

SENATE JOURNAL

EIGHTY-EIGHTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTY-FOURTH DAY

(Tuesday, May 16, 2023)

The Senate met at 11:12 a.m. pursuant to adjournment and was called to order by Senator Birdwell.

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 Presiding Officer announced that a quorum of the Senate was present.

The Reverend Drew Dabbs, First Baptist Church, Hamilton, offered the invocation as follows:

Almighty God, on behalf of this legislative body, I come before You acknowledging that You have created, equipped, and called these good people to do this good work. You have endowed each with gifts, talents, abilities, and perspectives that make each one unique and valuable to the governance of this state. Remind us, Lord, that we bear Your image and that, as those who bear Your image, we have a duty to govern in ways that reflect Your just, merciful, and benevolent reign upon this Earth. Grant that on this day, we would each be found faithful stewards of the gifts and responsibilities You have entrusted to our care. I pray these things in Your most holy and precious name. Amen.

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

The motion prevailed without objection.

BILLS AND RESOLUTION SIGNED

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

SB 241, SB 577, SB 768, SB 811, SB 825, SB 887, SB 943, SB 1032, SB 1186, SB 1381, SB 1413, SB 1506, SB 1592, SB 1612, SB 1716, SB 1780, SB 1801, SB 1809, SB 1850, SB 1869, SB 2123, SB 2124, SB 2258, SB 2261, SB 2294, SB 2355, SB 2566, SB 2576, SB 2577, SB 2579, SB 2583, SB 2599, SB 2600, SCR 47.

MESSAGE FROM THE GOVERNOR

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

May 16, 2023
Austin, Texas

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

On January 19, 2023, I submitted the name of Tyrone P. Sharp, Ph.D. for appointment to the Texas Board of Nursing for a term to expire January 31, 2023.

I hereby withdraw his nomination and request that the Senate return the appointment to me.

Respectfully submitted,

/s/Greg Abbott
Governor

**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.

SENATE CONCURRENT RESOLUTION 52

The Presiding Officer laid before the Senate the following resolution:

SCR 52, In memory of U.S. Air Force Lieutenant Colonel (Ret.) James D. Kniker.

GUTIERREZ

On motion of Senator Gutierrez, the resolution was considered immediately, was read, and was adopted by a rising vote of the Senate.

In honor of the memory of James D. Kniker, the text of the resolution will be printed in the *Senate Journal* upon adjournment of this legislative day.

Senator Gutierrez was recognized and introduced to the Senate family members of James D. Kniker including his daughter, Alison Kniker.

The Senate welcomed its guests and extended its sympathy.

SENATE RESOLUTION 575

Senator Hancock offered the following resolution:

SR 575, In memory of Lori Cheryl Saunders Broughton.

The resolution was read.

On motion of Senator Hancock, **SR 575** was adopted by a rising vote of the Senate.

In honor of the memory of Lori Cheryl Saunders Broughton, the text of the resolution will be printed in the *Senate Journal* upon adjournment of this legislative day.

Senator Hancock was recognized and introduced to the Senate family members of Lori Broughton including her daughter, Whitney Broughton.

The Senate welcomed its guests and extended its sympathy.

PHYSICIAN OF THE DAY

Senator Eckhardt was recognized and presented Dr. Vishal Malpani of Austin as the Physician of the Day.

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

(Senator Flores in Chair)

SENATE RESOLUTION 564

Senator Schwertner offered the following resolution:

SR 564, Recognizing the participants in the 2023 Sam Houston State University Austin Internship Program.

SCHWERTNER
HUGHES

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Schwertner, joined by Senator Hughes, was recognized and introduced to the Senate Sam Houston Austin Internship Program (SHAIP) participants including Jessica Cuevas, Morgan Robertson, Yvette Mendoza, Ashlyn Parker, Ingrid Cuero, Jayelynn Bordeaux, Morgan Dawson, Amor Sheffield, and Breanna DeMeyers, accompanied by Professor Mike Yawn, Internship Director.

The Senate welcomed its guests.

SENATE BILL 1893 WITH HOUSE AMENDMENT

Senator Birdwell called **SB 1893** from the President's table for consideration of the House amendment to the bill.

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

Amendment

Amend **SB 1893** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED
AN ACT

relating to prohibiting the use of certain social media applications and services on devices owned or leased by state agencies.

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

SECTION 1. Subtitle B, Title 6, Government Code, is amended by adding Chapter 674 to read as follows:

CHAPTER 674. USE OF CERTAIN SOCIAL MEDIA APPLICATIONS AND SERVICES ON STATE AGENCY DEVICES PROHIBITED

Sec. 674.001. DEFINITIONS. In this chapter:

(1) "Prohibited application" means:

(A) a social media application or service included on the list published by the Department of Information Resources under Section 674.005; or

(B) a social media application or service specified by executive order of the governor under Section 674.004.

(2) "State agency" means:

(A) a department, commission, board, office, or other agency that is in the executive or legislative branch of state government and that was created by the constitution or a statute, including an institution of higher education as defined by Section 61.003, Education Code; or

(B) the supreme court, the court of criminal appeals, a court of appeals, or the Texas Judicial Council or another agency in the judicial branch of state government.

Sec. 674.002. PROHIBITION; MODEL POLICY. (a) Subject to Section 674.003, a state agency shall adopt a policy prohibiting the installation or use of a prohibited application on any device owned or leased by the state agency and requiring the removal of prohibited applications from those devices.

(b) The Department of Information Resources and the Department of Public Safety shall jointly develop a model policy for state agencies to use in developing the policy required by Subsection (a).

Sec. 674.003. EXCEPTIONS; MITIGATING MEASURES. (a) A policy adopted under Section 674.002 may include an exception allowing the installation and use of a prohibited application to the extent necessary:

(1) for providing law enforcement;

(2) for developing or implementing information security measures; or

(3) to allow other legitimate governmental uses as jointly determined by the Department of Information Resources and the Department of Public Safety.

(b) A policy allowing the installation and use of a prohibited application under Subsection (a) must require:

(1) the use of measures to mitigate risks to the security of state agency information during the use of the prohibited application; and

(2) the documentation of those measures.

(c) The administrative head of a state agency must approve in writing the installation and use of a prohibited application under an exception described by Subsection (a) by employees of the state agency and report the approval to the Department of Information Resources.

Sec. 674.004. APPLICATIONS IDENTIFIED BY GOVERNOR'S ORDER. The governor by executive order may identify social media applications or services that pose a threat to the security of the state's sensitive information, critical infrastructure, or both.

Sec. 674.005. APPLICATION IDENTIFIED BY DEPARTMENT OF INFORMATION RESOURCES AND DEPARTMENT OF PUBLIC SAFETY. (a) The Department of Information Resources and the Department of Public Safety, in consultation with the office of the governor, shall jointly identify social media applications or services that pose a threat to the security of the state's sensitive information, critical infrastructure, or both.

(b) The Department of Information Resources shall publish annually and maintain on the department's publicly accessible Internet website a list of the prohibited applications identified under Subsection (a).

SECTION 2. Not later than the 60th day after the date the Department of Information Resources and the Department of Public Safety make available the model policy required by Section 674.002(b), Government Code, as added by this Act, each state agency shall adopt the policy required by Section 674.002(a), Government Code, as added by this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

The amendment was read.

Senator Schwertner 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 Presiding Officer asked if there were any motions to instruct the conference committee on **SB 1893** before appointment.

There were no motions offered.

The Presiding Officer announced the appointment of the following conferees on the part of the Senate: Senators Birdwell, Chair; Hughes, Bettencourt, Paxton, and LaMantia.

(Senator Birdwell in Chair)

GUESTS PRESENTED

Senator Hughes, joined by Senator Eckhardt, was recognized and introduced to the Senate Texas Emergency Service Districts members.

The Senate welcomed its guests.

SENATE BILL 1188 WITH HOUSE AMENDMENT

Senator Hinojosa called **SB 1188** from the President's table for consideration of the House amendment to the bill.

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

Amendment

Amend **SB 1188** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED
AN ACT

relating to receivership of the Agua Special Utility District and requirements for directors of the Agua Special Utility District.

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

SECTION 1. Section 7201.055(b), Special District Local Laws Code, is amended to read as follows:

(b) A candidate for a position on the board must:

- (1) reside in the subdistrict represented by that position; ~~and~~
- (2) be eligible to hold office under Section 141.001, Election Code;
- (3) file a campaign treasurer appointment form described by Chapter 252, Election Code, with the Texas Ethics Commission; and
- (4) file each report required under Title 15, Election Code, with the Texas Ethics Commission and the board.

SECTION 2. Section 7201.058, Special District Local Laws Code, is amended by amending Subsection (a) and adding Subsections (c), (d), and (e) to read as follows:

(a) A director may be removed from the board by a majority of the other directors if the director:

- (1) does not have at the time of appointment the qualifications required by Section 7201.055(b) or is disqualified from serving under Section 7201.059;
- (2) does not complete the education program required by Section 7201.054;
- (3) does not meet the eligibility requirements under Section 7201.072;
- (4) fails to comply with Section 7201.071; ~~or~~
- (5) misses one-half or more of the regularly scheduled meetings during the preceding 12 months;
- (6) repeatedly fails to file an affidavit under Section 553.002, Government Code, disclosing an interest in property to be acquired with public money;
- (7) repeatedly fails to file a conflicts disclosure statement under Section 176.003, Local Government Code;
- (8) fails to comply with Section 171.004, Local Government Code;
- (9) does not file the financial statement required of state officers under Section 7201.056; or
- (10) does not file a campaign treasurer appointment form or a required report under Section 7201.055.

