suspension of Senate Rule 5.14, the Intent Calendar rule, in order to move the Intent Calendar deadline to 4 p.m. today.

HALL

The Motion In Writing was read and prevailed without objection.

**COMMITTEE SUBSTITUTE
SENATE BILL 258 ON THIRD READING**

Senator Eckhardt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 258** be placed on its third reading and final passage:

CSSB 258, Relating to energy efficiency goals for electric utilities.

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

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

Nays: Creighton, Hall, Huffman, Middleton, Paxton.

The bill was read third time and was passed by the following vote: Yeas 18, Nays 13.

Yeas: Alvarado, Birdwell, Blanco, Eckhardt, Gutierrez, Hinojosa, Johnson, Kolkhorst, LaMantia, Menéndez, Miles, Nichols, Parker, Perry, Schwertner, West, Whitmire, Zaffirini.

Nays: Bettencourt, Campbell, Creighton, Flores, Hall, Hancock, Huffman, Hughes, King, Middleton, Paxton, Sparks, Springer.

SENATE BILL 240 WITH HOUSE AMENDMENT

Senator Campbell called **SB 240** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Floor Amendment No. 1

Amend **SB 240** (house committee report) as follows:

(1) On page 2, line 14, immediately following the underlined semicolon, strike "and".

(2) On page 2, between lines 14 and 15, insert the following:

(2) except as provided by Subsection (c), one physician licensed to practice medicine in this state who provides direct care to patients of the facility; and

(3) On page 2, line 15, strike "(2)" and substitute "(3)".

(4) On page 2, between lines 16 and 17, insert the following:

(c) If a facility described by Section 331.001(3)(A) does not have on staff at least one physician described by Subsection (b)(2), the facility is not required to include a physician on the committee.

(5) On page 2, line 17, strike "(c)" and substitute "(d)".

(6) On page 4, lines 8 and 9, strike ", including temporary employees,".

(7) On page 4, line 17, strike "require" and substitute "allow".

The amendment was read.

Senator Campbell moved to concur in the House amendment to **SB 240**.

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

SENATE RULES SUSPENDED
(Posting Rules)

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

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Hughes and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Jurisprudence might meet and consider **SB 1195** at 9:00 a.m. tomorrow in the Betty King Committee Room.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Kolkhorst and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Health and Human Services might meet and consider **SB 2628** at 8:00 a.m. tomorrow in the Senate Chamber.

CO-AUTHOR OF SENATE BILL 252

On motion of Senator Alvarado, Senator Blanco will be shown as Co-author of **SB 252**.

CO-AUTHOR OF SENATE BILL 418

On motion of Senator Paxton, Senator Hall will be shown as Co-author of **SB 418**.

CO-AUTHOR OF SENATE BILL 436

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

CO-AUTHORS OF SENATE BILL 588

On motion of Senator Hughes, Senators Creighton and Zaffirini will be shown as Co-authors of **SB 588**.

CO-AUTHOR OF SENATE BILL 668

On motion of Senator West, Senator Blanco will be shown as Co-author of **SB 668**.

CO-AUTHOR OF SENATE BILL 839

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

CO-AUTHOR OF SENATE BILL 842

On motion of Senator Hinojosa, Senator Blanco will be shown as Co-author of **SB 842**.

CO-AUTHORS OF SENATE BILL 1022

On motion of Senator Nichols, Senators Hancock and West will be shown as Co-authors of **SB 1022**.

CO-AUTHOR OF SENATE BILL 1072

On motion of Senator Hughes, Senator Creighton will be shown as Co-author of **SB 1072**.

CO-AUTHOR OF SENATE BILL 1267

On motion of Senator Parker, Senator Blanco will be shown as Co-author of **SB 1267**.

CO-AUTHOR OF SENATE BILL 1624

On motion of Senator Zaffirini, Senator West will be shown as Co-author of **SB 1624**.

CO-AUTHOR OF SENATE BILL 1853

On motion of Senator Kolkhorst, Senator Sparks will be shown as Co-author of **SB 1853**.