(c) A director shall be removed from the board by the other remaining directors if the director has been convicted of or has pleaded guilty or nolo contendere to a civil or criminal offense of:

- (1) bribery;
- (2) embezzlement, extortion, or other theft of public money;
- (3) perjury;
- (4) coercion of a public servant or voter;
- (5) tampering with a governmental record;
- (6) misuse of official information;

(7) abuse of official capacity; or

(8) conspiracy to commit or an attempted commission of an offense described by Subdivisions (1)-(7).

(d) The board shall begin the process of notice and public hearing for the removal of a director not later than the 30th day after the date the board receives notice of a violation under this section.

(e) Not later than the 30th day after the date the board removes a director, the board shall begin the process of filling the vacancy in accordance with Section 49.105, Water Code.

SECTION 3. Subchapter B, Chapter 7201, Special District Local Laws Code, is amended by adding Sections 7201.059 and 7201.060 to read as follows:

Sec. 7201.059. DISQUALIFICATION OF DIRECTORS. A director is disqualified from serving as a director if:

(1) the director is a member or is appointed or elected as a member of the governing body of another political subdivision;

(2) the director does not:

(A) meet the eligibility requirements under Section 7201.072;

(B) file a campaign treasurer appointment form required under Section 7201.055(b)(3); or

(C) file each report required under Section 7201.055(b)(4); or

(3) the board determines a relationship or employment exists to which Section 49.052, Water Code, applies.

Sec. 7201.060. AUTOMATIC RESIGNATION OF DIRECTOR ON CANDIDACY FOR OTHER ELECTIVE OFFICE. If a director announces the director's candidacy or becomes a candidate in any general, special, or primary election for any elective office other than the office of director for the district, that announcement or candidacy constitutes an automatic resignation of the office of the director.

SECTION 4. Subchapter B-1, Chapter 7201, Special District Local Laws Code, is amended by adding Section 7201.075 to read as follows:

Sec. 7201.075. PUBLIC ACCESS TO DIRECTOR REPORTS. (a) The district shall post to the district's Internet website and make publicly available each report required to be filed with the Texas Ethics Commission under Title 15, Election Code, by:

(1) a director;

(2) a candidate for the board; or

(3) a specific-purpose committee responsible for supporting, opposing, or assisting a director or candidate for the board.

(b) The district shall make available a report under Subsection (a) not later than the fifth business day after the date the report is filed with the board.

(c) This section may not be construed to limit public access to information in a report described by Subsection (a) through other electronic or print distribution.

(d) The district may remove the address of a person, except for the city, state, and zip code, listed as having made a political contribution to the director, candidate, or committee before posting a report on the district's Internet website. The information must remain available in a copy of the report maintained in the district's office.

SECTION 5. Chapter 7201, Special District Local Laws Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. RECEIVERSHIP OF DISTRICT; ENFORCEMENT

Sec. 7201.301. DEFINITIONS. In this subchapter:

(1) "Agent" means an individual who exercises discretion in the planning, recommending, selecting, or contracting of a vendor or contractor for the sale, lease, or purchase of real property, goods, or services on behalf of the district.

(2) "Commission" means the Texas Commission on Environmental Quality.

Sec. 7201.302. APPOINTMENT OF RECEIVER. (a) At the request of the commission, the attorney general shall bring an action for the appointment of a receiver to collect the assets and carry on the business of the district if the district:

(1) received three consecutive audit reports with anything other than an unqualified or clean opinion;

(2) completed five consecutive fiscal years at a net loss;

(3) has defaulted on more than one financial debt obligation;

(4) has a director or agent who has been convicted of or has pleaded guilty or nolo contendere to a civil or criminal offense related to the management or governance of the district; or

(5) violates a final judgment issued by a district court in an action brought by the attorney general under:

(A) this chapter;

(B) Chapter 7, 13, 49, or 65, Water Code;

(C) Chapter 341, Health and Safety Code;

(D) laws governing the selection, monitoring, or review and evaluation of professional services, vendors, or contractors for construction or improvement projects; or

(E) a rule adopted or order issued under any statute listed in this subdivision.

(b) The court shall appoint a receiver if an appointment is necessary to:

(1) guarantee the collection of assessments, fees, penalties, or interest;

(2) guarantee continuous and adequate service to the customers of the district; or

(3) prevent continued or repeated violations of a court order or final commission order.

Sec. 7201.303. POWERS AND DUTIES OF RECEIVER. (a) The receiver shall execute a bond in an amount to be set by the court to ensure the proper performance of the receiver's duties.

(b) After appointment and execution of bond, the receiver shall take possession of the assets of the district specified by the court.

(c) Until discharged by the court, the receiver shall perform the duties that the court directs to preserve the assets and carry on the business of the district and shall strictly observe the final order involved.

(d) The receiver has the powers and duties necessary to ensure the continued operation of the district and the provision of continuous and adequate services, including:

- (1) meter reading;
- (2) billing for services;
- (3) collecting revenue;
- (4) disbursing funds;
- (5) accessing all system components; and
- (6) requesting rate increases.

Sec. 7201.304. DISSOLUTION OF RECEIVERSHIP. The court may dissolve the receivership and order the assets and control of the business returned to the district if the district shows good cause for the dissolution of the receivership.

Sec. 7201.305. EFFECT ON COMMISSION ENFORCEMENT AUTHORITY. This subchapter does not affect the authority of the commission to pursue an enforcement action against the district or an affiliated person.

SECTION 6. Not later than the 30th day after the effective date of this Act, the board of directors of the Agua Special Utility District shall adopt or update procedures for the removal of a director under Section 7201.058, Special District Local Laws Code, as amended by this Act.

SECTION 7. This Act takes effect September 1, 2023.

The amendment was read.

Senator Hinojosa 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 Presiding Officer asked if there were any motions to instruct the conference committee on **SB 1188** before appointment.

There were no motions offered.

The Presiding Officer announced the appointment of the following conferees on the part of the Senate: Senators Hinojosa, Chair; Bettencourt, Eckhardt, Nichols, and Paxton.

SENATE BILL 876 WITH HOUSE AMENDMENT

Senator Flores called **SB 876** from the President's table for consideration of the House amendment to the bill.

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

Floor Amendment No. 1

Amend **SB 876** (house committee report) as follows:

- (1) On page 1, line 24, strike "personal and" and substitute "a [~~personal~~]".
- (2) On page 2, line 1:

(A) Strike "noncommercial".

(B) Between "use" and the period insert "described by Subsection (a)".

The amendment was read.

Senator Flores moved to concur in the House amendment to **SB 876**.

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

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

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

SENATE BILL 1499 WITH HOUSE AMENDMENT

Senator Nichols called **SB 1499** from the President's table for consideration of the House amendment to the bill.

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

Amendment

Amend **SB 1499** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT

relating to the funding of certain port projects.

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

SECTION 1. The heading to Chapter 55, Transportation Code, is amended to read as follows:

CHAPTER 55. FUNDING OF PORT DEVELOPMENT AND INFRASTRUCTURE [~~SECURITY,~~] PROJECTS, PORT CONNECTIVITY PROJECTS, AND STUDIES

SECTION 2. Sections 55.001(4-a) and (5), Transportation Code, are amended to read as follows:

(4-a) "Port connectivity [~~access improvement~~] project" means the construction or improvement of public roadways that will enhance connectivity to ports.

(5) "Port development and infrastructure [~~security, transportation, or facility~~] project" means an infrastructure, security, transportation, or facility [a] project that is necessary or convenient for the proper operation of a maritime port and that will improve the security, movement, and intermodal transportation of cargo or passengers in commerce and trade.

SECTION 3. Section 55.002, Transportation Code, is amended by amending Subsections (a), (c), and (e) and adding Subsection (f) to read as follows:

(a) From money in the fund, the department shall fund:

(1) port development and infrastructure [~~security, transportation, or facility~~] projects; and

(2) maritime port studies.

(c) Port development and infrastructure [~~security, transportation, or facility~~] projects eligible for funding under this chapter include:

- (1) construction or improvement of transportation facilities within the jurisdiction of a maritime port;
- (2) the dredging or deepening of channels, turning basins, or harbors;
- (3) the construction or improvement of wharves, docks, structures, jetties, piers, storage facilities, cruise terminals, or ~~any~~ facilities necessary or useful, as determined by the committee, in connection with maritime port transportation or economic development;
- (4) the construction or improvement of facilities necessary or useful in providing maritime port security;
- (5) the acquisition of container cranes or other mechanized equipment used in the movement of cargo or passengers in international commerce and trade;
- (6) the acquisition of land to be used for maritime port purposes;
- (7) the acquisition, improvement, enlargement, or extension of existing maritime port facilities; and
- (8) environmental protection projects that:
 - (A) are required as a condition of a state, federal, or local environmental permit or other form of approval;
 - (B) are necessary for the acquisition of spoil disposal sites and improvements to existing and future spoil sites; or
 - (C) result from the undertaking of eligible projects.

(e) The commission may use money from the Texas Mobility Fund to provide funding for a port connectivity ~~[access improvement]~~ project.

(f) An applicant eligible for funding under this section may not receive more than 20 percent of the total amount of money appropriated to the department in a fiscal biennium to fund the applicant's eligible projects under this section.

SECTION 4. Section 55.005, Transportation Code, as added by Section 1, Chapter 1268 (S.B. 1282), Acts of the 77th Legislature, Regular Session, 2001, is reenacted and amended to read as follows:

Sec. 55.005. PORT ACCESS ACCOUNT FUND. (a) The port access account fund is an account in the general revenue fund.

(b) The following money shall be credited to the fund:

- (1) money received from gifts, grants, and donations; ~~and~~
- (2) interest earned on deposits and investments of the fund;
- (3) money appropriated to the fund by the legislature; and
- (4) money received from the federal government.

(c) Money in the fund may be appropriated only to the department to perform the department's powers and duties concerning maritime port transportation and economic development under this chapter and to pay the department's expenses incurred under this chapter, as approved by the committee.

(c-1) Money appropriated by the legislature under Subsection (b)(3) may only be used to fund eligible port development and infrastructure projects under Section 55.002.

(d) The financial transactions of the fund are subject to audit by the state auditor.

SECTION 5. This Act takes effect September 1, 2023.

The amendment was read.

Senator Nichols moved to concur in the House amendment to **SB 1499**.

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

SENATE BILL 820 WITH HOUSE AMENDMENT

Senator Kolkhorst called **SB 820** from the President's table for consideration of the House amendment to the bill.

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

Floor Amendment No. 1

Amend **SB 820** (house committee printing) as follows:

(1) On page 3, line 9, between "optometrist" and "who" add "licensed by the Texas Optometry Board or a physician licensed by the Texas Medical Board"

The amendment was read.

Senator Kolkhorst moved to concur in the House amendment to **SB 820**.

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

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

Nays: Hughes, Middleton, Springer.

SENATE BILL 490 WITH HOUSE AMENDMENTS

Senator Hughes called **SB 490** from the President's table for consideration of the House amendments to the bill.

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

Amendment

Amend **SB 490** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED
AN ACT

relating to itemized billing for health care services and supplies provided by health care providers; authorizing an administrative penalty.

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

SECTION 1. Title 2, Health and Safety Code, is amended by adding Subtitle J to read as follows:

SUBTITLE J. PAYMENT FOR HEALTH CARE SERVICES AND SUPPLIES

CHAPTER 185. HEALTH CARE BILLING

Sec. 185.001. DEFINITIONS. In this chapter:

(1) "Debt collection" has the meaning assigned by Section 392.001, Finance Code.

(2) "Health care provider" means an individual or facility licensed, certified, or otherwise authorized to provide health care services or supplies in this state in the ordinary course of business or professional practice, including a physician or a hospital.

(3) "Health care service" means a service a health care provider provides to an individual to diagnose, prevent, treat, alleviate, cure, or heal a human health condition, illness, injury, or disease.

Sec. 185.002. ITEMIZED BILL REQUIRED. (a) A health care provider that requests payment from a patient after providing a health care service or related supply to the patient shall submit with the request a written, itemized bill of the alleged cost of each service and supply provided to the patient during the patient's visit to the provider. The provider must submit the itemized bill not later than the 30th day after the provider receives a final payment on the provided service or supply from a third party.

(b) The itemized bill must include:

(1) a plain language description of each distinct health care service or supply the health care provider provided to the patient;

(2) if the provider sought or is seeking reimbursement from a third party, any billing code submitted to the third party and the amounts billed to and paid by that third party; and

(3) the amount the provider alleges is due from the patient for each service and supply provided to the patient.

(c) A health care provider may issue the itemized bill electronically, including through a patient portal on the provider's Internet website.

(d) A patient is entitled to obtain from the health care provider an itemized bill on request at any time after the itemized bill is initially issued under Subsection (a).

(e) A health care provider may not pursue debt collection against a patient for a provided health care service or supply unless the provider has complied with this section.

Sec. 185.003. ADMINISTRATIVE PENALTY AND OTHER DISCIPLINARY ACTION BY LICENSING AUTHORITY. The appropriate licensing authority shall impose an administrative penalty against a health care provider that violates this chapter in the amount of \$1,000 for each violation and may also take other disciplinary action against the provider for the violation as if the provider violated an applicable licensing law.

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

Floor Amendment No. 1

Amend **CSSB 490** (house committee report) as follows:

(1) On page 1, line 13, strike "an individual or" and substitute "a".

(2) On page 1, lines 16 and 17, strike "or professional practice, including a physician or" and substitute ", including".

(3) On page 1, line 17, between "hospital" and the underlined period, insert ", except the term does not include a federally-qualified health center, as defined by 42 U.S.C. Section 1396d(1)(2)(B)".

(4) On page 2, line 25, strike "ADMINISTRATIVE PENALTY AND OTHER".

(5) On page 2, line 27, through page 3, lines 1 and 2, strike "impose an administrative penalty against a health care provider that violates this chapter in the amount of \$1,000 for each violation and may also take other" and substitute "take".

The amendments were read.

Senator Hughes moved to concur in the House amendments to **SB 490**.

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

REMARKS ORDERED PRINTED

On motion of Senator Schwertner and by unanimous consent, the remarks by Senator Hughes regarding **SB 490** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Thank you, Mr. President. Thank you, Members. This is that bill that has to do with itemized billing. It says when you leave the hospital you get an itemized bill. It's remarkable how much opposition there was to a bill like this, the second session for this bill to go through. Representative Caroline Harris worked on this bill when she was a member of Senate staff. Now as a member of the House, she carried the bill in the House, negotiated it, worked it through. And our Senate bill went over to the House, and the House made a couple of improvements, which I'll explain. They added a deadline by which a provider's required to submit the itemized bill, not later than the 30th day after the provider receives final payment on the service or supply, limits the applicability to medical provider facilities like hospitals, surgery centers, and it exempts those federally qualified health centers and critical access from the requirement. In these instances, billing information is more readily accessible due to federal regulations already in place. So, at the end of the day, a great bill, it's going to help every Texan know what they're being charged for, and I move we concur in House amendments, and as I do that, I want to make one more statement for legislative intent. I want to make it clear that this bill regarding debt collection, this bill's intent regarding debt collection, which was also discussed on the House floor. To prevent any confusion for health care providers to implement this legislation, SB 490 applies to third-party debt collection. Our constituents are now receiving itemized bill before any health care provider turns the bill over for debt collection. That's what the bill does, that's what the House amendments do, and I move we concur and send this to the Governor.

SENATE RESOLUTION 563

Senator Miles offered the following resolution:

SR 563, Recognizing the Fellows from the University of Houston Hobby School of Public Affairs.

MILES
ALVARADO
ECKHARDT
WHITMIRE

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Miles, joined by Senators Whitmire, Campbell, and Alvarado, was recognized and introduced to the Senate University of Houston Hobby School of Public Affairs Fellows including Reynaldo "Ernie" Perez, Aaron Rollins, and Rohit Shajan.

The Senate welcomed its guests.

SENATE BILL 855 WITH HOUSE AMENDMENT

Senator Alvarado called **SB 855** from the President's table for consideration of the House amendment to the bill.

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

Amendment

Amend **SB 855** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT

relating to judicial training requirements regarding family violence.

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

SECTION 1. Section 22.110, Government Code, is amended by amending Subsections (b) and (d) and adding Subsection (d-2) to read as follows:

(b) The court of criminal appeals shall adopt the rules necessary to accomplish the purposes of this section. The rules must require:

(1) each district judge, judge of a statutory county court, associate judge appointed under Chapter 54A of this code or Chapter 201, Family Code, master, referee, and magistrate ~~[to complete at least 12 hours of the training]~~ within the judge's first term of office or the judicial officer's first four years of service to complete and provide ~~[a method for]~~ certification of completion of 12 hours of [that] training that include at least:

(A) ~~[-At least]~~ four hours ~~[of the training must be]~~ dedicated to issues related to trafficking of persons and child abuse and neglect that cover ~~[and must cover]~~ at least two of the topics described in Subsections (d)(8)-(12);

(B) ~~[-At least]~~ six hours ~~[of the training must be]~~ dedicated to the training described by Subsections (d)(5), (6), and (7); and

(C) one hour dedicated to the training described by Subsection (d)(13);

(2) ~~[-The rules must require]~~ each judge and judicial officer ~~[to complete an additional five hours of training]~~ during each additional term in office or four years of service to complete and provide certification of completion of an additional five hours of training that include at least:

(A) ~~[-At least]~~ two hours ~~[of the additional training must be]~~ dedicated to the training described by Subsections (d)(11) and (12); and

(B) one hour dedicated to the training described by Subsection (d)(13);
and

(3) each judge of a court with primary responsibility for family law or family violence matters to complete and provide certification of completion of an additional hour of training described by Subsection (d)(13) every two years ~~[issues~~

~~related to trafficking of persons and child abuse and neglect. The rules must exempt from the training requirement of this subsection each judge or judicial officer who files an affidavit stating that the judge or judicial officer does not hear any cases involving family violence, sexual assault, trafficking of persons, or child abuse and neglect].~~

(d) The instruction must include information about:

- (1) statutory and case law relating to videotaping a child's testimony and relating to competency of children to testify;
- (2) methods for eliminating the trauma to the child caused by the court process;
- (3) case law, statutory law, and procedural rules relating to family violence, sexual assault, trafficking of persons, and child abuse and neglect;
- (4) methods for providing protection for victims of family violence, sexual assault, trafficking of persons, and child abuse and neglect;
- (5) available community and state resources for counseling and other aid to victims and to offenders;
- (6) gender bias in the judicial process;
- (7) dynamics and effects of being a victim of [~~family violence,~~] sexual assault, trafficking of persons, or child abuse and neglect;
- (8) dynamics of sexual abuse of children, including child abuse accommodation syndrome and grooming;
- (9) impact of substance abuse on an unborn child and on a person's ability to care for a child;
- (10) issues of attachment and bonding between children and caregivers;
- (11) issues of child development that pertain to trafficking of persons and child abuse and neglect; ~~and~~
- (12) medical findings regarding physical abuse, sexual abuse, trafficking of persons, and child abuse and neglect; and
- (13) dynamics of family violence.