CO-AUTHORS OF SENATE BILL 1966

On motion of Senator Alvarado, Senators Hinojosa and Whitmire will be shown as Co-authors of **SB 1966**.

CO-AUTHOR OF SENATE BILL 1979

On motion of Senator Hughes, Senator Sparks will be shown as Co-author of **SB 1979**.

CO-AUTHOR OF SENATE BILL 2016

On motion of Senator Zaffirini, Senator West will be shown as Co-author of **SB 2016**.

CO-AUTHOR OF SENATE BILL 2107

On motion of Senator Nichols, Senator West will be shown as Co-author of **SB 2107**.

CO-AUTHOR OF SENATE BILL 2220

On motion of Senator Menéndez, Senator Zaffirini will be shown as Co-author of **SB 2220**.

CO-AUTHOR OF SENATE BILL 2358

On motion of Senator Parker, Senator Paxton will be shown as Co-author of **SB 2358**.

CO-AUTHORS OF SENATE BILL 2453

On motion of Senator Menéndez, Senators Blanco, Eckhardt, and West will be shown as Co-authors of **SB 2453**.

CO-AUTHOR OF SENATE BILL 2476

On motion of Senator Zaffirini, Senator West will be shown as Co-author of **SB 2476**.

CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 4

On motion of Senator Eckhardt, Senator Alvarado will be shown as Co-author of **SCR 4**.

CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 42

On motion of Senator Hinojosa, Senator LaMantia will be shown as Co-author of **SCR 42**.

CO-SPONSOR OF HOUSE BILL 4

On motion of Senator Hughes, Senator Paxton will be shown as Co-sponsor of **HB 4**.

CO-SPONSOR OF HOUSE BILL 446

On motion of Senator Kolkhorst, Senator Blanco will be shown as Co-sponsor of **HB 446**.

CO-SPONSOR OF HOUSE BILL 4422

On motion of Senator Hinojosa, Senator Blanco will be shown as Co-sponsor of **HB 4422**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SCR 47 by Middleton, In memory of Charles Dwayne Krampota.

SR 508 by LaMantia, In memory of the life of Gloria Ann Reyes Garcia.

Congratulatory Resolutions

SR 501 by Hinojosa, Recognizing Cris Rivera on the occasion of her retirement.

SR 502 by Blanco, Recognizing San Elizario for being named Best Historic Small Town in *USA Today* Readers' Choice Awards.

SR 503 by Flores, Recognizing Allan Rubino for 50 years of service to the Texas Health and Human Services Commission.

SR 509 by LaMantia, Recognizing Cindy Gonzales on the occasion of her retirement.

Official Designation Resolution

SR 505 by Flores, Recognizing September 24, 2023, as Captain Henry T. Waskow Day.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 3:01 p.m. adjourned until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

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

May 2, 2023

WATER, AGRICULTURE, AND RURAL AFFAIRS — **SB 1850, HJR 126, HB 1809, HB 2308, HB 1565**

HEALTH AND HUMAN SERVICES — **CSSB 666**

BUSINESS AND COMMERCE — **SJR 93, SB 2627**

TRANSPORTATION — **CSSB 1370**

LOCAL GOVERNMENT — **SB 2619, HB 796, HB 3273, SB 2361, HB 1922, SB 2613, SB 2609, SB 2615, SB 2616, HB 586, SB 2434, CSSB 2598**

BILLS ENGROSSED

May 2, 2023

SB 258, SB 1072, SB 1166, SB 1474, SB 1624, SB 1647, SB 1712, SB 1896, SB 1966, SB 1993, SB 2016, SB 2064, SB 2107, SB 2200, SB 2220, SB 2476, SB 2527, SB 2612

BILL AND RESOLUTIONS ENROLLED

May 2, 2023

SB 240, SR 501, SR 502, SR 503, SR 505, SR 508, SR 509

SENT TO GOVERNOR

May 2, 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