(d-2) The training described by Subsection (d)(13) must be developed in consultation with a statewide family violence advocacy organization.

SECTION 2. (a) Not later than December 1, 2023, the Texas Court of Criminal Appeals shall adopt the rules necessary to provide the training required under Section 22.110, Government Code, as amended by this Act.

(b) Notwithstanding Section 22.110, Government Code, as amended by this Act, a judge, master, referee, or magistrate who is in office on the effective date of this Act must complete the training required by Section 22.110, Government Code, as amended by this Act, as applicable, not later than December 1, 2025.

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

The amendment was read.

Senator Alvarado moved to concur in the House amendment to **SB 855**.

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

Nays: Springer.

CONCLUSION OF MORNING CALL

The Presiding Officer at 12:16 p.m. announced the conclusion of morning call.

HOUSE BILL 1859 ON THIRD READING

Senator Perry moved to suspend the regular order of business to take up for consideration **HB 1859** at this time on its third reading and final passage:

HB 1859, Relating to the regulation of air conditioning and refrigeration contracting, including eligibility for an air conditioning and refrigeration technician registration or certification.

The motion prevailed by the following vote: Yeas 21, Nays 10.

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

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

The bill was read third time and was passed by the following vote: Yeas 21, Nays 10. (Same as previous roll call)

HOUSE BILL 2518 ON SECOND READING

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2518** at this time on its second reading:

HB 2518, Relating to required lease terms for public property leased to a nongovernmental entity; creating a criminal offense.

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

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

HOUSE BILL 2518 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 **HB 2518** 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.

HOUSE BILL 1789 ON SECOND READING

On motion of Senator Flores and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1789** at this time on its second reading:

HB 1789, Relating to the application of nepotism prohibitions to a person appointed or employed by a school district as a bus driver.

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

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

HOUSE BILL 1789 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 **HB 1789** 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.

HOUSE BILL 3497 ON SECOND READING

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3497** at this time on its second reading:

HB 3497, Relating to the requirement that certain persons taking oysters on a licensed commercial oyster boat obtain a commercial fisherman's license.

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

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

HOUSE BILL 3497 ON THIRD READING

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3497** 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.

HOUSE BILL 3053 ON SECOND READING

Senator Paxton moved to suspend the regular order of business to take up for consideration **HB 3053** at this time on its second reading:

HB 3053, Relating to the municipal disannexation of certain areas annexed during a certain period of time.

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 third reading by the following vote: Yeas 19, Nays 12. (Same as previous roll call)

HOUSE BILL 3075 ON SECOND READING

On motion of Senator Flores and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3075** at this time on its second reading:

HB 3075, Relating to the operation of an unmanned aircraft over a correctional facility or detention facility; creating a criminal offense.

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

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

HOUSE BILL 3075 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 **HB 3075** 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**HOUSE BILL 621 ON SECOND READING**

Senator Hughes moved to suspend the regular order of business to take up for consideration **CSHB 621** at this time on its second reading:

CSHB 621, Relating to creating a temporary educator certification for certain military service members and first responders.

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

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

Nays: Alvarado, Blanco, Gutierrez, Hinojosa, Johnson, Menéndez, Miles, Nichols, Whitmire.

The bill was read second time and was passed to third reading by the following vote: Yeas 22, Nays 9. (Same as previous roll call)

(President in Chair)

COMMITTEE SUBSTITUTE**HOUSE BILL 621 ON THIRD READING**

Senator Hughes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 621** be placed on its third reading and final passage.

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

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

Nays: Blanco, Gutierrez, Johnson, Menéndez, Miles, Nichols.

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

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

Nays: Alvarado, Blanco, Gutierrez, Hinojosa, Johnson, Menéndez, Miles, Nichols, Whitmire.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Tuesday, May 16, 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:

SB 22 Springer Sponsor: Guillen
Relating to the establishment of grant programs to provide financial assistance to qualified sheriff's offices, constable's offices, and prosecutor's offices in rural counties.
(Committee Substitute/Amended)

SB 62 Zaffirini Sponsor: Guillen
Relating to posting certain documents and information related to certain real property sales on a county's Internet website.

SB 182 Miles Sponsor: Rose
Relating to the required report of criminal offenses committed against individuals receiving certain state agency services; creating a criminal offense.
(Amended)

SB 224 Alvarado Sponsor: Leach
Relating to catalytic converters, including criminal conduct involving catalytic converters; providing an administrative penalty; creating a criminal offense; increasing a criminal penalty; increasing a fee.

SB 267 King Sponsor: Burrows
Relating to law enforcement agency accreditation, including a grant program to assist agencies in becoming accredited.

(Committee Substitute)

SB 409 Hinojosa Sponsor: Leach
Relating to the rights of victims, guardians of victims, and close relatives of deceased victims in the criminal justice system.

(Amended)

SB 478 Zaffirini Sponsor: King, Ken
Relating to the administration of the motorcycle operator training and safety program and requirements for the issuance of certain driver's licenses and commercial driver's licenses; requiring an occupational license; authorizing a fee.

SB 745 Kolkhorst Sponsor: Noble
Relating to fraud prevention under certain health care programs.

SB 780 Hughes Sponsor: Hefner
Relating to emergency possession of certain abandoned children by designated emergency infant care providers.

(Amended)

SB 895 Johnson Sponsor: Lambert
Relating to the regulation of money services businesses; creating a criminal offense; creating administrative penalties; authorizing the imposition of a fee.

SB 922 Hughes Sponsor: Orr
Relating to legislative leave for certain peace officers commissioned by the Parks and Wildlife Department.

SB 944 Kolkhorst Sponsor: Lambert
Relating to the commitment order for individuals with intellectual disabilities who are committed to state supported living centers.

(Committee Substitute)

SB 989 Huffman Sponsor: Bonnen
Relating to health benefit plan coverage for certain biomarker testing.

SB 1054 Nichols Sponsor: Burrows
Relating to requirements for a trial in the contest of an election on a proposed constitutional amendment.

SB 1145 West Sponsor: Talarico
Relating to a local option exemption from ad valorem taxation by a county or municipality of all or part of the appraised value of real property used to operate a child-care facility.

SB 1213 Zaffirini Sponsor: Goldman
Relating to the establishment of the Mold Assessment and Remediation Advisory Board under the Texas Department of Licensing and Regulation.

SB 1237 Flores Sponsor: Geren
Relating to compensation and leave for certain security officers or investigators commissioned as peace officers by the comptroller.

SB 1246 Huffman Sponsor: Bonnen
Relating to authorized investments of public money by certain governmental entities and the confidentiality of certain information related to those investments.

(Amended)

- | | | |
|---|-----------|---------------------------------|
| SB 1300 | Hughes | Sponsor: Thompson,
Senfronia |
| Relating to the disposition and removal of a decedent's remains. | | |
| SB 1429 | Hinojosa | Sponsor: Herrero |
| Relating to the use of standardized examinations by a school of nursing or educational program. | | |
| SB 1444 | Zaffirini | Sponsor: Bucy |
| Relating to the public retirement systems for employees of certain municipalities. | | |
| SB 1602 | Hughes | Sponsor: Cain |
| Relating to venue and choice of law for certain actions involving censorship by social media platforms. | | |
| SB 1648 | Parker | Sponsor: Walle |
| Relating to the centennial parks conservation fund. | | |
| SB 1725 | Hughes | Sponsor: Leo-Wilson |
| Relating to the expunction of certain convictions or arrests of a minor for certain alcohol-related offenses. | | |
| SB 1768 | Creighton | Sponsor: Bryant |
| Relating to the correction or removal of certain obsolete provisions of the Property Code. | | |
| SB 2032 | Creighton | Sponsor: Buckley |
| Relating to adult high school charter school programs. | | |
| SB 2173 | Alvarado | Sponsor: Dean |
| Relating to a pilot program for the safe disposal of prescription drugs, including controlled substance prescription drugs. | | |

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

**COMMITTEE SUBSTITUTE
SENATE BILL 379 ON SECOND READING**

Senator Huffman moved to suspend the regular order of business to take up for consideration **CSSB 379** at this time on its second reading:

CSSB 379, Relating to an exemption from sales and use taxes for certain family care items.

The motion prevailed.

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

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

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

Nays: Hall, Hughes.

**COMMITTEE SUBSTITUTE
SENATE BILL 379 ON THIRD READING**

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 379** 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, Johnson, King, Kolkhorst, LaMantia, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Hall, Hughes.

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

HOUSE BILL 3447 ON SECOND READING

Senator Huffman moved to suspend the regular order of business to take up for consideration **HB 3447** at this time on its second reading:

HB 3447, Relating to the establishment and administration of the Texas Aerospace Research and Space Economy Consortium and the Texas Space Commission.

The motion prevailed.

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

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 3447** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 61.922(1)(B), Education Code (page 1, lines 46 and 47), between "aeronautics" and "research", insert "and space".

(2) In SECTION 2 of the bill, in added Section 481.552(b), Government Code (page 3, line 27), between "exploration" and "and", insert "and discovery".

(3) In SECTION 2 of the bill, in added Section 481.557(d)(2), Government Code (page 4, lines 61 and 62), between "exploration" and "and", insert "and discovery".

(4) In SECTION 2 of the bill, in added Section 481.557(d)(3), Government Code (page 4, lines 63 and 64), between "exploration" and "and", insert "and discovery".

(5) In SECTION 2 of the bill, in added Section 481.557(d)(4), Government Code (page 4, line 65), between "curation" and "of", insert "and analysis".

(6) In SECTION 2 of the bill, in added Section 481.557(d)(4), Government Code (page 4, line 66), between "exploration" and "and", insert "and discovery".

The amendment to **HB 3447** 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.

HB 3447 as amended was passed to third reading by a viva voce vote.

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

Nays: Hall, Hughes.

HOUSE BILL 3447 ON THIRD READING

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3447** 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, Johnson, King, Kolkhorst, LaMantia, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Hall, Hughes.

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

HOUSE BILL 162 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 162** at this time on its second reading:

HB 162, Relating to minimum standards for prescribed burns.

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

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

HOUSE BILL 162 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 **HB 162** 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.

HOUSE BILL 219 ON SECOND READING

On motion of Senator Johnson and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 219** at this time on its second reading:

HB 219, Relating to the release of a deed of trust or other contract lien securing a home loan after payoff by mortgagor.

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

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

HOUSE BILL 219 ON THIRD READING

Senator Johnson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 219** 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.

HOUSE BILL 1277 ON SECOND READING

Senator West moved to suspend the regular order of business to take up for consideration **HB 1277** at this time on its second reading:

HB 1277, Relating to pedestrian use of a sidewalk.

The motion prevailed.

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

The bill was read second time.

Senator West offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1277** (senate committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. Section 552.006(b), Transportation Code, is amended to read as follows:

(b) If a sidewalk is not provided, a pedestrian walking along and on a highway shall [if possible] walk on [:

(1)] the left side of the roadway [;] or

[(2)] the shoulder of the highway facing oncoming traffic, unless the left side of the roadway or the shoulder of the highway facing oncoming traffic is obstructed.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was

committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

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

The amendment to **HB 1277** 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.

HB 1277 as amended was passed to third reading by a viva voce vote.

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

Nays: Creighton.

HOUSE BILL 1277 ON THIRD READING

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1277** be placed on its third reading and final passage.

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

Nays: Creighton.

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

HOUSE BILL 2901 ON SECOND READING

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2901** at this time on its second reading:

HB 2901, Relating to the enforcement of commercial motor vehicle safety standards in certain municipalities.

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

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

HOUSE BILL 2901 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 **HB 2901** be placed on its third reading and final passage.

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

Nays: Springer.

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

HOUSE BILL 2026 ON SECOND READING

Senator LaMantia moved to suspend the regular order of business to take up for consideration **HB 2026** at this time on its second reading:

HB 2026, Relating to the Rural Veterinarian Incentive Program.

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

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

Nays: Bettencourt, Hancock, Hughes, King, Middleton, Perry, Sparks, Springer.

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

HOUSE BILL 5214 ON SECOND READING

Senator Hughes moved to suspend the regular order of business to take up for consideration **HB 5214** at this time on its second reading:

HB 5214, Relating to actions brought by the attorney general on behalf of certain persons under the Texas Free Enterprise and Antitrust Act of 1983.

The motion prevailed.

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

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 5214** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 15.21(d), Business & Commerce Code (page 1, line 31), between "(c)" and the underscored period, add "provided that the attorney general shall notify in writing any governmental entity of the attorney general's intention to bring any such action on the governmental entity's behalf, and at any time within 30 days after receiving the notice, the governmental entity may, by formal resolution of its governing body or as otherwise specifically provided by applicable law, withdraw the authority of the attorney general to bring the intended action".

(2) In SECTION 1 of the bill, in added Section 15.21(d), Business & Commerce Code (page 1, line 57), following the underscored period, add "In any action brought under this section on behalf of any governmental entity, the state shall retain for deposit in the general revenue fund of the State Treasury, out of the proceeds, if any, resulting from such action, an amount equal to the expense incurred by the state in the investigation and prosecution of such action.".

The amendment to **HB 5214** 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.

HB 5214 as amended was passed to third reading by a viva voce vote.

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

Nays: Huffman, Springer.

HOUSE BILL 5214 ON THIRD READING

Senator Hughes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 5214** 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, Hall, Hancock, Hinojosa, Hughes, Johnson, King, Kolkhorst, LaMantia, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, West, Whitmire, Zaffirini.

Nays: Huffman, Springer.

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

RECESS

On motion of Senator Whitmire, the Senate at 1:07 p.m. recessed until 1:40 p.m. today.

AFTER RECESS

The Senate met at 2:03 p.m. and was called to order by Senator LaMantia.

ORDERED NOT PRINTED

The following bills were ordered not printed in the *Senate Journal*:

HB 4504, HB 4595, HB 4611.

HOUSE BILLS AND RESOLUTION ON FIRST READING

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

HB 211 to Committee on Health and Human Services.

HB 554 to Committee on Water, Agriculture, and Rural Affairs.

HB 630 to Committee on Natural Resources and Economic Development.

HB 994 to Committee on Local Government.

HB 1054 to Committee on Natural Resources and Economic Development.

HB 1055 to Committee on Natural Resources and Economic Development.

HB 1086 to Committee on Health and Human Services.

HB 1120 to Committee on State Affairs.

HB 1132 to Committee on Local Government.

HB 1138 to Committee on State Affairs.

HB 1164 to Committee on Health and Human Services.

HB 1170 to Committee on State Affairs.

HB 1179 to Committee on State Affairs.

HB 1191 to Committee on Local Government.
HB 1206 to Committee on Education.
HB 1215 to Committee on Business and Commerce.
HB 1299 to Committee on State Affairs.
HB 1311 to Committee on State Affairs.
HB 1340 to Committee on Health and Human Services.
HB 1353 to Committee on Local Government.
HB 1452 to Committee on Health and Human Services.
HB 1715 to Committee on State Affairs.
HB 1998 to Committee on Health and Human Services.
HB 2037 to Committee on Criminal Justice.
HB 2058 to Committee on Natural Resources and Economic Development.
HB 2085 to Committee on Local Government.
HB 2097 to Committee on State Affairs.
HB 2149 to Committee on Health and Human Services.
HB 2171 to Subcommittee on Higher Education.
HB 2586 to Committee on Natural Resources and Economic Development.
HB 2626 to Committee on State Affairs.
HB 2645 to Committee on Health and Human Services.
HB 2779 to Committee on Finance.
HB 2907 to Committee on Natural Resources and Economic Development.
HB 2919 to Committee on Jurisprudence.
HB 2927 to Committee on State Affairs.
HB 2947 to Committee on Water, Agriculture, and Rural Affairs.
HB 2993 to Committee on Natural Resources and Economic Development.
HB 3005 to Committee on Criminal Justice.
HB 3031 to Committee on Veteran Affairs.
HB 3091 to Committee on Health and Human Services.
HB 3119 to Committee on Health and Human Services.
HB 3135 to Committee on Local Government.
HB 3159 to Committee on State Affairs.
HB 3207 to Committee on Local Government.
HB 3264 to Committee on Local Government.
HB 3329 to Committee on Health and Human Services.
HB 3335 to Committee on Business and Commerce.
HB 3371 to Subcommittee on Higher Education.
HB 3380 to Committee on Health and Human Services.
HB 3386 to Committee on Jurisprudence.
HB 3388 to Committee on Jurisprudence.
HB 3424 to Committee on Criminal Justice.
HB 3464 to Committee on Criminal Justice.
HB 3465 to Committee on Local Government.
HB 3487 to Committee on Natural Resources and Economic Development.
HB 3537 to Committee on State Affairs.
HB 3579 to Committee on Business and Commerce.
HB 3581 to Committee on Business and Commerce.

HB 3613 to Committee on Local Government.
HB 3631 to Subcommittee on Higher Education.
HB 3708 to Committee on Education.
HB 3768 to Committee on Business and Commerce.
HB 3816 to Committee on Criminal Justice.
HB 3824 to Committee on Health and Human Services.
HB 3858 to Committee on Criminal Justice.
HB 3882 to Committee on Veteran Affairs.
HB 4020 to Committee on Health and Human Services.
HB 4069 to Committee on Water, Agriculture, and Rural Affairs.
HB 4083 to Committee on Business and Commerce.
HB 4120 to Committee on Natural Resources and Economic Development.
HB 4156 to Committee on Health and Human Services.
HB 4158 to Committee on Local Government.
HB 4172 to Committee on Local Government.
HB 4227 to Committee on Local Government.
HB 4250 to Committee on Local Government.
HB 4399 to Committee on State Affairs.
HB 4413 to Committee on Water, Agriculture, and Rural Affairs.
HB 4498 to Committee on Business and Commerce.
HB 4621 to Committee on State Affairs.
HB 4627 to Committee on Health and Human Services.
HB 4641 to Committee on Business and Commerce.
HB 4752 to Committee on Natural Resources and Economic Development.
HB 4759 to Committee on Criminal Justice.
HB 4771 to Committee on Local Government.
HB 4780 to Committee on State Affairs.
HB 4805 to Committee on Natural Resources and Economic Development.
HB 4819 to Committee on Water, Agriculture, and Rural Affairs.
HB 4846 to Committee on Transportation.
HB 4878 to Committee on Local Government.
HB 4897 to Committee on State Affairs.
HB 4989 to Committee on Health and Human Services.
HB 5007 to Committee on State Affairs.
HB 5025 to Committee on Water, Agriculture, and Rural Affairs.
HB 5121 to Committee on Health and Human Services.
HB 5151 to Committee on Transportation.
HB 5356 to Committee on Local Government.
HB 5376 to Committee on Local Government.
HB 5402 to Committee on Local Government.
HCR 87 to Committee on Administration.

(Senator Birdwell in Chair)
SENATE RULE 5.14(a) SUSPENDED
(Intent Calendar)
(Motion In Writing)

Senator Springer 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 4:30 p.m. today.

SPRINGER

The Motion In Writing was read and prevailed without objection.

HOUSE BILL 2271 ON SECOND READING

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2271** at this time on its second reading:

HB 2271, Relating to the protection of aquaculture operations.

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

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

HOUSE BILL 2271 ON THIRD READING

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2271** 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.

HOUSE BILL 2746 ON SECOND READING

On motion of Senator Menéndez and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2746** at this time on its second reading:

HB 2746, Relating to requirements related to refunds and credit provided under terminated debt cancellation agreements.

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

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

HOUSE BILL 2746 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 **HB 2746** 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.

HOUSE BILL 1285 ON SECOND READING

On motion of Senator Springer and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1285** at this time on its second reading:

HB 1285, Relating to the training and duties of a taxpayer liaison officer for an appraisal district.

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

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

HOUSE BILL 1285 ON THIRD READING

Senator Springer moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1285** 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.

HOUSE BILL 5260 ON SECOND READING

On motion of Senator Hancock and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 5260** at this time on its second reading:

HB 5260, Relating to the office of vehicle fleet management's plan for the state's vehicle fleet.

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

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

HOUSE BILL 5260 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 **HB 5260** 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
HOUSE BILL 207 ON SECOND READING**

On motion of Senator Middleton and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 207** at this time on its second reading:

CSHB 207, Relating to the exclusion of certain conveyances from classification as sham or pretended sales.

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

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

**COMMITTEE SUBSTITUTE
HOUSE BILL 207 ON THIRD READING**

Senator Middleton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 207** 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.

HOUSE BILL 1040 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1040** at this time on its second reading:

HB 1040, Relating to the authority of entities regulated by the Texas Department of Insurance to conduct business electronically.

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

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

HOUSE BILL 1040 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 **HB 1040** 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.

HOUSE BILL 1225 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1225** at this time on its second reading:

HB 1225, Relating to the administration of certain required assessment instruments in paper format.

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

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

HOUSE BILL 1225 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 **HB 1225** 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 HOUSE BILL 1416 ON SECOND READING

Senator Paxton moved to suspend the regular order of business to take up for consideration **CSHB 1416** at this time on its second reading:

CSHB 1416, Relating to accelerated instruction provided to public school students who fail to achieve satisfactory performance on certain assessment instruments.

The motion prevailed.

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

The bill was read second time.

Senator Paxton offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 1416** (senate committee report) in SECTION 2 of the bill, in added Section 28.0211(i-1), Education Code, by striking "medical" in each of the following places it appears:

- (1) page 5, line 25; and
- (2) page 5, line 28.

The amendment to **CSHB 1416** 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.

CSHB 1416 as amended was passed to third reading by a viva voce vote.

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

Nays: Gutierrez, Menéndez.

**COMMITTEE SUBSTITUTE
HOUSE BILL 1416 ON THIRD READING**

Senator Paxton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1416** 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, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, King, Kolkhorst, LaMantia, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Gutierrez, Menéndez.

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

HOUSE BILL 1957 ON SECOND READING

On motion of Senator King and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1957** at this time on its second reading:

HB 1957, Relating to the availability of financial information of nonprofit corporations for public inspection.

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

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

HOUSE BILL 1957 ON THIRD READING

Senator King moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1957** 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.

HOUSE BILL 4005 ON SECOND READING

Senator Parker moved to suspend the regular order of business to take up for consideration **HB 4005** at this time on its second reading:

HB 4005, Relating to the establishment of the Texas Competency-Based Education Grant Program for certain students enrolled in competency-based baccalaureate degree programs and to formula funding and dropped and repeated course restrictions for students enrolled in those degree programs at public institutions of higher education.

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

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

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

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

HOUSE BILL 4005 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 **HB 4005** be placed on its third reading and final passage.

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

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

Nays: Hall, Hancock, 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)

HOUSE BILL 1263 ON SECOND READING

On motion of Senator Miles and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1263** at this time on its second reading:

HB 1263, Relating to the ability of a local authority to designate school crossing zones and school crosswalks at high school campuses located in certain municipalities.

The bill was read second time.

Senator Miles offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1263** (senate committee report) as follows:

(1) In the recital to SECTION 1 of the bill (page 1, line 25), strike "Subsection (d)" and substitute "Subsections (d) and (e)".

(2) In SECTION 1 of the bill, strike added Section 542.203(d), Transportation Code (page 1, lines 26-30), and substitute the following:

(d) A local authority's standards, policies, orders, ordinances, regulations, or other measures that designate a school crossing zone or school crosswalk must include a high school campus that is located in a municipality with a population of two million or more.

(e) On request of an administrator of a high school campus described by Subsection (d), a local authority shall determine the components, including any engineering report, necessary to designate a school crossing zone or school crosswalk

at the campus and shall make the designation. This subsection does not apply to a high school campus undergoing major expansion or new construction that requires the preparation of a traffic impact analysis as part of the permitting process.

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

SECTION ____ . Not later than September 1, 2023, a local authority described by Section 542.203(d), Transportation Code, as added by this Act, shall:

(1) update all applicable school zone standards, policies, orders, ordinances, and regulations to comply with that section; and

(2) post the updates described by Subdivision (1) of this section on a publicly accessible Internet website with clear instructions describing the process by which a designation request may be made under Section 542.203(e), Transportation Code, as added by this Act.

The amendment to **HB 1263** 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.

HB 1263 as amended was passed to third reading by a viva voce vote.

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

HOUSE BILL 1263 ON THIRD READING

Senator Miles moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1263** 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 HOUSE BILL 1712 ON SECOND READING

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

CSHB 1712, Relating to the inclusion of a magistrate's name on certain signed orders.

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

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

COMMITTEE SUBSTITUTE HOUSE BILL 1712 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 **CSHB 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.

HOUSE BILL 260 ON SECOND READING

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 260** at this time on its second reading:

HB 260, Relating to the calculation of net to land in the appraisal of open-space land for ad valorem tax purposes.

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

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

HOUSE BILL 260 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 **HB 260** 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.

HOUSE BILL 1959 ON SECOND READING

Senator King moved to suspend the regular order of business to take up for consideration **HB 1959** at this time on its second reading:

HB 1959, Relating to the transfer of certain public school students who are children of peace officers.

The motion prevailed.

Senator Johnson 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 third reading by a viva voce vote.

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

Nays: Johnson.

HOUSE BILL 1959 ON THIRD READING

Senator King moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1959** be placed on its third reading and final passage.

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

Nays: Johnson.

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

HOUSE BILL 3013 ON SECOND READING

On motion of Senator Flores and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3013** at this time on its second reading:

HB 3013, Relating to exempting certain contracts from procurement notice requirements.

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

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

HOUSE BILL 3013 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 **HB 3013** 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.

HOUSE BILL 4700 ON SECOND READING

Senator Nichols moved to suspend the regular order of business to take up for consideration **HB 4700** at this time on its second reading:

HB 4700, Relating to the creation and operations of a health care provider participation program by the Nacogdoches County Hospital District

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 third reading by a viva voce vote.

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

Nays: Middleton.

HOUSE BILL 4700 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 **HB 4700** 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)

HOUSE BILL 2732 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2732** at this time on its second reading:

HB 2732, Relating to cemeteries in certain municipalities.

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

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

HOUSE BILL 2732 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 **HB 2732** 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.

HOUSE BILL 3673 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3673** at this time on its second reading:

HB 3673, Relating to an exemption for certain life insurance companies regarding the valuation of reserves.

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

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

HOUSE BILL 3673 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 **HB 3673** 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.

HOUSE BILL 2568 ON SECOND READING

On motion of Senator LaMantia and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2568** at this time on its second reading:

HB 2568, Relating to a study of carrizo cane on the international border of this state.

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

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

HOUSE BILL 2568 ON THIRD READING

Senator LaMantia moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2568** 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.

HOUSE BILL 1971 ON SECOND READING

On motion of Senator Springer and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1971** at this time on its second reading:

HB 1971, Relating to the procedures for acting on a permit or permit amendment application by a groundwater conservation district and the disqualification of board members of groundwater conservation districts.

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

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

HOUSE BILL 1971 ON THIRD READING

Senator Springer moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1971** 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

HOUSE BILL 2729 ON SECOND READING

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSHB 2729** at this time on its second reading:

CSHB 2729, Relating to teacher requirements for high quality prekindergarten programs.

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

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

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

The bill was read second time and was passed to third reading by the following vote: Yeas 20, Nays 11. (Same as previous roll call)

HOUSE BILL 4443 ON SECOND READING

Senator Kolkhorst moved to suspend the regular order of business was suspended to take up for consideration **HB 4443** at this time on its second reading:

HB 4443, Relating to the allocation of certain federal money provided under the Cranston-Gonzalez National Affordable Housing Act.

The motion prevailed.

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

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 4443** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION ____ . Section 2306.6703(a), Government Code, is amended to read as follows:

(a) An application is ineligible for consideration under the low income housing tax credit program if:

(1) at the time of application or at any time during the two-year period preceding the date the application round begins, the applicant or a related party is or has been:

(A) a member of the board; or

(B) the director, a deputy director, the director of housing programs, the director of compliance, the director of underwriting, or the low income housing tax credit program manager employed by the department;

(2) the applicant proposes to replace in less than 15 years any private activity bond financing of the development described by the application, unless:

(A) at least one-third of all the units in the development are public housing units or Section 8 project-based units and the applicant proposes to maintain for a period of 30 years or more 100 percent of the units supported by housing tax credits as rent-restricted and exclusively for occupancy by individuals and families earning not more than 50 percent of the area median income, adjusted for family size;

(B) the applicable private activity bonds will be redeemed only in an amount consistent with their proportionate amortization; or

(C) if the redemption of the applicable private activity bonds will occur in the first five years of the operation of the development and complies with Section 42(h)(4), Internal Revenue Code of 1986:

(i) on the date the certificate of reservation is issued, the Bond Review Board determines that there is not a waiting list for private activity bonds in the same priority level established under Section 1372.0321 or, if applicable, in the same uniform state service region, as referenced in Section 1372.0231, that is served by the proposed development; and

(ii) the applicable private activity bonds will be redeemed according to underwriting criteria, if any, established by the department;

(3) the applicant proposes to construct a new development that is located one linear mile or less from a development that:

(A) serves the same type of household as the new development, regardless of whether the developments serve families, elderly individuals, or another type of household;

(B) has received an allocation of housing tax credits for new construction at any time during the three-year period preceding the date the application round begins; and

(C) has not been withdrawn or terminated from the low income housing tax credit program; or

(4) the development is located in a municipality or, if located outside a municipality, a county that has more than twice the state average of units per capita supported by housing tax credits or private activity bonds, unless the applicant:

(A) has obtained prior approval of the development from the governing body of:

(i) the appropriate municipality or county containing the development; or

(ii) both the municipality and county containing the development, if the development is located in a municipality with a population of more than 15,000 that represents more than 40 percent of the population of a county with a population of not more than 40,000; and

(B) has included in the application a written statement of support from that governing body referencing this section and authorizing an allocation of housing tax credits for the development.

The amendment to **HB 4443** 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.

HB 4443 as amended was passed to third reading by a viva voce vote.

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

Nays: Middleton.

HOUSE BILL 4443 ON THIRD READING

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 4443** 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)

HOUSE BILL 1391 ON SECOND READING

Senator Perry moved to suspend the regular order of business to take up for consideration **HB 1391** at this time on its second reading:

HB 1391, Relating to the requirements to obtain a residential wireman license.

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

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

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

The bill was read second time and was passed to third reading by the following vote: Yeas 20, Nays 11. (Same as previous roll call)

HOUSE BILL 3803 ON SECOND READING

On motion of Senator Paxton and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3803** at this time on its second reading:

HB 3803, Relating to allowing parents and guardians to elect for a student to repeat or retake a course or grade.

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

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

HOUSE BILL 3803 ON THIRD READING

Senator Paxton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3803** 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)

HOUSE BILL 2024 ON THIRD READING

Senator King moved to suspend the regular order of business to take up for consideration **HB 2024** at this time on its third reading and final passage:

HB 2024, Relating to statutes of limitation and repose for certain claims arising out of residential construction.

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

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

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

The bill was read third time and was passed by the following vote: Yeas 22, Nays 9. (Same as previous roll call)

HOUSE BILL 3514 ON SECOND READING

Senator Birdwell moved to suspend the regular order of business to take up for consideration **HB 3514** at this time on its second reading:

HB 3514, Relating to the authority of a municipality to annex property in certain water districts.

The motion prevailed.

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

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

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

Nays: Hancock, Hughes, Middleton.

HOUSE BILL 3514 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 **HB 3514** be placed on its third reading and final passage.

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

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

Nays: Hancock, Hughes, Middleton.

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

HOUSE BILL 5399 ON SECOND READING

Senator Menéndez moved to suspend the regular order of business to take up for consideration **HB 5399** at this time on its second reading:

HB 5399, Relating to the creation of the Jones Avenue Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

The motion prevailed.

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

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

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

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

Nays: Hall, Hancock, Hughes, Middleton.

Present-not voting: Kolkhorst.

HOUSE BILL 5399 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 **HB 5399** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 4, Present-not voting 1.

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

Nays: Hall, Hancock, Hughes, Middleton.

Present-not voting: Kolkhorst.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 4, Present-not voting 1. (Same as previous roll call)

HOUSE BILL 3993 ON THIRD READING

Senator Middleton moved to suspend the regular order of business to take up for consideration **HB 3993** at this time on its third reading and final passage:

HB 3993, Relating to the automatic admission of students with a nontraditional secondary education to certain public institutions of higher education.

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

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

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

The bill was read third time and was passed by the following vote: Yeas 20, Nays 11. (Same as previous roll call)

HOUSE BILL 2453 ON SECOND READING

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

HB 2453, Relating to the issuance of a digital occupational license by a state agency, county, or municipality.

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

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

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

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

HOUSE BILL 2453 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 **HB 2453** be placed on its third reading and final passage.

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

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

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

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

COMMITTEE SUBSTITUTE**HOUSE BILL 2121 ON SECOND READING**

On motion of Senator Springer and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2121** at this time on its second reading:

CSHB 2121, Relating to the form of a rendition statement or property report used to render property for ad valorem tax purposes.

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

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

**COMMITTEE SUBSTITUTE
HOUSE BILL 2121 ON THIRD READING**

Senator Springer moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2121** 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.

HOUSE BILL 4101 ON SECOND READING

On motion of Senator Springer and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 4101** at this time on its second reading:

HB 4101, Relating to the matters that may be the subject of limited binding arbitration to compel compliance with procedural requirements related to protests before appraisal review boards.

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

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

HOUSE BILL 4101 ON THIRD READING

Senator Springer moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 4101** 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.

HOUSE BILL 2022 ON SECOND READING

Senator King moved to suspend the regular order of business to take up for consideration **HB 2022** at this time on its second reading:

HB 2022, Relating to residential construction liability.

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

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

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

The bill was read second time and was passed to third reading by the following vote: Yeas 20, Nays 11. (Same as previous roll call)

HOUSE BILL 5355 ON SECOND READING

Senator Sparks moved to suspend the regular order of business to take up for consideration **HB 5355** at this time on its second reading:

HB 5355, Relating to the creation of the Prairie View Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

The motion prevailed.

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

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

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

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

Nays: Hall, Hancock, Hughes, Middleton.

Present-not voting: Kolkhorst.

HOUSE BILL 5355 ON THIRD READING

Senator Sparks moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 5355** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 4, Present-not voting 1.

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

Nays: Hall, Hancock, Hughes, Middleton.

Present-not voting: Kolkhorst.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 4, Present-not voting 1. (Same as previous roll call)

HOUSE JOINT RESOLUTION 134 ON SECOND READING

Senator Middleton moved to suspend the regular order of business to take up for consideration **HJR 134** at this time on its second reading:

HJR 134, Proposing a constitutional amendment to abolish the office of county treasurer of Galveston County.

The motion prevailed.

Senators Flores, Gutierrez, West, and Zaffirini asked to be recorded as voting "Nay" on suspension of the regular order of business.

The resolution was read second time and was passed to third reading by a viva voce vote.

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

Nays: Flores, Gutierrez, West, Zaffirini.

HOUSE JOINT RESOLUTION 134 ON THIRD READING

Senator Middleton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HJR 134** 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, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, King, Kolkhorst, LaMantia, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, Whitmire.

Nays: Flores, Gutierrez, West, Zaffirini.

The resolution was read third time and was passed by the following vote: Yeas 27, Nays 4. (Same as previous roll call)

HOUSE BILL 2012 ON SECOND READING

Senator Hughes moved to suspend the regular order of business to take up for consideration **HB 2012** at this time on its second reading:

HB 2012, Relating to the display of the national motto in public school and institution of higher education classrooms.

The motion prevailed.

Senators Eckhardt and Johnson 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 third reading by a viva voce vote.

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

Nays: Eckhardt, Johnson.

HOUSE BILL 2012 ON THIRD READING

Senator Hughes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2012** 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, Flores, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Hughes, King, Kolkhorst, LaMantia, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Eckhardt, Johnson.

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

**COMMITTEE SUBSTITUTE
HOUSE BILL 6 ON SECOND READING**

Senator Huffman moved to suspend the regular order of business was suspended to take up for consideration **CSHB 6** at this time on its second reading:

CSHB 6, Relating to the designation of fentanyl toxicity for purposes of the death certificate and to the criminal penalties for certain controlled substance offenses; increasing a criminal penalty.

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.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 6** (senate committee report) in SECTION 1 of the bill, in added Section 193.005(e-1), Health and Safety Code (page 1, line 26), between "include" and "the term" by inserting "either the term "Fentanyl Poisoning" or".

The amendment to **CSHB 6** 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.

CSHB 6 as amended was passed to third reading by a viva voce vote.

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

Nays: Eckhardt.

**COMMITTEE SUBSTITUTE
HOUSE BILL 6 ON THIRD READING**

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 6** 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)

HOUSE BILL 3222 ON SECOND READING

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3222** at this time on its second reading:

HB 3222, Relating to eligibility for a loan under the disaster recovery loan program.

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

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

HOUSE BILL 3222 ON THIRD READING

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3222** be placed on its third reading and final passage.

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

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

(President in Chair)

HOUSE BILL 2127 ON THIRD READING

Senator Creighton moved to suspend the regular order of business to take up for consideration **HB 2127** at this time on its third reading and final passage:

HB 2127, Relating to state preemption of and the effect of certain state or federal law on certain municipal and county regulation.

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)

HOUSE BILL 1182 REREFERRED

(Motion In Writing)

Senator Whitmire submitted a Motion In Writing requesting that **HB 1182** be withdrawn from the Committee on Jurisprudence and rereferred to the Committee on Criminal Justice.

The Motion In Writing was read and prevailed without objection.

SENATE BILL 622 WITH HOUSE AMENDMENT

Senator Parker called **SB 622** 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 622** (house committee report) on page 3 by striking lines 4 through 6 and renumbering subsequent subdivisions of the subsection accordingly.

The amendment was read.

Senator Parker moved to concur in the House amendment to **SB 622**.

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

Nays: Eckhardt.

SENATE BILL 773 WITH HOUSE AMENDMENT

Senator Parker called **SB 773** 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 773** (house committee report) as follows:

(1) On page 1, lines 6 and 7, strike "Medical Freedom Act" and substitute "Mary Lou's Law".

(2) On page 3, line 16, between "significant" and "functional", insert "mental and".

(3) On page 6, strike lines 16 and 17, and substitute the following:
the recommendations meet the requirements of this chapter and rules adopted under this chapter.

The amendment was read.

Senator Parker 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 773** before appointment.

There were no motions offered.

The President announced the appointment of the following conferees on the part of the Senate: Senators Parker, Chair; Hughes, Creighton, LaMantia, and Campbell.

SENATE BILL 1403 WITH HOUSE AMENDMENT

Senator Parker called **SB 1403** 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 1403** (house committee printing) as follows:

(1) On page 1, line 10, strike "shall" and substitute "may".

(2) Strike SECTION 2 of the bill (page 2, line 4).

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

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

The amendment was read.

Senator Parker moved to concur in the House amendment to **SB 1403**.

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

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

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

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Springer and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Local Government might meet and consider the following bills upon adjournment today in Room E1.004: **HB 2878, HB 4835**.

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 **HB 3452** at 9:00 a.m. tomorrow.

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 Education might meet and consider **HB 5167** at 9:00 a.m. tomorrow in Room E1.028.

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 Education might meet upon adjournment today in the Press Room, 2E.9.

SENATE RULE 11.13 SUSPENDED
(Consideration of Bills in Committees)
(Motion In Writing)

Senator Hall submitted the following Motion In Writing:

Mr. President:

I move to suspend Senate Rule 11.13 to permit committees to meet during consideration of the Local and Uncontested Calendar.

HALL

The Motion In Writing was read and prevailed without objection.

BILLS AND RESOLUTION SIGNED

The President announced the signing of the following enrolled bills and resolution in the presence of the Senate after the captions had been read:

HB 367, HB 1550, HB 1740, HB 1846, HB 1890, HB 2073, HB 2464, HJR 107.

CO-AUTHORS OF SENATE BILL 379

On motion of Senator Huffman, Senators Blanco and Johnson will be shown as Co-authors of **SB 379**.

CO-AUTHOR OF SENATE BILL 1281

On motion of Senator Hughes, Senator Miles will be shown as Co-author of **SB 1281**.

CO-SPONSORS OF HOUSE BILL 6

On motion of Senator Huffman, Senators Creighton and Kolkhorst will be shown as Co-sponsors of **HB 6**.

CO-SPONSOR OF HOUSE BILL 18

On motion of Senator Hughes, Senator Menéndez will be shown as Co-sponsor of **HB 18**.

CO-SPONSOR OF HOUSE BILL 165

On motion of Senator Whitmire, Senator Blanco will be shown as Co-sponsor of **HB 165**.

CO-SPONSOR OF HOUSE BILL 282

On motion of Senator Hancock, Senator Blanco will be shown as Co-sponsor of **HB 282**.

CO-SPONSOR OF HOUSE BILL 562

On motion of Senator Flores, Senator Blanco will be shown as Co-sponsor of **HB 562**.

CO-SPONSOR OF HOUSE BILL 671

On motion of Senator Eckhardt, Senator Blanco will be shown as Co-sponsor of **HB 671**.

CO-SPONSOR OF HOUSE BILL 841

On motion of Senator Middleton, Senator Blanco will be shown as Co-sponsor of **HB 841**.

CO-SPONSORS OF HOUSE BILL 1181

On motion of Senator Paxton, Senators Bettencourt, Birdwell, Hughes, Menéndez, Middleton, Parker, Perry, and Zaffirini will be shown as Co-sponsors of **HB 1181**.

CO-SPONSOR OF HOUSE BILL 1193

On motion of Senator Miles, Senator Johnson will be shown as Co-sponsor of **HB 1193**.

CO-SPONSORS OF HOUSE BILL 1287

On motion of Senator Blanco, Senators Johnson, Perry, and Sparks will be shown as Co-sponsors of **HB 1287**.

CO-SPONSOR OF HOUSE BILL 1466

On motion of Senator Johnson, Senator Campbell will be shown as Co-sponsor of **HB 1466**.

CO-SPONSORS OF HOUSE BILL 1696

On motion of Senator Hughes, Senators Menéndez and Middleton will be shown as Co-sponsors of **HB 1696**.

CO-SPONSOR OF HOUSE BILL 1712

On motion of Senator Alvarado, Senator Hinojosa will be shown as Co-sponsor of **HB 1712**.

CO-SPONSOR OF HOUSE BILL 1879

On motion of Senator Sparks, Senator LaMantia will be shown as Co-sponsor of **HB 1879**.

CO-SPONSOR OF HOUSE BILL 1960

On motion of Senator Blanco, Senator Zaffirini will be shown as Co-sponsor of **HB 1960**.

CO-SPONSOR OF HOUSE BILL 2012

On motion of Senator Hughes, Senator Kolkhorst will be shown as Co-sponsor of **HB 2012**.

CO-SPONSOR OF HOUSE BILL 2454

On motion of Senator Huffman, Senator Alvarado will be shown as Co-sponsor of **HB 2454**.

CO-SPONSOR OF HOUSE BILL 2478

On motion of Senator Blanco, Senator Johnson will be shown as Co-sponsor of **HB 2478**.

CO-SPONSOR OF HOUSE BILL 2951

On motion of Senator Hancock, Senator Blanco will be shown as Co-sponsor of **HB 2951**.

CO-SPONSOR OF HOUSE BILL 3075

On motion of Senator Flores, Senator Eckhardt will be shown as Co-sponsor of **HB 3075**.

CO-SPONSOR OF HOUSE BILL 3162

On motion of Senator Springer, Senator Miles will be shown as Co-sponsor of **HB 3162**.

CO-SPONSOR OF HOUSE BILL 3287

On motion of Senator LaMantia, Senator Paxton will be shown as Co-sponsor of **HB 3287**.

CO-SPONSORS OF HOUSE BILL 3447

On motion of Senator Huffman, Senators Alvarado and Hinojosa will be shown as Co-sponsors of **HB 3447**.

CO-SPONSOR OF HOUSE BILL 4246

On motion of Senator LaMantia, Senator Zaffirini will be shown as Co-sponsor of **HB 4246**.

CO-SPONSOR OF HOUSE BILL 5174

On motion of Senator Huffman, Senator Alvarado will be shown as Co-sponsor of **HB 5174**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 597 by Eckhardt, In memory of Martha Gay Kokernot Ratliff.

SR 598 by Eckhardt, In memory of Elizabeth Anne Trimble Kohler.

SR 599 by Eckhardt, In memory of Jayne Word Dibrell.

SR 602 by Hinojosa, In memory of Fortunato "Pete" Benavides.

Congratulatory Resolution

SR 600 by Eckhardt, Recognizing Carolyn White-Mosley for her efforts to end teen dating violence.

RECESS AND MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 4:43 p.m. agreed to recess, until 8:00 a.m. tomorrow for the Local and Uncontested Calendar Session.

The Senate further agreed to adjourn, in memory of James D. Kniker and Lori Cheryl Saunders Broughton, upon conclusion of the Local and Uncontested Calendar Session, 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 16, 2023

STATE AFFAIRS — **HB 2138, HB 3297, HB 2291**

ADMINISTRATION — **HB 4595, HB 4504, HB 4611**

STATE AFFAIRS — **HB 639, HB 1825, HB 1817, HB 1423, HB 3372, HB 315, HB 246, HB 2837, HB 2800, HB 891, HB 4333**

ADMINISTRATION — **HCR 83, SCR 48, HCR 77, HCR 82, HCR 75, HCR 45, HCR 42, HCR 4, HB 3574, HCR 61**

LOCAL GOVERNMENT — **HB 2867, CSSB 560**

ADMINISTRATION — **HCR 12**

VETERAN AFFAIRS — **HB 2499, HB 671, HB 387, HB 2951, HB 4421, HB 1457**

STATE AFFAIRS — **CSHB 357, CSHB 1217**

FINANCE — **CSHB 4034**

BUSINESS AND COMMERCE — **CSHB 4194, CSHB 2706, HB 2157, HB 2065, HB 1911, HB 1558, HB 2334**

FINANCE — **CSHJR 125, CSHB 9**

BILL ENGROSSED

May 16, 2023

SB 379

BILLS AND RESOLUTIONS ENROLLED

May 16, 2023

SB 62, SB 224, SB 478, SB 490, SB 622, SB 745, SB 820, SB 855, SB 876, SB 895, SB 922, SB 989, SB 1054, SB 1145, SB 1213, SB 1237, SB 1300, SB 1403, SB 1429, SB 1444, SB 1499, SB 1602, SB 1648, SB 1725, SB 1768, SB 2032, SB 2173, SR 563, SR 564, SR 575, SR 597, SR 598, SR 599, SR 600, SR 602

SENT TO GOVERNOR

May 16, 2023

SB 241, SB 577, SB 768, SB 811, SB 825, SB 887, SB 943, SB 1032, SB 1186, SB 1381, SB 1413, SB 1506, SB 1592, SB 1612, SB 1716, SB 1780, SB 1801, SB 1809, SB 1850, SB 1869, SB 2123, SB 2124, SB 2258, SB 2261, SB 2294, SB 2355, SB 2566, SB 2576, SB 2577, SB 2579, SB 2583, SB 2599, SB 2600, SCR 47